

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

46th Legislative Day

5/4/2005

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, cell phones, and pagers. And we ask our guests in the gallery to rise and join us for the invocation and the Pledge of Allegiance. Before I introduce our guest for the invocation, let me acknowledge the presence of Bishop Lucas from the Archbishop of Springfield... the Archdiocese of Springfield. And we shall be led in prayer today by his emnlence... eminence, Francis Cardinal George, the Archbishop Cardinal of the Archdiocese of Chicago. Your Honor, the... Your Eminence, the mistake was on the piece of paper. Cardinal George is the guest of Speaker Madigan."

Cardinal George: "Thank you very much, Mr. Speaker. Actually, this is a lot like being in church, so many of you come late. Before I... before I pray I want to thank you for inviting me to come to give the invocation because it gives me a chance to thank you for the work you do for the common good of the people of our state. The State of Illinois is what it is because of your efforts in great part and it isn't often that formally many people, perhaps, get a chance to thank you, but I do so sincerely. Thank you. The late Pope John Paul II in the death was revealed to be a man of giant proportions. In 1995, he wrote something which is important, I think. 'We must not stifle the voice of the Lord echoing in the conscience of every individual. It is always from the sanctuary of the conscience that a

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new journey of love, openness, and service to human life can begin.' Let us pray. Almighty and ever living God, from whom every good gift comes, as the days of winter give way to the warmth of spring, send Your spirit into our lives with the power of a mighty wind in the cities, through the towns, and across our prairie state. May Your spirit guide us and make us ever young. Lord, our God, in You we live and move and have our being. We thank You for the many gifts with which You have blessed our lives. May we be faithful stewards and use these gifts wisely. May we generously share them with all our sisters and brothers. Lord, God, as You speak to us in the events of the day and the people we encounter, fill us with Your grace so that we will use our freedom to pursue truth. Save us from being trapped in our own desires and particular projects. Guide us so that we are ever mindful of all those in need, particularly the most defenseless among us. You have given us the capacity, for which we thank You, to solve problems with courage and understanding, to address discord with justice and compassion, to break through the façade of cynicism with drust... trust and hope, and to bring Your healing love to a broken world. Help us to do Your will. Finally, Lord, bless the Governor of this state, the Members of the House and Senate, and all who hold positions of public trust and who shape the culture and the life of our society. May they recognize the moral responsibility entrusted it to them and in their deliberations ever seek enlightened counsel, speak the truth, and act with vision

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and fortitude to faithfully and fairly serve the people of Illinois. We ask this of You, Lord, the source of all life, goodness, and blessing, now and forever. Amen."

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

Patterson - 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: "Ladies and Gentlemen, the Cardinal is going to leave for the Senate and for those of you that would like a picture with the Cardinal, he'll be at a reception tonight at the Sangamo Club. And Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record reflect that Representative McKeon is excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Please le... let the record reflect that Representative Cou... Coulson is excused today."

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

Clerk Mahoney: "Committee Reports. 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 May 04, 2005, reported the same back with the following recommendation/s: 'approved for floor consideration' Amendment #1, 2, and 5

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to House Bill 2706. Representative Colvin, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on May 03, 2005, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 101. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on May 03, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 301, Senate Bill 302, Senate Bill 1221, Senate Bill 1235, Senate Bill 1738; 'recommends be adopted' House Joint Resolution 20. Representative Granberg, Chairperson from the Committee on Agriculture & Conservation, to which the following measure/s was/were referred, action taken on May 03, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 59 and Senate Bill 123; 'do pass as amended Short Debate' Senate Bill 53 and Senate Bill 57."

Speaker Hannig: "On... on page 3 of the Calendar, under the Order of Senate Bills-Third Reading, is Senate Bill 12. Representative Feigenholtz, do you wish us to read that Bill? Representative Feigenholtz, we're prepared to read Senate Bill 12. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "Senate Bill 12, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Feigenholtz."

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Feigenholtz: "Thank you, Mr. Speaker. Senate Bill 12 passed out of committee unanimously. It amends the Illinois Insurance Code regarding mandated coverage for mammograms by... by allowing physicians who determine whether or not it's medically necessary for a woman's health, women under the age of 40, to have... or women who have a history of breast cancer to have annual mammograms. I'd be happy to answer any questions."

Speaker Hannig: "The Lady moves for the passage of Senate Bill 12. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, good morning... good afternoon. How did this Bill... what... what committee was this Bill heard in?"

Feigenholtz: "I'm sorry, I cannot hear you. Mr. Speaker."

Speaker Hannig: "Could we have some order so that Representative Parke and Representative Feigenholtz can debate this Bill?"

Parke: "I just asked what committee did this Bill go through, Representative."

Feigenholtz: "Healthcare Availability & Access."

Parke: "And in committee was there anybody that testified for or against this?"

Feigenholtz: "No one testified for and against it, no. I did it myself."

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Parke: "So... and... but currently, this is supported by... do you know if there's any opponents to your legislation, Representative?"

Feigenholtz: "I'm sorry, Terry, I can't hear you."

Parke: "Do you know if there's any opponents? Has anybody talked to you about concerns..."

Feigenholtz: "No. No."

Parke: "...about your legislation?"

Feigenholtz: "Nobody. No. Everyone loves this Bill."

Parke: "Okay. Thank you. Ladies and Gentlemen of the House, I want to remind you that we're on Third Reading. There seems to be an awful lot of discussion going on and this is... these are Third Reading, final reading votes. So I would suggest that the Members pay attention. I have no problems with this legislation. Thank you, Representative."

Feigenholtz: "Thank you."

Speaker Hannig: "This is on the Order of Short Debate. And Representative Feigenholtz is recognized to close."

Feigenholtz: "Ladies and Gentlemen, 211 thousand new cases of breast cancer are expected to occur among women in the United States in 2005 and 40 thousand deaths. This is a Bill that is going to allow women under the age of 40, if directed by a physician because of situations going on in their family history, some younger women who are predisposed to breast cancer, to get tested. And I would appreciate your support on this. Thank you."

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Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Poe, would you like to be recorded on this issue? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Yarbrough, for what reason do you rise?"

Yarbrough: "Point of personal privilege."

Speaker Hannig: "State your point."

Yarbrough: "Myself and Representative Bob Biggins have the distinct honor of representing the Village of Westchester. And today in the gallery we have the Westchester Chamber of Commerce. So give them a great Springfield welcome."

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

McAuliffe: "A point of personal privilege."

Speaker Hannig: "State your point."

McAuliffe: "Today we have a group of principals, teachers, and pre... and parents with the Coalition for Excellence, which represents the Chicago Public Schools in the northwest side of the City of Chicago, among Joe Lyons and John D'Amico in my district. So, I'd like to welcome Gene Marie Shultz and her group up here in the gallery behind us. Thank you."

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

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Bost: "Mr. Speaker, in the report of absentees, Raymond Poe is also excused today."

Speaker Hannig: "Okay. And the record will so note. Thank you, Representative Bost. Representative Flider. Representative Flider, would you like us to read Senate Bill 15? Out of the record. Representative Chapa LaVia on Senate Bill 40. Mr. Clerk, read the Bill. Senate Bill 40."

Clerk Mahoney: "Senate Bill 40, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Kane, Representative Chapa LaVia."

Chapa LaVia: "Tha... thank you, Members of the General Assembly. What this Bill does, it just goes forward to the request of the Federal Government to give us a... an annual report of the benefits that the Illinois veterans are receiving and where we fall in the category of the rest of the 49 states besides ours. I would hope for a favorable vote and everybody to be placed on this legislation."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 15?"

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Clerk Mahoney: "Senate Bill 15, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Flider."

Flider: "Thank you, Mr. Chairman... or Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 15 creates the Rural Microbusiness Loan Program and the program would be administered by the Decar... Department of Commerce and Economic Opportunity. And the goal of the legislation is to provide loans to rural microbusinesses that meet specific requirements. At least 80 percent of the loan funds would go to rural microbusinesses in counties with a hundred thousand or fewer residents. And I would appreciate your support. This Bill, it would be beneficial to smaller businesses. Often, we focus on larger businesses but this would be a good opportunity to help our smaller businesses. Thank you."

Speaker Hannig: "Okay, this is on the Order of Short Debate. And the Chair recognizes the Gentleman from Vermilion, Representative Black. Representative Black."

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

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

Black: "Representative, what... what fund will this... will these dollars come from? Will... will be taken from, I guess I should say."

Flider: "Well, this would be subject to appropriation."

Black: "Did the department ind... give any indication to you that the... currently, this fund has no money in it."

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Flider: "Yeah, my understanding is that, given this is a new program, this actually would be subject to appropriation."

Black: "So, it would appear that perhaps other funds will be... will have to be transferred from existing accounts. Would..."

Flider: "Well, I... I think that that would be up to the General Assembly to decide once we get into the appropriation process. It could be that it's a new program for which we provide new funding. Oftentimes, we here in the General Assembly have programs that we think are good ideas, however, they are subject to appropriation."

Black: "Could this be construed in any way as to perhaps taking money from existing minority business programs and transferring it to this rural microbusiness loans?"

Flider: "No."

Black: "What... what makes you so certain?"

Flider: "Well, I think that if the Legislature is involved in the appropriation process and the Legislature determines what the appropriations are, then we will make determinations based on the amount of dollars that we have. But in no way, shape, or form is it designed to replace funding from any other program. It's designed to help businesses in the rural communities."

Black: "I'm not following you, Representative. It would seem to me that if we make appropriations of this fund, it only stands to reason that the easiest way to do that is to take funds... dollars from other set-aside funds that the Department of Commerce and Economic Opportunity would run."

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And that... that opens up a scenario where you could be ra... raiding dollars set aside for minority contracts or minority-based programs. And I live in a rural area like you, but I... I wanna make sure we're not setting ourselves up where we may be robbing Peter in order to pay Paul."

Flider: "Representative, my approach is that we are not robbing Peter to pay Paul, we are not taking dollars from one program to... to benefit another program. My hope is that we would look at the new revenues coming into the state and we would say there's an appropriate amount of money available to fund these loan programs. If, however, there's not enough money to fund the loan programs then, in effect, we'll have to wait until there is enough money. But in no way are we displacing any program. In fact, what we need to be looking at is if there are new revenues coming into the state, this legislation will help businesses. This legislation will help businesses create jobs. This legislation will ensure that our rural economy is able to benefit from the possibility of... of new growth and new opportunity. And I can tell ya, in Central Illinois, for example, especially as it relates to the agriculture industry, we need all the help we can get. Whether it's downstate agriculture, whether it's tourism where we're trying to take advantage of people coming into this state to participate in the Lincoln sites, Lincoln Museum, trying to get 'em over to Shelbyville, for example, trying to get them to Arthur to stop into those businesses. Whether it's a new winery, whether it's any other program, whether it's

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any other business, what we're trying to do is have a loan program that helps those businesses. We're not trying to hurt anybody else."

Black: "Well, if you'll look on the Bill on page 1, line 8 and 9, you're creating the Illinois Capitol Revolving Loan Fund. Now, it would seem to me, Representative, that that fund could also be used to finance minority business programs, loans to minority-based enterprises. There's a... I... what I'm... what I'm afraid of is that there's a finite amount of money and when you put it in this fund then the... the newly created rural microbusiness program may be competing for dollars against programs that have a... a longer track record, or... or am I just reading something into it that you don't see?"

Flider: "Well, with all due respect, Representative, I do believe that fund already exists. What we are doing is that we are adding a new opportunity for loan creation for small businesses."

Speaker Hannig: "Representative Black, your... your 5 minutes have expired."

Black: "Boy, time flies when you're having fun."

Speaker Hannig: "I know. Why don't we do this, Representative Black. We'll take the Bill off Short Debate, Representative Mulligan has some questions."

Black: "Okay. All right."

Speaker Hannig: "And if you'd like to speak again someone could yield you..."

Black: "All right."

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Speaker Hannig: "...some additional time."

Black: "No, that... thank you very much, Mr. Speaker. I... I've covered most of my questions. There... there probably will be others. I just think we need to focus on the... the amount of dollars and where those dollars may go and what competition may evolve. I thank you for your time."

Speaker Hannig: "Okay. Representative Mulligan."

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

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

Mulligan: "Representative, although this sounds like a good Bill, there's no money. So, what good does it do to have a program where there's no money?"

Flider: "Well, my belief is that if you believe, as I believe, that it's important to fight for small businesses, that we will find a way to fund this. If, however, we cannot fund it, at least we have the program available."

Mulligan: "Well, I'm glad you believe in small business. Obviously, the Governor of this state hasn't believed in them very... for very long. And certainly the human service providers who have bills that are outstanding and have exceeded their lines of credit and we are not reimbursing them adequately for that. So, and he's... and this Governor has totally taken apart the Work Force Investment Board and changed its... its point of view. So, when DECO says they have no money in a loan fund, I tend to believe they have no money in a loan fund. So, if you're passing this legislation for the future or to go home and run on, I think there are other issues in this state that obviously

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are not being addressed because we have no money. So, although it may appear to be a good idea, I don't think the time has come to pass an additional burden. You don't care to respond to that?"

Flider: "Oh, was there a question there?"

Mulligan: "The question is, why are you passing this when there's no money?"

Flider: "Well, I think explained that. If you believe in small businesses and supporting small businesses and you believe that we oughta find a way, then you'll support this. And we'll try and find the money for it."

Mulligan: "Did you vote for the Governor's..."

Flider: "And whether it's this or whether it's next year."

Mulligan: "Did you vote for the fees that the Governor has imposed upon small business or the fees that roll over from other things and banking and other that impose problems with small business, and yet this is supposed to help small business? I think this is a small bone for small business considering what's happening in this state."

Flider: "Well, Representative, I think that you're mixing apples and oranges. There are no fees in this legislation."

Mulligan: "What about... what about the 80 percent requirement goes to counties with less than a population of a hundred thousand people? Why should anybody in Cook County, DuPage County... why should they vote and how... how will this help our small business owners?"

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Flider: "Well, certainly, this is designed to help those in... in rural areas and those with an agricultural kind of product or in the... in that business. So, ya know, I think that anything that benefits downstate also benefits upstate, particularly if those businesses are selling goods and products, they're employing people, those people are enhancing the economy of the state through payroll taxes, people are supporting those businesses, paying sales taxes, that helps the economy of the state."

Mulligan: "Are these types of businesses already eligible for types of loan programs, rural bonds?"

Flider: "Well, one of the concerns that we have downstate is that there are not enough programs for businesses. There are certainly small business loans available through different agencies and so on, I know the Federal Government has different programs. But we believe that this is an element that's missing and so that's why this legislation's being introduced."

Mulligan: "Hasn't Opportunity Returns returned to the southern part of the state yet?"

Flider: "I can't answer that question."

Mulligan: "Obviously, because if it had, you'd be able to. This is really a good Bill in many ways but I will tell you, there is no money. It's very selective in who it supports. This Governor has already hurt the budget for small business for the last 2 years and you're being very selective of where you're returning the dollars to. I

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would like to see a Bi... Bill like this that would be more universal that would cover everyone in the state."

Speaker Hannig: "Representative Flider to close."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Certainly, this legislation is... is designed to help small businesses. So in that respect, we are targeting the fact that we're helping small businesses. Oftentimes, ya know, when it comes to a small business, we, perhaps as a Legislature... and I'm sure every one of us has received calls in our office from small businesses, what can you do to help my situation, what can you do to help my business? This legislation not only will help businesses, it will also... there will be rules that will be determined as to what the parameters are. And... and the Department of Commerce and Economic Opportunity, which is responsible for helping businesses, will have another tool to help businesses. And if you believe that helping businesses is good for jobs, good for the economy of the state, will help produce revenues for this state, it will help the entire state, for that reason, I would ask for your 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Dunn, for what reason do you rise?"

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Dunn: "Personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Dunn: "If the General Assembly would join me and Representative Meyer and Representative Cross in welcoming to the Capitol today a group of fourth and fifth graders and their teachers from Naperville School District 203. Thanks for coming and welcome to the Capitol."

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

May: "Yes, purposes of an announcement. I would like the House to help us recommend (sic-recognize), here in our row, Representative Regan... Representative Jakobsson, the Montessori School of Lake Forest eighth graders, with teacher Linda Davis, are here. And Representative Jakobsson has a granddaughter there and her daughter teachers there and it's in Representative Ryg's and my district of Lake Forest. Thank you. Welcome them."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. An inquiry of the Chair..."

Speaker Hannig: "State your inquiry."

Stephens: "...and... and a comment. Speaker, we've only got a few weeks to go and I was wondering... ya know, we've had time to discuss the Car Care Month and all of those issues on how to take care of your car. I wonder when we're gonna talk about how to take care of the medical malpractice crisis. I wonder, someone last week said... someone on the other side of the aisle said last week that Wednesday was... should be speech day because we rise on occasion and ask you when

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we're gonna deal with the real issues. Well, maybe we should make it... make Wednesdays 'save the doctors', 'keep in doctors in Illinois day.' Every Wednesday. Every Wednesday. Mr. Speaker, I wonder... I wonder if you can tell me the status of House Bill 705."

Speaker Hannig: "I'm sorry, House Bill...?"

Stephens: "House Bill 705 and when is it gonna be called for a vote?"

Speaker Hannig: "Representative, we'll ask the Clerk. Mr. Clerk, what's the status of House Bill 705? 705."

Stephens: "Mr. Speaker, while they struggle I can tell you that is... the Bill is about medical malpractice. And that's part of our frustration, we're not even sure where the Bill is. We'd like to debate the Bill in the open air of this General Assembly so people will understand the issue and where each of us stand on that important issue."

Speaker Hannig: "I'm advised that the Bill's in the Rules Committee, Representative."

Stephens: "Oh, that's just great. Two and a half weeks to go and the Speaker can't get the most important piece of legislation that this General Assembly could possibly address out of the Rules Committee? Surely he has enough power to get that Bill and to assign it to a committee. Put it in the Executive Committee, anywhere where we can debate it. We just want to know where everyone in the General Assembly stands on the critical issue of medical malpractice reform. Thank you, Speaker."

Speaker Hannig: "Representative Bost."

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Bost: "Thank you, Mr. Speaker. Ya know, I'm a little concerned about this same issue. We... we've been arguing... in my area, the concern... I expressed that concern last week. And it... and it's to the point here in the House that... ya know, whenever I first came to General Assembly we could actually have got together and made a Motion to immediately discharge that Bill to the floor. And when ya did, if... if you had a supermajority, you could get that done. Now, that's a wonderful thing because it does take a lot to get a supermajority vote. But now, ya know, I would ask... make the Motion, I guess, but it would kinda just fall to deaf ears I'm afraid because now under the Rule 18G, guess what, all one person has to do is say, I disagree with that, because it takes unanimous consent. Mr. Speaker, this issue is a big enough issue that the people of the State of Illinois and a majority, I believe... I believe a supermajority of the people sitting in this chamber want to take care of that issue. Mr. Speaker, I'm calling on you, I'm calling on the Members of this House to be very, very, very clear in the fact that we want something done. Now, under the Rules, you have the power to allow that Bill to come out. I'm asking, I'm begging, and I'm pleading for the people who need doctors to stay in this state for that Bill to come out of Rules and come to the floor. And I know the rules and I know that I... it just kind of, okay, fine, you're gonna hear what Bost had to say and, okay, we'll let it go at that. But folks, this affects your district, too. And that rule is one that needs to be

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changed next time around. But really, this Bill needs to come out today. Mr. Speaker, please deliver that message. Thank you."

Speaker Hannig: "Representative Saviano. Thank you, Mr. Speaker. I rise on a purpose of an announcement. The House Registration & Regulation Committee hearing today will be canceled. It was scheduled for, I believe, 1:00. It's canceled and we'll have hearings on the matters next week. Thank you."

Speaker Hannig: "Representative Black."

Black: "Mr. Speaker and Ladies and Gentlemen of the House, on page 14 of the Calendar I have filed a Motion pursuant to House Rule 18G and House Rule 58. I move that Senate... or, excuse me, House Bill 705 be discharged from the House Rules Committee and be placed on the Order of Second Reading. This is not a partisan issue, Mr. Speaker. This is an issue that deals with the people of the State of Illinois. There are Democrats supporting malpractice reform, there are Republicans supporting malpractice reform. I've been in and out of the hospital the last 2 weeks and I can tell you that if my doctor leaves, I'm gonna come to you for medical attention. That oughta scare you to death. My Motion's in writing, it's on the Calendar. I would ask for that for once you allow us the opportunity to move a Bill from the Rules Committee and advance it to the Order of Second Reading."

Speaker Hannig: "On the Gentleman's Motion, Representative Currie... Currie is rec..."

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Currie: "Thank you, Speaker. I object to the Gentleman's Motion."

Speaker Hannig: "Representative Black, your Motion requires..."

Black: "Mr. Speaker, I..."

Speaker Hannig: "...unanimous consent."

Black: "I am shocked and appalled that the Majority Leader, someone I have the greatest respect for, someone who knows about health issues, would object to that request. Malpractice will not go away. Malpractice reform will not go away. You can't... you can't continue to hide your head in the sand and pretend it doesn't exist. Ask the Governor's wife who lost her doctor because of high malpractice rates. Her doctor, in fact, left the state. I don't know why you... you refuse to let this Bill be debated. But since you've done so, you've denied every reasonable request pursuant to House Rule 57, I move that the ruling of the Chair to deny our discharge Motion be appealed and that the Chair be overruled."

Speaker Hannig: "Okay, Representative Black has moved that the Chair be overruled. That... that the Chair's ruling that the Motion on House Bill 705 fails because it did not receive unanimous consent, that that be overruled. So the... the Motion will be, 'Shall the Chair be sustained?' There'll be a Roll Call. And... so those who wish to sustain the Chair will vote 'aye'; those who wish to overrule the Chair shall vote 'no'. And it requires 71 votes. So, Mr. Clerk, the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take

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the record. On this question, there are 64 voting 'yes' and 51 voting 'no'. And the Chair's... the Chair is sustained. Representative Black."

Black: "Mr. Speaker, appreciate the Roll Call. Can I put it on Postponed Consideration?"

Speaker Hannig: "You can renew your Motion at a later time, Representative. I'm sure you've thought of that. Representative..."

Black: "I just can't overcome the rule of 60. But I'm gonna continue to try, you understand."

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

Pritchard: "Mr. Chairman, I... Speaker, I rise for a point of personal privilege, in fact..."

Speaker Hannig: "State... state your point."

Pritchard: "...I have two requests. First of all, today, outside by the Lincoln statue there were thousands of individuals advocating early childhood and the important work that is being done to prepare our students for lifelong learning and lifelong careers. It's my pleasure to welcome to the House 59 of my constituents up in this balcony who have come down to advocate for the importance of early childhood funding as we develop a budget and to support the work of childcare workers across the state. Let us welcome them. Please stand. Also, Mr. Chairman... Mr. Speaker, we also are very concerned about early childhood and about the new infants that are being brought into this world. I would ask for this House to be in a moment of silence because

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this past week something happened in my district that's happening across the state. Another five doctors left the practice of medicine who are obstetricians in my district and who are not going to be present to deliver the future young people who will be coming to child care and to early education. I ask for this Body to be in silence for those hundreds of doctors that have left the practice of OBGYN and... and are waiting for this Body to deal with this issue. Thank you, Mr. Chairman."

Speaker Hannig: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker. Point of personal privilege."

Speaker Hannig: "State your point."

Bradley: "Ladies and Gentlemen of the House, I have several Members of my Youth Advisory Committee here today, two high school students... and would they please rise? We have two high school students from each of the high schools within the district. And they're here today to learn the process, see the process, and actually, to some extent, become part of the process. So I'd like a round of applause and recognition for them right now. Thank you."

Speaker Hannig: "Mr. Clerk, what is the status of Senate Bill 511?"

Clerk Mahoney: "Senate Bill 511, a Bill for an Act concerning adoption. Third Reading of this Senate Bill."

Speaker Hannig: "Mr. Clerk, would you return that to the Order of Second Reading at the request of the Sponsor? And

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returning to page 3 of the Calendar is Senate Bill 45.
Representative Froehlich. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 45, a Bill for an Act concerning
criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Froehlich."

Froehlich: "Thank you, Mr. Speaker. Senate Bill 45 merely
makes it easier to extradite a federal inmate who has been
already convicted and sentenced in another state.
Currently, you have to... you have to have the consent of the
Governor in such cases. This Bill would shorten the paper
work and speed up the process. I know of no opposition, I
ask for an 'aye' vote."

Speaker Hannig: "This is on the Order of Short Debate. Does
anyone stand in response? Then the question is, 'Shall
this Bill pass?' All in favor vote 'aye'; opposed 'nay'.
The voting is open. Have all voted who wish? Have all
voted who wish? Have all voted who wish? Representative
Stephens, would you like to be recorded? Okay, Mr. Clerk,
take the record. On this question, there are 115 voting
'yes' and 0 voting 'no'. And this Bill, having received a
Constitutional Majority, is hereby declared passed. Senate
Bill 64. Representative Mathias is recognized. Mr. Clerk,
read the Bill."

Clerk Mahoney: "Senate Bill 64, a Bill for an Act concerning
education. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 64 would require
a school district to provide steroid abuse prevention

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education to students who participate in interscholastic athletic programs. The IHSA and the ISBE are proponents of this Bill. This is not a mandate on schools because under the School Code, it... actually, these materials are already provided and... and done in P.E. classes. But because of the emphasis today in the U.S. Sen... you know, in the U.S. Congress as well as on local levels here, I believe that school districts should also specifically provide these instructions to interscholastic athletic programs. So I ask for your 'aye' vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jefferson, would you like to be recorded? Representative Kelly, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lindner, you wish us to read Senate Bill 72? Representative Lindner on Sen... Senate Bill 72. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 72, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you. Thank you, Mr. Speaker. This Bill's an initiative of the Cook County State's Attorney. And in the

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videotape negotiations, I believe it was supposed to be videotaped too when there was a dead body in a drunk driving. And this would allow the videotaping of that person, also. I know of no opposition."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in response? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Jenisch, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 75."

Clerk Mahoney: "Senate Bill 75, a Bill for an Act concerning housing. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Speaker. Ladies and Gentlemen, I'm proud to stand before you today on this important Bill. I'd like to dedicate this Bill to two people who passed away just recently and couldn't be with us today, Les Brown and John Donahue, who were leaders and organizers... leaders and founders of the Chicago Coalition for the Homeless. When I first became a Legislator, these people and... as well as the Chicago Coalition, taught me that the way out of homelessness was through decent, safe, affordable rental housing, and that's what this Bill provides. This Bill will create a rental subsidy program for the State of

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Illinois. It will help thousands of families. It... we have created a beautifully laid out plan for making sure that these units are available statewide. Ladies and Gentlemen, if you care about the low-wage workers in our state, the people who are trying to make it on minimum wage incomes, this Bill is for the people who are not yet ready to buy their own home and need help with rental housing. If you care about the people who are disabled and have thought about how we can actually implement the important United States Supreme Court decision, Olmstead, in this state, this Bill will make it possible for disabled people to live independently with a little bit of help from this rental subsidy program. If you care about seniors and have thought about how to help seniors stay in their homes and not go into nursing homes when they're not quite ready, this Bill is for that program. It will... will provide the resources for seniors as part of this program. This program creates a rental subsidy and, importantly, Ladies and Gentlemen, it has its own dedicated funding source, which we believe will provide \$30 million to support rental housing throughout the state. It's a \$10 recording fee on real estate documents. And it is... this Bill is strongly supported by the Cardinal, we are pleased that he's here today. It's strongly supported by Mayor Daley, he's coming down later today. It's supported by the Illinois Association of Realtors and an entire... long coalition list of supporters, social service agencies, disability

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organization and housing advocates. I'm available for questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in response? The Gentleman from Champaign, Representative Rose."

Rose: "Thanks. Ladies and Gentlemen, I... I'd just like to tell ya that I have no doubt that the Lady's well-intentioned on this. And I'm just gonna raise the same objection I've raised to this Bill every time it's come up. And that is that at some point in time, we price people out of the housing market. When I bought my first home it was less than \$60 thousand and I paid over \$15 hundred in closing costs. My second home was... was slightly larger but I still paid close to \$2 thousand in closing costs. At what point in time are people unable to afford housing because of all these fees? When you break that up, it's a fee for this, a fee for that. And yeah, it's only a dollar here, a dollar there, \$10 on this particular one. But at some point in time we do more harm than good. And I'll be voting against this Bill, but that's certainly no reflection on the amount of effort and care that the Sponsor's put into this. Thank you."

Speaker Hannig: "This is on Short Debate. Representative Hamos, would you like Representative Parke to close? He's indicating he'd like to speak, so why don't we grant him 5 minutes to close."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, all Session long I've been standing before you and

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asking about passing legislation and whether or not there's a funding source. The Sponsor of this Bill has come up with a funding source. Yes, it costs money. On an average, it'll be \$30 per closing. But Ladies and Gentlemen, this has worked in the City of Chicago well over 7 years. I haven't heard a big outcry, editorials against this. This is a funding source, it costs money to provide for the homeless and for people that are under disability. This is an answer that I think's time has come. It's time for us to have some empathy for people who are truly needy. And this Bill goes a long way to address that. I commend the Sponsor for working on it. She's handled a lot of questions on this from people that are concerned. And believe me, I don't always support this kind of legislation. But this Bill, now, is something that it's... that I believe has a good sense... it makes good sense and it's something that we oughta be supportin'. So, Ladies and Gentlemen, in closing, I would ask that the Body stand on behalf of the people... the truly needy in this state and vote 'yes' for this Bill."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Black, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 72 voting 'yes' and 43 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Representative Rose, would you like us to read Senate Bill 78? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 78, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "Repre... Representative Rose."

Rose: "Thank you, Ladies and Gentlemen. This Bill comes as a direct response to Crawford v. Washington, which went before the United States Supreme Court and was recently ruled on in March of last year, March 8 of last year. I'll be the first to admit that, frankly, I don't like this Bill, but we do have to comply with the United States Constitution. This Bill was drafted by the Cook County State's Attorneys Office to bring us into compliance with Crawford v. Washington. And frankly, we don't have much of a choice. This is what the Supreme Court says the law of the land is and we need to bring our statutes into compliance with that. And I'd ask for its passage."

Speaker Hannig: "This is on the Order of Short Debate. And in response, Representative Franks is recognized."

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

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

Franks: "Representative, this is the first time I've seen this Bill and I wanted to ask how would this impact on one who's making a... on their deathbed, in making a statement on their deathbed? Would that make those statements inadmissible now?"

Rose: "It would depend. But let me... let me tell ya what happened. The Supreme Court said that our unavailable

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witness statute... well, not ours. But our... the Supreme Court ruled that most states in the Federal Government's rule of evidence for unavailable witness, where you have to have circumstantial guarantees of truth... truthfulness and more probative on the point than other information that could be offered, that that all violates the confrontation clause. So basically, what it boils down to is this, if the statement was made under oath and subject to cross-examine, most likely that would come into play. If it wasn't, it wouldn't. And I'll be the first to tell ya, Representative Franks, I don't really like this. In fact, I had a Bill... I had a separate piece of legislation that I put in before I knew about the Crawford case to actually expand the unavailable witness statute. We don't have a choice."

Franks: "I agree. I'm wondering, why do we have to do this? Because oftentimes, I think the trier of fact can be the one to make this determination on what the value of the potential witness' statements are. And here we're not even allowing the trier of fact to hear those statements. I don't know if that's good public policy."

Rose: "Well, Representative, that... I mean, in that case, all the... all the person who is against the statement being admitted would stand up and say, 'Crawford v. Washington, it doesn't come in, Your Honor.' And... and the court would have to rule that it wouldn't come in. So, I don't see what... I mean, we have to come in a cl... into compliance with what the U.S. Constitution demands. This is what the

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Supreme Court says the U.S. Constitution demands, so why have excess litigation?"

Franks: "I understand that point, I know. But we both disagree with the Supreme Court..."

Rose: "Right."

Franks: "...on this, correct?"

Rose: "Absolutely. I... I... last year, this Body undertook an expansion on available witness statute, which was a great expansion. But we're... we were, even before this, no where near what the federal or the majority of states allowed. My Bill would've brought us into what the majority of states and the federal does, my other Bill that I filed earlier this year, and then, boom, Scott Seder from the Cook County State's Attorneys Office shows up in my office and says, 'Read this.' So..."

Franks: "I understand what you're trying to do, I just have a philosophical problem with codifying something that we... that we don't believe is correct. And there ha... and there has..."

Rose: "Well, but it's not up to you and I to decide. This is the Supreme Court's decision."

Franks: "I know, but this... I believe the Supreme Court's been wrong before. They've had decisions a hundred and fifty years ago that... that were very detrimental to a lot of people."

Rose: "Certainly, you must do what you think is right, Senator (sic-Representative)."

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Franks: "And it also takes the away the Supreme Court's right to reverse itself, doesn't it, if we're codifying this?"

Rose: "What was that?"

Franks: "Wouldn't it take away the Supreme Court's right, basically, to reverse itself? Let's assume that the Supreme Court next year has an epiphany and says, ya know what, we were wrong on this. But here we've, in the State of Illinois, gone and codified this bad law. Why do we really need to codify it?"

Rose: "Representative, this Supreme Court decision was a reversal of decades worth of Supreme Court jurisprudence. They were pretty clear on the point that what we did... what we have done and other states had done and the federal rules of evidence have done completely and totally violates the confrontation clause. The opinion was very decisive, I don't think there's any chance it's gonna happen any time soon."

Franks: "What was the vote in the Supreme Court on that case, if you know?"

Rose: "If you can give me a second, I can tell ya."

Franks: "'Cause it's rumored we might have new Supreme Court justices. Representative Scully's available to serve on the Supreme Court, if necessary."

Rose: "Seven on the opinion, Rehnquist filed in concurrence, but a separate judgment in... in which Justice O'Connor joined the concurrence. So, it was 9-0, essentially in favor of the... the concept that we're... we were previously violating the confrontation clause."

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Franks: "All right. Thank you very much."

Speaker Hannig: "Representative Rose... Representative Molaro, do you wish to speak on this?"

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

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

Molaro: "Ya know, the major problem I have with this Bill, I still don't have a definition of 'unavailable'. So, in other words, what... when you look at an analysis it talks about the unavailability of the witness. So would you mean by 'unavailable' that the witness is, like, out shopping or whatever? What... what do you mean when you use the word 'unavailable'?"

Rose: "Well, actually, Representative, it's... it's my understanding that the unavailability portion was in prior legislation. And what we're doing is talking about any statement, not just a unavailable statement that seeks to be admitted. That statement must be, according to Crawford v. Washington, subject to cross examination and made under oath. So, under what we had done, but not the majority of states, is if we... we had a previous unavailable witness statute, someone was dead, for example, that... that a statement could come in to the court if it was made under... excuse me, if there were circumstantial guarantees of trustworthiness."

Molaro: "Well, I gotta... I gotta stop ya for a second. That was... that was nice, but ya didn't answer the question. Here's what I'm trying to get at. Somebody testifies at a preliminary hearing, now we're at trial, right?"

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Rose: "Right."

Molaro: "And that preliminary hearing said that the defendant was there and, as you well know, since there's a different standard at that preliminary hearing... most of the times when I used to do preliminary hearing I didn't cross examine anybody. I mean, it was available for it but it was just a matter of course and we said the heck with it. Now, he testified under oath. I had the availability to cross examine him, maybe I asked one or two questions. Naturally, on trial I might want to ask a hundred questions. Now, if they're dead, okay, maybe that makes some sense. But what standard... I'm asking you because what we're doing here is we're bringing this up, 'cause we have a low standard in Illinois. Now we're bringing it up to what we think the Supreme Court wants. And I just wanna know what is it that a State's Attorney has to show when they wanna bring testimony where I can't cross examine the witness, he doesn't have to face the accuser... be in face of the accused who died, and he said they're unavailable? We know dead is unavailable. That we got, that's easy. What other things makes someone unavailable? Are they on vacation? Can a State's Attorney come in and say that? And I'm not trying to be flippant, what actually does... standard do you meet, excuse me, for unavailable?"

Rose: "Well, Subsection (c) of what is already in this law, Representative, was already in statute. Okay?"

Molaro: "Well, tell us what that is."

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Rose: "It says, 'unavailability, as... as a witness under this Section, is limited to the situation which the declarant is deceased.' Now, we, in Illinois, have one of the most restrictive... had one of the most restrictive in the nation. The federal rule, and the rule that I'd actually tried to bring us to, would've said, for example, the person's on the run, say, is a victim of domestic battery and they're afraid. We did a little bit with that last year. In any event, we're not changing any definitions of unavailability. What we're talking about is whether any statement could come in, and that statement must be subject to cross examination and must be made under oath. And you're absolutely right, Representative, that in a preliminary hearing if you don't ask those questions and your person subsequently dies or takes off and is on the run, it won't come in. That's... and... and I admit, I'm not really happy with this. But the Supreme Court says this is the rule."

Speaker Hannig: "Any further discussion? Then Representative Rose is recognized to close."

Rose: "Thank you, Ladies and Gentlemen. This Bill brings our state into compliance with Crawford v. Washington, which was ruled on by the Illi... United States Supreme Court in March of last year. The vote was 7 on the opinion and 2 in concurrence, although filing a separate opinion. That's a 9-0 opinion that not just us but all states who had unavailable witness statutes that did not afford the defendant the opportunity to cross examine under oath a

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witness against him, that that violates the confrontation clause. We really don't have much choice but to bring our state into compliance with... with federal statute... or, excuse me, with federal case law. This is brought by the Cook County State's Attorneys Office and was... was drafted by them, but it does do... it does do exactly what the Supreme Court of the United States demands we do, which is come into compliance with the confrontation clause of the Constitution. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Okay, Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 2 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative May, do you wish us to read House... or Senate Bill 87? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 87, a Bill for an Act concerning education. Third Reading of this Senate Bill."

May: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Senate Bill 87 amends the School Code. Currently, school districts are required to notify parents and guardians of a child who is hard of hearing, blind, or visually impaired of the services that are available in the Illinois School for the Deaf and the Illinois School for the Visually Impaired in Jacksonville. So, Senate Bill 87 would just require that the school districts make a

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reasonable effort to inform parents of any other local schools that may provide similar service. I'd like to thank Representative Watson from the Jacksonville area for his sponsorship and support of this. It passed unanimously out of the Senate and unanimously out of committee and there's no known opposition."

Speaker Lyons, J.: "Representative Lyons in the Chair. Is there any discussion on Senate Bill 87? Seeing none, the question is, 'Should Senate Bill 87 pass?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 3 of the Calendar, Representative Lindner has Senate Bill 95. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 95, a Bill for an Act concerning family law. Third Reading of this Senate Bill."

Speaker Lyons, J.: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Under the child support section there is a simple 9 percent interest on arrearages. This adds the same language to the Section 504 on maintenance because many times maintenance.. unallocated maintenance and child support are paid together. I'd ask for a favorable vote."

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Speaker Lyons, J.: "Is there any discussion on Senate Bill 95? Seeing none, the question is, 'Should Senate Bill 95 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? John Fritchey. Mr. Clerk, take the record. On this Bill, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 104 of the Calendar, Mr. Clerk, Representative D'Amico has Senate Bill 104. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 104, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative John D'Amico."

D'Amico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 104 is identical to House Bill 444 that passed out of the House earlier. This Bill corrects an unintended omission in State Law. Under this Bill, correctional officers will join firefighters and police officers as first responders who are injured by an arsonist fire. It will... it will allow the courts to charge an arsonist with a Class X felony instead of a Class II felony. I'll answer any questions, thank you."

Speaker Lyons, J.: "Is there any discussion on Senate Bill 104? Seeing none, the question is, 'Should Senate Bill 104 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this Bill, there are 115
Members voting 'yes', 0 voting 'no', 0 voting 'present'.
This Bill, having received the Constitutional Majority, is
hereby declared passed. Mr. Clerk, on page 2 of the
Calendar is House Bill 2706."

Clerk Bolin: "House Bill 2706. The Bill's been read a second
time, previously. No Committee Amendments. Floor
Amendment #1, offered by Representative Hannig, has been
approved for consideration."

Speaker Lyons, J.: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House.
This whole package is a cleanup Bill that came to me from
the Department of Revenue. These Amendments represent
Bills that actually were heard in the House Revenue
Committee and approved, I think, in every case by a
unanimous Roll Call. This first Amendment deals with
confiscated and forfeited cigarettes and it provides that
the agency can return the contraband products to the
manufacturer for destruction or destroy the contraband
products themselves. And... and it also amends the lottery
law. Specifically, what we're trying to do is to say that
when we combined the lottery with the Department of Revenue
the prohibition under the statute says that anyone that's
in the lottery agency cannot play the lottery. This
Amendment would still say that those people who work
directly within the lottery department would be prohibited
from playing the lottery. But those people who work in the

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Department of Revenue in collecting sales tax and income taxes and those things could still play the lottery. So that's what the Amendment does, I'd ask for its adoption."

Speaker Lyons, J.: "Thank you, Representative. There's a question from Representative Parke, the Gentleman from Cook."

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

Speaker Lyons, J.: "He indicates he will."

Parke: "Representative, this is a department... is this whole Bill a Department of Revenue Bill?"

Hannig: "Yes, that's correct."

Parke: "And this Bill is intended to not cost the taxpayers any money but, in essence, for them to receive some money from delinquent taxpayers?"

Hannig: "Yes, Representative. It's to help streamline the process of the Department of Revenue and modernize the process as well."

Parke: "Is this being done in other states?"

Hannig: "Well, I... I think that... that it... that it is. I... I couldn't name you which states are doing this, but certainly giving the Department of Revenue some options I think is a good thing."

Parke: "Has... has... does Amendment #1 become the Bill or is it just an addition?"

Hannig: "No, there'll be an Amendment #2 and an Amendment #5, I believe, Representative, that follows. And then that will represent the entire package together."

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Parke: "Representative, I did not hear that answer. One more
ti..."

Hannig: "Okay. There'll be additional Amendments."

Parke: "There will be?"

Hannig: "Yes. And then... then whole package comes together when
they're all adopted."

Parke: "Thank you."

Speaker Lyons, J.: "Seeing no further questions, the question
is, 'Should Amendment #1 to House Bill 2706 be adopted?'
All those in favor signify by saying 'aye'; those opposed
vote 'no'. In the opinion of the Chair, the 'ayes' have
it. And Amendment #1 is adopted to House Bill 2706.
Further Amendments, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #2, offered by Representative
Hannig."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from
Montgomery, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House.
This Amendment applies the requirements that we currently
have for most tax payments to the electronic... or to the
environmental impact fee and the motor fuel taxes. So,
under the current law, if you have a liability of \$200
thousand or more in sales tax or... or withholding, you have
to... you have to file electronically. This would provide
that that same requirements would... would be in effect for
the motor fuel tax and for the environmental impact fee.
It basically will affect large individuals and corporations
who have a large liability to the state. So, I'd be happy

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to answer any questions and I'd ask for the adoption of Amendment #2."

Speaker Lyons, J.: "Is there any discussion on Floor Amendment #20... #2 to House Bill 2706? Seeing none, the question is, 'Should Floor Amendment #2 to House Bill 2706 pass?' All those in favor signify by saying 'yes'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2... Floor Amendment #2 is adopted. Further... further Amendments, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #5, offered by Representative Hannig."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Montgomery, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This is the last Amendment to the Bill and it kind of cleans up everything that came before it. It also deletes... by deleting some of the language that, after review, we believe to be substantive as opposed to technical. And so, that's all this Amendment does and I'd ask for the adoption of Amendment #5."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Cook, Representative Terry Parke."

Parke: "Thank you, Mr. Speaker. I have an inquiry. I don't see Amendment #5 on our computer. Is... it's just not updated? So... Okay, thank you, Mr. Speaker."

Speaker Lyons, J.: "Represen... I believe it is on your analysis. I've been told it is, Representative Parke."

Parke: "It is not, but we have it in paper file..."

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Speaker Lyons, J.: "Okay."

Parke: "...and it seems to be okay."

Speaker Lyons, J.: "Thank you, Representative. Seeing no further questions, the question is, 'Should Floor Amendment #5 to House Bill 2706 be adopted?' All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #5 to House Bill 2706 is adopted. Any further Amendments, Mr. Clerk?"

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

Speaker Lyons, J.: "Third Reading. Mr. Clerk, read the Agreed Resolutions."

Clerk Bolin: "House Resolution 384, offered by Representative Granberg. House Resolution 385 and House Resolution 386, offered by Representative Black."

Speaker Lyons, J.: "Are there any questions regarding House Resolutions? All those in favor of adopting signify by saying 'yes'; those opposed say 'no'. In the opinion of the Chair is the 'ayes' have it. The Agreed Resolutions are adopted. The Chair recognizes the Gentleman from Vermilion... The Chair recognizes the Gentleman from Vermilion, Representative Bill Black. For what reason do you seek rec... recognition, Representative?"

Black: "Thank you very much, Mr. Speaker. I would like to waive the posting requirement for Senate Bill 463 so that it could be heard in the Committee on Higher Education today. I have talked with the Chair of that committee on your side of the aisle, Representative McCarthy, he has no

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objection. This was a Bill that was just transferred from the Exec. to Higher Ed. and we'd like to hear today if at all possible."

Speaker Lyons, J.: "The Gentleman moves to suspend the posting requirement for Senate Bill 463. The Chair recognizes Representative Molaro. Is there a question on this Motion to Suspend the posting? Okay, Representative Molaro does not seek recognition. All those in favor signify by voting 'aye'; those opposed 'no'. The 'ayes' have it. Senate Bill 463 will be posted. Representative Molaro."

Molaro: "Thank you, Mr. Speaker. For the purpose of an announcement, since it looks like everybody's working so hard today, that the Judiciary II-Criminal Law Committee will be meeting at 8:30 a.m. instead of 8:00, so you have an extra half hour. 8:30 a.m. sharp in Room D-1."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, we have House Resolution 383, honoring the life of Rick Larison. I wonder if you could read that, Sir?"

Speaker Lyons, J.: "Mr. Clerk, read the Resolution."

Clerk Bolin: "House Resolution 383.

WHEREAS, The Members of the House of Representatives of the State of Illinois learned with sadness of the death of Richard W. 'Rick' Larison Jr. of Rochester, on Friday, April 29, 2005; and

WHEREAS, He was born on August 8, 1950, in Springfield to Richard W. and Corabelle Bea Larison Sr.; he married Gaye

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Harper in 1987; he earned a Bachelor of Science in engineering from the University of Illinois at Urbana-Champaign and a Master of Public Administration from Fordham University in New York; and

WHEREAS, Mr. Larison began on the House Republican staff as a research analyst and later re-joined the staff of then House Republican Leader Lee Daniels in 1982 as Research Director; he was promoted to the position of Deputy Chief of Staff in 1987 and later served as Chief of Staff for Leader Daniels; as one of the House Republican staff's pioneer research directors, he helped create the operational model that the research staff follows to this day, including the production of timely bill analyses and end-of-session reports to inform House members of key State issues and to enable them to cast informed votes on the House floor; and

WHEREAS, He served in an executive capacity during the installation of the first generation of electronic business equipment in House Republican staff offices, which allowed the electronic creation and dissemination of research materials and bill analyses through computer-controlled word processors; he oversaw the continuing education and transition of a large segment of House Republican staff from clerk-typists to their current role as executive assistants; throughout all of these potentially traumatic changes, Mr. Larison served as a generous, kind, jovial, and reassuring advocate for the interests of staff amid the conflict and challenges of legislative work; and

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WHEREAS, He went on to serve as a senior staffer for Governor George Ryan, as a legislative liaison, as a lobbyist for The School Reform Board, and as the Director of the Office of Statewide Performance Review; he was voted into the Legislative Staff Intern Hall of Fame in 2001; and

WHEREAS, The passing of Richard W. Larison Jr. has been deeply felt by many, especially his wife, Gaye; his daughter, Rachel Larison; his father, Richard; his sisters, Mary Kay (husband, Jerry) Gifford, Bonnie (husband, Tom) Day, and Brenda Larison; and his many aunts, uncles, nieces, nephews, and cousins; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the passing of Richard W. 'Rick' Larison Jr., and we extend our deepest sympathy to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of Mr. Larison as an expression of our sincerest condolences during their time of bereavement."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from DuPage, Representative Lee Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, many of you knew Rick Larison and you knew him when he walked through the halls of the State Capitol. Very jovial, very attentive, and very policy driven. He knew the issues and he knew what was important to the people of Illinois and he knew how to address those issues in a policy sense. So it wouldn't surprise you to know that I had the privilege of

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tapping him, not only as the Director of Research for the House Republican Staff, Deputy Chief of Staff, but also Chief of Staff to our organization. Now, we all know our staffs and appreciate them. But we sometimes forget how difficult a position it is to service the Chief of Staff to one of our organizations, whether it's Republican or Democrat, House or Senate. It is by far the most difficult, challenging, and rewarding position that you can have in State Government. It calls upon all kinds of abilities that you are drawing upon, and only a few people can serve in that position as Rick Larison did. I've been privileged over the years to work with many, many outstanding and excellent staff people, none were better than Rick Larison. And so, when Friday came and I got that call that all of us resent, all of us regret, and none of us want to receive, the passing of a dear friend and an admired colleague, I drew upon a great deal of sadness at the loss of Rick but then reflected upon the contributions of Rick Larison, because this Assembly, this legislative process is better because this man served in our State Government and served in the capacity he did. He brought to us contributions of our electronic systems that we have in front of us today and helped implement that. He has brought reform and revision to our policy staffs on both sides of the aisle and helped teach us the value of good analyses, good staff, and people that could help us understand the legislative process. And he did implement changes on the House Republican side that today we take for

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granted, but at the time he brought those changes were innovative and helpful to all of us. And yes, Rick Larison was known as a generous person, a kind person, a jovial person, one that you could call into your office and say, 'Rick, what about this? What's your thoughts?' And he knew the answers day in and day out, and I respected him highly for that. So when I got that call, I knew that many of us were gonna be saddened by his loss. And I knew that the teardrops of sadness that we would experience are now being replaced by a river of hope and vision for a brighter future because Rick Larison helped create that vision for a brighter future. He was a man of vision, he was a man of policy, he was a man that believed and was dedicated to governmental excellence. He understood the legislative process and the difference between the three branches of government, and yet served in the two branches of government, the legislative and the executive. And he did it well. Ladies and Gentlemen, we owe Rick Larison a great debt of gratitude. And Rick, to your wife, Gaye, and daughter, Rachel, I hope that someday that some of the pain that they're experiencing now will... will be set aside. They will reflect on the fact that this is a man that gave us excellent. This is a man that we would all like to emulate in our life steps. God bless you, Rick. God bless you, Gaye. And God bless you, Rachel."

Speaker Lyons, J.: "The Chair recognizes the Gentleman from Clinton, Representative Kurt Granberg."

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Granberg: "Thank you, Mr. Speaker. I just want to echo what the... what Representative Daniels said. I knew Rick a long time. And being a former staff person, Rick and I talked for many nights on our role on staff. But Rick, unlike me, was a role model for staff. And he was devoted, dedicated, believed in public policy and worked very, very hard at it. And always affable, always very understanding, would do anything for anyone, and always with a smile on his face. And he's one of the few people, and I think we should all learn from this, I know I have, that could put... be in the position where he could balance politics and policy. He had to be partisan on occasion, but he loved and enjoyed working on a bipartisan basis, no matter what side of the aisle, no matter what party, because he believed in the legislative process, he believed in how it should work, and politics would not come before the process. And for that, I've learned how much to respect this institution and the way Rick handled it. So, to his wife and family, we send our sympathies. And... because he is truly a person who will be missed in this process. He had an impact, and how many of us can actually say that when we leave?"

Speaker Lyons, J.: "Representative Daniels. Representative Daniels moves that the passage of House Resolution 383... the adoption of the Resolution. All those in favor should signify by saying 'aye'; those opposed say 'no'. Representative Daniels, closing remark."

Daniels: "As we reflect on Rick's life, I'd like to remind you that visitation is today from 4 to 6 at Staab Funeral Home

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here in Springfield. Sharing of the memories and of service and honor of... and celebration of Rick's life will be at 6 p.m., again, at Staab Funeral Home. A reception and a continuation of celebrating Rick's life will then continue at the Sangamo Club at 7:00. You are all invited to share and celebrate Rick's life. Thank you, Mr. Speaker. And I would ask that all Members be joined to Sponsor this Resolution."

Speaker Lyons, J.: "The question is, 'Is there leave for all Members of the General Assembly of the House of Representatives to be added spo... as cosponsors?' Leave is granted. And House Resolution 383 is adopted. Seeing no further business, allowing perfunctory time for the Clerk, Representative Barbara Flynn Currie moves that the House stand adjourned 'til the hour of 1 p.m. tomorrow, Thursday, May 5. All those in favor signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House stands adjourned 'til the hour of 1 p.m. tomorrow."

Clerk Bolin: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 465, offered by Representative Beiser, a Bill for an Act concerning townships. Senate Bill 485, offered by Representative Sullivan, a Bill for an Act concerning revenue. Senate Bill 1708, offered by Representative Mathias, a Bill for an Act concerning civil law. Senate Bill 1709, offered by Representative Mathias, a Bill for an Act concerning civil procedure. Senate Bill 1711, offered

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by Representative Mathias, a Bill for an Act concerning regulation. Senate Bill 1750, offered by Representative Flider, a Bill for an Act concerning State Government. Senate Bill 1832, a Bill for an Act concerning criminal law, offered by Representative Howard. First Reading of these Senate Bills. Introduction of Resolutions. House Resolution 364, offered by Representative Pritchard. House Resolution 369, offered by Representative Osmond. House Resolution 370, offered by Representative Berrios. And House Joint Resolution 54, offered by Representative Giles. These Resolutions are referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."