

STATE OF ILLINOIS  
85th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

101st Legislative Day

May 10, 1988

Speaker Breslin: "Ladies and Gentlemen, the hour of 12:45 having arrived, this House will come to order. Members should be in their seat. The Chaplain for today will be the Reverend Samuel Hale from the Zion Mission Baptist Church in Springfield. Reverend Hale is a guest of Representative Curran. I would invite our guests in the gallery to rise and join us for the invocation. Rise please.

Reverend Samuel Hale: "Let us pray. Eternal Father we come to thee now at this moment, thanking You first for this day and for allowing us to see it, to be a part of it, for a reasonable portion of health and strength and soundness of mind. We pray now, Eternal Father as we come in the midst of this Assembly, that thou might touch our hearts, our minds, our spirits. That all that is done here today may be done to Thy glory and according to Thy will. Place indelibly upon our minds the facts that whatever we do, say and feel, and act and think is accountable unto You, presently and ultimately. Place now upon these Representatives' hearts and minds the reality that they are not only to represent their constituents, but represent You also, who has created them. Make us all now aware of Thy presence, Thy will, Thy way. That all that is done will be done to Thy glory, to Thy praise, for the well being of Thy people in this state. For in Thy name and to Thy praise we pray. Amen."

Speaker Breslin: "We'll be led in the Pledge by Representative Ropp."

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

Speaker Breslin: "Roll Call for Attendance. Representative Piel,

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do you have any excused absences?"

Piel: "Yes, Madam Speaker. Would the record show that Representative David Harris is excused today?"

Speaker Breslin: "Thank you. Representative Matijevich, do you have any excused absences?"

Matijevich: "Yes, Madam Speaker. On this side of the aisle, Representatives Preston and Christensen are excused due to illness. And Representative Hicks is excused due to a death in the family."

Speaker Breslin: "Mr. Clerk, take the record. On this question there are 114 people answering the Roll Call, a quorum is present. Representative Piel, for what reason do you seek recognition? Representative Piel."

Piel: "Yes, Madam Speaker, would the record also show that Representative Penny Pullen is excused today?"

Speaker Breslin: "Very good. Committee Reports."

Clerk O'Brien: "Corrective Committee Report. House Bill 2946 and House Bill 3254 were reported out of the Committee on Elementary and Secondary Education on May 4, 1988, as 'do pass'. The Bill should have been reported 'do pass as amended'. House Bill 3780 was reported out of the Committee on Energy and Environment and Natural Resources on May 4, 1988, as 'do pass'. The Bill should have been reported as 'do pass as amended'. Representative Keane, Chairman of the Committee on Revenue to which the following Bills were referred, action taken May 5, 1988, reported the same back with the following recommendations; 'do pass' House Bills 4251, 4255, 4250, 4254, 4255, 4256, 4257 and 2968. 'Do pass Consent Calendar' House Bill 3142."

Speaker Breslin: "Ladies and Gentlemen, we are going to proceed to the Special Order of Business dealing with State and Local Government, that appears on page 2 on your Calendar. What we intend to do is go to those Bills on Second Reading

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that are on this Special Order first. So that we can take care of all of the Second Reading Bills on this order and then go back and do the Third Reading Bills. So be prepared with your files to proceed in that order. Ladies and Gentlemen you have the user file for this Order of Business and all the Special Orders of business on your desk. So you ought to be able to follow the business very easily. Remember, we are going to do Second Readings first. So on the Order of Special Order of Call under State and Local Government on page 14 of your Calendar appears House Bill 589, Representative Flinn. Is the Gentleman in the Chamber? Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 589, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendments #1, 3, and 4 were adopted."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "They were adopted in committee. No Motions filed. Floor Amendment #5, offered by Representative McCracken and Wennlund."

Speaker Breslin: "Representative McCracken on Amendment #5. Withdraw Amendment #5. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On page 15 on your Calendar appears House Bill 1669, Representative Williamson. The Lady is not in the chamber. On page 3 on your Calendar appears House Bill 1729, Representative Hasara. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1729."

Speaker Breslin: "Representative Hasara, the Calendar indicates that this Bill is on First Legislative Day. So it cannot be called until tomorrow. Okay. So the next Bill that's on Second Reading is on page 16 on your Calendar, House

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Bill 2285, Representative Wyvetter Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2285, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 4 of your Calendar appears House Bill 2422, that's on First Legislative Day to Representative Levin. So the Bill is taken out of the record. On page 17 on your Calendar appears House Bill 2922, Representative Martinez. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2922, a Bill for an Act to amend an Act in relation to qualified court interpreters. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 18 on your Calendar, out of the record. On page 19 on your Calendar appears House Bill 3124, Representative Ewing. Representative Ewing. Out of the record. House...the next Bill is on page 19 on your Calendar, House Bill 3135, Representative McPike. Representative McPike. Clerk...out of the record. On page 19 on your Calendar appears House Bill 3223, (sic 3222), Representative Tate. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3222, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 20 on your Calendar appears House Bill 3267, Representative DeJaegher. Out of

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the record. House Bill...on page 20 on your Calendar appears House Bill 3275, Representative Weaver. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3275, a Bill for an Act to amend the Humane Care For Animals Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 20 on your Calendar appears House Bill 3297, Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3297, a Bill for an Act to amend an Act to require prompt payments by the State of Illinois. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2, offered by Representative Steczo."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #2 to House Bill 3297 provides some language that we've agreed that's technically generally agreed on language with the various departments of State Government. Providing invoices, providing provisions for prompt payment of perishable goods. Also provides that there shall be notice on any voucher provided to vendors, stating the terms, conditions and procedures for interest payments. And provides that an agency may not request any vendor to waive rights to recover a penalty for late payment as a condition of or inducement to enter into any contract for goods or services. I don't believe Madam Speaker there is any opposition. I would move for the adoption of the Amendment."

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Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3297. And on that question is there any discussion? Hearing none the question is 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Bill is on page 20 on your Calendar, House Bill 3321, Representative Hannig. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3321, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 20 on your Calendar appears House Bill 3339, Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3339, a Bill for an Act to amend the County Officials Compensation Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 20 in your Calendar appears House Bill 3347, Representative Ewing. Is the Gentleman in the chamber? Representative Ewing. Out of the record. On page 21 on your Calendar appears House Bill 3355, Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3355, a Bill for an Act to amend the Township Law. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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Clerk O'Brien: "No Motions filed. Floor Amendment #2, offered by Representative Deuchler."

Speaker Breslin: "Representative Deuchler."

Deuchler: "Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 increases the levy for mosquito abatement from .025 to .075."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 3355. And on that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you Madam Speaker, Ladies and Gentlemen of the House. I am going to support the Lady's Amendment, but for some people they like to know these things and since it's the first Amendment we've debated today, this is a front door referendum, property tax increase to fight mosquito's. Thank you."

Deuchler: "That's correct."

Cullerton: "I'm all for it."

Speaker Breslin: "There being no further discussion, the question is 'Shall Amendment #2 to House Bill 3355 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On page 21 on your Calendar appears House Bill 3378, Representative Saltsman. Representative Saltsman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3378, a Bill for an Act to amend the Wages of Employees of Public Works Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 21 on your Calendar appears House Bill 3381, Representative LeFlore. Clerk,

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read the Bill."

Clerk O'Brien: "House Bill 3381, a Bill for an Act in relation to plant closings and relocations. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2, offered by Representative Parcels."

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker. Ladies and Gentlemen I think this is a very important Amendment to this very important piece of Legislation. This Amendment would see to it that the...would establish a dislocated worker unit in DCCA and it would help workers, but it would not send a negative message about Illinois to the rest of the Country. This Amendment contains the good and productive parts of House Bill 3381 while eliminating the part of the Bill which handcuffs employers, and puts State Government in the board rooms of Illinois companies where they will be making economic decisions when they know nothing about that business. Section 11, which becomes a Bill addresses the part of this Bill that the State should be concerned about. Jobs for Illinois residences. The business community is already trying to help by being responsible employer, having responsible employer practices, responsiveness to collective bargaining..."

Speaker Breslin: "Excuse me, Representative LeFlore. For what reason do you seek recognition."

LeFlore: "Madam will you please take this Bill off the record please?"

Speaker Breslin: "The Gentleman requests that the Bill be taken out of the record. Out of the record. On page 21 on the Calendar appears House Bill 3427, Representative Sieben. Clerk, read the Bill."



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Clerk O'Brien: "House Bill 32...3427, a Bill for an Act to amend the Hospital District Law. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 22 on your Calendar appears House Bill 3545 (sic-3445), Representative Mays. Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3445, a Bill for an Act to amend an Act in relation to State Finance. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions filed? Or Floor Amendments?"

Clerk O'Brien: "No Motions. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 22 on the Calendar appears House Bill 3464, Representative Bowman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3464, a Bill for an Act to amend an Act concerning the Illinois Mathematics and Science Academy. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 23 of the Calendar appears House Bill 3550, Representative Petka. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3550, a Bill for an Act concerning land acquisition by the Department of Conservation. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 24 of the Calendar appears House Bill 3612, Representative Matijevich. Clerk,

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read the Bill."

Clerk O'Brien: "House Bill 3612, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Black."

Speaker Breslin: "Representative Black."

Black: "Thank you very much, Madam Speaker. Amendment #1 to House Bill 3612 simply makes the proposed expansion of Medicaid eligibility that is in House Bill 3612 to include more children over the age of one permissive, subject to appropriation rather than mandatory. Currently the Bill as drafted requires the Governor and Department of Public Aid to establish a plan including formerly ineligible children over the age of one, whose parents' incomes are between current eligibility levels and 100 percent of the poverty level. Would offer for your approval Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 3612. And on that question the Gentleman from Lake, Representative Matijeovich."

Matijeovich: "Yes, Madam Speaker. I oppose the Amendment and I'll accept the voice vote. The problem with the Amendment is that by using the word may subject to appropriations even if we had the appropriations the Governor still could not provide the funds for this program. Therefore, you know if it were, shall the subject to the appropriations, I guess I could buy it. But the word shall I think doesn't need even subject to appropriations. The coalition that asked that this Bill be introduced is still in discussions with the administrations. I think it is better for those discussions that we keep it as a Mandatory Bill. Therefore I would urge the Membership to oppose this well intentioned

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Amendment. I've discussed it with the Sponsor and I would urge the defeat of it."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken, on the Amendment."

McCracken: "Thank you, Madam Speaker. I support the Amendment and I understand the reasoning of Representative Matijevich, and frankly it's not entirely unfounded. However, I think the word 'may' modifies the clause subject to appropriation. And what it means is in the event of an appropriation and only in the event of an appropriation may the department provide this coverage. And I believe that that's how a Court of Law would read the clause. And I think that that makes good public policy. If you are to make this program mandatory, but not subject to execution only in the event of appropriation, what is the point? We're going to make them spend money to create this plan and if it's not appropriated nothing's going to happen. Seems like an exercise in futility. In a year where the ultimate issue is the availability of revenues for good causes this is clearly something that should be within the province of the General Assembly on an annual basis. That is precisely what this clause does. Again, the clauses...'may' modifies the clause, and is limited to the existence of appropriation."

Speaker Breslin: "The Gentleman from Cook, Representative Cullerton, on the question."

Cullerton: "Would the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Cullerton: "Representative Black, maybe you could explain in light of what Representative McCracken just said what your intent is with this Amendment. Now as I read the Bill as amended, the current law right now says the Illinois Department and the Governor shall provide a plan for

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coverage of the, this is new language, women and children up to one year of age, eligible under paragraph 5a, by July 1, 1988. The Illinois Department and the Governor, Representative Matijevich's Bill says, 'shall provide a plan for coverage of the children, one year of age and older eligible under paragraph 5a by January 1, 1989'. Now your changing the word 'shall' to 'may' on line 13 of the Bill, but you're not changing the existing 'shall' which is on page...on line 10. I got the impression from Representative McCracken that this is only a technical Amendment. And I got the impression from listening to Representative Matijevich that you are trying to gut his Bill. So maybe you could clear this up for me."

Black: "Be certainly glad to try Representative. I think you'll find..."

Cullerton: "Maybe we could start with who gave you this Amendment?"

Black: "Who gave me this Amendment?"

Cullerton: "Right."

Black: "Some very concerned staff people Representative."

Cullerton: "But from the department or from the House Republican."

Black: "No it did not come from the department."

Cullerton: "Okay."

Black: "The second 'shall' in question is already current practice. I'm sorry, the first 'shall'. I think all I'm attempting to do with this Amendment, and I think Representative McCracken has certainly addressed it as has Representative Matijevich, we already have a Medicaid funding crisis in this State. And to pass this law with a 'shall' be done given that extent of the funding crisis, will simply make a bad situation worse."

Cullerton: "Let me ask you this. Does this Section we're talking

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about here, doesn't this only say that a plan shall be provided? Does that necessarily mean that it has to be funded?"

Black: "Well it certainly doesn't necessarily mean that it has to be funded. But I would like to tie that down so we don't get into another Act that we cannot fund. And we don't have the resources to fund. So why not let's make sure of that."

Cullerton: "But doesn't the Bill...well the Bill you say that the first 'shall' is already current practice. The Illinois Department and the Governor are now providing a plan for coverage of people eligible under paragraph 5a? Is that the case?"

Black: "Right. I believe you're right. To be effective July 1."

Cullerton: "And that's a 'shall'? It 'shall' provide a plan. Is that being funded?"

Black: "I believe that the Department of Public Aid has requested the funding."

Cullerton: "Okay, so we have a plan that's not being funded. But the word is still 'shall', under Representative Matijevich's Bill the same thing is required. There's a 'shall' in the second Section of the Bill if it's not funded that is a different issue. So I don't understand the purpose of your Amendment."

Black: "Well...I think we're getting into an interpretation of the Gentleman's Bill. And I can't really address his interpretation or his intent. But I think we could be expanding coverage that we simply cannot afford."

Cullerton: "It seems to me...it seems to me we're requiring a plan. Okay, you stand up and just tell everybody were only changing 'shall' to 'may' and it's just so technical and you see if anybody here buys that. Lets do it that way."

Black: "Well, I didn't say that it was technical. I believe

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someone else referred to that."

Cullerton: "Representative somebody else tried to imply that. Okay, so you're not saying that it's technical. You're saying that...and it doesn't gut the Bill at all it just changes 'shall' to 'may', right?"

Black: "Well that certainly is my understanding."

Cullerton: "Okay, and the Sponsor of the Bill is opposed to your Amendment?"

Black: "It would seem that he is."

Cullerton: "Okay, I just wanted to clarify it. Thank you."

Speaker Breslin: "Representative McCracken for what reason do you seek recognition?"

McCracken: "Well just to say that it is not a technical Amendment. It does represent a difference and I didn't mean to imply it didn't. And I am glad it represents a difference."

Speaker Breslin: "Ladies and Gentlemen, the question before us is 'Shall Amendment #1 be adopted?' Representative Black is recognized to close. Representative Black."

Black: "Thank you very much, Madam Speaker. We simply offer Amendment #1 for your consideration. I think it's had extremely...an extremely fair hearing on the Floor and I would like to ask the Speaker's consideration on a Roll Call Vote on Amendment #1 to House Bill 3612. Roll Call please."

Speaker Breslin: "The question is 'Shall Amendment #1 be adopted to House Bill 3612?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 46 voting 'aye', 63 voting 'no' and none voting 'present'. And the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Representative Matijevich, a fiscal note has been filed on this Bill, so it must remain on Second Reading. On page 24 on the Calendar appears House Bill 3636. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3636, a Bill for an Act to amend the Illinois Library System Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Leverenz and Cowlshaw."

Speaker Breslin: "Representative Leverenz and Cowlshaw. Which will carry the Amendment? Representative Leverenz."

Leverenz: "I move that we adopt Amendment #1."

Speaker Breslin: "The Gentleman has moved that we adopt Amendment #1 to House Bill 3636. And on that question is there any discussion? Hearing no discussion the question is 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Black."

Speaker Breslin: "Representative Black."

Black: "Thank you very much, Madam Speaker. Because I am unable to work out some concerns about this very good Amendment to an otherwise excellent Bill, I will withdraw Amendment #2."

Speaker Breslin: "Withdraw #2. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On page 24 of the Calendar appears House Bill 3649, Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3649, a Bill for an Act to amend the

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Illinois Municipal Code. Second Reading of the Bill. No  
Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative  
Steczo."

Speaker Breslin: "Representative Steczo, on Amendment #1.  
Representative Steczo is recognized."

Steczo: "Thank you, Madam Speaker, and Members of the House.  
Amendment #1 is designed to clear up a conflict over  
transfer of highway rights-of-way to counties...by counties  
in the State, to units of Local Government. What this does  
is simply provides that those kinds of transfers can take  
place and the municipality may be charged with repair  
maintenance and upkeep of the right-of-way and  
improvements. And the municipality gets to keep police  
power over those...over those improvements, although they  
may not be in the municipality. Evidently there's a  
problem now where the State or county cannot do that,  
cannot simply transfer the jurisdiction, even though they  
would like to. This would take care of a lot of abandoned  
rights-of-way throughout the State and I would move for the  
adoption."

Speaker Breslin: "The Gentleman has moved the adoption of  
Amendment #1 to House Bill 3649. And on that question is  
there any discussion? Hearing none the question is, 'Shall  
Amendment #1 be adopted?' All those in favor say 'aye',  
all those opposed say 'no'. In the opinion of the Chair  
the 'ayes' have it and the Amendment is adopted. Are there  
any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On page 24 on your Calendar  
appears House Bill 3655, Representative O'Connell. Clerk,  
read the Bill."



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Clerk O'Brien: "House Bill 3655, a Bill for an Act to amend an Act..."

Speaker Breslin: "Out of the record. House Bill...on page 25 on the Calendar appears House Bill 3679, Representative Kulas. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3679, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 25 on your Calendar appears House Bill 3680, Representative Kulas. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3680, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 24 in your Calendar appears House Bill 3698, Representative Curran. Out of the record. On...the next Bill is on page 26 on your Calendar, House Bill 3730, Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3730, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 26 in your Calendar appears House Bill 3735, Representative Ewing. Out of the record. On page 26 on the Calendar appears House Bill 3765, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3765, a Bill for an Act to amend an

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Act in relation to system of toll highways. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Representative Ewing is on the floor so we will go back to on page 26 in your Calendar to House Bill 3735, Representative Ewing. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3735, a Bill for an Act to amend an Act concerning States Capitol projects needs. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. The next Bill is on page 26 on your Calendar, House Bill 3767, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3767, a Bill for an Act pertaining to condominiums. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. The next Bill is on page 27 on your Calendar, House Bill 3804, Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3804, a Bill for an Act to amend an Act in relation to Mental Health and Developmental Disabilities. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 28 on your Calendar appears House Bill 3871. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 3871, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. No Committee Amendments. No Floor Amendments."

Speaker Breslin: "Third Reading. Yes, Representative McCracken for what reason do you rise?"

McCracken: "I realize it's a bit of an inconvenience, but I think we'd be better served if you're calling your own Bill to move it from the Floor."

Speaker Breslin: "There hasn't...there were no Amendments filed and there were no Motions filed."

McCracken: "I don't care."

Speaker Breslin: "Very good. Mr. Speaker would you take over so that this Bill could be called?"

Speaker Madigan: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3871, a Bill for an Act to amend Sections of a Civil Administrative Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Representative Breslin. No Amendments filed."

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "No Floor Amendments. Representative Breslin. Third Reading. Mr. Clerk place the Bill on the Order of Third Reading. Ladies and Gentlemen, I'd like to direct your attention to page 3 of the Calendar. Mr. McCracken are you alert? On page 3 of the Calendar...excuse me on page 2 of the Calendar, on Thursday, May 12 at 10:00 a.m. we have set a Special Order for the question of a State Income Tax. And I expect that there will be Amendments filed to one or more of those Bills which would provide for increases in the State Income Tax. And so I wish to direct the attention of the Membership to the fact that we are expecting to debate and vote on the question of an increase in the State Income Tax on Thursday as part of that Special Order at 10:00 a.m. And on that question there will now be

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a Caucus of House Democrats. And Mr. McCracken indicates that the Republicans would like to meet in Caucus also. I would expect about 1 hour, Mr. McCracken? Alright, thank you, Mr. McCracken, if all Members would go to their Caucus in the usual meeting room. And I would encourage all Democrats to attend the Caucus on this very important question of an increase in the Illinois Income Tax."

Speaker Breslin: "Ladies and Gentlemen the House will come to order. We will go back on to the Calendar where we left off prior to the conferences. That is the Special Order of Business dealing with State and Local Government. On page 28 on your Calendar appears House Bill 3890, Representative Turner. The Gentleman is not in the chamber. Out of the record. On page 29 appears House Bill 3910, Representative Braun. Is the Lady in the chamber? Out of the record. On page 29 of the Calendar appears House Bill 3914, Representative McPike. McPike. Clerk, read the Bill. Out of the record. On page 29 appears House Bill 3930, Representative Ryder. Is Representative Ryder in the chamber? Out of the record. On page 30 appears House Bill 3956, Representative Bowman. Representative Bowman. Out of the record. Ladies and Gentlemen I'm sure I don't need to remind you, but it is important that you be on the floor and be ready to present your Bills so that they can move to Third Reading, if we are going to finish our business in two weeks. So please return to the floor and be prepared to move your Legislation. Representative Giorgi's Bill is next, it appears on page 31 on the Calendar, House Bill 4014, Representative Giorgi. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4014, a Bill for an Act in relation to asbestos. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "They said he was coming to the floor. Is

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Representative Giorgi in the chamber? Out of the record.  
On page 31 appears House Bill 4018, Representative Levin.  
Clerk, read the Bill."

Clerk O'Brien: "House Bill 4018, a Bill for an Act to amend the  
Illinois Public Aid Code. Second Reading of the Bill.  
Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions or Floor Amendments."

Speaker Breslin: "Third Reading. On page 31 appears House Bill  
4035, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4035, a Bill for an Act to establish  
programs to support educational programs. Second Reading  
of the Bill. Amendments #1, 2, 3, and 4 were adopted in  
committee."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk O'Brien: "No Motions. No Floor Amendments."

Speaker Breslin: "Representative Churchill, a fiscal note has  
been filed on this Bill. The Bill therefore remains...a  
fiscal note request has been filed, so we will hold the  
Bill on Second. On page 31 appears House Bill 4037,  
Representative Kubik. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4037, a Bill for an Act to amend the  
Illinois Public Aid Code. Second Reading of the Bill. No  
Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 32 appears House Bill  
4059, Representative Curran. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4059, a Bill for an Act to amend the  
Continued Compensation for Disabled Law Officers Act and  
make it applicable to home rule units. Second Reading of  
the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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Clerk O'Brien: "No Motions filed. Floor Amendment #2 offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill would make...or this Amendment would make this Bill applicable to all home rule units including Chicago."

Speaker Breslin: "Excuse...Excuse me, Representative McCracken. Representative Cullerton for what reason do you rise?"

Cullerton: "Yes, I don't believe this Amendment has been printed."

Speaker Breslin: "Mr. Clerk has the Amendment been printed and distributed? No it has not. Representative McCracken."

McCracken: "Speaker, this Amendment was filed this morning prior to the floor action of today. I don't know why it hasn't been printed and distributed. It's been in the hopper for over four hours. You know if the Gentleman persists in the Motion or makes the Motion to table for that reason, I'm going to ask why the Clerk cannot get this done in four hours on a relatively slow day. You know, you're forcing us to copy our own and distribute our own. If you want to call a spade a spade then let's do it."

Speaker Breslin: "Representative Curran...Representative Curran agrees to take the Bill out of the record as a courtesy to you Representative McCracken. The Clerk by the way, reminds us Representative McCracken it's not a relatively slow day because lots of Amendments are being filed and printed. So we are running more than four hours behind on the printing. Representative McCracken for what reason do you seek recognition?"

McCracken: "Well then we are happy to ease your burden Madam Speaker. We will start copying and distributing our own Amendments. So when you ask if an Amendment's been printed

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and distributed, you look over to Bob over there, the Gentleman in the beard and ask him if the Amendments been printed and distributed."

Speaker Breslin: "Representative Cullerton for what reason do you seek recognition?"

Cullerton: "I didn't quite understand on a procedural point what Representative McCracken's proposal was. He wants to have the printing of all Amendments done by the Republican staff or by...I did not quite understand his proposal?"

Speaker Breslin: "Representative McCracken what is your proposal?"

McCracken: "Four hours is too long. Why don't we just print and distribute our own Amendments so that when you look to see if the Amendments been printed and distributed you should check with us as well. If it's a Republican Amendment."

Cullerton: "Well how will we know..."

Speaker Breslin: "Okay, the next Bill appears on page 32 of the Calendar, House Bill 4097, Representative McNamara. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4097, a Bill for an Act in relation to certain records and forms of identification. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 12 appears House Bill 4119, Mr. Clerk, is that Bill ready for hearing? Representative Young takes the Bill out of the record anyway. On page 33 appears House Bill 4206, Representative Young. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4206, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Second Reading of the Bill. Amendment #1 was adopted in

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committee."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk O'Brien: "No Motions. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 12 appears House Bill 4262, Mr. Clerk is that on the Second Day or the First Day? It's on First Legislative day, so that Bill will be held. Ladies and Gentlemen we'll start at the top and go through those Bills that were passed over before and give you one last opportunity to move your Bills to Third Reading. The first Bill appears on page 15 on the Calendar, it's House Bill 1669, Representative Williamson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1669, a Bill for an Act to amend the Township Law. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. The next Bill is House...appears on page 19 on your Calendar, it's House Bill 3124, Representative Ewing. Is the Gentleman in the chamber now? Representative Ewing. Out of the record. The next Bill appears on page 19 on the Calendar, House Bill 3135, Representative McPike. Out of the record. The next Bill appears on page 20 on the Calendar, House Bill 3347, Representative Ewing. Out of the record. The next Bill appears on page 28 on your Calendar, House Bill 3890, Representative Turner. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3890, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 29 appears House Bill



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3910, Representative Braun. Representative Braun. Out of the record. On page 29 appears House Bill 3930, Representative Ryder. Out of the record. On page 30 appears House Bill 3956, Representative Bowman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3956, a Bill for an Act to amend an Act codifying the powers and duties of the Department of Mental Health. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker Breslin: "Third Reading. On page 31 appears House Bill 4014, Representative Giorgi. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4014, a Bill for an Act to amend an Act in relation to asbestos. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Committee Amendments. No Floor Amendments."

Speaker Breslin: "Third Reading. On the Special Order of Business under State and Local Government, under Third Reading appears House Bill 1911. It is...it appears on page 37 of your Calendar, Representative Sieben. Do you wish to present this Bill on Third Reading? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1911, a Bill for an Act to amend an Act to revise the Law in relation to notices. Third Reading of the Bill."

Speaker Breslin: "Representative Sieben."

Sieben: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What House Bill 1911 does is provide County Boards in counties of less than two million people the opportunity by resolution of that board to adopt procedures for dealing with quadrennial assessment lists. Will allow that county

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if they pass that Resolution to publish an ad in the paper indicating that those lists are available in lieu of printing the complete assessment list in various papers throughout the county. What this Bill really does is provide counties an option of permissive language, provides them an opportunity to save a considerable amount of money in getting this information out to the public through means other than a complete publication of the quadrennial list. The quadrennial list as you probably understand are published once every four years for the public's information. And so this does not represent a measure that would deprive newspapers of a significant amount of revenue on an annual basis. The way the Bill stands now with the Amendments that of 1 and 2 that are on it, we're dealing only with the quadrennial assessment list. And since this is an item that comes out every four years I don't believe the loss of revenue to any newspaper would significantly hurt the income of that newspaper on a long term sense. So I would ask for your 'yes' vote on House Bill 1911."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1911. And on that question the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker. Would the Sponsor yield to a question please?"

Speaker Breslin: "He will."

Ropp: "Representative, I understand your intent here, can you tell me what the current total cost is that we're talking about that we might save?"

Sieben: "The total current cost where...where are you asking for that?"

Ropp: "Yes, the cost now that is incurred by local units of Government to publish this report."

Sieben: "Yes, I think by way of illustration, I could use my home

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county of Henry County, Illinois. It costs them approximately \$26,000 every four years to publish this list...or the assessment list in various papers throughout that county. And in working on alternative ways of getting this information to the residents of the county, the supervisor of assessments in Henry County has determined that they can meet the circulation requirements at a cost of about \$2,500. So one tenth the cost of publishing in the paper, to get the same information out to members of the public. So \$2,500 as opposed to \$25,000."

Ropp: "I think that's an exceptional amount of money to save. I guess my question then might be whether or not as a Governmental entity we are, even though it's costing money, and I know we all want to save money, but the cost in this particular area, is worth what it costs in order to provide this information to free and open information for all people within a community, even though many may not want it. The feeling of attempting to not publish these kinds of records is something that I think we ought to take a long hard look at, even though it does cost some money. It does indicate the openness that we have of Government relative to taxing and taxation and appraisals. And I guess I would support, even though in this case it may cost a few extra bucks, the idea that that openness is what good Government should be all about. Thank you."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer."

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

Speaker Breslin: "He will."

Homer: "Representative Sieben, as I understand it Amendment #2 is now the Bill?"

Sieben: "That's correct."

Homer: "What was the reason that you offered Amendment #2? What

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is it...what did it do?"

Sieben: "Amendment #2 more clearly defined where the...where the lists would be available throughout the county to provide public access to the information. And in Amendment #2 we indicated that copies of the complete list would be available at the Public Libraries in the county and also at the Supervisor of Assessments office. Individual township lists would be distributed to the township assessor who had made the assessments in that township."

Homer: "Well...the...previous form of the Bill prior to the Amendment had the list going to a number of other locations in the county, the offices of Municipal Clerks and Township Supervisors and one posted at the Courthouse, the office of the township officials and all the public libraries. Why did you want to restrict it in Amendment #2? And why did you want to impose a fee on people who wanted a copy of that list?"

Sieben: "Okay, in working with the assessors when we first drafted this Legislation, we just came up with a variety of public places where the list could be made available. And after I sent copies of this to assessors throughout my district they felt that having the list available at the Municipal Clerk's office could possibly create some confusion there in that Municipal Clerks are not involved with assessments and would not be able to answer questions. And they felt the Supervisors of Assessments in the five counties I represent felt it would be best to have these lists available with each individual township assessor for their township and also available at the Supervisor of Assessment in the counties. So, we're making a significant effort to have this information available to residents in the county. Then we also felt in Amendment #2 to provide that anyone that would want to call in and get a copy of

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this list or send a written request to the Supervisor of Assessments so they could personally have a copy of the assessments for their township. We wanted to provide a mechanism form to do that and under the Freedom of Information Act the Supervisor of Assessment is allowed to charge a reasonable fee for duplicating the list for that township and mailing it to the resident that would want the complete copy."

Homer: "Are there any parameters in the Bill as to what constitutes a reasonable fee?"

Sieben: "Not at this time."

Homer: "Well, Madam Speaker to the Bill. I am troubled by this Bill. I did get contacted by my local Supervisor of Assessments asking me to vote for the Bill and I have read the Legislative alert from the Illinois Press Association which stands in opposition to the Bill. But, putting aside those competing forces I tried to look at what the purpose of these publishing of quadrennial assessments really is. And I think they do serve a valid function. I don't think they are something they just stuck in newspapers that go unread. It's probably one of the most read additions to the newspapers that come out. Why? Because neighbors will want to see what their neighbors are assessed at. They want to see whether they have a valid opportunity for appeal of their assessment. And by looking at all the published assessments they're out in the open where they are available for ready inspection. Even though it sounds good to say, well we are going to make them available but they are going to have to go to their local library or somewhere and pay to get a list of assessments. How many people really do that? How many people even know when they can do that? Frankly it doesn't happen very often. So, it really...what it ends up doing is taking out of the public

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prevue, information that ought to be public and that is what is the assessment on my property compared to what the assessments are on neighboring properties. And if you take that out of the public view then what you're doing is inviting, I think, opportunities in creating a situation where perhaps the assessment process taken out of public scrutiny is not done with as much equity and fairness as it would be done if those imposing those assessments know that those assessment figures are going to be subjected to public scrutiny. In the form of quadrennial, once every four years are going to be published in a newspaper. And yes it does cost money to do that, but it seems to me that of the money that the county spends every four years, then maybe some of the best money that they do spend in providing an opportunity for people to see what assessments are county wide and for keeping the assessment process scrupulously honest. So, I think on balance that this is a bad Bill, ought to be defeated. Not just because the Illinois Press Association is opposed, but because it's not a good Bill. It's not in the public interest."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "Representative Sieben will yield for a question."

Klemm: "In the publishing of the real estate descriptions, what do they use for their description? A permanent index number or the home address or most common address?"

Sieben: "They use a parcel number, the property parcel number, I have a copy here. They use the parcel number for the property and then they list the property owners name, last name and then first name. This is a copy of the assessment

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list from July 10, 1987."

Klemm: "Alright, well one of the previous speakers had that indicated that the neighbors sometimes like to find out what their...what their neighbors assessment is and without knowing their real estate index number, parcel number, how would they ever find it unless they happen to obviously know their name and what if it's not next door or it's alphabetical? How do they list...how would you find that then?"

Sieben: "They have to contact their township assessor and find out the parcel number for that property so that they can make an adequate comparison to their own individual property. It also causes a problem when you have an individual that owns several pieces of property, that quite simply the publication in the newspaper does not give you the tools with which to make an adequate comparison to comparables in your area. And there are many other ways to get that information available."

Klemm: "So when we say that the reason we have the publications listing is so that we can compare our taxes with our neighbors is somewhat misleading, since it's almost impossible unless you happen to know that permanent index number of your neighbor in order to compare with. Would that be correct?"

Sieben: "If that's the way it's published in that county, some areas do publish them alphabetically by name."

Klemm: "Alright, now does the Bill, if I were to call you up or call the county courthouse and say I'd like a copy of it, would they send me the whole copy? Is that how this Bill was drafted? That I would receive it all?"

Sieben: "The person making the call would have a choice to ask for the list for their township or they could ask for two townships or they could ask for the complete county."

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Whatever their choice would be, they could get as much of a list as they want. And I should point out that this Bill applies to counties of less than two million people. So, there's an impact there to."

Klemm: "Alright, well therefore then the information really would be available if I were to call you up and I could compare to my hearts content if I even knew what their index number and their address was? Right?"

Sieben: "That's correct."

Klemm: "Alright, thank you very much."

Speaker Breslin: "The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Madam Speaker. I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. And the question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the main question is put. Representative Sieben is recognized to close."

Sieben: "Certainly this Bill has opposition from the Illinois Press Association as Representative Homer has presented. Primarily because it represents a significant amount of revenue for those papers once every four years. But I think the real issue here is whether we're providing accessibility to our people in our county, to the taxpayers in our county. Whether we can provide accessibility to tax information at affordable level. And I think what Supervisors of Assessment in my district have come up with are ways because of current technology that they can make copies of their assessment lists available to residents of that county either through a list that's available at a public library or a list that's available through the individual assessor who made the assessment. Or they will mail that assessment list to a person who requests it under



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the Freedom of Information Act at a very reasonable cost. So, I think this Bill represents a move towards good Government. All of us know that our counties are struggling to meet their financial obligations just like we are here in the General Assembly. They've lost revenue sharing funds, they're trying to balance their budgets and provide needed services in their county and this is one way I think our counties can save some money and deliver the necessary services. And I vote...I would urge you to vote 'yes' for this Bill."

Speaker Breslin: "The question is 'Shall House Bill 1911 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 22 voting 'aye', 85 voting 'no' and 4 voting 'present'. This Bill fails to receive the necessary Majority and thus fails. The next Bill appears on page 35 on your Calendar, House Bill 3108, Representative Turner. Representative Turner. Clerk, read the Bill."

Clerk Leone: "House Bill 3108, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Turner."

Turner: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. House Bill 3108 is a Bill that I introduced at the request of some of our Members here. As you know to be a State Representative takes quite a bit out of ones life. And I need not talk about the every two years of running for a campaign. This job does not...it's not the most rewarding monetarily in terms of salaries. And so it's a job that we take on because we firmly believe that we want to represent our community and do those things that are right. I bring to you House Bill 3108 which tries to add

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some additional fringe benefits to the job of being a State Representative. It has no cost to the State, it does not have anything to do with raising taxes. All it merely says is that you once served in this distinguished Body. You still have to pay at this rate your current \$50 for your license plates, but it allows those constituents and those others out there...throughout the State of Illinois it lets them know that you served here in the General Assembly. I would ask for your favorable support of this particular House Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3108. And on that question the Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Countryman: "Does this mean that you have to be in the General Assembly for four years or if you've been elected to two terms?"

Turner: "Four years."

Countryman: "Four years. So if somebody gets elected and they serve here and they...in the end of their second term they become a judge before the end of the second term by about a month or so they can't qualify for this. Is that right?"

Turner: "That's right. Unless you want to amend it. But that's right. Unfortunately they would not qualify."

Countryman: "Well, don't you think if they get elected a judge after two terms they ought to qualify? If they've been here through four June Sessions, the June swoons or whatever, they ought to be able to do that?"

Turner: "Well you have to keep in mind, I'm very sympathetic to what you're saying. But I think that if he went on to be a judge, which is a much higher Body than this one, maybe we can bring a...Well, well I mean...I thought it was..."

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Countryman: "Oh, but don't you think a judge who had these retired plates driving out Western Illinois would be somebody who would really be respected?"

Turner: "Absolutely, no question about it. Maybe the judge should just postpone a few months and stick around and there would be no question on it. At this point I figure a four year minimum was a good start."

Countryman: "Well I guess if he can't have license plates we'll have to get him a pair of suspenders. Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Leverenz: "What is the law currently?"

Turner: "Currently the law says six years."

Leverenz: "You said earlier that you'd have to be elected for four years?"

Turner: "The Bill says you have to serve four years, right."

Leverenz: "Serve four years?"

Turner: "Right."

Leverenz: "I thought you meant you have to be elected to a four year term. I've never been elected to a four year term."

Turner: "No just serve four years. Unfortunately..."

Leverenz: "Could I get three sets of plates?"

Turner: "Yeah, if you pay your fifty bucks."

Leverenz: "Thank you."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken on the question."

McCracken: "Thank you, Madam Speaker. I stand in support of this Bill. I think that we do enough to have this little...it's not even a park it's just a piece of metal. You pay the same prices you would pay without it. You've served down here, who cares how old you are, or whether you've served

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three terms instead of two. Any service down here is justified...or is justification enough for some minor thing like this which does no disservice to the public. Which doesn't cost the public any money. Why there's a restriction on this in the first place makes no sense to me."

Speaker Breslin: "Representative Turner to close."

Turner: "I think...I think Representative McCracken pretty much said it all. Again as State Reps. we carry a heavy burden to represent our people here in the State. And I think that this license plate is just a mere token of letting people know that you've served in this esteemed Body. And I ask for your favorable 'aye' vote on this particular piece of Legislation."

Speaker Breslin: "The question is 'Shall House Bill 3108 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 83 voting 'aye', 25 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Special Order of Call under local initiatives, we will proceed to take all those Bills on the Order of Second Reading, Second Legislative Day. The first Bill appears on page 13 on your Calendar, House Bill 3085, Representative Cullerton. Is the Gentleman in the Chamber? Representative Cullerton? Out of the record. On page 18 appears House Bill 3087, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 3087, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. On page 20 on you Calendar appears House Bill 3260, Representative DeLeo. Representative DeLeo. Clerk, read the Bill."

Clerk Leone: "House Bill 3260, a Bill for an Act in relationship to guaranteed home equity. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "This is, should be House Bill 3260, Mr. Clerk. There are no Committee Amendments. No Floor Amendments. The Bill moves to Third Reading. On page 20 appears House Bill 3309, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 3309, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments? Representative Terzich, there is a Floor Amendment on this Bill. However, it has been incorrectly labeled as Floor Amendment #1. Since there was a Committee Amendment put on the Bill that is obviously an incorrect number. The Chair would ask leave for permission from the Body to change Floor Amendment #1 to Floor Amendment #2. Is there any objection? Hearing none, that will be done. Read Floor Amendment #2 Mr. Clerk."

Clerk Leone: "Floor Amendment #2 offered by Representative Terzich amends House Bill 3309 on page 1 and so forth."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker. The Amendment #2 simply puts a cap on the terminal date and this was as requested in committee and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3309, and on that question the

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Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker will the Sponsor yield."

Speaker Breslin: "He indicates he will."

McCracken: "I note that the Committee Amendment, put in what is current law, a termination date of December 1991, you've reached, who is opposed to the Bill as originally drawn?"

Terzich: "Well the comment was made that there wasn't any terminal date on it and there was suggested that it would be... Representative Klemm made the comment. And this will simply put the date as 1996, just putting the terminal date on it.

McCracken: "Okay, thank you."

Speaker Breslin: "Representative Klemm on the Amendment."

Klemm: "Thank you, Madam Speaker, yes, I did in committee ask that we have some ending date on this, otherwise it was a never ending type of period where they could have their referendums, non-referendum issuances of bonds, and it seemed like in a five year extension seemed to be a compromise and that's the reason the Amendment was put on."

Speaker Breslin: "Is there any further discussion. Hearing none the 'question is, 'Shall Amendment #2 to House Bill 3309 be adopted?' All those in favor say 'aye' all those opposed say 'no' in the opinion of the Chair the 'ayes' have it. Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. On page 20 appears House Bill 3345, Representative Wojcik. Clerk, read the Bill."

Clerk Leone: "House Bill 3345, a Bill for an Act to Amend the Illinois Public Aid Code. Second Reading of the Bill. There are no Committee Amendments.

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. On page 20 appears House Bill

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3350, Representative Flowers. Clerk, read the Bill."

Clerk Leone: "House Bill 3350, a Bill for an Act to Amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is offered by Representatives Cullerton, and McPike."

Speaker Breslin: "Representative Cullerton or McPike. Representative Flowers the Gentlemen are not in the chamber. What is your pleasure? Out of the Record. On page 20 appears House, on page 21, appears House Bill 3367, Representative Flowers. Clerk, read the Bill."

Clerk Leone: "House Bill 3367, a Bill for an Act to Amend an Act concerning education. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. On page 22, on the Calendar appears House Bill 3368, Representative Braun. Out of the Record. On page 22 of the Calendar appears House Bill 3436, Representative Cullerton. Is the Gentlemen in the chamber? Out of the Record. On page 24, appears House Bill 3584, Representative Madigan. Out of the Record. On page 25, appears House Bill 3678, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 3678, a Bill for an Act to Amend an Act to create sanitary districts. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions nor Amendments filed."

Speaker Breslin: "Third Reading. On page 29, appears House Bill 3917, Representative McPike. Out of the Record. On page 29, appears House Bill 3918, Representative Madigan. Out

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of the Record. On page 30, appears House Bill 3988, Representative Cullerton. Out of the Record. On page 32, appears House Bill 4068, Representative McPike. Out of the Record. Representative Giglio in the Chair."

Speaker Giglio: "Alright on page 20 of the Calendar, on the Order of Third Reading appears House Bill 3100, Representative Breslin. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3100, on the Order of Third Reading, a Bill for an Act to Amend certain Acts in relationship to environmental protection. Third Reading of the Bill."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 3100, is a Bill which amends the Environmental Protection Act, and establishes a fee system relating to solid waste disposal fees. First of all, I wish to apologize to Representative Daniels, and others on the other side of the aisle, when this Bill was up on Second Reading we had a discussion as to whether or not this Bill required or had an impact on Under the State Mandates Act. At the time I thought that the Amendment that had been adopted eliminated that as a problem. As I reviewed that it was clear to me that I was incorrect and I apologize for disagreeing with the Gentlemen's request. As a consequence I have requested a State Mandates Act fiscal note and one has been filed. They...the Department of Commerce and Community Affairs does agree that it does constitute a service mandate for which reimbursement is required. However, no estimate this is a quote. 'No estimate of the cost of reimbursement is available.' So I am not able to give those that information at this time, because it is so difficult to estimate. I would tell you Ladies and Gentlemen that the Bill as amended is currently in the form that the City of Chicago, and the County of Cook desires.



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I would suggest to you that I have been working with the City, and those in the County who are concerned about this to realize that more money is necessary in this fund both on the State level and on the county level in order to meet the needs of solid waste disposal and solid waste management planning. Under the current Amendment, the Bill raises between ten to twelve million dollars per year, on the State level. The...in addition to that to understand that the Bill would allow the counties to establish a fee, and that fee would be continual on the State level the fee is only in existence for two years. Thank you and I'd be happy to answer any questions."

Speaker Giglio: "Further discussion. The Gentlemen from DuPage, Representative McCracken."

McCracken: "Okay, thank you, Madam Sponsor, I wonder if you would consider taking this Bill back to Second Reading in light of the fact that you were mistaken as to the impact of the Amendment we adopted at that time. As I understand your explanation, apparently there in fact is a State mandate the cost of which is not possible to calculate. But I believe the necessary implication of that error was that that Amendment as you contended at the time did not affect Dupage County. Now you would agree of course that not only does your error at Second Reading cause there to be a State mandate implication but in fact there is also an impact on DuPage County. Is that right?"

Breslin: "There is an impact on DuPage County, but the fiscal note report indicates that it cannot be estimated as to what that is. And further as I think I have already explained Representative McCracken, this is an issue that I in particular wish to force compromise on. There is no value in holding the Bill, we are not going to have more information in addition to which the fiscal impact will be

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different because the Bill will be amended. So my object is to move the Bill so that we can force compromise between the various parties concerned."

Speaker Giglio: "Further discussion?"

McCracken: "Well, is that your wish?"

Breslin: "That is my wish. Absolutely."

McCracken: "At the time of Second Reading? To cause compromise to be affected."

Breslin: "Absolutely."

McCracken: "Well, I mean why would you have that wish if the Bill did not effect DuPage County as of Second Reading? I mean I don't understand how you could force to want compromise if in fact at Second Reading it was your opinion that it had no effect on DuPage County."

Breslin: "In my view DuPage County isn't the only Body concerned by this issue, the whole of the rest of this State..."

McCracken: "And it was your position at Second Reading that it did not affect Dupage County."

Breslin: "The whole of the rest of this State, has been held in abeyance because of this dispute between DuPage County and the City of Chicago."

McCracken: "Well, my request Madam is that you return it to Second Reading you allow us to amend the Bill so that the State as a whole is taken care of. As I understand it this Bill in part is prompted by a circuit court decision holding the State tax unconstitutional. We could pass that portion of your Bill today put the State in a good position for the future and not effect only one county, as you want to do now. Now if in fact your concerns are statewide in nature I propose that we will meet those concerns we will reenact the State tax and we will not decide the Cook County, DuPage County issue absent agreement. The day before you called this Bill on Second Reading,

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Representative Daniels, had a conversation with Mayor Sawyer, in the Speaker's corridor, Speaker's office back there and at that time Mayor Sawyer did not tell him that he had adopted a position one way or the other. That has been the forum for the negotiations Madam Sponsor. It has been with the City of Chicago directly not through your good offices. And I submit that in light of the fact that you were wrong on Second Reading, in light of the fact that if your concerns are in fact statewide. In light of the fact that at one time you contended DuPage County was not implicated by this Bill. That you return it to Second Reading let us address the State issue which is important to you and rightly so but not address the Cook County, DuPage issue until the place where those negotiations have been conducted are conducted to a conclusion. Let the Speaker on behalf of Mayor Sawyer say that Chicago is at the end of its negotiations with DuPage County. You have not been a party to those negotiations to my knowledge you are not a party to the conversation between Speaker Daniels, Leader Daniels, and Mayor Sawyer, the day before you presented this Bill on Second Reading. If in fact, your goal is to rectify the State portion of this Bill, and in fact as you've claimed on Second Reading, did not effect DuPage County you can correct that error today, take it back to Second Reading address what is legitimately the statewide issue. Will you do that? May I have an answer?"

Breslin: "No Sir, I will not and by the way you are confirming my belief that you want to hold this Bill up. And I appreciate the concerns of your area. It's my view, however, that this Bill has been held up before. It's been held up by the City of Chicago, or it's been held up by DuPage County. I don't want either, I don't want to disadvantage either of you, but it is important that the

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Bill move."

McCracken: "Alright, to the Bill, Mr. Speaker. What has been variously described by the other side of the aisle as an exorbitant tax on the right to dispose of refuse is in fact a user fee, a user fee which has been in place and was in place prior to the imposition of the State tax imposed in 1986, and has been earmarked since before that time and continuously to this date for the restoration of the landfill once it in fact has reached its capacity. What the Lady proposes is not a response to the statewide problem, the statewide problem can be addressed in a separate Bill or Amendment which addresses only the imposition of the State tax which we originally did in 1986. In fact, what's happening is that for some reason the City of Chicago has not had the courage to come and tell us that they will not pay for the damage they do to our county. And it's easy to criticize us, you know we're the rich guys, you know DuPage County let's pick on them. The garbage dumps are important to Chicago, and Chicago is cutting its throat by taking this short sided approach. You will fill the garbage dump and when it's filled and we turn to you and tell you you have no where else to dump it in our county your going to wonder what happened. In fact, if you let the imposition of the user fee be negotiated to its conclusion and allow the Bill to go forward as to the State portion you do no disservice to your constituents and in fact you promote a longer range more foresighted resolution of a problem that Chicago has."

Speaker Giglio: "Representative Breslin to close."

Breslin: "Thank you Mr. Speaker, Ladies and Gentlemen, you should know that this issue is of serious not only financial concern but of environmental concern to all parties, the issue raised by the county of DuPage and by the City of

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Chicago, is not petty it is not political. They are major concerns of how we should strike the right balance, the right fee, that stills allows, that still allows the proper disposal of solid waste, but at the same time encourages other things besides land filling but is not so high that it also encourages illegal dumping. The question is how do we find that right balance and there has to be a right balance out there that is what we are going to be working for between now and the 30th of June. I ask for your support. Thank you."

Speaker Giglio: "The question is 'Shall House Bill 3100, pass?' All those in favor signify by voting 'aye' those opposed 'nay' the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there is 75 voting 'yes' 34 voting 'no' one voting 'present' and House Bill 3100 passes having received the Constitutional Majority is hereby declared passed. We're gonna go back and take some of the Bills that were taken out of the Record at the Sponsor's request. Representative Breslin in the Chair. Giglio comes back in the Chair. Alright on page 13 in the Calendar appears House Bill 3085, Representative Cullerton, are you ready Sir? Mr. Clerk, read the Bill."

Clerk Leone: "On the Order of Second Reading, House Bill 3085, a Bill for an Act to amend an Act in relationship to the improvement of the Chicago Park Districts. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are no Motions filed, nor Floor Amendments."

Speaker Giglio: "Third Reading. Page 21 of the Calendar appears House Bill 3350, Representative Flowers. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 3350, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is offered by Representatives Cullerton and McPike."

Speaker Giglio: "Representative Cullerton, on Amendment #1 the House Bill 3350."

Cullerton: "Yes, this is technical Amendment it amends the Bill on Page 3 deletes the lines 23 and 24 and inserts the following just adds the year 1987. And the Calendar year 1988, move for the adoption of the Amendment #1."

Speaker Giglio: "Any discussion? The Gentlemen from DuPage, Representative McCracken."

McCracken: "..If it hasn't been printed and distributed, I would like it to be passed briefly until we can see it. I don't have it in my file. Okay, I just got it. Well, they've more than technical aren't they? What do they do? I mean... what is the significance of having more years included, more different years included?"

Cullerton: "It authorizes a tax for one additional year as opposed to...it adds 1988."

McCracken: "And 87. The Amendment adds 87 as well."

Cullerton: "87 see it struck 87 on line six."

McCracken: "Oh, alright, so it adds another year for the extension of a higher rate than is now authorized?"

Cullerton: "No, it extends the current rate."

McCracken: "It extends the current rate...?"

Cullerton: "Right. I think this was the Bill that Ishick, Lincoln and Beahl worked on in 1980. Does that ring a bell?"

McCracken: "I'll defer to you."

Speaker Giglio: "Further discussion? All those in favor of

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Amendment... the Adoption of the Amendment #1, to House Bill 3350, all those in favor signify by saying 'aye' those opposed 'nay' in the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. On page 21 of the Calendar, appears House Bill 3367, Representative Flowers. That was moved, excuse me. 3368, Representative Braun. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3368, a Bill for an Act to Amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. House Bill 3436, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3436, a Bill for an Act to Amend the Liquor Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Cullerton."

Speaker Giglio: "Representative Cullerton, on Amendment #1."

Cullerton: "Mr. Speaker, I understand that there may be some other Amendments that are to be filed that have not yet been printed so I'll take it out of the record until those are filed."

Speaker Giglio: "Out of the record. On page 20 of the Calendar appears House Bill 3988, Representative Cullerton. Are you ready with this one Sir? Out of the record. Representative Giorgi, in the chamber. Representative Giorgi, would you please come to the chamber. We're going now on County Government. County Government Second Reading

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and then we'll go, hopefully we will finish Second Reading on County Government and then we will go to Third Reading on County Government. ...the Bill we took out of the record early this morning, on State and Local Government on page 29 of the Calendar, House Bill 3910, Representative Braun."

Speaker Giglio: "Alright we made a mistake. Not 3910, 3988, Representative McCracken. Representative Cullerton, 3988. Representative McCracken."

McCracken: "Speaker, a lot of Bills have been taken out of the record today both Republican and Democratic. You are going back to a Bill that is on about the sixth line of the Special Order. If we're gonna go back and give second shots to these Bills, let's do them in numerical order according to the Calendar, we have some Republican Bills that were passed too."

Speaker Giglio: "Well, we you know it's been the posture of the Chair to give everybody fair treatment, Representative McCracken. And some people who wished not to have their Bills called at that particular time hoping that we'd go back and once we've ran through the Calendar which we have done. We go back and we pick up the Bills that Sponsors..."

McCracken: "Right I'm all for that, I'm all for that but we go back and try all of them for a second time and we do them in the Order of the Calendar. I'm for going back to Representative Cullerton's Bill. Representative McPike, had a couple Bills too that's fine, but let's go back to the beginning and give the Republicans a chance as well."

Speaker Giglio: "Fine okay, I'm glad your in agreement with us. Okay, we'll call the Bill. On that Order of Business we're going to go back. We're going back on that Order of Business, just like you said. Right now we're on House Bill 3988. House Bill 3988, Mr. Clerk, read the Bill."



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Clerk Leone: "House Bill 3988, on the Order of Second Reading. A Bill for an Act to amend an Act in relationship to the creation of management of Forest Preserve Districts. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. Alright, we're going to go back to State and Local Government and we're gonna go back to the beginning and now we have Representative Ewing on 3124. House Bill 3124. Page 19 of the Calendar. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3124, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are no Motions filed, nor Floor Amendments."

Speaker Giglio: "Third Reading. On page 20 of the Calendar appears House Bill 3347, Representative Ewing. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3347, a Bill for an Act to amend the Local Government Prompt Payment Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. Alright on page 29 of the Calendar appears House Bill 3910, Representative Braun. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3910, a Bill for an Act defining the powers and duties of Local Governmental authorities. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

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Speaker Giglio: "Third Reading. Now we're going to County Government, Second Readings first. Representative Giorgi. Mr. McCracken for what purpose do you rise Sir?"

McCracken: "You were kind enough to call other Bills than 30... whatever, but I don't think all the Bills on this order have been called again. We want them all called, and we want them called in order, if you're gonna call a Bill another time for anybody you should call them for everybody, that's all I'm asking. I did not want to yell when you said you'd get to everything on the order, I'm happy you would do that, they're not all gotten to."

Speaker Giglio: "Well, we tried to accommodate those that Representatives that wanted the Bills called though, Representative McCracken. Those that who requested it, we called on."

McCracken: "Anybody else want a Bill called from that order?"

Speaker Giglio: "We are now in the Order of County Government..."

McCracken: "Michael Weaver wants one, Mr. Speaker."

Speaker Giglio: "County Government, Representative McCracken."

McCracken: "No, no, no, no"

Speaker Giglio: "House Bill 3261, Representative Giorgi, page 20 of the Calendar. Representative Giorgi. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3261, on the Order of Second Reading, a Bill for an Act in relationship to special assessments. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Giglio: "Further Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. On the...Representative Parke for what purpose do you rise Sir?"

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Parke: "Thank you, Mr. Speaker, now Representative McCracken has brought out a good point. That every Legislator here in the General Assembly has a right to have their Bills heard in some kind of a sequence and if your going to set up a program of hearing Bills we expect you Mr. Speaker or anybody in the Speaker's Chair to afford every Legislator the responsibility of having their Bills heard in a timely manner as listed. Mr. McCracken is speaking on behalf of all of us in the General Assembly and we ask for the Speaker to start following the Calendar of business as he so stated."

Speaker Giglio: "Thank you, Representative Parke. County Government page 20 of the Calendar, Second Reading, appears House Bill 3717, the Lady Representative Wojcik, are you ready on 3717 Ma'am? Read the Bill, Mr. Clerk. This is First Legislative Day, out of the record, Mr. Clerk. Page 14 of the Calendar appears House Bill 3827, Representative Churchill. Representative Churchill in the chamber? Representative McCracken, do you know where Representative Churchill is? Out of the record. On page 12 of the Calendar appears House Bill 4247, Representative Flinn. Representative Flinn, in the chamber? First Legislative Day. Out of the record. Representative Hallock in the chamber? House Bill 3311, Sir. Mr. Clerk, read the Bill. This Bills on Third Reading. Short Debate, page 35 of the Calendar. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3311, a Bill for an Act to create the Rockford Museum Authority. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. House Bill 3311, creates the Rockford Museum Authority. the purpose of the Bill is to try to allow five different

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museums currently existing in our community to join together and take over an old abandoned building and have some powers to make sure they can do that correctly. We envision down the road perhaps adding more museum type facilities into this structure, this Bill would allow all that to happen. I would ask for your support."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Leverenz: "If we give them the authority do they receive any State money now?"

Hallock: "No, as a matter of fact this entity doesn't really exist, we are creating this authority with the idea in mind that some museums can join together and have some local powers."

Leverenz: "What local powers?"

Hallock: "Well, they would have the power by referendum if they so chose to do that to levy a tax, if the voters approve that."

Leverenz: "To levy a tax?"

Hallock: "By referendum."

Leverenz: "Your allowing them to make.. create a new tax, taxing district by this. Is that correct?"

Hallock: "Let's back up. This Bill affects only the City of Rockford, and by creating this authority, would allow this entity if they chose to do so by referendum to levy a small tax for the museum purposes. But it is by referendum."

Leverenz: "So, and then they could probably, would they have in the Bill the authority to ask for grants from the State too."

Hallock: "Well, not at this time."

Leverenz: "But the authority would be able to apply for a grant

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and it wouldn't have to be in the authorization language right?"

Hallock: "Well, I suppose as an entity they could ask for grants like everybody else does. But that is not the purpose of the Bill. The purpose of the Bill is just to really allow these current museums which exist now to come together and try to pool their resources so to speak and try to allow them to do what they do better and provide better service for our community at one location."

Leverenz: "So then a red vote or a soft 'present', 'no' vote might be staving off a possible tax on the residence in Rockford is that correct?"

Hallock: "No, I would say the proper vote is a green vote, because this affects our community. It's something our community has sought for a while, it would allow these museums to work better together. I think the proper vote is a green vote."

Leverenz: "I think I might want to protect those people in Rockford. Thank You."

Speaker Giglio: "Further discussion? The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, I'm Co-Sponsor of House Bill 3311, and I rise in support of the Bill. It just creates a museum authority and at this point, we have some ideas as to what direction the museum authority might travel, but in this case we need the Bill desperately."

Speaker Giglio: "Representative Hallock to close."

Hallock: "I would just ask for your support."

Speaker Giglio: "Question is, 'Shall House Bill 3311, pass? All those in favor signify by voting 'aye' those 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 Bill there are 103 voting 'yes' none

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voting 'no' 4 voting 'present' and House Bill 3311 having received the Constitutional Majority is hereby declared passed."

Clerk Leone: "For the record, House Bill 3261, a Bill for an Act in relationship to Sanitary Districts, has been moved to Third Reading."

Speaker Giglio: "Now we're going to do Administration of Justice. Special Order Call, Second Reading. On page 50 in the Calendar appears House Bill 923, Representative Barnes. Representative Barnes in the chamber? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 923, on the Order of Second Reading. A Bill for an Act to amend various Acts in relationship to support orders. Second Reading of the Bill. Amendments #3 and 4 were adopted in committee."

Speaker Giglio: "Any Motions?"

Clerk Leone: "There are no Motions in respect to Amendments #3 or 4."

Speaker Giglio: "Floor Amendments?"

Clerk Leone: "No further Floor Amendments."

Speaker Giglio: "Third Reading. On page 4 of the Calendar, appears House Bill 1576, Representative Countryman. Mr. Clerk, read the Bill. First Legislative Day, Representative Countryman sorry. On page 50 of the Calendar appears House Bill 1809, Representative Currie. Out of the Record. On page 4 of the Calendar, appears House Bill 2159. First Legislative Day. Out of the record. Page 16 of the Calendar appears House Bill 2569, Representative Currie. Representative Currie in the chamber? Out of the record. Representative Olson for what purpose do you rise Sir?"

Olson: "Thank you, Mr. Speaker. In this Order of Business I'm between Hasara and Currie. 2324...it is past the first."

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Speaker Giglio: "For that you're on Third Reading, we're trying to do Seconds Representative, and then we're going to back and do Thirds, okay?"

Olson: "Thank you, very much."

Speaker Giglio: "Page 5 of the Calendar, O'Connell, Represen...House Bill 3057, First Legislative Day. Out of the record. On Page 21 of the Calendar, Representative Kirkland, 3370. Representative Kirkland in the chamber? Read the Bill, Mr. Clerk."

Clerk Leone: "On page 21 of the Calendar, House Bill 3370, a Bill for an Act to amend and Act in relationship to Home Detention and Incarceration. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative McCracken."

McCracken: "Where were the Bills between 2569 and 3370? Were they called?"

Speaker Giglio: "They were called but there on First Legislative Day."

McCracken: "Oh, alright."

Speaker Giglio: "Everything up to page 12 of the Calendar is on..."

McCracken: "So this was the first one on Second Day. Okay."

Speaker Giglio: "House Bill 3434, Representative Cullerton, 3434. Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3434, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

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Speaker Giglio: "Third Reading. 3465, Representative Cullerton.  
Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3465, a Bill for an Act to amend the  
Unified Code of Corrections. Second Reading of the Bill.  
There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. House Bill 3547, Representative  
O'Connell. Mr. Clerk, read the Bill. Bail Bond Credit."

Clerk Leone: "House Bill 3547, a Bill for an Act to amend the  
Code of Criminal Procedure. Second Reading of the Bill.  
No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. House Bill 3560, Representative  
Breslin, Mr. Clerk Read the Bill."

Clerk Leone: "House Bill 3560... House Bill 3560, a Bill for an  
Act in relationship to wages. Second Reading of the Bill.  
Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative  
Breslin."

Speaker Giglio: "Representative Breslin on Amendment #2 to House  
Bill 3560."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen,  
Amendment #2, is suggested by Representative Didrickson,  
with regard to the need to reduce the penalty for failure  
to post the notices required under both the Minimum Wage  
Act and the Prevailing Wage Law. At the current time one  
is a Class B Misdemeanor, and the other is a petty offense.  
It was Representative Didrickson's suggestion that they



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both be a petty offense. And with that agreement Representative Didrickson thinks this Bill is improved dramatically. So I therefore, would move its acceptance."

Speaker Giglio: "Any discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, thank you, Mr. Chairman. Representative Breslin is correct we did discuss this Amendment, she did come back with a very fine Amendment it improves the Bill. But I still would say that the jury is out on the Bill overall. But the Amendment much approves it."

Speaker Giglio: "Further discussion? All those in favor of the Amendment signify by saying 'aye' those opposed 'nay' in the opinion of the Chair the 'ayes' have it the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Olson, 3570. Mr. Clerk, read the Bill. 3573."

Clerk Leone: "House Bill 3573, a Bill for an Act to amend and Act relating to fire protection. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. Representative Jones on House Bill 3602. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3602, a Bill for an Act to amend the State Employees Group Insurance Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 offered by Representative McCracken."

McCracken: "Thank you, Mr. Speaker, Representative Jones, came over and discussed this with me, and I told her that all this did was specify that the adjudication referred to in

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the Bill, is required to be made by a court, which I am sure was the intent of the Sponsor. However, as I look at the Amendment, I recall now that this also deletes any other method approved by the Department of Central Management Services, which I didn't tell you at the time. I don't know how you want to handle it. If you...I mean I feel I have to proceed because the Amendment is important but we can do it later if you wish. Or we can discuss it before it's called."

Speaker Giglio: "Representative Jones."

Jones: "Thank you, I'm not sure Representative what did you say the Amendment does?"

McCracken: "The Bill allows the determination of parentage to be made by a number of methods, one of them is any method approved by the Department of Central Management Services. We delete that, method entirely and also specify that the Bill requires any adjudication referred to in one of those subsections to be made by a court of law. That's what it does."

Jones: "I'll except the Amendment."

McCracken: "Thank You."

Speaker Giglio: "Further discussion. All those in favor of Amendment #1 signify by saying 'aye' those opposed 'nay'. The opinion of the Chair the 'ayes' have it Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Daley, House Bill 3615. Read the Bill, Mr. Clerk."

Clerk Leone: "On the Order of Second Reading. House Bill 3615, a Bill for an Act in relationship to the offense of aggregated battery of senior citizens. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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Clerk Leone: "Floor Amendment #1, it's being offered by Representative Cullerton."

Speaker Giglio: "Representative Cullerton, on Amendment #1 to House Bill 3615."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill deals with the Criminal Law and it creates a new offense of aggravated battery of a senior citizen. It makes it non-probationable, this would then be another offense which is not probationable along with residential burglary, certain forms of criminal sexual assault, Class II Felony if the offender had been convicted of a Class II Felony within ten years. Class X violations, so I was thinking that this Bill really doesn't go far enough. And that when you look at the list of things which are still probationable like juvenile pimping and child pornography, and even."

Speaker Giglio: "Excuse me Mr. Cullerton, Mr. Clerk, has this Bill, has this Amendment been distributed? Out of the record. This Amendment hasn't been distributed."

Cullerton: "Mr. Speaker, I've got a copy right here."

Speaker Giglio: "Well, maybe you ought to give it to the Sponsor, he doesn't have one. Of the Bill."

Cullerton: "He's the Sponsor."

Speaker Giglio: "Representative Daley."

Daley: "Distributed?"

Speaker Giglio: "No."

Cullerton: "...yes, I've got a copy right here. It's been distributed. Yes."

Daley: "Mr. Speaker, at this time I would object to the Amendment."

Speaker Giglio: "Alright, it's been distributed, Mr. Cullerton, excuse me you want to further explain your Amendment."

Cullerton: "Yes, Mr. Speaker, as I was explaining the Amendment."

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What the Amendment does is it expands, it doesn't in any way gut Representative Daley's Bill, it just expands on it. It adds a number of other offenses that will not be probationable. It says all Class X, Class I, and Class II Felonies will no longer be probationable. So right now we have offenses like armed violence which is probationable, we have bribery which is probationable, burglary which is probationable. Kidnapping, etc. There's a whole list of them and all this Amendment does is just says that none of these Class II or Class I or Class X offenses will be probationable. And that's all it does. And it keeps his Bill which creates a new offense of aggravated battery against a senior citizen, it just makes a good law and order Bill a little tougher. And for that reason I would ask for an "aye" vote."

Speaker Giglio: "Further discussion? Gentlemen from Cook, Representative Daley"

Daley: "Mr. Speaker, at this time I would resist the Amendment. And ask for a 'no' vote."

Speaker Giglio: "Further discussion? The Gentlemen from DuPage, Representative McCracken."

McCracken: "I think the Gentleman's pulling our leg, 'fess up, do you want this Amendment or is this a way to kill the Bill. You got me going John I can't imagine why your Sponsoring this Amendment."

Speaker Giglio: "Gentlemen from Champaign, Representative Johnson."

Johnson: "Well, I think we probably missed the point here. I think actually Representative Cullerton's Amendment is a soft on crime Amendment because it doesn't go far enough. What we really need to do in this State is to triple the prison population. And this Bill wouldn't allow us to do that and I think as a result this Amendment would have to

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be characterized as a soft on crime Amendment. I think we need to make Class III and IV Felonies certainly non-probationable. And at least in the area of Class A Misdemeanors, we should include a whole variety of offenses as non-probationable and do what we can to increase the prison population in this State so that we can multiply the number of penitentiaries, the number of employees, and the State payroll, so that we can make public policy appropriate. So I really have mixed emotions about this Bill, it probably doesn't go far enough, but then on the other hand it is a get tough in the limited context of this Bill. So I'll probably vote 'present'."

Speaker Giglio: "Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker, I think Representative McCracken is correct that the Sponsor of this Amendment is trying to pull our leg. I think, there are those Members in this General Assembly that do have a problem with the mandatory imprisonment. And yes, the mandatory and non-probational sentencing provisions have created some problems in terms of the prison population. But I think we're missing the point in that certain crimes have been deemed to be heinous enough and enough of a threat to certain segments of society that we should make the punishment as tough as possible, the Sponsor of the Bill focused his attention on crimes committed against the most vulnerable populated, population that we have and that is the senior citizen. So the mandatory imprisonment aspect of this is designed to address those evils that presently are propounded on our senior citizens. The Amendment is designed to gut the Bill. I think the discussion on the penalties should be left for the Bill as it's meant to be on Third Reading and that this Amendment should be defeated."

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Speaker Giglio: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, let me just explain what the purpose of the Amendment is. My concern is, if we pass the Bill without the Amendment, that we're going to make residential burglary and aggravated battery of a senior citizen non-probationable, and we're gonna let voluntary manslaughter be probationable. Now that's ludicrous, that's crazy, we've got more serious offenses, like armed violence, and killing somebody, voluntary manslaughter being probationable but aggravated battery of a senior citizen being non-probationable. So all I'm saying with this Amendment is that it makes all Class I and Class II Felonies non-probationable. So if you're in that proverbial swing district were you concerned about a mailing, let me tell you this is an Amendment that makes certain offenses non-probationable. And I would seek your support of the Amendment I think it makes the law consistent, we don't have to go through a whole years and years of every year having another Bill that makes a particular offense non-probationable. Let's just do it all right now and make the whole law consistent. And so that's what we're voting on I want a Roll Call on the Amendment, I think it's a good Amendment. If you want to be tough on law and order, if you want to get around these judges who've been letting people go with probation even when they commit the offense of voluntary manslaughter. The way to solve it is to vote for this Amendment, and make that offense non-probationable. That's what this Amendment does, I'd appreciate an 'aye' vote."

Speaker Giglio: "You've heard discussion. All those in favor signify by voting 'aye' all those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 44 'voting 'yes' 57 voting 'no' 7 voting 'present'. Mr. Speaker or Mr. Cullerton."

Cullerton: "I'd like a Poll of the Absentees please."

Speaker Giglio: "Gentleman asks for Poll of the Absentees."

Clerk Leone: "Poll of those Members not voting. Barger, Bugielski, Huff, Steczo, and Tuerk, no further."

Speaker Giglio: "44 voting 'yes' 57 voting 'no' 7 voting 'present' and the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Alright, there has been a fiscal note filed so the Bill will remain on Second. Correctional impact note has been filed the Bill will remain on has been requested the Bill will remain on Second Reading. Representative Countryman. Are you ready on 3646, Sir? Representative Countryman in the chamber? Out of the record. Representative O'Connell 3661, are you ready Sir? Out of the record. Representative McNamara, 3697, Mr. Clerk. Representative O'Connell."

O'Connell: "3661, I'm sorry John I had it."

Speaker Giglio: "Go back to Representative O'Connell, Mr. Clerk, 3661. Read the Bill."

Clerk Leone: "House Bill 3661, a BILL for an Act in relationship to the Attorney General investigators. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is offered by Representative O'Connell."

Speaker Giglio: "Representative O'Connell on Amendment #2."

O'Connell: "Thank you, Mr. Speaker. Amendment #2 simply takes the

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Attorney General's investigators out of the Pension Code."

Speaker Giglio: "Any discussion? All those in favor of Amendment #2, signify by saying 'aye' those opposed 'nay' in the opinion of the Chair the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. 3697, Representative McNamara, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3697, a Bill for an Act to authorize disclosures of certain offenses against children. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative McNamara."

Speaker Giglio: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker, Members of the House. This Amendment deletes from the Bill a provision which excluded private schools from the Bill. As a result those organizations may demand that employees and volunteers sign a statement under oath attesting to their personal histories."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Young. Anthony Young."

Young: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Young: "So what's the effect of this Amendment Representative."

McNamara: "The effect of the Amendment and the reason for putting the Amendment on was that some of the church groups had come to me and ask that they be included also in this Bill. So that they may have the same power of requesting from their employees or volunteers, a statement that they have not taken liberties with children. It includes into them which they wish to do."



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Young: "Does this include say public schools?"

McNamara: "No. This is strictly a permissive the whole Bill itself is strictly a permissive Bill and geared only toward private organizations who wish to avail themselves of this power."

Speaker Giglio: "Further discussion? All those in favor of the Amendment signify by saying 'aye' those opposed 'nay' opinion of the Chair the 'ayes' have it the Amendment been adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Alright, we're going to go back to Representative Countryman's Bill 3646. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3646, a Bill for an Act to amend the Child Care Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative O'Connell 3739. Representative O'Connell in the chamber? 3739 Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3739, a Bill for an Act to Amend the Unified Code of Corrections. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. House Bill 3794, Jilio Keane, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3794, a Bill for an Act to amend an Act relating to qualification of Judges. Second Reading of the Bill. There are no Committee Amendments."

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Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. Representative Kirkland, 3934,  
Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3934, a Bill for an Act to amend certain  
Acts in relationship to payment of costs. Second Reading  
of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, is being offered by  
Representative Kirkland."

Speaker Giglio: "Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker, Ladies and Gentleman of the  
House, Amendment #2, simply deletes the language in the  
Bill as amended in committee that referred to the Illinois  
Department of Public Aid. That language exempted the  
Illinois Department of Public Aid from the attorneys fees  
provision of the Illinois Marriage and Dissolution of  
Marriage Act, paragraph A of paragraph of Section 508, and  
also from the Parentage Act. The Amendment takes out the  
language referring to the Department of Public Aid."

Speaker Giglio: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House,  
a question for the Sponsor. If the Amendment is adopted  
will the attorney fee provisions apply to Public Aid or  
not? I'm a little confused."

Kirkland: "It will not."

Dunn: "Thank you."

Speaker Giglio: "Further discussion? All those in favor of the  
Amendment signify by saying 'aye' those opposed 'nay'  
opinion of the Chair the 'ayes have it. Representative  
Kirkland."

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Kirkland: "Yes, would you please have him ask the question again?"

I think I answered it wrong."

Speaker Giglio: "Gentleman from Macon, Representative Dunn."

Dunn: "Well, my question was if the Amendment is adopted will the provisions of the Bill, providing for awarding of attorneys fees be applicable to Public Aid cases or not?"

Kirkland: "Yes, yes, I answered it the wrong way. The answer is yes."

Dunn: "Have we adopted the Amendment? Then I'd like to speak in opposition to the Amendment. The Sponsor knows how I feel generally about this Legislation, he feels that by providing for the awarding of attorney's fees in almost all provisions that it will somehow encourage people to bring their disputes to an end. But I don't think so I think if you allow for the parties to fight and then go into, add to the friction by awarding attorneys' fees on one side or the other or both sides it'll just provoke litigation. And especially in the area of Public Aid cases where one or both of the parties may not be in the position to pay attorneys fees and to have them awarded will just exacerbate situations which are difficult enough to begin with. There is Legislation pending in this General Assembly which would require that even when someone is out of work that arrearages continues to rack up week after week and awarding attorneys' fees would just add to that problem. So I respectfully would urge the defeat of this Amendment."

Speaker Giglio: "Further discussion? Gentleman from Cook, Representative Cullerton."

Cullerton: "I think he's answered my question. Thank you."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye' those opposed 'nay' opinion of the Chair the 'ayes' have it, the

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Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Homer, 3938. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3938, a Bill for an Act concerning sexual exploitation of psycho-therapist. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are no Motions filed nor Floor Amendments."

Speaker Giglio: "Third Reading. On House Bill 3661 that we moved to Third the Chair has been informed that there has been a pension impact study filed so the Bill will remain on Second Reading. Bring it back from Third to Second. That's House Bill 3661. Representative Steczo, 3954. Mr. Clerk, read the Bill. "

Clerk Leone: "House Bill 3954, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. Ms. Jones 3989. Mr. Clerk, read the Bill. House Bill 3989, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. House Bill 3998, Representative Parcels. Representative Parcels, in the chamber? Out of the record. Representative Pullen. Representative Pullen in the chamber? Out of the record. Representative O'Connell. Is Representative O'Connell in the chamber? Out of the record. Representative O'Connell, 4098. Representative O'Connell, your 3661, there is a pension

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fiscal note filed so we brought that Bill back from Third to Second. Are you ready on 4098, Sir? Mr. Clerk, read the Bill. Out of the record. First Legislative Day. Representative Phelps, 4116. Mr. Clerk, read the Bill."

Clerk Leone: "On page 32, 4116, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Third Reading. Representative Young, Anthony Young on House Bill 4118, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 4118, a Bill for an Act to amend and Act in relationship to disadvantage businesses. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Anthony Young."

Speaker Giglio: "Representative Young."

Young: "Thank you, Mr. Speaker, Amendment #1 provides that the Department of Transportation cannot require a minority or disadvantage business to own an asphalt plant in order to bid on a contract. And it also deletes the provision which requires MAFBE Act, which removes MAFBE Act certification if someone is convicted of a violation of Article C, and instead provides that businesses which lose their certification or are refused re-certification by a MAFBE Act of the Department, are to be reported to the Attorney General's Office thirty days after termination or refusal. I move for its adoption."

Speaker Giglio: "Any discussion? All those in favor of the Amendment signify by saying 'aye' those opposed 'nay' in the opinion of the Chair the 'ayes' have it, the Amendment is adopted. Further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Shaw on House Bill 4125. Out of the record. And on this order we'll return back to those Bills that are on Third Reading. Representative Olson on 2324, are you ready, Sir? Mr. Clerk, read the Bill."

Clerk Leone: "On page 37 of the Calendar, House Bill 2324, a Bill for an Act relating to ownership of firearms. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House this Bill came to us from the Department of State Police and it basically updates and clarifies the language in the firearms owner identification. What we commonly know as the FOID Card Act. The elements of the Bill include the prohibition of the sale of a firearm to or the possession of a firearm by a person who has been hospitalized for psychiatric treatment on an inpatient basis in a mental health facility within the last five years. It exempts tranquilizer guns used by veterinarians and animal control wardens in performance of employment from the definition of a firearm. Specifies that a person seeking to acquire a firearm must have a currently valid FOID card. Current language requires the buyer to have previously issued FOID card and specify that the five dollar fee which accompanies an application is not refundable. We'd be happy to answer any questions and would move the adoption of this Bill."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Cullerton: "Just that change in the law with regard to the

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selling or giving of firearm to any person whose been hospitalized for psychiatric treatment on an inpatient basis. What's the background on that? It's already... the way the current law reads it's an unlawful sale of a firearm, you commit the offense of unlawful sale of a firearm when you knowingly sell or give any firearm to any person who has been in a mental hospital within the past five years. That's the current law. Now what is the effect of this Amendment?"

Olson, M.: "Would you hang on one second please. I cannot answer that specifically this was the way it was offered to us. Apparently in the expectation that it needed some clarification."

Cullerton: "Well, it could be that it's just cleaning up the language. Is that the way you understand it?"

Olson, M.: "The designation of the Bill was to clean up the FOID card language."

Cullerton: "Okay, fine. Thank you."

Olson, M.: "Thank you, very much."

Speaker Giglio: "Further discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "He indicates he will."

Weaver: "Representative Olson, I agree with most parts of this Bill but I have a little bit of a problem with the provision that requires the fee be not refundable. Even if it's through department error, that the FOID card is not issued, and the individual has to reapply for it. Does that mean their going to have to pay twice for a single FOID card?"

Olson, M.: "Well, no, it doesn't mean that. It merely means that because of the cost of handling the inquiry. And the application that for the bulk of the consideration that fee

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should remain in place because, I happen to live in an area where we have a lot of FOID card applications. And the opportunity for error is small, and any deviation from that would be handled on an in-departmental basis. I've had that occasion on two times."

Weaver: "But there may be cases through a departmental error."

Olson, M.: "If that were the case then I would suggest they be in touch with their Legislator and ask him to address the issue. Cause we have done that."

Weaver: "No, thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Leverenz: "Is that part of the Act now about knowingly selling a gun to a person that has been institutionalized?"

Olson, M.: "The word 'knowingly' if it's in there. Is that the question Representative?"

Leverenz: "Yea, I guess it is. It says provides that a person commits an offense of unlawful sale of firearms when he knowingly sells or gives any firearms to any person hospitalized for psychiatric treatment. Now is that part of the Act now and your cleaning it up? Or is that a new part?"

Olson, M.: "To the best of my knowledge that would be a part that needs addressing in the light that you are suggesting. Consequently that is why they're offering it in that mode. I think that it may be nebulous in this present form."

Leverenz: "Does that mean if I sell a person a gun, I should know if he's been institutionalized? How would I know that?"

Olson, M.: "Well, you might make an inquiry."

Leverenz: "You can't, confidentiality provides...If you call a mental institution and say is Olson there, they'd say."



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Olson, M.: "They'd probably say "yes"."

Leverenz: "I can't tell ya. But in your case they probably admit it. But you can't find that out."

Olson, M.: "But...are you speaking as a firearms owner? Or are you speaking as an individual who would be selling a gun?"

Leverenz: "Both ways. How's that?"

Olson, M.: "I'm suggesting that you'd have to knowingly sell, not that he's been a resident."

Leverenz: "Then, what you're doing is putting a cop-out in the Bill, so that I could say I didn't know that. Is that right?"

Olson, M.: "No, I don't think it's our intention to put a cop on the Bill. I think it's merely addressing the issue of what appears to be a..."

Leverenz: "But is that part of the Act now, and you're simply cleaning it up? Or are you inserting that now, that it didn't exist before? Who brought this fine Bill to you?"

Olson, M.: "The State Police. The Appellate Defender Office is standing behind you has been suggesting things to you, probably indicated a number of things."

Leverenz: "No, he went...I don't know. Could you explain hypodermic tranquilizers, as it relates to the Bill?"

Olson, M.: "Yea, that would be something a veterinarian would use to handle animals who might need to be tranquilized to be given medical attention."

Leverenz: "And is the total amount of money they charge for a FOID card now \$5.00?"

Olson, M.: "Five dollars."

Leverenz: "And if you don't pass the acid test they give you the \$5.00 back now; and you're going to make it non-refundable now."

Olson, M.: "It's non-refundable because of the cost of dealing with the...the application."

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Leverenz: "Is it non-refundable now already? Or are you putting in it for the 1st...."

Olson, M.: "It's refundable now."

Leverenz: "It is refundable now."

Olson, M.: "Right."

Leverenz: "So now you just want to keep the money?"

Olson, M.: "They need...they need the money to run their office."

Leverenz: "You don't charge enough, though, now. You should double that."

Olson, M.: "No, I don't think..."

Leverenz: "We never appropriate enough money for them to run the program now."

Olson: "I don't think we should double it."

Leverenz: "Thanks."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Yes, just a point of clarification. I would ask this Sponsor to take the Bill out of the record. I think we discovered that there's a mistake in the...in the language. And I don't think he would want to pass this Bill. I believe that the way the Bill is drafted would allow for a person who has been an outpatient in a mental hospital to now be able to get a gun. And I don't think you want to do that."

Olson: "Well, I'll take it out of the record. We'll visit with you with our staff."

Cullerton: "Thank you."

Olson, M.: "Thank you."

Speaker Giglio: "Out of the record. House Bill 2981. Representative Cullerton. Judge's Compulsory Retirement. Are you ready? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2981, a Bill for an Act to amend an Act relating to Compulsory Retirement of Judges. Third Reading of the Bill."

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Speaker Giglio: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This Bill is viewed as a compromise between two positions. We have the current law now, which now imposes a mandatory retirement age of 75 on judges. Even though the trend in the nation has been to eliminate all mandatory retirement positions. There was a Bill passed last year, which did just that, to eliminate all of the...to eliminate this particular retirement age and I believe the Governor vetoed it. So what this Bill is, is a compromise...what this says is that if a judge is elected even though he reaches the age of 75 during that term, he...he or she is allowed to fill out the remainder of the term. So that's the purpose of the Bill. I think it's a reasonable compromise and I'll be happy to answer any questions and I appreciate your support."

Speaker Giglio: "Any discussion? Hearing none. All those in favor of House Bill 2981 will vote 'aye', those opposed 'nay'. The voting is open. This is final action. Third Reading. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question are not...Berrios 'aye', Mays 'no'. Parke 'aye'. On this question, there are 94 voting 'yes', 11 voting 'no', none voting 'present'. House Bill 2981 having received the Constitutional Majority is hereby declared passed. House Bill 3099. Representative Regan. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3099, a Bill for an Act in relation to certain offenses committed against mentally retarded adults. Second Reading of the Bill. Amendment #1 was adopted previously. Correction this is on the Order of Third Reading. A Bill for an Act in relation to certain offenses committed against mentally retarded adults. Third

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Reading of the Bill."

Speaker Giglio: "The Gentlemen from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. This Bill was here last year. It passed Jud. II, 11 to zip. It came out of here 116 to zip. And it got confused with an increased penalty and was put in a subcommittee in the Senate. The Bill has been amended to correct it and make it better. It deals with the severely and profoundly retarded people with a mentality of five and six year olds. And it gives a person that sexually abuses the same aggravated penalties as it would as a child. The situation is involved...that the Bill has been requested by a considerable number of people that have institutionalized people or seems to be considerable amount of abuse that goes, because there is not a way to protect these people that are over eighteen from sexual abuse and they should be protected, because they're just the same condition as a five or six year old. And I urge for its passage."

Speaker Giglio: "You heard the Gentlemen. All those in favor of House Bill 3099 vote 'aye', those opposed 'nay'. The voting is open. Gentleman from DuPage, Representative McCracken. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 106 voting 'yes', none voting 'no', 1 voting 'present'. House Bill 3099 having received the Constitutional Majority is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "On the Special Order dealing with business regulation first appears on page 15 on your Calendar. House Bill 972. Representative Mautino. Clerk, read the Bill. Remember we're going to take Second Readings first."

Clerk Leone: "House Bill 972, a Bill for an Act to license and regulate the Environmental Health Practitioners. Second

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Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions filed nor further Amendments."

Speaker Breslin: "Third Reading. ...page 15 appears House Bill 1325. Representative Turner. Out of the record. On page 15 appears House Bill 1573. Representative Giorgi. Representative Giorgi. Out of the record. On page 18 appears House Bill 3024. Representative Steczko. Representative Steczko. Clerk, read the Bill."

Clerk Leone: "House Bill 3024, a Bill for an Act to amend the Regulatory Sunset Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions filed. Floor Amendment #2 is being offered by Representative Steczko."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #2 is technical in nature. And was suggested by both the Democratic-Republican Staffs. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3024. And on that question, is there any discussion? Hearing none. The question is 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. On page 20 appears House Bill 3264. Representative Matijevich. Clerk, read the Bill."

Clerk Leone: "House Bill 3264, a Bill for an Act to amend the Regulatory Agency Sunset Act. Second Reading of the Bill.

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No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. On page 23 appears House Bill 3537. Representative Leverenz. Clerk, read the Bill."

Clerk Leone: "House Bill 3537, a Bill for an Act to amend the Illinois Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. On page 24 appears House Bill 3597. Representative McPike. Clerk, read the Bill."

Clerk Leone: "House Bill 3597..."

Speaker Breslin: "Out of the record. On page 24 appears House Bill 3607. Representative Hultgren. Representative Hultgren. Clerk, read the Bill."

Clerk Leone: "House Bill 3607, a Bill for an Act..."

Speaker Breslin: "Out of the record. On page 26 appears House Bill 3763. Representative Braun. Clerk, read the Bill."

Clerk Leone: "House Bill 3763, a Bill for an Act to amend the Illinois Dental Practice Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. On page 27 appears House Bill 3789. Representative Martinez. Clerk, read the Bill."

Clerk Leone: "House Bill 3789, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Are there any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. On page 27 appears House Bill 3790. Representative Levin. Representative Levin. Out of

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the record. On page 27 appears House Bill 3792. Representative Braun. Representative Braun. Clerk, read the Bill."

Clerk Leone: "House Bill 3792, a Bill for an Act in relationship to requiring foreign corporations that transact business."

Speaker Breslin: "Any Motions or..."

Clerk Leone: "Second...Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Amendments from the Floor?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. On...on page 29 appears House Bill 3896. Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 3896, a Bill for an Act in relationship to the classification citation..."

Speaker Breslin: "Out of the record. On page 29 appears House Bill 3902. Representative Cullerton. Representative Cullerton. Out of the record. On page 31 appears House Bill 4027. Representative Cullerton. 4027, real estate appraisals certification. Out of the record. Under Senate Bills appears Senate Bill...on page 38 appears Senate Bill 515. Representative D'Arco and who is the House Sponsor Mr. Clerk?"

Clerk Leone: "Representative Turner."

Speaker Breslin: "Representative Turner. The Gentlemen is not in the chamber. Out of the Record. On page 45 appears Senate Bill 720. Who is the House Sponsor? Representative Mautino. Clerk, read the...excuse me. This Bill is on the Order of Third Reading. Read the Bill, Mr. Clerk. Senate Bill 720. It's on page 45 on the Calendar."

Clerk Leone: "Senate Bill 720, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Third Reading of the Bill."

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Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. 7...Senate Bill 720, which will appear on the board very shortly, is also in the posture of Consent Calendar received a 25 to nothing vote in the 'R and E' Committee, as well as the same unanimous vote in Labor and Commerce Committee. Provides for the successor clause between the individual contract between a supplier and a wholesaler. That's what the whole Bill does and I move for its passage."

Speaker Breslin: "The Gentleman moves for the passage of Senate Bill 720. And on that question, is there any discussion? Hearing none. The question is, 'Shall Senate Bill 720 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 109 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Now Ladies and Gentlemen we'll go back one more time to take those Bills on this Special Order of Call that appear on Second Reading where Members were not available. The first Bill is on page 15 on your Calendar. House Bill 1325. Representative Turner. Out of the record. On page 15 of the Calendar appears House Bill 1573. Representative Giorgi. Out of the record. On page...24 appears House Bill 3597. Representative McPike. I believe...he took that out of the record before? Out of the record. On page 24 appears House Bill 3607. Representative Hultgren. Clerk, read the Bill."

Clerk Leone: "House Bill 3607, a Bill for an Act to amend the Boat Registration and Safety Act. Second Reading of the Bill. No Committee Amendments."



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Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. On page 27 appears House Bill 3790. Representative Levin. Out of the record. Is there anyone whose Bill was taken out of the record today? On the Orders of Business that we were on today that would like to move their Bill? Come to the well, immediately. Ladies and Gentlemen. Under...under Special Order of Business appears on page 29 of the Calendar appears House Bill 3930. Representative Ryder. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 29 of the Calendar. House Bill 3930, a Bill for an Act to amend the Illinois Public Aide Code. Second Reading of the Bill."

Speaker Breslin: "Are there any Motions or Amendments, Mr. Clerk?"

Clerk Leone: "Amendment #1 was adopted in committee. There are no Motions or further Amendments."

Speaker Breslin: "Third Reading. Under Special Order of Business appears House Bill 39...that's for State and Local Government...no, for Administration of Justice appears House Bill 3998. And that appears on page 30 on your Calendar. Representative Parcels. Clerk, read the Bill."

Clerk Leone: "House Bill 3998, a Bill for an Act to amend an Act to create the children...or the Department of Children and Family Services. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "There are no Floor Amendments, but Representative Parcels there is a request for a fiscal note. So the Bill will remain on Second. On that same Order of Business. Administration of Justice on page 15 of

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the Calendar appears House Bill 1809. Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1809, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representative McCracken."

Speaker Breslin: "Representative McCracken. On Amendment #2."

McCracken: "I'll withdraw that. Amendment #3 will be offered."

Speaker Breslin: "Withdraw Amendment #2. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Currie."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. Amendment 3 would...would delay substantially the provisions of the underlying Bill. The Bill as initially amended would permit people the opportunity to look at the investigation file on complaints filed before the Department of Human Rights, but the 90 days that was suggested in the original Amendment would create problems for that department. Amendment 3 would make the provision applicable at day 210. So I would urge adoption of the Amendment."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #3 to House Bill 1809. And on that question, is there any discussion? Hearing none, the question is 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

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Speaker Breslin: "Representative Currie a fiscal note has been requested on this...this matter. Representative McCracken withdraws the fiscal note. The Bill...Representative Barnes."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House."

Speaker Breslin: "Representative Barnes, for what reason do you seek recognition?"

Barnes: "Madam Speaker, I wanted to announce that we have just lost one of our great Governors, Richard Ogilvie, just passed away."

Speaker Breslin: "Thank you Representative Barnes. Did everyone hear that announcement? Did everyone hear Representative Barnes' announcement? Representative Barnes would you repeat your announcement please?"

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It's with great sadness that I announce that we've lost one of our former great Governors, Richard Ogilvie. A good friend to many of us."

Speaker Breslin: "Ladies and Gentlemen we'll take a moment for silent prayer. Thank you. On House Bill 1809, that Bill will be moved to Third Reading. On the Special Order of Business, under Business Regulation. On page 38 of your Calendar appears Senate Bill 515. Who's the Sponsor of that? Representative Turner. Clerk, read the Bill."

Clerk Leone: "On page 38 of the Calendar. Senate Bill 515, a Bill for an Act in relationship to professional...professions and occupations. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Are there any Motions or Amendments? ...Motions or Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Turner."

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Speaker Breslin: "Representative Turner."

Turner: "Thank you, Madam Speaker. Amendment #2, it excludes the definition of chiropac...chiropractors from the Bill, and it permits therapists to treat all patients except patients whose medical conditions require treatments beyond the capability of a physical therapist. And this Amendment is agreed to by all interested parties."

Speaker Breslin: "The Gentlemen has moved for the adoption of Amendment#2 to Senate Bill 515. And on that question, is there any discussion? The Gentleman from Winnebago, Representative Hallock."

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

Speaker Breslin: "He will."

Hallock: "Could you repeat what it does with the chiropractors?"

Turner: "It excludes chiropractors from this particular Act."

Hallock: "Is that at their...is that their preference?"

Turner: "That is my preference. Yes."

Hallock: "Was that the chiropractors want to be excluded as well?"

Turner: "I haven't talked to any chiropractors about it. I assume that they agree with this. No one...no chiropractors have approached me on it. My intent with this Bill was to deal strictly with physical therapists."

Hallock: "Thank you."

Speaker Breslin: "There being no further discussion, the question is 'Shall Amendment #2 to Senate Bill 515 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. On that same order, on page 15 of your Calendar appears House Bill 1325. Representative Turner. Clerk, read the Bill."

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Clerk Leone: "House Bill 1325, a Bill for an Act in relationship to the registration regulation of licensing of real estates appraisers. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. On that same Order of Call on page 29 of the Calendar appears House Bill 3902. Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 3902, a Bill for an Act to amend an Act to renew the exemptions for the insurance industry. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Kubik."

Speaker Breslin: "Representative Kubik. Withdraw Amendment #1. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Kubik and Dunn."

Speaker Breslin: "Representative Kubik. On Amendment #2."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What Amendment #2 does is that if you have an insurance policy or health insurance policy, which provides benefits for those who are hearing impaired. What this Amendment simply says is that the company will notify the policy holder. And I would move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3902. And on that question, is there any discussion? Hearing none, the question is 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Under the Special Order of Business dealing with county government on page 14 on your Calendar appears House Bill 3827. Representative Churchill. Clerk, read the Bill. 3827."

Clerk Leone: "House Bill 3827, a Bill for an Act to amend an Act to revise the law in relationship to counties. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives Hoffman and Barnes."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment gives the DuPage County Board the authority to impose a liquor tax to fund a DUI facility according to the following rates: Wine containing less than 14% alcohol at 16¢ a gallon; wine greater than 14%, 30¢ a gallon; alcohol and spirits, \$1.00 a gallon; and beer 6¢ a gallon. Our current...our current county jail has a capacity of about 364 clients, if you will. 148 of those clients are in there due to being found guilty under the new DUI law and they are incarcerated in the jail and we need more...we need more space and this seemed like a logical place to go. And I would move for the adoption of Amendment #1. I am submitting this at the request of the DuPage County Board. It gives them the authority to do so if they wish to."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 3827. And on that question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Leverenz: "How much do you want to tax?"

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Hoffman: "My understanding is that this would bring the level of taxation in DuPage County to the same level as Cook County and...on liquor."

Leverenz: "And what are you going to tax?"

Hoffman: "Wine, alcohol spirits and beer."

Leverenz: "What was the last item?"

Hoffman: "Beer."

Leverenz: "And who would you apply that tax to?"

Hoffman: "We'd apply that tax to anyone who purchased liquor in DuPage County."

Leverenz: "So, would that make people in Cook County not want to buy in DuPage?"

Hoffman: "It would...it would provide, for I believe, as we often say here a level plain field, a perhaps a level consumption field."

Leverenz: "This is like the gasoline tax issue on the Illinois-Indiana line. Is that correct then?"

Hoffman: "This is a liquor tax in DuPage County."

Leverenz: "What are you going to spend that money on, where would it go?"

Hoffman: "The building of a facilities to incarcerate DUI violators."

Leverenz: "Is this a new county jail or a multiple wing?"

Hoffman: "That's up to the county board to decide where they want it add the facility."

Leverenz: "So that if a person votes 'no' this would be protecting those folks that purchased liquor and beer...we would protecting them from themselves? Is that right?"

Hoffman: "Not necessarily protecting them from themselves, but it would draw from the same source for taxation from whence the problem came."

Leverenz: "Then if you're going to build a new jail for DUIs, would that be considered a user fee?"

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Hoffman: "It would be considered a 'loser' fee."

Leverenz: "It sounds like a red vote to me. Thank you."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall Amendment #1 to House Bill 3827 be adopted?' All those in favor say 'aye', all those opposed say 'no.' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 52 voting 'aye', 41 voting 'no', and 4 voting 'present'. And the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. On the same Order of Call under county government appears on Third Reading on page 38 on your Calendar appears House Bill 3109. Representative Giglio. Clerk, read the Bill."

Clerk Leone: "House Bill 3109, a Bill for an Act in relationship to training of county sheriffs. Third Reading of the Bill."

Speaker Breslin: "Representative Giglio."

Giglio: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3109 amends the Illinois Police Training Act and the Sheriff's Act to require that the sheriffs obtain twenty hours of training each year. Training must be conducted at the approval of the Illinois Local Government Law Enforcement Officer's Training Board and also, we put two Amendments on one that the Sheriff's Association pay for the training and also the increase for the salaries of those members of the board of Cook County. If there's any questions, I would be happy to ask, if not I'd ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3109. And on that question, is there any



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discussion? Hearing no discussion, the question is...the Gentleman from Warren, Representative Hultgren. On the question."

Hultgren: "I have a question as to...you may have answered it in the Amendment, but with the noise on the Floor it was difficult for me to hear. Who has the responsibility for paying for the sheriff's training?"

Giglio: "The Sheriff's Association, the counties may. We changed the Amendment said they may but the Sheriff's Association are happy to conduct the seminars."

Hultgren: "So, there...there the Sheriff's Association is obligated under this Act to conduct the training?"

Giglio: "Well with this, they're the ones that are putting on the twenty hours per year of training. As you know those of us who change the laws here, for those people to know and understand what's going on or what we've done to change the statute. And that was one of the main reasons why the Sheriff's Association wanted to conduct these seminars throughout the State."

Hultgren: "I'm sorry, but do we have the authority to order this private...the Sheriff's Association is a private agency isn't it? And do we have the authority to order the Sheriff's Association to do this?"

Giglio: "No...I'll...to tell the truth, I can't answer that Representative, because I'm not sure. I don't know that."

Hultgren: "But currently there's no mandate to the counties to pay for this, is that the bottom line?"

Giglio: "That's correct. That's correct."

Hultgren: "Thank you."

Speaker Breslin: "Is there any further discussion? The question is, 'Shall House Bill 3109 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted

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who wish? The Clerk will take the record. On this question, there are 76 voting 'aye', 26 voting 'no', and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Braun. For what reason do you seek recognition? Very good. Ladies and Gentlemen, since we have the time available this evening, it is the desire of the Speaker that we move on to a Special Call. That Special Call shall be on the topic of Environment and Economic Development. That is currently listed in your Calendar on page 2. So you'll be able to follow the Bills along there. Since this is only Second Reading it is the hope that we will be able to move these Bills along and usefully use the extra hour that we have this evening. Representative McCracken, for what reason do you seek recognition?"

McCracken: "Madam Speaker, this Special Orders must be on three days and can be suspended only by 71 votes. We object to this."

Speaker Breslin: "No, this is a Special Call Representative."

McCracken: "Oh, I see. Well then justice is done. I understand. The Speaker can give us no notice of this, can do it two days before we plan on it's being done, can rule all of the Amendments we've planned for your bad Bills out of order. Because you have 45 minutes on hand. Madam Speaker, I object. Everybody on this side of the aisle should be standing up and saying no."

Speaker Breslin: "I am...Ladies and Gentlemen I am advised that we have a tape of your leader that we can replay from previous years if you would like to hear it all over again about Special Calls. Representative Piel, for what reason do you seek recognition?"

Piel: "Madam Speaker, What are we doing? I'll wait until you get

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off the phone. That's alright."

Speaker Breslin: "What was your request Representative Piel?"

Piel: "I didn't want to interrupt your telephone call. What in case, whether they be Republican or Democratic, have an Amendment being drafted for a Bill? Now this is on the call for Thursday."

Speaker Breslin: "Well it is the hope that Members would take their Bill out of the record if that is the case. But our object is only to use our time as efficiently as possible."

Piel: "...Let's just say that's...Let's just say that somebody on that side wants to amend my Bill. Madam...okay I'll wait. Okay I'll continue. If somebody over there wants to amend one of my Bills and they were having an Amendment drafted right now, or the likewise over here, your sort of...you know...treading on all the people right here, Madam Speaker. Now I'm talking about both sides of the aisle, the entire floor. Because..."

Speaker Breslin: "Representative Piel, I would only ask that Members be courteous and if that is the case I will certainly ask individual Members as we reach those Bills. You have to understand, that we have only two weeks to work. We have planning to work..."

Piel: "I realize that Madam Speaker. Could we work out you know, somewhat an agreement...Madam Speaker. That if a person calls their Bill and somebody stands up and says I'm having an Amendment drafted, would you take it out of the record, that they will be taking...taking it out of the record. Otherwise, we're going to have a situation where people are having Amendments drafted right now and they get to Third Reading... the Bills pushed to Third Reading and the person Thursday says no I don't want to bring it back. Because this is sitting here on the Calendar and we're expecting it to be called Thursday not two days before hand."

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Speaker Breslin: "Mr. Piel I can certainly...I can't give you the word for every Member on both sides of the aisle. But I will certainly work to secure that as a commitment from all Members."

Piel: "Thank you, Madam Speaker."

Speaker Breslin: "Okay. Any further discussion? With the agreement that people will take their Bills out of the record should an Amendment be pending, we would ask that that be the general agreement of the Assembly. Representative Churchill, for what reason do you seek recognition?"

Churchill: "Thank you, Madam Speaker. This is certainly unfair to all the Members of the Body here. What is even more unfair to the Members of the general public, to the lobbyists, to the members of the staffs, to the various people who are liaisons for various departments who have come in here today, picked up the Calendar, looked at the number on here and said this Bill is not going to be called til Thursday and I'll make an Amendment tomorrow and we'll get it filed and we'll talk to the Sponsor. The general public has no way of dealing with this situation when you tell them we're going to do something on Thursday, and then you come back and you do it today. That's unfair to the people of...of not only this Body, but of the whole State of Illinois. If that is the case, are we also going to have a commitment from you that every Bill that does get moved to Third Reading will have a chance to come back and have an Amendment filed to it and will be called on Third Reading and voted at that time?"

Speaker Breslin: "No, the agreement was that as we reach those Bills in which particular Members would have Amendments being drafted we would request the Sponsor to take the Bill out of the record."

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Churchill: "How do I know if somebody has an Amendment being drafted..."

Speaker Breslin: "I presume they'll stand up and say so Sir. We're supposed to be here. We're supposed to be in Session until 7:30. The question we have before us is 'How is the public best served?' That their Bills never be called. Or that we move as expeditiously as possible..."

Churchill: "That...that we act according to the notice that we've given to the public that is the best way to serve the people. We've told them their Bills will not be called til Thursday and now you're going to call those Bills."

Speaker Breslin: "Representative Hallock, do you have anything further to say?"

Hallock: "Yes, Madam Speaker. I would suggest that if you have time on your hands that you go to the normal Calendar itself. You know most Members of this House and the public at large, as a whole, I think counts on the fact that we have a House Calendar and we abide by the House Calendar. Now that you have the extraordinary Orders of Business we acknowledge that. But to then jump from today's business to Thursday's business gives no one any notice of any of these things. If you have some time on your hands, the best way to handle that time I think would be to go the regular Calendar and start calling Bills in that way. That way the public at large, as well as Members here in this House, know what to do. Know how to proceed. But to jump from today's Calendar to Thursday's Calendar is unacceptable to anybody in this House and should be to the public at large as well."

Speaker Breslin: "Ladies and Gentlemen it is apparent that the Republican side of the aisle does not wish to call any further Bills today. As a consequence will go to Agreed Resolutions, Mr. Clerk. Consent Calendar, Second Reading."

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Representative Stephens, for what reason do you seek recognition?"

Stephens: "Well, Madam Speaker. Thank you. You stated that the Members on this side of the aisle don't want any Bills called. That's not the purpose of our statements at all. Every time...every time there's a trampling of the rules they let...that's fine. Every time the Speaker's Office wants to trample the rules, trample on the Members of this side of the aisle. They put you in the place. We have all the respect for you in the world, Madam Speaker, but there's no reason...no reason for you to allow this to be done. We want Bills heard, we want to stay here and work, we just don't want to go to Thursday's Calendar. There are Bills right here in this Calendar that can be order today. We ought to get to the heart of the people's business and get about that work."

Speaker Breslin: "Mr. Stephens, we are on the Order of Consent Calendar, Second Reading. Proceed Mr. Clerk."

Clerk O'Brien: "Consent Calendar, Second Reading, Second Day. House Bill 170, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Second Reading of the Bill. House Bill 469 has been removed from the Consent Calendar. House Bill 1638 has been removed from the Consent Calendar. House Bill 2004, a Bill for an Act to amend the Open Meetings Act. Second Reading of the Bill. House Bill 2737 has been removed from the Consent Calendar. House Bill 2794, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. Together with Committee Amendment #1. House Bill 2940, a Bill for an Act to amend the Mobile Home Landlords and Tenants Rights Act. Second Reading of the Bill. House Bill 2942, a Bill for an Act to designate Mayor's Day, together with Committee Amendments #1 and 2. Second

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Reading of the Bill. House Bill 3149, a Bill for an Act to amend the Illinois Wage Assignment Act. Second Reading of the Bill. House Bill 3181, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. Second Reading of the Bill. House Bill 3380, a Bill for an Act to amend an Act relating to the issuance and use of credit cards, together with Committee Amendment #1. Second Reading of the Bill. House Bill 3435, a Bill for an Act to amend the Environmental Protection Act. Third...Second Reading of the Bill. House Bill 3538, a Bill for an Act to amend the Child Passenger Protection Act. Second Reading of the Bill. House Bill 3712, a Bill for an Act regarding the State Militia. Second Reading of the Bill. House Bill 3748, a Bill for an Act to amend an Act in relation to the Illinois Educational Facilities Authority. Second Reading of the Bill. House Bill 3779, a Bill for an Act to amend the Medical Practice Act, together with Committee Amendment #1. Second Reading of the Bill. House Bill 3802 has been removed from the Consent Calendar. House Bill 3836, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. House Bill 3888, a Bill for an Act to revise the law. Second Reading of the Bill. House Bill 3895, a Bill for an Act concerning employees of the State Treasurer. Second Reading of the Bill. House Bill 3968, a Bill for an Act to amend the School Codes. Second Reading of the Bill. House Bill 3977, a Bill for an Act to amend the Illinois Banking Act, together with Committee Amendment #1. Second Reading of the Bill. House Bill 4019 has been removed from the Consent Calendar. House Bill 4045, a Bill for an Act to amend the Code Rate Township Civic Center Laws. Second Reading of the Bill. House Bill 4096, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. House Bill 4108, a Bill for an Act in relation

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to the establishment of a Medical Center District. Second Reading of the Bill. House Bill 4192, a Bill for an Act to amend the Consumer Installment Loan Act. Second Reading of the Bill. House Bill 4217 has been removed from the Consent Calendar. House Bill 4234, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 4236, a Bill for an Act to amend the Timber Buyer's Licensing Act. Second Reading of the Bill. House Bill 4269, a Bill for an Act to amend an Act to provide educational opportunities for children. Second Reading of the Bill. House Bill 4286, a Bill for an Act to amend the Transit Merchant Act. Second Reading of the Bill."

Speaker Breslin: "Consent Calendar now moves to Third Reading. Representative Richmond for what reason do you seek recognition?"

Richmond: "Yes, thank you, Madam Speaker. To request that House Bill 4236 be removed from the Consent Calendar, because I have to have an Amendment placed on it?"

Speaker Breslin: "Representative Richmond if it's an Agreed Amendment the Bill can stay on Third and you can bring it back tomorrow just before it's ready to go."

Richmond: "Thank you. Thank you."

Speaker Breslin: "Representative Cullerton now moves...that we continue all Special Orders until the Call of the Chair. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the...In the opinion of the Chair, the 'ayes' have it. And the Motion carries. Representative Turner, for what reason do you seek recognition?"

Turner: "I would ask that House Bill 4108 be left on Second Reading, but we'll bring it back tomorrow."

Speaker Breslin: "Very good. Agreed Resolutions."

Clerk O'Brien: "Agreed Resolutions, House Resolution 1346,



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offered by Representative Countryman, et al., Countryman and Johnson; 1359, Stephens, et al; 1361, Capparelli, et al; 1362, Ronan; 1364, Daley; 1366, Matijevich; 1367, Frederick, et al; 1368, DeJaegher; 1369, DeJaegher; 1370, Satterthwaite; 1372, Ryder."

Speaker Breslin: "Representative Matijevich moves the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1365, offered by Representative Goforth."

Speaker Breslin: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 1360, offered by Representative Johnson, with respect and memory of Lewis...William B. Lewis. House Resolution 1363, offered by Representative Terzich, with respect to the memory of Mrs. Mary Podbevsek. House Resolution 1371, offered by Representative Wolf and Richmond, with respect to the memory of Robert Flinn."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. Ladies and Gentlemen we are preparing to adjourn. You should know that tomorrow we are planning to come in a 9:00 a.m. We then expect to recess at 11:00 a.m. for a reception for Secretary Bennett. There will then be a Joint Session at 12:00 o'clock for an address from Secretary Bennett and the Ukranian Ceremony at 1:00 o'clock. Representative McPike now moves that this House stand adjourned until 9:00 AM tomorrow. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it.

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And this House stands adjourned until 9:00 a.m. tomorrow.  
We will allow perfunctory time for the Clerk for  
Introduction of Bills."

Clerk O'Brien: "Introduction and First Reading of Bills. House  
Bill 4292, offered by Representative Hannig, a Bill for an  
Act in relation to the School District Income Tax. First  
Reading of the Bill. No further business. The House now  
stands adjourned."

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