

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

137th Legislative Day

May 25, 1994

Speaker McPike: "The House will come to order. The Chaplain for to day is Reverend Stanley Jackowski of the Grace of Life Church in Danville, Illinois. Reverend Jackowski is the guest of Representative Black. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Stanley Jackowski: "Dear Heavenly Father, in the name of our Lord Jesus Christ I open this meeting of the General Assembly with a heart toward prayer. I thank you God, for the opportunity in prayer to put You first place in the affairs of the upcoming business and decisions which will be made during this time. Thank You for the great State of Illinois, we are blessed for those who You have placed in leadership for they have an awesome responsibility to guide the people. The scriptures clearly state we are commanded to pray for those in leadership. We will lead a peaceable and profitable life in our communities. Finally, I ask that You grant to each one wisdom, patience, and affective planning for what we must do in the days to come. I pray this all in the marvelous and majestic name of our Lord Jesus Christ, Amen and Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Pugh."

Pugh - 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 McPike: "Roll Call for Attendance. Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. All the Republicans are present today."

Speaker McPike: "Thank you. Representative Currie."

Currie: "Thank you, Speaker. Let the record reflect that we're all here today."

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Speaker McPike: "It looks like it. Mr. Clerk, take the record. One hundred eighteen Members answering roll call, a quorum is present. Mr. Kubik."

Kubik: "Well, Mr. Speaker, I think that this is the kind of crowd that Representative Preston always looked forward to when he, when you used to call that special order, and I know he misses it very much."

Speaker McPike: "That's to bad he's not here. Agreed Resolutions."

Clerk Rossi: "House Resolution 2782, offered by Representative Erwin; House Resolution 2783, offered by Representative Giolitto; House Resolution 2784, offered by Representative Kubik; Senate Joint Resolution 163, offered by Representative Capparelli."

Speaker McPike: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 2785, offered by Representative Younge, with respect to the memory of Doctor Leo Hicks Sr."

Speaker McPike: "Representative Currie moves for the adoption of the Death Resolutions. All in favor say 'aye'; opposed 'no'. The 'ayes' have it and the Death Resolution is adopted. Agreed Resolution 2782, Mr. Novak. Mr. Novak. Mr. Novak would you like to call this Resolution, I believe you're the Co-Sponsor of it. It's on your desk. Mr. Novak."

Novak: "The original Sponsor of that Bill is not on the House Floor."

Speaker McPike: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Pursuant to rule 10 (e), I'm joined by Representative Skinner, and seven of my

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colleagues in taking this Resolution off Short Debate."

Speaker McPike: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker. I was just wondering if the previous Speaker has some ulterior motive in his statement the way he made it. You know he said seven of his colleagues, but he also prefaced that by specifically stating Mr. Skinner. Is there some significance in that?"

Speaker McPike: "Mr. Black."

Black: "As you can see, Mr. Skinner is on the phone, probably the media in the Chicago area, as we speak, and he asked me to make sure that we took that off Short Debate."

Speaker McPike: "Representative Steczo in the Chair."

Speaker Steczo: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to remind the sportsmen caucus members, we have our annual meeting, breakfast meeting in the morning at 8:30 down in the Rathskeller. I would like to have as many there as possible, very short meeting, we're electing officers, and we'll go through a couple other things, our fall fund raiser, and things like that. So, sportsmen caucus members, 8:30 in the morning down in the Rathskeller."

Speaker Steczo: "Representative Black, for what purpose do you seek recognition?"

Black: "Well, thank you very much, Mr. Speaker. I rise to a point of personal privilege. Something of great concern to me, it's come to my attention that last night, down in the printing area, a flood caused by the rain storm came in and flooded out some of the area in the legislative printing unit. Now Mr. Speaker, a week ago it was a fire, now last night it was a flood, and once again I'm having trouble finding the Republican Amendments. I got a couple of

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pieces of paper here so wet and soggy I can't even read. A week ago a fire, last night a flood, Mr. Speaker what next, pestilence, the plague?"

Speaker Steczo: "The plague Mr. Black. That's scheduled for next week."

Black: "I see. Well, I think the very least we should appoint a bipartisan Committee to look into this. A flood one week, a fire the week before, I'm telling you, I can't read these Amendments, they're all wrinkled and wet, and so I would hope that you would grant us a little extra time when we get to the Amendment stage today, and I would expect a report from the emergency services agency about what we're doing to unflood the legislative printing unit. I'm very concerned about it, Mr. Speaker."

Speaker Steczo: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. With regard to the previous Speaker, I think I've got the problem identified. If you've been watching the national news the last couple of day's, there have been twelve, count them twelve U.S. Senators that have been identified as aliens. I think we've got the same problem right here in Illinois. As a matter of fact, I think the reason our Amendments aren't coming out, is there is some aliens that have infiltrated this Body, and we need to identify who they are, and what they're doing, and what their purpose is."

Speaker Steczo: "On the Order of State Operations, Second Reading, appears Senate Bill 1397, Representative Flinn. Mr. Flinn, Senate Bill 1397. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1397 has been read a second time previously. Amendment #1 was adopted in Committee. No Motions have been filed. Floor Amendment #2, offered by

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Representative Deuchler."

Speaker Steczo: "The Chair recognizes Representative Deuchler on Amendment #2. Is the Lady in the chamber? Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. This Amendment makes electronic deposit a pilot program and would remove any costs connected with that. It's agreed between the bankers and the comptrollers."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #1 on, #2 on that, is there any discussion? Representative Dart."

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

Speaker Steczo: "She indicates she will."

Dart: "Representative, you, if I can just get a clarification here. This Amendment here sets up a pilot program is it?"

Deuchler: "Yes."

Dart: "And nothing more than that?"

Deuchler: "That's correct."

Dart: "And, this is something that the banks and the Comptrollers Office are in agreement on, it's something they want?"

Deuchler: "Yes, that's correct."

Dart: "Okay, and what would this facilitate, this pilot program, what would it, are we attempting to do?"

Deuchler: "Electronic deposits."

Dart: "Okay, and it's, they worked it out with the comptroller and the Treasurers Office as well?"

Deuchler: "Comptrollers Office."

Dart: "Okay, does this affect the Treasurer's Office at all?"

Deuchler: "No."

Dart: "Okay, thank you."

Speaker Steczo: "Representative Flinn."

Flinn: "Well, Mr. Speaker, I move that the, I agree with the

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Amendment, there's nothing wrong with the Amendment. It's a technical Amendment, and it needs to be passed."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed, by saying 'no'. The 'ayes' have it and the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Flinn."

Speaker Steczo: "Representative Flinn on Amendment #3."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, Amendment #3, is actually, a House Bill 3063, which did not get out of committee. This Amendment clarifies some of the confusion in the interest, and the interest Act that supposed to, is supported rather by the mortgage bank of Illinois Bankers Association, and the Illinois Community Bankers, the Illinois Legal Savings and Loans, the Illinois Financial Services. It actually deals with increasing the amount of points that can be charged on a secondary loan, not a primary loan. I move for the adoption of this Amendment."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #3. On that is there any discussion? The Chair recognizes Representative Persico."

Persico: "Thank you, Mr. Chairman. An inquiry of the Chair first. Is this Bill germane, to this Senate Bill, or is this Amendment germane to this Senate Bill please?"

Speaker Steczo: "We will, we will check for you, Representative Persico. Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. To the Amendment. I believe this is the Amendment that did in gender quite a bit of discussion in committee, and that it

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did fail twice in House Financial Institutions Committee, so there, there was quite a little discussion, pro and con."

Speaker Steczo: "Representative Persico, in response to your question, the Chair will rule that the Amendment is germane. Representative Maureen Murphy, I'm sorry Mr. Persico."

Persico: "Yes."

Speaker Steczo: "Proceed."

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

Speaker Steczo: "He indicates he will."

Persico: "Thank you. Representative, your Amendment will remove the cap on all points that are charged on mortgage loans?"

Flinn: "I don't know that there is a cap, but there's some supposition that there's a cap on the amount of points, and the figure I hear is three. I don't know that the law specifically provides that there is a cap now. What, what this does is remove all ambiguity and it permits them to raise the cap more than they have been."

Persico: "When I'm looking for a mortgage rates in the paper, I see that banks are normally charging from zero to three points, and in fact, most of the information that I'm receiving in the paper it's about zero points, is that a correct statement that most banks are charging?"

Flinn: "Well, I would assume that it is, and it may continue after this Amendments passed, and the Bill is passed, but this does not require it to happen, it's permissive, and permissive only is if the market allows."

Persico: "Are points the upfront money that a consumer has to pay in order to receive the loan?"

Flinn: "Yes."

Persico: "And, how long does, is a normal length of a mortgage

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loan, today, would you say?"

Flinn: "A round figure is thirty years, I'd assume."

Persico: "I'm sorry, I didn't hear you."

Flinn: "I would guess that most of them are thirty years. I don't know what the average is."

Persico: "Well, a lot of them are thirty year rates, or fifteen year rates, but you don't know what the turn around amount is, isn't it usually around three and a half to five years, where somebody refinances a, the thing..."

Flinn: "Five, five years."

Persico: "And, so your Amendment would allow banks and mortgage brokers to charge any points that they so desire, when normally right now the average amount of points is zero points?"

Flinn: "They can charge any amount that the market will bear, that's the way most businesses operate today, and that does not require anything, it's permissive."

Persico: "Is this the same Bill that failed twice in committee with the full hearing in front of the full committee?"

Flinn: "Yes, and if you want to know why I'm offering an Amendment, when I tell somebody I'll Sponsor a Bill, I give them a 100% service, and this happens to be part of that 100% service."

Persico: "Thank you, Mr. Speaker. First of all, I would like to have a roll call vote on this Amendment, and to the Bill right now. This Bill failed twice in committee, it was debated quite extensively. It also could make it very difficult for a homeowner to have the ability to refinance their current mortgage during prior periods of low interest rates, low federal interest rates. To me this is an anticonsumer Bill and I urge a strong 'no' vote on this Amendment."

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Speaker Steczo: "Representative Maureen Murphy."

Murphy M.: "Will the Sponsor yield for a few questions?"

Speaker Steczo: "He indicates he will."

Murphy M.: "Representative, this was brought up several times in committee, and I'm glad you pointed out that we don't know if there's a cap to be removed, is that not true, we don't know right now if there's a cap that should be removed, is that not true? Could someone pay five points to buy their rate down right now?"

Flinn: "I think you're right."

Murphy M.: "Okay. Secondly, did we ever define in committee or could you tell us our equity loans, second and third refinances also included?"

Flinn: "It's not on the initial financing, it's only if you're trying to redo your financing, that time they can do it, not the primary."

Murphy M.: "Also, Representative, isn't it true the Illinois Association of Realtors are down on this?"

Flinn: "I don't know why, it doesn't involve them to any extent, because it's refinancing."

Murphy M.: "To, to the Bill. Generally market conditions have a dictating the interest rates, but it became clear to us in committee. There's really no cap that we should be removing, yet on the other hand we're expected to make 'yes' votes to allow banks and savings and loan to charge anything for caps when the rates currently are showing zero to 3%. Once again, this is superfluous, we're not sure if there is a cap right now. I would be very careful on voting on this Amendment, and at the sake of losing the Bill, I wonder if the Sponsor won't consider removing this Amendment from the record, that would be my druthers. Thank you."

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Speaker Steczo: "Is there any further discussion? There being none, Representative Flinn to close."

Flinn: "I don't, I don't chose to remove the Amendment, I wouldn't of introduced it if I was going to pull back. I would ask for a vote on the Amendment, 'yes' or 'no'."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #2. All those... Amendment #3, all those in favor of the adoption of the Amendment will signify by voting 'aye'; those opposed, by voting 'no'. The voting is open. Mr. Clerk, Mr. Lang wishes to be recorded 'present'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 6 voting 'yes', 96 voting 'no', 6 voting 'present', and the Amendment fails. Mr. Clerk, any further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Flinn."

Speaker Steczo: "The Chair recognizes Representative Flinn on Amendment #4."

Flinn: "Thank you, Mr. Speaker. Maybe I'll have a little better luck on this Amendment, it's a little better, maybe a little better vote rather. What this does is deals with the cellular automatic teller machines, and those machines are operated by cellular phone that would permit the banks who get calls in like your car phone does, and you'll pay for the in calls and the out calls both. It would permit the banks to charge for those people who call in the cellular automatic teller machine service, so that they pay for the phone call, that's all it does."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. On that question, is there any discussion? The Chair recognizes Representative Maureen Murphy."

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Murphy, M.: "Yes, thank you, Mr. Speaker. I'm sorry Representative, I did not hear the explanation on this Amendment. I do not have a copy of the Amendment, I, could I ask you one more time Representative, a short explanation on this Amendment..."

Speaker Steczo: "Mr. Clerk, could you restate, could you restate the, restate the..."

Murphy, M.: "Could we have some order in the House, please?"

Speaker Steczo: "Restate the explanation of the Amendment please."

Flinn: "What the Amendment does is allows the banks to charge for incoming calls to cellular automatic teller machines. Right now all cellular calls are paid for by the station being called, or calling out, and all this does is permit those people who went to do business with a cellular automatic tellong machine would have to pay for the phone call."

Murphy, M.: "A question of the Sponsor."

Speaker Steczo: "Proceed."

Murphy, M.: "Have we outlined any of the cost, how much the consumer would have to pay?"

Flinn: "Whatever the phone call is, depends on where it's made at."

Murphy, M.: "All right. Thank you, Representative."

Speaker Steczo: "Is there any further discussion? Representative Black."

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

Speaker Steczo: "He indicates he will."

Black: "Representative, there's one thing I don't understand about the charge. If you make a call on a cellular phone, you pay, you pay the fee. Are you telling me the bank is

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going to charge me an additional fee over and above my air time to complete the transaction?"

Flinn: "No, this is not if you call off of a car phone, if you call an automatic teller machine that's operated by cellular, that the banks will be able to charge you for the call you made to them to do business with them. Not the calls that go out."

Black: "So, you're talking about, rather than what most of us regard as a cellular call, this must be what, and up link satellite, data link or something?"

Flinn: "It's, it's a satellite automatic teller machine, that's operated by cellular, and there are not very many of them."

Black: "All right, thank you, thank you very much."

Speaker Steczo: "Representative Walsh."

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

Speaker Steczo: "He indicated he will, Representative Walsh."

Walsh: "Representative, did, did we have this Bill come up in committee?"

Flinn: "No. This did not come up."

Walsh: "What, what, what is currently done, what is the current practice with the banks in, as they pertain to calls right now?"

Flinn: "They, if you call a automatic teller machine that's operated by cellular system right now, the bank is charged for your calls coming in. All this does is permit the banks to charge you for the calls that you happen to make to that cellular, that automatic teller machine."

Walsh: "I understand, and our, is it customary that these machines are, are operated by cellular..."

Flinn: "Not customary, there are some, but not very, there are not very many of them."

Walsh: "Okay. Thank you."

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Speaker Steczo: "Is there any further discussion? Representative Flinn to close."

Flinn: "I would move for the adoption of the Amendment."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. All those in favor of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On State Operations, Second Reading, appears House Bill 1448, Representative Homer. Representative Homer. Out of the record. The Chair recognizes Representative Flinn."

Flinn: "Is there some reason why we can't hear this now, it's been read a second time?"

Speaker Steczo: "Mr. Flinn, let us get back to you on that question, okay, in a moment or two. On Senate Bill 1448, the Chair recognizes Representative Maureen Murphy."

Murphy, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is the Dentist Bill that ends up..."

Speaker Steczo: "Representative Murphy. Representative Murphy. Representative Murphy. Before we proceed, we have to read the Bill a second time."

Clerk Rossi: "Senate Bill 1448, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Ryder."

Speaker Steczo: "The Chair recognizes Representative Ryder on Amendment #1."

Ryder: "Thank you, Mr. Speaker. This Amendment has previously been passed by the House. It creates a limited liability partnership, we discussed it in some detail and the House overwhelmingly adopted it, rather than taking the time of

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the House. I as Co-Sponsor along with Representative McPike would be happy to answer any questions there might be."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #1. On that is there any discussion? There being none, all those in favor of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State Operations, Second Reading appears... Representative Ryder."

Ryder: "Mr. Speaker, would it be appropriate since it had been read a second time to move this on third, I believe that that was part of the program."

Speaker Steczo: "Mr. Ryder, we will, as with Representative Flinn's Bill, get back to you momentarily on that."

Ryder: "I'll wait anxiously for your response."

Speaker Steczo: "How anxiously?"

Ryder: "Very anxiously, Mr. Speaker, very anxiously."

Speaker Steczo: "On the Order of State Operations, Second Reading, appears Senate Bill 1692, Representative McPike. Out of the record. Skipping over Senate Bill 1721, on State Operations, Second Reading, appears Senate Bill 1730, Representative Churchill. Out of the record. On the Order of State and Local Government, Second Reading, appears Senate Bill 1125, Representative Dart. Mr. Dart. Out of the record. House Bill 1138, Representative Novak. I'm sorry, Senate Bill 1138, Representative Novak. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1138, the Bill has been read a second

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time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Persico."

Speaker Steczo: "The Chair recognizes Representative Persico on Amendment #1."

Persico: "Thank you, Mr. Speaker. Will the Sponsor, I mean, Amendment #1, requires the Department of Energy and Natural Resources, and the State Board of Education to conduct a joint study to determine the feasibility of a statewide school recycling program. The results of this study are to be contained in a report to the General Assembly, and I move for it's adoption."

Speaker Steczo: "Representative Persico, Mr. Novak."

Novak: "Mr. Speaker, I believe this Bill is not germane. Can we have a ruling on that?"

Speaker Steczo: "You mean the Amendment is not germane? It's also my understanding, Mr. Clerk is has this Amendment been printed and distributed?"

Clerk Rossi: "The Amendment has not been printed and distributed."

Speaker Steczo: "Mr. Novak, what's your pleasure?"

Novak: "Has the Amendment been printed and distributed?"

Speaker Steczo: "The Amendment has not been printed and distributed."

Novak: "I wish to move forward with this Bill, and call it as it is."

Speaker Steczo: "So, do you wish to table the Amendment?"

Novak: "I move to table the Amendment."

Speaker Steczo: "Representative Novak moves to table Amendment #1. On that question, is there any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. See this was my earlier inquiry of the Chair. For all I know this

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Amendment was lost last night in the flood, and, you know, if you would just bear with us, I'm sure that when they get the area dried out, we could probably find these Amendments, but it doesn't appear that you're willing to do that. So, I simply rise in objection to the, I rise to object the Motion to table, and pursuant to rule 55 (c), I'm joined by however number of colleagues I need, I can't remember, three, five or seven, pick one for Roll Call Vote on the Motion to table."

Speaker Steczo: "The Gentleman has, the Gentleman has moved to table Amendment #1. Representative Cross."

Cross: "Thank you, Mr. Speaker. It's our, it's our understanding that this Bill has, this Amendment has been filed and printed, can we get a ruling or an understanding where it is?"

Speaker Steczo: "Mr. Cross, please restate your question."

Cross: "It's our understanding..."

Speaker Steczo: "Your comments."

Cross: "It's our understanding that this Amendment has been filed, and printed, and brought up to the third floor, we're just wondering where it is."

Speaker Steczo: "Mr. Clerk, what is the status of this Amendment?"

Clerk Rossi: "The Amendment has not been printed and distributed."

Speaker Steczo: "Representative Daniels."

Daniels: "Inquiry of the Chair."

Speaker Steczo: "Proceed."

Daniels: "When was this Amendment filed?"

Speaker Steczo: "Mr. Clerk."

Clerk Rossi: "The Amendment was filed on May 20th."

Daniels: "And, has this Amendment that was filed on May 20th,

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five days ago been printed?"

Clerk Rossi: "The Amendment has not been printed."

Daniels: "Well, why has it not been printed? Five days Mr. Speaker, and the Amendment has not been printed? Five days?"

Speaker Steczo: "Mr. Daniels, we're trying to figure out exactly what, what the, what has happened to delay the printing of this Amendment."

Daniels: "Well, we have a Motion to table an Amendment, that was filed five days ago. The Sponsor is saying he wants to table this Amendment, when it's a responsibility of the Clerks office to make sure these Amendments are properly printed and distributed. It's been five days, now somehow I got a feeling that Mr. Blacks fear about hot presses, broken down presses, presses that don't work for Republicans is going to start coming true again, Mr. Speaker. So, we're looking for an answer before you move to this Motion to table."

Speaker Steczo: "Representative Brady."

Brady: "Thank you, Mr. Speaker. I just stand in support of the previous comments, and I would ask the Gentleman who asked the Amendment to be tabled to reconsider in all fairness. Five days is a lengthy time, and I think it would be much fairer to give Representative Persico some time, and I think maybe take off some of the embarrassment of the Clerk of the House for the fact that they haven't done it. Maybe it would be wise to take it out of the record until we could try and figure this out in a legitimate way, and maybe not embarrass the Clerk of the House so badly."

Speaker Steczo: "Mr. Novak."

Novak: "Mr. Speaker, I made a Motion to table House Amendment #1. I wish a vote on that."

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Speaker Steczo: "There's, there's a number of people seeking recognition. Representative Granberg. Representative Olson."

Olson: "Thank you, Mr. Speaker. I just turned to some Amendments that are stacked here on my desk, here's one of, May the 20th. One of May the 24th. One of May the 24th, another one on the 20th. There seems to be a problem which should be addressed at this time on the timeliness of a printing of an Amendments and thank you."

Speaker Steczo: "Representative Wennlund."

Wennlund: "Parliamentary inquiry, Mr. Speaker. I'd ask the parliamentarian to rule that a Motion to table an Amendment that has not been adopted is out of order. The Amendment, no Amendment, the Amendment has not been adopted, and therefore a Motion to table is out of order. You can only table an Amendment that's already been adopted."

Speaker Steczo: "Mr. Wennlund, your point is not well taken, because it's been the, the rule of the House to allow tabling of Motions that have been filed, but not printed and distributed. Once the Amendment has been printed and distributed, it is then withdrawn. Representative Stephens."

Stephens: "Well, Speaker, I, first of all, I don't believe that the parliamentarian ruled correctly on the previous request, and I would like you to point it out in our rules or in the Roberts rules of order, and we have dozens upon dozens of Amendments that are dated after the time that the Clerk has just admitted on the record that this Amendment was filed. Now, Mr. Speaker I suggest that you shut down the order, the business of the House until you have investigated what's going on in the Clerks office. This is a serious broach of the rules that we adopted."

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Speaker Steczo: "Mr. Stephens. Mr. Stephens, excuse me one moment. Representative Novak."

Novak: "Mr. Speaker, take this Bill out of the record."

Speaker Steczo: "Thank you, Mr. Novak. The Bill will be taken from the record. Mr. Clerk if we could check on the progress of that Amendment. On the Order of... Representative Skinner, for what purpose do you seek recognition?"

Skinner: "I was just going to yield some of the printing time that you've been giving to the Amendments that you print of mine, which you never called."

Speaker Steczo: "Thank you, Mr. Skinner. On the Order of State and Local Government, Second Reading, appears Senate Bill 1146, Representative Hughes. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1146, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Skinner."

Speaker Steczo: "Representative Skinner, on Amendment #1."

Skinner: "Obviously, I spoke too soon, Mr. Speaker."

Speaker Steczo: "Obviously, Representative Skinner."

Skinner: "This is the Amendment that would require the Department of Corrections to allow the family of victims of murderers to have first choice in the observation room. We've fully debated it before, I see no reason for further discussion on my side, unless people have more questions. I would ask a roll call according to rule 55 (c), and I'm joined by four others."

Speaker Steczo: "The Gentleman has moved for the adoption of the Amendment #1. On that question, is there any discussion? Representative Dart."

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

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Speaker Steczo: "He indicates he will."

Dart: "What, what's the present scheme right now for the Department when family members ask to become witnesses for the execution?"

Skinner: "Well, all we know, all I know is what I read in the paper, and that was that they were put in a cell in the basement with a nine inch T.V., the T.V. turned to a public television station like WGN, or channel 2 or something like that."

Dart: "Do they have any rules or regulations that, that, dealing with this right now?"

Skinner: "I was told that it was the decision of the director."

Dart: "So the director makes the decisions right now to admit or not to admit to this? Do they have special facilities or special people set aside so that victims of families who have been traumatized, obviously, can be accommodated, and looked after. I mean this has got to be something that's going to be, it's going to cost some degree of unrest there, correct?"

Skinner: "I'm unclear as to the time frame of your question? Do you mean currently?"

Dart: "Yes, I mean do they have, did, I guess, did they have the ability to really deal with the types of people the amount of emotion that they're going to have in the execution room right now?"

Skinner: "Well, since the family was in a cell in the basement, I'm not sure..."

Dart: "Well, I mean, there's a difference between, there's a difference between a cell in the basement, and being the person sitting across the glass from it, as the execution is going on, and furthermore there's also a difference between that and the fact that you are now in an

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environment where you could actually impede the execution if there is..."

Skinner: "How could one impede the execution?"

Dart: "Oh, if there is some degree of unrest in the witness room, which is right there, that would impede the execution, don't you think?"

Skinner: "I don't see how, Representative there's glass between the execution and the observation room."

Dart: "Well, but don't you think it would cause a great deal of problems if in fact the victims family members who are pounding on the glass, throwing things around, screaming alike. My concern is just that this, Representative, is that we're going to carry through with the executions who wanted to go in an orderly fashion, apparently as well as I've been informed at least, the director has the ability to allow these people in there right now."

Skinner: "And, he refused to."

Dart: "He refused all of them, there were none in there?"

Skinner: "None."

Dart: "And, the reason being in some of these instances they are not capable of handling this right now, because I don't want top set up anything right now that is going to further impede the progression of the execution."

Skinner: "If I could put in the words, I'm not sure whether it was Director of Corrections, or the Governor. We don't want to create a circus, frankly, I can not imagine an atmosphere of, that is more like a circus that what occurred when John Gacy was executed."

Dart: "Well, I mean grant it that's bound to happen when you have the most notorious serial killer in the world executed. That's bound to happen, don't you think? I mean, we're talking about the ones that down the road now, and we're

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talking about ones where there won't be as much publicity, where there will not be as much attention, there won't be Legislators falling over each other, there won't be all these problems that occurred with the Gacy execution. What I'm getting at now though is, what you're doing, are they going to be able to handle this, because the last thing that I want to see now is we all sit here and yell and scream about how we want to cut back on the delays in the executions. I don't want to set up something even if it's minor that may cause a problem, because the people who are administering the death penalty can't handle it."

Skinner: "Well, with all do respect, it seems that without any disruption, the people who are handling the death penalty couldn't make the machine work. Do you think that perhaps having witnesses on one side of the glass is going to make them more inept in the, in the administration of the machine."

Dart: "Well, exactly, well no, not with administering the machine, that was a mechanical fault."

Skinner: "No, it was an, it was a, it was a people fault. Somebody didn't figure out the difference between acid and base."

Dart: "Well, within, in the operation of the machine, the machine did not work. That's a far cry, no, no, no, there was problems with the machine too from my understanding. The, it's a far cry, Representative well all I'm trying to get here is, I don't want us to be setting up another process by which we are going to be delaying the timeliness of carrying through with these executions. Are there any provisions that, in here that would allow the director the ability to insure that we can handle this."

Skinner: "If they can handle maximum security prisoners, they

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surely ought to be able to handle the family of victims."

Dart: "Well, we treat maximum security prisoners quite differently than we do victims of crimes."

Skinner: "Yes, we keep them in a cell like we kept the family of the victims this time."

Dart: "Well, unfortunately there wasn't probably a hotel 6 on the, in the area there, right next to the execution, where they could of put them in to make it a little bit better."

Skinner: "Well, they could of put them in the chapel where my sources from within the prison indicate that alcohol was flowing, and that there was a catered something or other, because the food that was taken out of the chapel was not produced within the prison kitchen."

Dart: "You have sources in the prison?"

Skinner: "Yes."

Dart: "No further questions."

Speaker Steczo: "Representative Wennlund. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. To the Amendment, Ladies and Gentlemen of the House. This thing has already failed once, and this one ought to fail just likewise. What, to put the families of victims to even expose them to the, to the grief of reliving 15 years later the death of a relative, is absolutely insanity. In addition to that, it's inhumane, to invite the families to relive the death, the horrible death of one of their relatives 15 years down the road is patently inhumane. This is a bad idea, and the Amendment ought to be defeated. And, Mr. Speaker, I ask for a Roll Call Vote pursuant to rule 55 (c). Thank you."

Speaker Steczo: "Representative Hawkins."

Hawkins: "Speaker, Ladies and Gentlemen of the House. I'm not here to speak against the death penalty, but I think state executions where we take human lives is not a spectator

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sport. There's been enough circus atmosphere around the past execution that we don't need. I think it takes away the dignity of the process and I urge a 'no' vote."

Speaker Steczo: "Representative Lang."

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

Speaker Steczo: "He indicates he will."

Lang: "Representative, is this the same Amendment that we discussed a week or two ago where we debated the issue of what next of kin means?"

Skinner: "Yes, Representative, that's why I didn't think it would take a lot of debate this time, since we weren't allowed to vote last time."

Lang: "Have you, have you cleaned it up since then?"

Skinner: "No, it's exactly the same language, and I have exactly the same answers."

Lang: "It's exactly the same? So, it still says next of kin?"

Skinner: "Yes, it does."

Lang: "And, so, but you don't define in what order those next of kin are, or if a fifth cousin can bump a first cousin, or if a great-uncle can bump a grandmother, do you?"

Skinner: "I would refer to the debate on the other Bill for legislative history."

Lang: "Well, I'm asking you on this Bill. You chose to file this Amendment..."

Skinner: "The answer is, the answer is no different from last time."

Lang: "Well, I don't have the answer, what is the answer? I don't remember the answer. What's the answer, Representative?"

Skinner: "Would you ask the question?"

Lang: "Yeah, what provisions are in here for definition of what next of kin means."

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Skinner: "I've told you there's no definition. Just a legislative history from the debate on this Amendment the last time."

Lang: "Well, I, sir, I don't have the legislative history in front of me. You've chosen to file this Amendment on I don't know how many Bills."

Skinner: "Every criminal Bill on the Calendar."

Lang: "This is Senate Bill 1146, Floor Amendment 1, Skinner. That's what it says up on the board."

Skinner: "Actually it should say Skinner, Murphy, but..."

Lang: "So, I would like to know from you how the next of kin is to be defined, and who should administer that?"

Skinner: "I'm willing to let the Department of Corrections define it in rules."

Lang: "Have you said in the Amendment that the House, the Department of Corrections should, should do that?"

Skinner: "I've noticed that one does not have to say that in Illinois, because the departments invariably do it anyway."

Lang: "Well, can't they do this now under rules?"

Skinner: "They can, but they refuse to."

Lang: "Why do they refuse?"

Skinner: "I don't know."

Lang: "So, you haven't discussed this with them?"

Skinner: "I've tried to."

Lang: "So you've come to the House floor, what do you mean you've tried to?"

Skinner: "The Director did not return my phone call over a 24 hour period."

Lang: "Perhaps he knew why you were calling."

Skinner: "I hope so, I left an explicit message."

Lang: "So, you left the director a message that you wanted to talk to him about this Bill. Perhaps he doesn't want to

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define what next of kin means either."

Skinner: "Well, if he doesn't, he ought to tell me."

Lang: "Mr. Speaker. Thank you, Representative, you've been very enlightening, extremely enlightening. I'm sure we're all satisfied with your answers. To the Bill, to the Amendment, Mr. Speaker. Aside from the fact that as my colleague up in front says that executions are not a spectator sport. Legislation that we pass in this General Assembly should have some specificity to it, it should have some meaning. This legislation has no meaning, whose to say what next to kin means. Whose to say how many next of kin, where do we cut it off a third cousin twice removed, a grandmother, what about a step-parent, what about a step-uncle, where does it go, where does it start, where does it end. This legislation does not deal with that issue, it should not be up to someone to determine who next of kin is, or how this should be administered. So, aside from the fact that I'm opposed to this, on general grounds the legislation is improperly drafted at least too much to the imagination. I would recommend 'no' votes."

Speaker Steczo: "Representative Rotello."

Rotello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that we really should oppose this Amendment, obviously the reason the Department of Corrections would be opposed to it is simply for security measures. You can't have a situation where family members of, of violent crimes are in a situation where the personnel within these correctional facilities and family members are in, having the possibility of having a situation get out of control. So, I think, that simply, common sense will tell you that security would be a very difficult situation and that's why we should oppose this

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Amendment. Thank you."

Speaker Steczo: "Representative Rutherford."

Rutherford: "Thank you, thank you Mr. Speaker. Parliamentary Inquire."

Speaker Steczo: "Proceed."

Rutherford: "I question the germaneness of the Amendment on this Bill, please?"

Speaker Steczo: "The Gentleman questions the germaneness of Amendment#1. Mr. Clerk, may we see the Bill and Amendment. Mr. Rutherford, the Chair rules that the Amendment is germane."

Rutherford: "It is germane."

Speaker Steczo: "It is germane. Representative Maureen Murphy."

Murphy, M.: "Thank you, Mr. Speaker. This has been brought up before, but we have not voted on it, on record. This is very serious, despite the fact that one of the Speakers was the Chief Democratic House Sponsor, shell Bills calling for substance. It is a simple Amendment, it is a simple idea to go to the Department of Corrections, and it was made with all sincerity, and while some Speakers talked about the circus like atmosphere, of spectator sport. The Department did give a lottery for the press, the press engaged that a hot and contested lottery to attend the execution of John Wayne Gacy, but more to the point, victims families live every day. For 14 years, the victims of John Wayne Gacy lived with that every day. The victims' families of the I-57 murderer, should he ever see his fate and his execution, there might be a family member that will feel better from having a sense of closure. They don't just relive this death, when the papers talk about their execution. They live the void in their life, caused upon their family on a daily basis, every holiday that they are

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without their loved one. This is a sincere attempt, it's permissive giving the department a range of ability to include family members. It became legalistically impossible, I would say, because John Wayne Gacy had murdered 33 people. Thankfully, we don't have that number of serial murderers right now on death row in Illinois, but we do have many family members of victims, of heinous, heinous criminals that have had every sense of defense, they've enjoyed life since their crime, and a jury of their peers find them guilty, and meet out the execution death penalty. If there is a way we can include family members who want to be included, they don't have to be invited, they come forward. That I think in sincere attempts should be made to include them in the closure, in the process. It is a sincere attempt, it isn't frivolous, please vote accordingly. I appreciate it, thank you."

Speaker Steczo: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Steczo: "He indicates he will."

Mulligan: "Representative, when you thought of adding this Amendment, what was the main reason, that you, did you hear about it that the family members weren't happy that they were not included?"

Skinner: "I heard about it on the radio from family members."

Mulligan: "Do you have any idea how many members of the press and the legislator actually witnessed the execution?"

Skinner: "I assume it was 30 to 40."

Mulligan: "That was a great number of people that witnessed that execution."

Skinner: "Well, it seemed to me that there were enough people in the room that some of the family members at least could of

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been allowed to be in it."

Mulligan: "To the Amendment. I represent two of the families who were victims. I also am a family member of a victim of a murder in another crime, and I will tell you that family members are submitted to a circus repeatedly. You are asked by the Department of Corrections, you are asked by the parole board, you are asked by the states attorney to appear to, keep people from getting out on parole. Reasons, issues of large range of things in order to keep people in prison. The members of victims, lives are actually, the members of their families are lives are shortened by the stress, by the repeated media circus that, that attends this matter. I think that the families should have the choice, some would, some wouldn't want to close out an issue by watching that witness. Why should the press, why should Member of the Legislature, perhaps the director would like the Members of the Legislature to be there for his own personal, I'm trying to think of a good word for it, reason because of influences and votes in the House. Who knows what the reason is, but who has a better reason to have a choice whether to be there or not. I think it's the members of the family, now if we can't define family in some kind of Conference Committee Report, My God, we certainly address issues of much greater importance in Conference Committee Reports then going through genealogy. I would suggested to Representative Skinner the other day that perhaps it's the same members that are notified when they want..."

Speaker Steczko: "Representative Mulligan, please bring your remarks to a close."

Mulligan: "I would urge that, I think we can work out who the members are to be contacted. Basically, the same members

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that are contacted when they ask you to appear not to let someone out on parole, not to make sure that they don't have a stay of execution. I think that's very simple to figure out, I don't think this should be a partisan issue. I don't think the Legislature should be put ahead of members of families, and I think this is a good Amendment, whether it's on this Bill or some other Bill. I refrain from talking about it the last couple of days but, I think people ought to realize that this is an issue that victims are subjected to, their family members are subjected to repeatedly, and the fact that a Legislator or a person from the press could be put ahead of them is wrong."

Speaker Steczo: "The Chair would like to proceed to a roll call, and have the remaining Members seeking recognition explain your votes. Representative Skinner to close."

Skinner: "Well, first of all I would like to thank all of you who have been forbearing with me in my placing Amendments or offering Amendments to your Criminal Justice Bills. I certainly will withdraw all of those Amendments once we get this roll call, regardless of how this roll call comes out. I would like to point out that this is an Amendment which would require, while requiring the Department of Corrections to allow family members to view the execution. It would be permissive on the part of the family members, whether they wanted to do it or not. Obviously, we're not trying to force a family member into the viewing room if the family member does not want us, does not want to be there. I would further point out that this Amendment has not been voted upon before, that there has not been a roll call, so it certainly hasn't failed. I haven't heard the word specificity since Jerry Shay used it several hundred times in the 1970's. I apologize to the Gentleman on the

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other side of the aisle for not being more specific, but it seems to me the intent of the Amendment is quite clear, and I'm sure the Department of Corrections can figure out what's a relative and what isn't a relative. Besides all of the other reasons that have been given for voting for this Amendment, let me offer one more, especially to the younger members of the media who don't remember what John Gacy did. That is not, don't remember from having watched T.V., and seen the, the night after night of the, the dragging out of body bags out of the basement. If you are chosen by lottery to be in the execution room ever, you are going to be having the various serious thoughts that members of this Body had about the efficacy, or the rightness if you will of society's taking a life. I think that having family members of the, of the victim in the room might remind you if you were one of those lottery chosen individuals that there is a reason, and that reason is very close to you. The reason is that because the person who is about to be executed has done something really horrible. I am ready for a roll call, and I thank you very much."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #1. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. Voting is open. The Chair recognizes Representative Pedersen. One minute to explain your vote."

Pedersen: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I mean this question of, you're going to have a lot of publicity on this sort of thing anyway, and anything that this Bill might do certainly wouldn't make them relive it anymore than they would already. As far as being a spectator sport, I just can't imagine that this would add

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to what's already there, and we're certainly not mandating that these, that the victims families have to go. So, I, you know we're making a big mountain out of a mole hill here. I think it's important that the victims be considered a lot more and what goes on, and, in our society today."

Speaker Steczko: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a hyphenated Co-Sponsor of this, all I can do is say, I thank God that I've never lost a loved one to somebody that's murdered them, but I will say to you that it, it for some men and women viewing a culmination of tragedy in their minds, and in their hearts have got to be a closure to them, and that's why I think it's so important that those that wish to do it, I personally would never want to see it. But, for those that need that closure, I think this is at utmost importance that we pass this Amendment so that those men and women who have to have that so they can move forward in their lives, that they ought to have those opportunities, and I would ask the Body to support this Amendment."

Speaker Steczko: "Representative Walsh."

Walsh: "Thank you, Mr. Speaker. First of all, I would like to point out an earlier speaker said that this Amendment has failed once before. This is the first time that we're voting on it. Secondly, I'd like to say that there's been a decision that's been made by the Director that witnesses, and I don't like to call it a spectator sport, because I think that that's cold, but there, there's been a decision made that spectators are aloud to witness executions. As long as this is the decision of the Director, I think that we ought to allow family members, and if I was a family

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member and knew that there were other people witnessing it, and I was being kept out, I'd be darn angry. So, as long as we're going to allow witnesses, I think we ought to certainly give some type of priority to the family members of the victims. Yesterday, and I, it's a similar piece of legislation we gave priority to Illinois horses at the State Fair, and that was because the Directors of the State Fair change from year to year. This is a legislative decision, if you don't think that we ought to allow the families..."

Speaker Steczo: "Representative Walsh, please bring your remarks to a close."

Walsh: "If you don't think that, this is a legislative decision, if you don't think that we should allow the families then we ought to have a Bill that, that restricts it. But, if it's going, we shouldn't leave it up to the, up to the director. This is a legislative decision, either you're for it or you're against it."

Speaker Steczo: "Representative Granberg. I'm sorry, Representative Homer."

Homer: "Thank you, Mr. Speaker. It's time that we stop trying to micro-manage the Department of Corrections. This Department is intrusted with awesome responsibilities to carry out their duties. The administration of the death penalty is a very sobering and awesome responsibility that they have. We ought not to try to dictate to them who shall be the witnesses, or how this Act should be carried out. It's surprising to me that Members of the other side of the aisle who are of the party of this administration would attempt to impose these kind of restraints on their own administration. I think we should vote 'no'."

Speaker Steczo: "Have all voted who wish? Representative

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Stephens."

Stephens: "Thank you, Mr. Speaker. Not to belabor the point, but I don't know that this is a question, certainly in the question of our minds we think about the concept we, that there's a morbidity to it, the, some of us find it, just a thought that we don't even want to cross our minds. But, this is not about the Department of Corrections, this is about allowing families who are victims, to make that decision of whether they want to be there or not, and I would suggest to the Body that, who are we to tell them that they may not, if whether you agree with that decision or not, it is up to them, in their hearts, in their minds, I would say that give them the decency of allowing that decision, and maybe we'll find that no one wants to go, but if that's the case, so let it be."

Speaker Steczo: "Have all voted who wished? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 39 voting 'yes', 71 voting 'no', 5 voting 'present'. The Amendment fails. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Speaker Madigan."

Speaker Steczo: "Representative Dart."

Dart: "Thank you, Mr. Speaker. Amendment #2 is the police protection Amendment, and I move for it's adoption."

Speaker Steczo: "The Gentleman moves for the adoption of Amendment #2. On that question, is there any discussion? The Chair recognizes Representative Hughes."

Hughes: "Mr. Speaker, a point of order. I would ask the Chair for a ruling on the germaneness of this Motion. In fact, I would demand the ruling that this is non germane, as we have had several previous rulings that an Amendment to the

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State Finance Act is nongermane when applied to a Bill dealing with the criminal code."

Speaker Steczo: "Representative Hughes, we will be back to you momentarily on your question. Representative Hughes, the Chair would rule that the Amendment is germane. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I rise in point of personal privilege. Have you no shame? Must you besmirch the honor and credibility that you have earned by your service in this Body? I've set by and tried to be patient while you rule 99% of our Amendments not germane, and this Amendment, that has been tacked on to everything except the wallpaper is always ruled germane. I've had enough, I appeal to your basic sensibilities, and credibility for once, for once, stand up for what you know is right. This Amendment is no more germane to this Bill, than I am related to Frank Giglio. And, and I urge you to uphold the honor, and dignity of the Chair that you now occupy, and rule this Amendment not germane. It is not germane to the underlying Bill, this isn't necessary, the man has filed it in more places than Chicago politicians put election posters. Enough is enough, either we have some basic fairness, or I say let's go home, let's stop this charade, and get out of here."

Speaker Steczo: "Representative Brady."

Brady: "Thank you, Mr. Speaker. I, I appeal to, to your decency and the decency of the parliamentarian, you have ruled at least four times, Republican Bills, forty, excuse me 40 times, Republican Bills in the same instances of this, dealing with the same act, and a Bill with the same act nongermane. How can you justify just because it's Speaker Madigan's Bill, or Amendment to rule it germane? In the

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dictionary does it exclude Speaker Madigan from germaneness. In the Parliamentarian Book and Roberts Rules of Order, is that, how it's written, I think not, and I think you need to reconsider along with the parliamentarian and..."

Speaker Steczo: "Representative Stephens. I'm sorry..."

Brady: "I move to appeal the rule of the Chair and ask for a roll call vote, and am joined by the requisite number of Members."

Speaker Steczo: "Okay, okay, Mr. Brady we will, we will recognize your Motion as soon as everybody else who wishes to complete their statements. Representative Stephens."

Stephens: "Well, Mr. Speaker, it's a sad day when Representative Black stands on the House Floor and misstates the facts, because I can assure you that this Amendment, I've seen it tacked on to the wallpaper of several local restrooms, and has been tacked just about everywhere Representative, and I think you should do a little more research before you make such blatant remarks about the lack of this being attached to every piece of wallpaper in town."

Speaker Steczo: "Representative Hughes."

Hughes: "Make a request for a ruling, a Motion to overrule."

Speaker Steczo: "Representative Cross."

Cross: "Thank you, Mr. Speaker. I'm looking at the, the underlying Bill that amends the Criminal Code, which is chapter 38, paragraph 11/6 under 720 Illinois compile statutes. The Amendment has to do with State Finance Act, I, could you be a little more, go a little more into your explanation of the ruling on this? I'm certainly different sections, the underlying Bill also deals with indecent solicitation and under the Amendment we're dealing with the State Finance Act, and money and appropriations. I'm

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baffled by the ruling on the germaneness issue."

Speaker Steczo: "Mr. Cross, to answer your question. The underlying Bill addresses the question of reduction of crime as does the Amendment. Representative Brady has moved that the Chair be over ruled. All those in favor will signify by voting 'aye', those opposed by voting 'no'. The voting is open. Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me, let me understand this correctly. So, if you want more police on the street, you would vote 'no' on this Motion, but if you want less police on the streets, and less protection for your citizens you would vote 'yes', that's how I understand it. I just want to clarify that to make sure I had the correct understanding. So, all these Ladies and Gentlemen are voting 'yes', are in favor of less police protection on the street. So, I just want to clarify that for the record."

Speaker Steczo: "Representative Olson."

Olson: "Thank you, Mr. Speaker. In reply to the previous speaker, I think he is misquoting what the intent of the red votes are up there. What we're saying, those of us voting red, as we think there should be some honor, and integrity in the interpretation, as put out by the Speaker's Representatives in the Chair. That's what we're voting on, that's what we're voting on. It has nothing to do at the previous speakers' assumption. We're voting on the honor and integrity of the way this chamber is operated. Thank you."

Speaker Steczo: "Representative Maureen Murphy."

Murphy, M.: "To explain my vote. My green vote shouldn't be interpreted in anyway than other than by me. My green vote say's I want the Chair to be overruled, I have already

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voted on this Amendment #2, that's on how many Bills, I don't think we ever had a final count. So, my conscious is clear, and I certainly wish that the Representatives over there who want to interpret how we vote should take it up with us individually. Thank you."

Speaker Steczo: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I too just rise to disagree with the Representative Granberg on expressing what that vote represented. That is not what mine represents. I disagree with his statement. Thank you."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 51 voting 'yes'; 60 voting 'no'. The Motion fails. Representative Dart. Is there any further discussion on Amendment #2. There being none, all those in favor of the adoption of the Amendment will signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Dart."

Speaker Steczo: "The Chair recognizes Representative Dart on Amendment #3."

Dart: "Withdraw."

Speaker Steczo: "The Gentleman withdraws Amendment #3. Mr. Clerk, are there any further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Dart."

Speaker Steczo: "Representative Dart on Amendment #4."

Dart: "Thank you, Mr. Speaker, Members of the House. Amendment #4 is the Safe Neighborhoods Bill which we debated at length about a month or so ago. It contains numerous

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provisions, all of them geared towards trying to make our streets and our neighborhoods safer for our constituents. It deals primarily with gangs, guns, and with the drug problem on our streets right now. The gun provisions that are in this Bill right now are ones with the NRA has found to be acceptable, there is no assault weapon for instance in this Bill. This is a good measure, it is something that could make a real difference on the streets, and I would urge your support."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. On that is there any discussion? The Chair recognizes Representative Tom Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Steczo: "He indicates he will."

Johnson, Tom: "Representative Dart, this Bill, have we not already voted for this Bill in the House?"

Dart: "Yes, it got over a hundred votes, but it's been, believe it or not it was one of the one's that got out of here on time, but for whatever the reason, the Senate decided to keep it in rules. I don't know if they're, maybe they're soft on crime this year."

Johnson, Tom: "Okay, now, it's been some time of course since we went through this Bill, both in Committee and on this floor, and I'm wondering can you, do you have your analysis there, and could you possibly go through that analysis and highlight down the list the specific changes that this Safe Neighborhoods Act attempts to accomplish?"

Dart: "Sure, sure, it deals with a, an attempt in rewriting a lot of the juvenile code to try to put some more sense into that, that's the initial part of the Bill. Then it has..."

Johnson, Tom: "What does it do to reference that?"

Dart: "Pardon Me?"

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Johnson, Tom: "What specifically does it change as far as the Juvenile Court Act?"

Dart: "It puts the matter to commission to rewrite the Juvenile Court Code."

Johnson, Tom: "Okay, the commission to rewrite it."

Dart: "Yes, it's something that Representative Cross and I have been working on to try and put some sanity into this."

Johnson, Tom: "All right."

Dart: "Something you're for, I hope."

Johnson, Tom: "I sure am."

Dart: "Good. It also has some provisions in here dealing with illegal possession of guns, we have provisions in here dealing with juveniles who are adjudicated on gang related or firearm related misdemeanors and providings for community service, mandating community service, right now there is no such requirement. It talks about the juvenile probation time periods which we will allot. Right now, there are none specified in certain offenses. We have provision dealing with child abuse here, requiring children who are brought into this system because of drug addicted parents. To have the parents tested, to have the children submitted to medical examinations on three separate occasions. Then, there's numerous provisions dealing with gangs dealing with the gang recruitment, gang intimidation of both jurors and witnesses, and other gang related..."

Johnson, Tom: "Does that include enhance penalties?"

Dart: "It sure does."

Johnson, Tom: "What are some of those enhance penalties?"

Dart: "Which ones you want? Which ones you want?"

Johnson, Tom: "Solicitation of gangs?"

Dart: "Well, there's not solicitation here, but for intimidation or for intimidation of jurors or witnesses, we're taking,

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we're raising the maximum, it's something you and I have talked about before. I'm kicking up the tops not the bottoms here, so I've increased that the maximum allottable so the judge can really have the ability to go after the person who he finds to be the most harden criminal."

Johnson, Tom: "Okay."

Dart: "There are some provisions dealing with drug abuse in regards to drug related felonies involving five or more people, namely like drug conspiracies, gangs dealing with drugs, it will allow judges to kick the maximum up quite a bit in those situations. The minimum would stay the same, but the maximum would increase. We also have some minor changes in the, one part, 14/10 probation and 7/10 probations which put a little bit more teeth into them right now. That's a definite change, and we also have things dealing with illegal transfers of firearms, and once again I highlight illegal, we're not talking about the legal gun owner, we're talking about people who are transferring guns to people without FOID cards, and increasing penalties based on the amount of illegal transferring of some of these weapons."

Johnson, Tom: "Does it add any new crimes that would be subject to the death penalty?"

Dart: "There is some provisions that the Governor put into this dealing with victims of rape adding that to the forcible felony category of people who are eligible for the death penalty."

Johnson, Tom: "Does it add any new provisions as it relates to the habitual offender?"

Dart: "Not sure right now. I can get back to you on that one."

Johnson, Tom: "Okay. Thank you."

Speaker Steczo: "Representative Black."

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Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. When was this Amendment filed?"

Speaker Steczo: "Mr. Clerk."

Clerk Rossi: "Yesterday."

Black: "This was filed yesterday. I, could I, could I inquire the stamp that is usually on the Amendment that has the date of filing. Remember, we thought the stamp might have been damaged in the fire of a week ago, has that stamp not been repaired? I can't, is there anything, I can't read anything on this. You know, once again, Mr. Speaker, last week a fire, last night a flood, now rumor has it that the Speakers' Staff is out gathering locusts and will usher them into the legislative printing unit tonight when we're all asleep, and the locust will eat some of our Amendments, and if not the rubber stamp. I just find it amazing that our Amendment drafted and filed on the 20th hasn't been printed, this one was filed, what did you say, yesterday? But, there's no date on it, so, perhaps in the future...Oh, sure now you bring me one out with a date on it, sure, by one of your more astute staffers, I might add. Well, would the Sponsor of this fine Amendment yield? Are you getting paid by the pound, or by the page?"

Dart: "By the word."

Black: "I see. Let me just ask you a question about this Amendment. This incorporates all of the Safe Neighborhoods Act language that previously passed out of here by a substantial margin, I sort of call."

Dart: "Correct."

Black: "And, it also, it also includes the language on the policeman on every corner Bill?"

Dart: "Correct."

Black: "Couldn't we just agree to revise and extend that

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Amendment on every Bill that we call?"

Dart: "That may save some time."

Black: "Well, it's true, it might. Let me ask you a question about that police protection and enhancement distributive fund?"

Dart: "Sure."

Black: "Once we get by the initial year, and we hire these extra police officers, which certainly may be a, a desirable thing to do. Who pays the Bill, say in the second year, the fifth year, the seventh year out, of hiring these extra police officers?"

Dart: "Well, the program that is set up under this initiative here is a three year program for the additional funding of the police right now."

Black: "Using only federal funds?"

Dart: "No, this is not just federal funds, this is also money that is coming out of the sales tax, and also the income tax."

Black: "But, none of the money comes out of the restructuring concept, restructuring of debt concept, is that right?"

Dart: "No, this is not out of the governor's borrowing plan, no."

Black: "So, this Amendment isn't putting us in a position where it we have to choose between police or medicaid, would that be a correct assumption?"

Dart: "This, this has nothing to do with that, the borrowing plan which is to be under discussion right now. This is something that comes out of the income tax collection, and sales tax."

Black: "How many police officers are created under this Bill, I can't remember, 6,000?"

Dart: "Well, that would all depend, because the different municipalities will pay the police officers different."

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They'd be getting a specific amount of money in which to here these officers, there's estimate as to the actual number of officers that would represent them."

Black: "Is there, is there any percentage, say that this Amendment survives the process and becomes law, is there any percentage or breakout as to however many police officers would be added as to how many were to go to Chicago, vis-a-vis Peoria, or is it just going to be based on population?"

Dart: "It's just, it's the same as the local government distributive fund as far as how this is going to be broken down. So, it will depend on the municipality and how that's broken down."

Black: "So, it, it, it might be possible for rather small communities in Illinois, that they wouldn't really have enough money to hire any police officers. Would that be a fair assumption?"

Dart: "Well, it depends once again on how much they're going to pay the officers, because it would be a matter of they'd have, they would be getting money, they'd get extra money whether or not physically they'd be able to hire a new full time officer, I don't know that, maybe they'll hire two or three part timers, it's up to them."

Black: "As I read the Amendment, not this particular Amendment, but I've read it somewhere else in the last eight weeks, I think. Doesn't have anything to do with adding state police, just local police officers, is that correct?"

Dart: "This is local."

Black: "All right, does it say municipalities only, or does it also say county so you can hire sheriff deputies?"

Dart: "It's counties and municipalities."

Black: "But, it has nothing in there for state police?"

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Dart: "Correct."

Black: "Well, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, the Gentleman must be, I'm going to give him the benefit of the doubt, he must be serious about this, he's added this Amendment to I don't know 50, 60, 70 Bills. So, he must be serious about the police part, and I think the other part of the Amendment, the Safe Neighborhoods Act, I think most of us supported that a little earlier. But I, I'm really concerned about this police addition, it's something that sounds good, I'm not sure how many officers will be able to be hired by small communities throughout the state. Maybe we should amend the Amendment to put some of this money into the state troopers. I believe if the Gentleman would check with the Illinois Department of State Police, there are probably 40 counties in the State of Illinois that do not have the presence of one state trooper on the 11:00 p.m. to 7:00 a.m. shift. Our state police force is dramatically under staffed, particularly in downstate areas. So, maybe at some point the Gentleman would except my Amendment to, sense the Chicago Police Force will probably get more of these officers that anybody, any community in the State of Illinois, maybe we could take the state troopers off of the Chicago expressway and bring them back downstate where they belong. Now, people would except that Amendment, we might get some bipartisan support. In fact, I'm going to work on that Amendment right now. So, maybe you can keep the presses humming while I get this Amendment, because you know if this passes Chicago is going to get more police officers than any other community in the State, and the state police force again goes without, and I think it's an outrage when 30 to 40 counties don't even have the presence

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of a trooper on the midnight shift, and we're going to give the City of Chicago more police officers. I don't have anything against Chicago, they're fine, fine community, love to visit there, and by the way that reminds me, I believe Representative Novak said that Republican Bills were going to be called when the Chicago Cubs won a home game, well they did, we haven't had any Bills called yet. In fact, they've got an eight game winning streak, the longest in the major leagues, and we still haven't had a Republican Bill called. So, in summation, Mr. Chairman, Mr. Speaker, I'll say this, this Gentleman's Amendment is probably going to pass, but I'm drafting an Amendment as we speak. I say Chicago can take care of their police officers, but we need more state troopers in downstate Illinois. Take those troopers off the expressways, and bring them back into Southern Illinois, where we won't then let them stop Greyhound buses. We're willing to work with the state police force, so if you're up vote for this Amendment, I know you'll love mine later on. Thank you very much."

Speaker Steczo: "Mr. Clerk, Mr. Clerk whose the Sponsor of the underlying Bill?"

Clerk Rossi: "Representative Hughes."

Speaker Steczo: "Thank you, Mr. Clerk. Representative Cross."

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

Speaker Steczo: "He indicates he will."

Cross: "Representative, with the exception of the police protection enhancement fund, is this Bill identical to the safe neighborhood Bill we voted on?"

Speaker Steczo: "Yes."

Cross: "Completely? Thank you."

Speaker Steczo: "Representative Granberg."

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Granberg: "Thank you, Mr. Speaker. To the Amendment. My good friend Representative Black, I just want to make three comments. One of which, congratulations on the Cubs finally reaching 400, that's quite an achievement. Secondly, the bipartisan support on this Amendment, there is yet to be an occasion of where this is received a 'no' vote, so we've appreciated that, and finally the City of Danville would receive \$591,000 under this Amendment. Now, if you would like to have that money given to the state police instead, I'm sure that could be arranged. So, I rise in support of the Amendment."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #4. Is there any further discussion? There being none, all those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it and the Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On State and Local Government...Representative Dart. We have Senate Bill 1146 brought back to the Order of Second Reading. The Bill is new on the Order of Second Reading. The Chair recognizes Representative Dart."

Dart: "Thank you, Mr. Speaker. At this time I would move to table Amendment #2."

Speaker Steczo: "The Gentleman moves to table Amendment #2. Is there any discussion? There being none, all those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is tabled. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of

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state...Representative Daniels."

Daniels: "Well Mr. Speaker, we have just counted up the number of Bills that have to be heard for Senate Bill 1700 and there are 34 in front of it. Now what I would suggest is there any Members on the floor that feels that their legislation is more important than ethics in government and riverboat gambling and maybe we could just allow with leave of the House to go to that Bill so we could hear it right now, so we don't miss the opportunity for this Bill to be acted upon before we adjourn tonight. What about it? It is a great offer, I think all of the Republicans on this side would agree with that request. So you got 51 of us anxious to act on this legislation and frankly we want to see if there is any support on the other side of the aisle for Mayor Daly's riverboats in Chicago. And we can act on that quickly, as a matter of fact I will ask for the debate to be short on our side so we could have Representative Lang present his Amendment in great detail. Is that all right with you? We are ready to move, 51 anxious Republicans standing for ethics in riverboat government, ethics, it is time that people of Illinois hear from us right here on the floor right now. Am I right? Yes. Here we go."

Steczo: "On the Order of State and Local Government, Second Reading, appears Senate Bill 1149, Representative Curran. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1149, the Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1159, Representative Schoenberg. Mr. Schoenberg. Out of the record. Senate Bill 1172, Representative von

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Bergen-Wessels. Mr. Clerk please read the Bill."

Clerk Rossi: "Senate Bill 1172, the Bill has been read a second time previously. Committee Amendment #1 lost. Committee Amendments 2, 3 and 4 have been tabled. Floor Amendment #5, offered by Representative Kubik."

Speaker Steczo: "The Chair recognizes Representative Kubik on Amendment #5."

Kubik: "Mr. Speaker. Withdraw."

Speaker Steczo: "The Gentleman withdraws Amendment #5. Mr. Clerk, any further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative von Bergen-Wessels."

Speaker Steczo: "The Chair recognizes Representative von Bergen-Wessels on Amendment #6."

von Bergen-Wessels: "Thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment #6 is an agreement with Ameritech Illinois Bell to take care of a problem that they have and giving a refund on a utility if that person's name is no longer in their computer base. So what this Amendment would do is simply say that, if there are more than...less than 24 months between the day of the refund and a period of the service to which the refund applies, a customer would have to present a bill to prove that they were a past customer. So this was an agreement between that utility company and myself and I promised, I put on the floor, I mentioned that and this is the Amendment."

Speaker Steczo: "The Chair recognizes Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Has the Amendment been printed and distributed?"

Speaker Steczo: "Mr. Wennlund let us check."

Clerk Rossi: "The Amendment has been printed and distributed."

Speaker Steczo: "Mr. Wennlund the Clerk said...the Clerk

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indicates it has been printed and distributed."

Wennlund: "Thank you."

Speaker Steczo: "Representative Ryder, on the Amendment."

Ryder: "Thank you, Mr. Speaker. Will the Sponsor of the Amendment yield for questions?"

Speaker Steczo: "She indicates she will."

Ryder: "Representative, you indicated something about a refund proposal. Does the Amendment apply to the original Bill in a form of clarification, or is the substance of this Amendment a separate item of consideration?"

von Bergen-Wessels: "Representative this further clarifies some language in the Bill as to what constitutes...what constitutes proof of being a past customer, a historical customer."

Ryder: "And who requested that that language be clarified?"

von Bergen-Wessels: "Ameritech."

Ryder: "And who supplied the language of clarification?"

von Bergen-Wessels: "Well actually we went round and about and back and forth and ultimately agreed on some language."

Ryder: "When you said we, who does that include?"

von Bergen-Wessels: "Me and Ameritech."

Ryder: "And who was the Ameritech, that's who I pick up my telephone, and I assume you didn't talk to the operator that I talk to."

von Bergen-Wessels: "No, I talked to a their Association Representative, Jim Anderson."

Ryder: "Mr. Anderson. This language is agreeable with him?"

von Bergen-Wessels: "Yes."

Ryder: "I see. Thank you."

von Bergen-Wessels: "It was a hard fight, I won, I think."

Ryder: "I'm sorry, I didn't hear that."

von Bergen-Wessels: "I said it was a kind of a hard tussle back

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and forth. Ultimately, this was some suggestion that I had to meet his needs and we just got together on the language. Ask him."

Ryder: "I'm not touching that line."

Speaker Steczo: "Any further discussion? Representative Davis."

Davis: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. I'd like to take this opportunity to introduce Mr. Eddie Reed from Chicago. He is the President of the Black Independent Political Organizations and also the Chicago Black United Communities. That's Mr. Eddie Reed and his wife. And we are also visited by Mr. Pittman, a plumbing contractor in the City of Chicago. So we wanted to take that opportunity. Thank you. Would you please give them a warm hello."

Speaker Steczo: "Is there any further discussion on Amendment #6? There being none, all those in favor of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. Going back to Senate Bill 1159, Representative Schoenberg. Proceeding now on the Order of State and Local Government, Second Reading appears Senate Bill 1182, Representative Kubik. Mr. Kubik. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1182, the Bill has been read a second time previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Kaszak."

Speaker Steczo: "The Chair recognizes Representative Kaszak on Amendment #3."

Kaszak: "Thank you, Mr. Speaker. This Amendment irons out some

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technical problems with the Amendments that were adopted in committee. And also attempts to accommodate some concerns that the Senate Sponsor had regarding the Amendments that were adopted in committee. It is an Amendment, I believe, has the support of both the Senate and the House Sponsors, and would expand the powers of the Treasurer's Office to not only put in ATM machines at appropriate locations, but also to engage in a common practice of financial institutions called Securities Lending. And I'd ask for your support."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #3. On that question, is there any discussion? The Chair recognizes Representative Brady."

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

Speaker Steczo: "She indicates she will."

Brady: "Representative does the Amendment become the Bill?"

Kaszak: "Mr. Speaker, I believe that the Amendment does become the Bill, because we clarified a number of the things that were in the Amendments that were attached in the committee, and I think to a large extent that what it does do."

Brady: "Okay. And in the Amendment, I'm sorry I vaguely heard you because of the noise level, but tell me again what this does. It puts in the control of the State Treasurer, what?"

Kaszak: "Mr. Speaker, what it does is, it does two things, it incorporates Senator Topinka's provisions that allow the State Treasurer to have the authority to place ATM machines on state property. And secondly what it does, it expands the authority of the State Treasurer to engage in the securities lending which is a practice that is typically used by persons involved in investments. And I can go through extensive detail on this, if you are interested,

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but what it does it allows the treasurer to lend securities that we have in order to make money. It is anticipated that we would be able to bring in an additional half million dollars a year. This has gone through the Senate Committee, I'm sorry the House Committee on Finance and last time it went through it had unanimous support."

Brady: "Does the treasurer have this authority solely?"

Kaszak: "I'm sorry, I really can't hear you."

Brady: "Does the treasurer have this authority solely?"

Kaszak: "No. It is on the approval of the Governor."

Brady: "And on the ATM's, aren't ATM machines allowed now on state property?"

Kaszak: "Apparently there was some legal confusion on this and there was a...an Attorney General's opinion that called it in question. And this is clarifying that they...the Attorney General does have that authority."

Brady: "What was the Attorney General's opinion?"

Kaszak: "I really don't have all the details of it. I think there was some concern that his authority wasn't as clear as it might have been and this would allow the treasurer the opportunity to allow that."

Brady: "Who allowed the ATM in the Stratton Building?"

Kaszak: "I really have absolutely no idea."

Brady: "Did State Treasurer?"

Kaszak: "I have no idea, Sir."

Brady: "So it is possible that right now the Attorney General and the State Treasurer are bickering amongst themselves on authority?"

Kaszak: "I think maybe you ought to ask the...this is part of the underlying Bill, and it's not an area that I have particular knowledge of, you might ask Representative Kubik as to whether or not he knows or we could contact Senator

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Topinka, I really don't know."

Brady: "I'd certainly would support anything that would help clear up any misconfusion between the State Treasurer and the Attorney General. Thank you."

Kaszak: "Thank you."

Speaker Steczo: "Is there any further discussion? The Chair recognizes Representative Andrea Moore."

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

Speaker Steczo: "She indicates she will."

Moore, A.: "Thank you. Representative, in the detail of the Bill, initially there were agreements that were referenced that would include the location and the number of services to be provided. And does this Bill more specifically name those services?"

Kaszak: "I think again this is a question relating basically to the underlying Bill. But what I understand that this Amendment does is, is incorporates the Amendments that were adopted in committee. One of the adopt...the Amendments that was adopted in committee, does not allow the treasurer to place ATM machines near or in close proximity to a credit union so we would not be in competition with credit unions that are located in our facility."

Moore, A.: "So that is still included then?"

Kaszak: "Yes, it is."

Moore, A.: "And so actually the portion that...I think that they exempted areas where credit unions provided services, so that still does do that?"

Kaszak: "Yes, it does."

Moore, A.: "Good. And then the other question was, this provides that the treasurer uses a competitive selection procedure when selecting the financial institutions with which to enter into agreements. What kind of comp...what do they

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mean by competitive procedure?"

Kaszak: "I'd really have to look at that provision more closely. I really don't think I can answer that."

Moore, A.: "Well, that's part of Amendment 3, that's why I was..."

Kaszak: "Okay. I believe that it restates the Senate Bill. This was again was the underlying Bill."

Moore, A.: "So that doesn't change...that portion of your Amendment doesn't change?"

Kaszak: "No it doesn't."

Moore, A.: "And so that competitive selection process, you don't know if its an RFP or bidding or what?"

Kaszak: "I really don't know. I think maybe Senator Topinka or maybe Representative Kubik might know."

Moore, A.: "Thank you."

Kaszak: "Okay."

Speaker Steczo: "Is there any further discussion? The Lady has moved for the adoption of Amendment #3. All those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1159, Representative Schoenberg. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 1159, the Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Stephens."

Speaker Steczo: "The Chair recognizes Representative Stephens on

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Amendment #2."

Stephens: "Thank you, Mr. Speaker. This is a simple Amendment that allows the surviving spouse of former armed services member who participated in the Battle of Pearl Harbor, who we currently allow to have special license plates. To obtain those Pearl Harbor license plates if the surviving spouse is a single individual at the time of application. It's supported by a lot of veterans groups, I move its adoption."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #2. On that is there any discussion? The Chair recognizes Representative Rutherford."

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

Speaker Steczo: "He indicates he will."

Rutherford: "Thank you. Representative, could you clarify in regards to the...will this cost more than a normal plate, and will this cost from administration the Secretary of State's Office, or could you kind of explain that part of the process please?"

Stephens: "It cost the same as any other specialized plates, nothing in the Bill changes that. This just allows the spouse to participate in the program if they're the single surviving spouse."

Rutherford: "All right. So those funds are segregated or just like they would be a normal...the other people are able to buy these special plates then?"

Stephens: "I'll take that as a statement and your knowledge of the facts amazes me."

Rutherford: "Considering I am trying to make sure we get some of this positive stuff on the record for you, Representative, so maybe we can work together on it. Thank you."

Speaker Steczo: "Representative Rutherford are you through with

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your questions? Mr. Rutherford? You are. Is there any further discussion? There being none, all those in favor of the adoption of Amendment #2 will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Hicks."

Speaker Steczo: "Representative Hicks. Mr. Schoenberg what is your pleasure?"

Schoenberg: "I wish you to withdraw Amendment #3 please."

Speaker Steczo: "Mr. Schoenberg you can move to table, if you wish."

Schoenberg: "Thank you, Mr. Speaker. I move to table Amendment #3."

Speaker Steczo: "The Gentleman moves to table Amendment #3. On that question, is there any discussion? Representative Black."

Black: "Thank you very much. Inquiry of the Chair. Is Representative Hicks not...not in the chamber? It's his Amendment, isn't it?"

Speaker Steczo: "The Gentleman is not in the chamber at this time."

Black: "Oh. I thought that he really wanted that Amendment. I guess he isn't here. All right."

Speaker Steczo: "Mr. Schoenberg."

Schoenberg: "Mr. Speaker, I withdraw my Motion to table Amendment #3. I would like to present Floor Amendment #3. Floor Amendment #3, which was offered by Representative Hicks, is essentially consolidation measure which makes the administration of the special designated plates more effective and more efficient. It is a follow up on an

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effort that Representative Black initiated a couple of years ago and I believe there is no opposition to this. I move its adoption."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #3. On that, is there any discussion? The Chair recognizes Representative Rutherford."

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

Speaker Steczo: "He indicates he will."

Rutherford: "Representative Schoenberg does this Amendment 3 become the Bill? Go ahead with your potato chips."

Schoenberg: "Could you repeat that question, please?"

Rutherford: "Yes. Does Amendment 3 become...does Amendment 3 become the Bill?"

Schoenberg: "Sir, it does not, it adds to the prior Amendments and underlying Bill."

Rutherford: "All right. So to clarify though that there was a similar piece of legislation last week that Representative Hicks presented in regards to a single plate that would have a specific seal or tag put on it, and this is now the Amendment which would allow the treasury to have the account set up to receive these funds?"

Schoenberg: "Yes. And as I indicated earlier, this is comparable to the process which Representative Black initiated a couple years ago."

Rutherford: "Great. Thank you very much. I would encourage support of the Amendment."

Schoenberg: "Thank you."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Governments, Second Reading, appears Senate Bill 1221, Representative Tom Johnson. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1221, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Governments, Second Reading, appears Senate Bill 1228, Representative Pankau. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1228, has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Skinner."

Speaker Steczo: "The Chair recognizes Representative Skinner on Amendment #1."

Skinner: "Yes, I would ask permission to withdraw the Amendment."

Speaker Steczo: "The Gentleman wishes to withdraw Amendment #1. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Speaker Madigan."

Speaker Steczo: "The Chair recognizes Representative Dart on Amendment #2."

Dart: "Thank you, Mr. Speaker. This is the Police Protection Amendment. I move for its adoption."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #2. Any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Would you ask the Parliamentarian to look at the underlying Bill in relationship to Amendment #2 and see if Amendment #2 is germane? I think I know the answer but I'd still like to have him check."

Speaker Steczo: "Mr. Black, we will look at that, as you

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requested, and get back. Representative Pankau, did you have a comment...question? Mr. Black, in response to your question, the Chair rules that the Amendment is germane."

Black: "I'll be darned. Well, okay. Thank you very much."

Speaker Steczo: "Is there any further discussion on the Amendment? Representative Dart has moved for the adoption of Amendment #2. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Dart."

Speaker Steczo: "Representative Dart on Amendment #3. Mr. Black, for what purpose do you seek recognition?"

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair. I couldn't hear, so I don't know if I should respond. What is he doing with Amendment #3?"

Speaker Steczo: "Mr. Black he is seeking to withdraw the Amendment."

Black: "Well as well he should. May I continue, Mr. Speaker?"

Speaker Steczo: "Mr...Mr. Black, the Amendment as per Representative Dart's request has been withdrawn, therefore there is no matter on the floor at this time relating to it. Representative Dart withdraws Amendment #3. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1251, Representative Granberg. Mr. Clerk, please read the Bill. Senate Bill 1251."

Clerk McLennand: "Senate Bill 1251, has been read a second time previously. No Committee Amendments. Floor Amendment #1,

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offered by Representative Biggert."

Speaker Steczo: "The Chair recognizes Representative Biggert on Amendment #1. Mr. Granberg, are you seeking recognition? No. Representative Biggert."

Biggert: "Thank you, Mr. Speaker. Amendment #1 is to amend the Counties Code and the Unified Code of Corrections to permit the sheriff in a county of less than 3 million people. With the approval of the county board to operate an impacting incarcerating program for persons who would otherwise be sentenced to a term of imprisonment. And this is commonly known as a boot camp for young and first time offenders. And it passed unanimously out of the Judiciary II Committee."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #1. On that is there any discussion? The Chair recognizes Representative Dart."

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

Speaker Steczo: "She indicates she will."

Dart: "Where will the money be coming from to build these?"

Biggert: "The money has not been provided for. The counties would have to find the money themselves. Similar to what Cook County has had to do."

Dart: "Okay. And is this just...does this allow them to build it?"

Biggert: "Yes."

Dart: "Or require them to build it?"

Biggert: "No. This is purely permissive, they would be allowed to provide for boot camp if they so desired."

Dart: "Are they able to obtain federal money through this to help build this?"

Biggert: "Well, I know that Cook County obtained federal money, state money and local money, so hopefully any county that

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wish to do this would probably seek the same sort of funding but there is no...there is nothing in this Bill where it would come from."

Dart: "Okay. The money source is not designated and it would be up to the county boards to pass this?"

Biggert: "Pardon?"

Dart: "It would be up to the county boards to..."

Biggert: "That's correct. And this was a proposal by the DuPage County board and the sheriff of DuPage."

Dart: "And is this for adults or for adults and juveniles?"

Biggert: "Its for young offenders, 18 and over. It is not a juvenile camp. It is young offenders and first time offenders."

Dart: "Okay. Thank you."

Speaker Steczo: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. The Representative talked with me about this, I believe this Bill had passed previously, I have no objection to the Amendment."

Speaker Steczo: "Representative Black. Mr. Black, Representative Granberg has offered to accept the Amendment."

Black: "Oh, yes. I have a question of the Sponsor on the Amendment."

Speaker Steczo: "Please proceed."

Black: "Yes. Thank you very much. Representative, you said earlier, I think, this is totally permissive. Correct?"

Biggert: "That's totally correct."

Black: "Would there be any chance that we could use some of this extra money that we're going to have from cigarette sales taxes and all kinds of sources, that if you didn't want to hire a 1000 extra police in a county, that you could use some of that money to build a incarceration impact program facility?"

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Biggert: "Well, I think that would be up to the county, Representative."

Black: "That is a good idea, I think we should leave that up to the county. I think it is a fine Amendment and I'm glad you are pursuing it. I intend to vote for it, fine Amendment."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #1. All those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1296, Representative Novak. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1296, has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Persico."

Speaker Steczo: "The Chair recognizes Representative Persico on Amendment #1."

Persico: "Thank you, Mr. Speaker. This Amendment requires that the Department of Energy and Natural Resources and the State Board of Education to conduct a joint study to determine the feasibility of a statewide school recycling program. And I move for its adoption."

Speaker Steczo: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. The Amendment deals with the Natural Resources Act and the School Code. The underlying Bill deals with the Environmental Protection Act. I would question whether Amendment #1 is germane to Senate Bill 1296 and ask the Parliamentarian to review that please."

Speaker Steczo: "Mr. Granberg; we will review that request. Mr.

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Black while we are waiting for the ruling, for what purpose do you seek recognition?"

Black: "Yes, I'd just like to try and be helpful to the Chair. I have had an opportunity to read the Amendment and the underlying Bill and the underlying Bill deals with the Environmental Protection Act and the Amendment deals with protecting the environment by creating a statewide study on school wide recycling. And gosh would that ever help the environment, so obviously they are germane. The underlying Act deals with the environment, the Amendment is an environmental sound Amendment sponsored by a very environmentally sound individual and I think it is germane, I would like you to so rule."

Speaker Steczo: "Mr. Black, appreciate your input as always. Representative Granberg, in response to your question of the Chair. The Chair would rule that the Amendment is not germane. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1302, Representative Mulligan. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1302, has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Governments, Second Reading, appears Senate Bill 1328, Representative Clayton. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1328, has been read a second time previously. Amendments #1, 2 and 3 were adopted in committee. Motion has been filed to table Amendment #3."

Speaker Steczo: "Mr. Clerk, any Motions?"

Clerk McLennand: "Motion has been filed by Representative

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Wennlund to file...to table Amendment #3."

Speaker Steczo: "The Chair recognizes Representative Wennlund. Mr. Wennlund withdraws his Motion. Mr. Clerk, any Amendments? Any further Amendments?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Lang."

Speaker Steczo: "Withdraw Amendment #4. Any further?"

Clerk McLennand: "Floor Amendment #5, offered by Representative Clayton."

Speaker Steczo: "The Chair recognizes Representative Clayton on Amendment #5."

Clayton: "Thank you, Mr. Speaker. Amendment #5 becomes the Bill. The Bill would prohibit a parent or guardian from permitting his residence to be used by an invitee of a child under 21 for the illegal consumption of alcohol. Permitting would mean failing to control access either to the residence, or to the alcohol that is kept in the residence. Violations...violations would be a Class A misdemeanor and subject to a \$500 fine. Minors are defined as persons under the age of 21. Another portion of the Bill, of the Amendment, provides that the and this would be this portion is an agreed product between the liquor industry and the City of Chicago. It provides that the License Appeal Commission, it gives them additional time to render a decision. Presently they have 20 days, this would give them 30 days. And the Amendment applies only to municipalities with a population greater than 500,000. The...It provides that more than one petition for the referendum to vote a precinct dry. Presently the law allows the City Clerk to accept only one petition. This would permit them to invalidate a bogus petition, and place it with another one that had been submitted. It provides a

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certified record of proceedings before the local liquor control commissioner must be filed with the License Appeal Commission. Presently, they have 5 days this requires that it be promptly. That is pretty much the substance of the Bill."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #5. On that, is there any discussion? The Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker. To the Amendment. This says Representative Clayton has said is a product of many hands all who are in agreement. The original Bill is an excellent Bill and added to that was originally an Amendment that would have put civil liability back in the Bill. This Floor Amendment removes that, I have agreed that we should remove that at this time and the rest of the Bill is in agreement with the City of Chicago and various people involved in the liquor industry, regarding procedures, regarding voting a precinct dry, and procedures regarding hearings before the Liquor Control Commission. That's all the Bill does, and I have no opposition whatsoever, it is a good Bill, you should be voting 'aye'."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #5. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #6, offered by Representative Lang."

Speaker Steczo: "The Chair recognizes Representative Lang on Amendment #6."

Lang: "Thank you, Mr. Speaker. Amendment #6 is really a technical Amendment. Relative to the section of the Bill about voting a precinct dry, there is also language in the

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law currently regarding voting a particular address dry. There was a federal district court case where Judge Aspen ruled part of that unconstitutional on vagueness. And what this Amendment would do is clear that up so that it would not be vague and so that residents of a community could vote a particular address dry. There is no real change here in this statute, it is simply clean up language."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #5. On that, the Chair recognizes Representative Wennlund. The Gentleman does not wish to...I'm sorry, Amendment #6. The Gentleman does not wish to speak. Is there any discussion on the adoption of the Amendment? There being none, all those in favor of the adoption of Amendment #6 will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1339, Representative Dart. Out of the record. Senate Bill 1346, Representative Lang. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1346, has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Steczo: "Third Reading. Senate Bill 1364, Representative Balthis. Representative Balthis. Senate Bill 1364. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1364, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "On the Order of State and Local Government, Second Reading, appears Senate Bill 1369, Representative Tom Johnson. Mr. Clerk, please read the Bill."

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Clerk McLennand: "Senate Bill 1369 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions filed. Floor Amendment #2, offered by Representative von Bergen-Wessels."

Speaker Steczo: "The Chair recognizes Representative von Bergen-Wessels, on Amendment #2. Representative von Bergen-Wessels."

von Bergen-Wessels: "Excuse me, Speaker. I'm trying to find this."

Speaker Steczo: "Mr. Black."

Black: "If she's having trouble finding her copy, this Amendment is basically the same language that was sponsored originally by Representative Stephens. It was a good idea when he had it. It's a good idea now. It's the same Bill. So, we're going to just jump up and help her pass this Amendment. Fine Amendment. It was an absolutely outstanding idea when Representative Stephens introduced it, and it's still a good idea. So, we're just...we're here to help."

Speaker Steczo: "The Chair would ask that all unauthorized individuals please remove themselves from the House floor. The Chair recognizes Representative Stephens, on Amendment #2."

Stephens: "If the Sponsor needs the original language, I have a copy of the original Bill here on my desk that I sponsored, and I would help her with it anyway I could. I don't know if she's found the Amendment or not, but this is a Bill that obviously makes good sense, or an Amendment that makes good sense because it made good sense as a Bill, and we would stand in support."

Speaker Steczo: "Representative von Bergen-Wessels."

von Bergen-Wessels: "Thank you, Mr. Speaker and thank you,

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Members, for your tolerance as I...as I found this. This was a Bill that we have voted on previously. I got strong bipartisan support. This was an idea that came from a constituent of mine having to do with the senior citizens being taxed twice on their granny tax and then having that rebate included in their...in their income. It's a good seniors Bill. These folks shouldn't have been taxed twice because of the faux pas having to do with the granny tax, and I would ask for your favorable consideration."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #2. Is there any further discussion? There being none, all those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment's adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Currie."

Speaker Steczo: "The Chair recognizes Representative Currie, on Amendment #3."

Currie: "I'm informed that the Amendment may not yet be printed and distributed. Can we check that?"

Speaker Steczo: "Mr. Clerk... Mr. Black, for what purpose do you seek recognition?"

Black: "Yes, there is justice. I believe this is one of the Amendments that was caught in the flood last night, too. And it is nowhere near dry, so perhaps we could table it and move on."

Clerk McLennand: "It has not yet been printed and distributed."

Speaker Steczo: "Mr. Cross."

Cross: "Mr. Speaker, thank you. I think we can help maybe address the problem of the printing unit. We have fingerprints on the back of...fingerprints on the back of

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one of these Amendments. I would ask the Clerk's Office to open an investigation, maybe this afternoon. Thank you."

Speaker Steczo: "Representative Tom Johnson."

Johnson, Tom: "Speaker, would you take this Bill out of the record."

Speaker Steczo: "The Gentleman wishes to have the Bill removed from the record. On the Order of State and Local Government, Second Reading, appears Senate Bill 1384, Representative Prussing. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1384, has been read a second time previously. No Committee Amendments. Floor Amendments #1, offered by Representative Maureen Murphy."

Speaker Steczo: "The Chair recognizes Representative Maureen Murphy on Amendment #1. Representative Murphy."

Murphy, M.: "Speaker. This Amendment would direct funds to go into the university athletic improvement fund and...hold on a second...and I wish passage of this, as I am finding it, Mr. Speaker. Yes, I do."

Speaker Steczo: "Mr. Black, did you have a...while we are waiting for Representative Murphy, did you have a comment? Question? Statement?"

Black: "No. I have an inquiry of the Chair."

Speaker Steczo: "Inquiry?"

Black: "It was my understanding that a letter was to have been filed with the Clerk changing the primary sentence...House Sponsor of this Bill. Was no letter filed?"

Speaker Steczo: "Mr. Clerk?"

Black: "My understanding that the Senate Sponsor had changed the House Sponsor on this Bill and I had been led to believe that a letter had been filed saying that."

Speaker Steczo: "Mr. Black, we will check."

Black: "Okay. Thank you very much."

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Speaker Steczo: "Representative Murphy are you ready to proceed?"

Murphy, M.: "No. If I can have a few more minutes, Mr. Speaker."

Speaker Steczo: "Representative Murphy are you ready to..."

Murphy, M.: "Yes. Thank you. I'm sorry for the delay, we have many Amendments over here, as you well understand. What this would do...1384...it amends the Board of Higher Education Act. It requires budget proposals that are approp Bills for the Board of Trustees, the U. of I., the Board of Trustees of Southern Illinois, Board of Governor's, State Colleges and Universities, Board of Regents, to contain for each university under the jurisdiction of those respective boards a separate aggregate expenditure proposal or appropriation for each of eight specific expenditure categories as defined by the Board of Higher Ed, together with separate line item proposals, or appropriations for specified expenses that comprise each aggregate proposal or appropriation. If there are any questions, I will be able to answer them. Thank you."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #1. On that question, is there any discussion? The Chair recognizes Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Lady I'm sure is very well intentioned, but the Sponsor of the Bill was not aware of this Amendment and she has yet to...to discuss this with Senator Weaver. The Sponsor of the Senate Bill. So...so for purposes of...there's been a change in plans. Apparently there is a question as to whether this Amendment is germane but we should address that issue first."

Speaker Steczo: "You're asking whether the Amendment is germane?"

Granberg: "Yes. Point of order."

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Speaker Steczo: "Mr. Clerk, may we have a copy of the underlying Bill and the Amendment? Granberg, the response to your question, the Chair would rule the Amendment is germane. Representative Murphy? Representative Granberg?"

Granberg: "Now the second position. As I was saying, I...the Lady is well intentioned, but Representative Prussing has not discussed this with Senator Weaver, and in deference to Senator Weaver the Representative would like to discuss this with him first since this is his Bill and she does not, as a matter of protocol, she does not want to do anything which might...which might be opposed by the Senator. So I would ask that the Members please vote against the Amendments or the Lady withdraw the Amendment at this time."

Speaker Steczo: "Representative Murphy."

Murphy, M.: "Thank you. This was a great idea that came before our Higher Ed Committee and it strictly brings about some accountability to Higher Ed. I would really ask people to again see that this will go with separate line item proposals to appropriations that will help our Higher Ed Committee. It will help these universities in giving a better presentation so we can exactly see where these moneys are being spent. It has to do with administration, student service, financial, this is a good government Bill. It was popular in the Higher Ed Committee, it was one of those Bills that got lost to the deadline, and I would encourage you if you want more accountability for the higher ed, for the universities that you all hear about back home, I would hope you would approve this Amendment and I'm going to ask for a Roll Call Vote. I am joined by Members asking for a Roll Call Vote and I appreciate it. Thank you."

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Speaker Steczo: "Representative Skinner."

Skinner: "Mr. Speaker. First, I assume you are shaking your head was in recognition and that we will have a Roll Call Vote?"

Speaker Steczo: "Mr. Skinner, the appropriate number of individuals have requested a roll call, so the Chair will give you, according to the rules, a roll call."

Skinner: "Well, all Speaker's all not created equal, Mr. Chairman or Mr. Speaker. So I apologize for asking the question. This is a question of legislative branch versus the executive branch and the same speech that Representative Murphy gave was given numerous times by Representative Leckowitz before he went onto bigger and better things. If we ever want to have a control of what this budget is for the universities, we need to pass an Amendment like this that will require line item budgets. Now, naturally we would expect the university legislators to vigorously oppose this, they would love to continue to have the blank check, I mean we give them an amount of money and basically say spend it as you wish. But the Appropriations Committee's then can't figure out whether they're wasting the money or not, because there is no standard to measure against, there is no line item. I hope that everyone who considers his first allegiant or her first allegiant to the legislative branch will vote in favor of this Amendment. Those who would rather be employees of state universities, can be among those voting 'no'."

Speaker Steczo: "Representative Davis. Representative Edley. Mr. Edley."

Edley: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. We've passed a Bill for line item budgeting out of the House a week or so ago, it is currently in the Senate. The categories that are

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delineated in this Amendment I don't think would be as useful to the Legislature as the ramp already...as the functions contained in the legislation that we passed out utilizing ramp functions. So while the intensions of this Amendment may be good, we've already passed a Bill that I think is much better. And therefore, I would urge a present or no you would have to have a 'no' vote on this Amendment."

Speaker Steczo: "Representative Prussing."

Prussing: "Mr. Speaker and Ladies and Gentlemen of the House. I agree with what Representative Edley said, I support line item budgeting for universities. However, I do not support these particular categories and don't think that the Senate Sponsor would support them either. So I would urge you to vote 'no'."

Speaker Steczo: "Representative Black."

Black: "Yes. Would it be in order to ask, if I could ask Representative Edley a question?"

Speaker Steczo: "Mr. Black, I believe that would be out of order. Mr. Edley is not the Sponsor of the Amendment."

Black: "I think you are probably right. Well could I ask the Sponsor a question?"

Speaker Steczo: "Proceed. Sponsor of the Amendment."

Black: "To the Amendment, right. Representative Murphy, do you know the Bill that Representative Edley was talking about on line item budgeting for universities? I do recall that and it did pass the House but do you recall when that passed the House?"

Murphy, M.: "I believe it was after the deadline for the Senate."

Black: "That's kinda what I thought. Thank you very much."

Murphy, M.: "Dead on arrival."

Black: "To the Amendment. Mr. Speaker and Ladies and Gentlemen

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of the House. I think its really wonderful that we have people get up and say they're in favor of line item budgeting at the university level and so I would expect them to vote 'yes' on this Amendment. Because there isn't anybody in this chamber who doesn't understand that the Bill we passed out was passed out here long after the Senate deadline. It will never get out of Senate Rules. So now is your opportunity to tell the Senate, once again, that Members of the House favor line item budgeting. And if you vote against this Amendment, then you are saying no no don't come back to me later and say you're in favor of line item budgeting,...can't have it both ways. That Bill is tied up in Senate Rules, if indeed it ever even got assigned there, because it passed out of the House after the Senate deadline. So here is your opportunity to send it back to the Senate with the strong message, we do indeed favor the line item budgeting and I think a 'yes' vote is the only vote, particularity for the two Representatives who said they favored that Bill but it was already in the Senate. Now come on let's not play that game, it is nowhere to be found in the Senate you better vote 'yes' on this Amendment."

Speaker Steczo: "Representative Pedersen."

Pedersen: "Well thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand that one of our Representatives said, well we have a better Bill, a better Amendment, or whatever that has already passed so we really don't need this. But that seems kind of strange coming from that side of the aisle when they have been putting the same Amendment and this one is acknowledged as somewhat different. It is kind of strange that they would all of a sudden be so pure that they only want one. After all, I mean they have been

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putting their Amendments on everything, and trying to pass the same Amendment several times, so I think that we can go along with this fine Amendment, it gives the Senate another opportunity to take a look at some different options and maybe even the Governor. So let's be open and pass this Amendment along."

Speaker Steczo: "Is there any further discussion? There being none, Representative Maureen Murphy to close."

Murphy, M.: "Thank you, Mr. Speaker. Once again this calls for more accountability at a particular time when the boards overseeing all of our higher ed...education universities come to the General Assembly asking for more money. When they have already put on 400% increases in tuition for any of the students that live in all of our districts attending these universities. When we want to sit there and do a good job on Higher Ed Committee, we need to have the appropriate information. This is what all this Amendment calls for and it is accountability asking for a line item distribution, 8 categories of expenditure that will help us make a better decision on the money allotted and appropriated to our universities. I urge 'yes' votes on this Amendment. Thank you."

Speaker Steczo: "The Lady has moved for the adoption of Amendment #1 to Senate Bill 1384. All those in favor of the adoption of the Amendment will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 56 voting 'yes', 60 voting 'no', 1 voting 'present'. Representative Maureen Murphy for what purpose do you seek recognition?"

Murphy, M.: "I would like to request a verification."

Speaker Steczo: "The Lady seeks verification of the affirmative

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vote. Of the negative vote, I'm sorry. Mr. Clerk, please poll those not voting."

Clerk McLennand: "Those Members not voting, would be Representative Morrow."

Speaker Steczo: "Proceed with the poll of the negative."

Clerk McLennand: "Those voting in the negative, Representatives Balanoff. Blagojevich. Brunsvold. Bugielski. Burke. Capparelli. Curran. Currie. Dart. Davis. Deering. DeJaegher. Dunn. Edley. Erwin. Flinn. Flowers. Frias. Giglio. Granberg. Hannig. Hartke. Hawkins. Hicks. Hoffman. Homer. Jones, Lou. Jones, Shirley. Kaszak. Kotlarz. Lang. Laurino. Levin. Lopez. Martinez. Mautino. McAfee. McGuire. McPike. Moore, Eugene. Murphy, H. Ostenburg. Phelan. Phelps. Prussing. Pugh. Raschke-Lind. Ronen. Rotello. Saltsman. Santiago. Schakowsky. Sheehy. Steczo. Stroger. Turner. von Bergen-Wessels. Woolard. Mr. Speaker.

Speaker Steczo: "Representative Murphy, do you have any questions of the negatives. Representative von Bergen-Wessels, for what purpose do you seek recognition?"

von Bergen-Wessels: "Thank you, Speaker. And I know it's against the rules, but I would like to recognize the Walnut Eighth Graders that are here from Walnut, Illinois."

Speaker Steczo: "Representative von Bergen-Wessels that is against the rules. Representative John Dunn asked leave to be verified. Representative Murphy he is right here in the front. Is that okay with you? Representative Murphy is that all right?"

Murphy, M.: "Yes. Thank you."

Speaker Steczo: "Okay. Representative John Dunn is verified. Any questions?"

Murphy, M.: "Representative Stroger?"

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Speaker Steczo: "Representative Lou Jones seeks verification to be verified."

Murphy, M.: "Representative Lou Jones, thank you. Representative Hartke, thank you."

Speaker Steczo: "Mr. Hartke."

Murphy, M.: "He's out."

Speaker Steczo: "Okay. He's...he asked leave to be verified as well."

Murphy, M.: "Fine. Thank you."

Speaker Steczo: "Representative Stroger."

Murphy, M.: "He's here. Thank you."

Speaker Steczo: "He's in the back of the chamber. Representative Murphy proceed."

Murphy, M.: "Representative Burke?"

Speaker Steczo: "Representative Burke. Is the Gentleman in the chamber? Representative Burke? Madam Clerk, Mr. Clerk, remove him from the roll call. Sorry Terry. Representative Murphy, please proceed."

Murphy, M.: "Representative Blagojevich?"

Speaker Steczo: "Representative Blagojevich. Is the Gentleman in the chamber? Remove him. Mr. Rotello? Mr. Rotello seeks leave to be verified. Representative Murphy. Representative Rotello."

Murphy, M.: "Representative Martinez?"

Speaker Steczo: "Representative Martinez? Representative Martinez in the chamber. Please remove him. Representative McAfee seeks leave to be verified, Representative Murphy. He's right here in the front."

Murphy, M.: "Yes. Thank you."

Speaker Steczo: "Any further questions?"

Murphy, M.: "Representative Erwin."

Speaker Steczo: "Please restore Representative Martinez to the

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roll call. Representative Erwin is in her chair."

Murphy, M.: "Representative McGuire?"

Speaker Steczko: "Representative McGuire. Representative McGuire is in the back of the chamber."

Murphy, M.: "Representative Bugielski?"

Speaker Steczko: "Representative Bugielski. Mr. Bugielski? Please remove him."

Murphy, M.: "Representative Capparelli?"

Speaker Steczko: "Representative Capparelli. Representative Capparelli. Is the Gentleman in the chamber? Please remove him. Please restore Representative Bugielski to the roll call. Please verify Representative Monique Davis."

Murphy, M.: "Thank you."

Speaker Steczko: "Representative Murphy any further?"

Murphy, M.: "Yes. Representative Kotlarz?"

Speaker Steczko: "Representative Kotlarz is in his chair."

Murphy, M.: "Representative Laurino?"

Speaker Steczko: "Representative Laurino. Representative Laurino. Is the Gentleman in the chamber? Please remove him."

Murphy, M.: "Representative Currie?"

Speaker Steczko: "Representative Currie. Representative Currie. Is the Lady in the chamber? Representative Murphy she is right here by the side door."

Murphy, M.: "I see her. Representative Novak?"

Speaker Steczko: "Representative Novak is in the aisle."

Murphy, M.: "Representative Gash?"

Speaker Steczko: "Pardon?"

Murphy, M.: "Representative Gash?"

Speaker Steczko: "Representative Gash is voting 'aye'."

Murphy, M.: "Representative...I'm sorry. Representative Kaszak?"

Speaker Steczko: "Representative Kaszak. Representative Kaszak. Is the Lady in the chamber? Please remove her."

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Murphy, M.: "Representative Hicks?"

Speaker Steczo: "I'm sorry."

Murphy, M.: "Hicks."

Speaker Steczo: "Representative Hicks. Is Representative Hicks
in the chamber? Please remove him."

Murphy, M.: "Would you take the roll, Mr. Speaker?"

Speaker Steczo: "Are you through with your questions?"

Murphy, M.: "Well, yes, for now."

Speaker Steczo: "The Lady indicates...please return
Representative Kaszak to the roll call. Representative
Murphy are..."

Murphy, M.: "All right. Representative DeJaegher?"

Speaker Steczo: "Representative DeJaegher. Please, please
restore Representative Blagojevich to the roll call.
Representative Hawkins seeks leave to be verified.
Representative DeJaegher, is the Gentleman in the chamber?
Please remove him. Representative Murphy?"

Murphy, M.: "Representative Granberg?"

Speaker Steczo: "Representative Granberg, is in his chair. Any
further, Representative Murphy?"

Murphy, M.: "I never saw him sitting down."

Speaker Steczo: "Anything further? The Lady has no further
questions. Representative Giles, for what purpose do you
seek recognition?"

Giles: "Yes, I would like to be recorded as a 'no' vote."

Speaker Steczo: "Please change Representative Giles to 'no'.
Representative Moseley wishes to...Representative Prussing.
On this question, there are 56 voting 'yes', 56 voting
'no'. The Amendment fails. Any further Amendments, Mr.
Clerk?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local

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Government, Second Reading, appears Senate Bill 1421, Representative Granberg. Out of the record. Senate Bill 1435, Representative Novak. Mr. Novak. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1435, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. Senate Bill 1447, Representative Kotlarz. Mr. Kotlarz. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1447, has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Persico."

Speaker Steczo: "The Chair recognizes Representative Persico on Amendment #1."

Persico: "Thank you, Mr. Chairman...Mr. Speaker. Require the department...Amendment #1 requires the Department of Energy and Natural Resources, and the State Board of Education to conduct a joint study to determine the feasibility of a statewide school recycling program. And I move for its adoption."

Speaker Steczo: "Representative Kotlarz."

Kotlarz: "Mr. Speaker. I'd ask that there be a ruling, that this Amendment not be germane."

Speaker Steczo: "The Gentleman asks the Chair to rule on the germaneness. Representative Kotlarz we will check and get right back to you. Mr. Clerk can I have the Bill and the Amendment, please? Mr. Persico or Mr. Kotlarz I should say. The Chair is prepared to rule that the Amendment is not germane. Mr. Persico?"

Persico: "Thank you, Mr. Speaker. I rise to object that ruling on this Am...this Bill was heard in Energy and Environment. It deals with the environment, and Representative Kotlarz

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Bill amends the Environmental Protection Act. I do believe that it is germane."

Speaker Steczo: "Mr. Clerk, are there any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. Representative Biggert for what purpose do you seek recognition?"

Biggert: "With Senate Bill 1447 was heard in committee and there was a commitment by the Sponsor to hold this on Second Reading if it was not agreed to by the EPA. And it is my understanding that there has been no agreement reached."

Speaker Steczo: "Mr. Kotlarz."

Kotlarz: "We can leave it on Second Reading, we can move it to third, and I'll move it back but it is not going to go to a vote. And that commitment stands. What ever the Body's pleasure is."

Speaker Steczo: "Do you say, Mr. Kotlarz, it would be all right with you to bring the Bill back to second and hold it there?"

Kotlarz: "I would...I would prefer to put it on third but if it..."

Biggert: "Well, Mr. Speaker, I think the agreement was to hold it on second."

Kotlarz: "Actually, I don't want to split hairs, but I said I wouldn't call it for a vote. If she would like to keep it on second...my my..."

Speaker Steczo: "Mr. Kotlarz."

Kotlarz: "My problem is leaving it on second having additional Amendments tacked onto it."

Biggert: "As...well I would agree that he probably doesn't want anymore Amendments. I would agree as long as it is held, and he will not call the Bill."

Kotlarz: "I have already said that."

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Biggert: "All right."

Speaker Steczo: "The Bill will remain on the Order of Third Reading. Back on the top of the Order of State and Local Government, Second Reading, appears Senate Bill 1138, Representative Novak. Mr. Novak. Senate Bill 1138. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1138, has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Persico."

Speaker Steczo: "The Chair recognizes Representative Persico on Amendment #1. The Gentleman wishes to withdraw Amendment #1? Amendment #1 will be withdrawn. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1339, Representative Dart. Mr. Dart? Mr. Clerk, please read the Bill?"

Clerk McLennand: "Senate Bill 1339, has been read a second time previously. Amendment #1 was adopted in committee. Motion has been filed. Motion has been filed by Representative Dart to table Amendment #1."

Speaker Steczo: "Representative Dart has moved to table Amendment #1 to Senate Bill 1339. On that, is there any discussion? There being none, all those in favor of the Motion, will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is tabled. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1468, Representative Deuchler. Representative Deuchler? Senate

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Bill 1468. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1468, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. Senate Bill 1510, Representative Daniels. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1510, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of State and Local Government, Second Reading, appears Senate Bill 1515, Representative Biggert. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1515, has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Skinner."

Speaker Steczo: "The Chair recognizes Representative Skinner on Amendment #1. Mr. Skinner. Mr. Skinner. Amendment #1."

Skinner: "Would you please withdraw the Amendment?"

Speaker Steczo: "The Gentleman withdraws Amendment #1. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Dart."

Speaker Steczo: "The Chair recognizes Representative Dart on Amendment #2. Mr. Dart."

Dart: "Thank you, Mr. Speaker. This is the Police Protection Amendment and I move for its adoption."

Speaker Steczo: "The Gentleman moves for the adoption of Amendment #2. On that, is there any discussion? Representative Biggert."

Biggert: "Speaker. A point of inquiry, is this Amendment germane?"

Speaker Steczo: "Let us find out for you? Mr. Clerk, may we have

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the Bill and the Amendment, please? Mr. Black?"

Black: "Yes, thank you very much. While you're checking in the possibility of germaneness on this Amendment that we have seen. I would just make my point to the Chair. We don't need to kill anymore trees for this Amendment. Now here here are identical Amendments, 2 and 3, in case one gets on and one didn't. We don't need to do this anymore. This Amendment is on every conceivable Bill. I think we would just speed the process if we would revise and extend Representative Dart's remarks and let the Bill stand on the 80 or 90 where, you know, where it is already amended and get on with the business of the House. We are killing far too many trees for this Amendment. We don't need to do that."

Speaker Steczo: "Representative Biggert, in response to your question, the Chair would rule the Amendment is germane. Any further discussion on the Amendment? Representative Biggert."

Biggert: "Mr. Speaker, is this Amendment then germane to the State Finance Act or the Juvenile Court Act?"

Speaker Steczo: "Mr. or Representative Biggert, the Amendment is germane to the Bill."

Biggert: "Is it germane to every Bill then?"

Speaker Steczo: "It is germane...it is germane to this Bill. The Chair rules on a Bill by Bill basis. Any further questions on the Amendment? Representative Pedersen."

Pedersen: "Will the Sponsor yield?"

Speaker Steczo: "He indicates he will."

Pedersen: "Is this the same Amendment that is identical to the ones that we have been talking about on other Bills?"

Dart: "Yes. It's the same good Amendment."

Pedersen: "It is identical."

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Dart: "Yes."

Pedersen: "And you will recall that just a few minutes ago we had an Amendment by a Representative from this side that was slightly different than something that passed, and I made the comment that we were passing these kind of Amendments that were all identical but that you guys over there refused to allow a...a Amendment that was a little different, because somehow it had already been voted on and passed out of here, I mean, do you recall that?"

Dart: "I...vaguely recall some of those statements, yes."

Pedersen: "Do you think it is inconsistent?"

Dart: "No. This is such a good idea, that we need to get the police on the streets so they can protect our neighborhoods, and we have to insure that that occurs by putting this on enough Bills that we know the Senate won't kill."

Pedersen: "Well, I...to the Amendment, Mr. Speaker. I'm really amazed and surprised and chagrined that...that the other side of the aisle would be so inconsistent in their...in their approach to legislation in this House, and I recommend that we treat this Amendment the way we treated the one a little while ago, from this side of the aisle."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the adoption of Amendment #2 will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative Dart."

Speaker Steczo: "The Chair recognizes Representative Dart on Amendment #3."

Dart: "Withdraw."

Speaker Steczo: "The Gentleman withdraws Amendment #3. Mr.

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Clerk, any further Amendments?"

Clerk McLennand: "Floor Amendment #4, offered by Representative Biggert."

Speaker Steczo: "The Chair recognizes Representative Biggert on Amendment #4. Representative Dart for what...Representative Biggert hold on for one second. Representative Dart, for what reason do you seek recognition?"

Dart: "Question of the Chair. Has this Amendment been printed?"

Speaker Steczo: "Mr. Clerk? Representative Biggert, this Amendment was not...has not yet been printed and distributed. Would you care to take the Bill out of the record, since it is your Bill? Okay. The Lady asks the Bill to be taken from the record. Senate Bill 1516, Representative Sheehy. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1516, has been read a second time previously. Amendment #1 was adopted in committee. No Motion filed. Floor Amendment #2, offered by Representative Skinner."

Speaker Steczo: "The Chair recognizes Representative Skinner on Amendment #2."

Skinner: "Would you please withdraw the Amendment?"

Speaker Steczo: "The Gentleman withdraws Amendment #2. Any further Amendments?"

Clerk McLennand: "Floor Amendment #3, offered by Representative Stephens."

Speaker Steczo: "The Chair recognizes Representative Stephens on Amendment #3. Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. This...we talked about the John Wayne Gacy this morning. This Amendment would simply allow that instead of John Wayne Gacy spending more time on death row in the State of Illinois at the taxpayers expense, then many of his victims had the privilege of

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living on this earth. That he would have been allowed several appeals, his case would have gone to the Supreme Court, but he wouldn't have been able to file the redundant habitias corpus request both at the federal and state level. This would eliminate some of those post conviction remedies that people like John Wayne Gacy used to suck the blood out of the State of Illinois after they had committed crimes so heinous that the state had to decide that they should die. I would...joined by the appropriate number of Members of my side of the aisle and sighting the appropriate rule ask for a Roll Call Vote on this Amendment. That will keep people like John Wayne Gacy from staying on death row year after year after year at your expense and at my expense, Mr. Speaker. And so we have this Roll Call Vote, I would...and with Representative McAuliffe at my side, and cheering in my ear, I proudly stand as an American today in favor of this Amendment and move its passage."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #3. On that, is there any discussion? The Chair recognizes Representative Dart. Mr. Dart."

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

Speaker Steczo: "He indicates that he will."

Dart: "What exactly are you repealing in this position?"

Stephens: "It's several of the post conviction remedies."

Dart: "Which ones?"

Stephens: "I believe the...and trust me, the state appeals processed a couple of those and the habitus corpus, the state habitus corpus."

Speaker Steczo: "Mr. Dart, Mr. Dart."

Dart: "Well there are about five different levels of state appeals, which ones?"

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Speaker Steczo: "Mr. Dart. Excuse me one moment. Representative Sheehy."

Sheehy: "I ask to have this taken out of the record."

Speaker Steczo: "The Gentleman wishes the Bill to be taken from the record. Appearing on the Order of State and Local Government, Second Reading, appears Senate Bill 1517, Representative Cross. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1517, has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Skinner."

Speaker Steczo: "Representative Skinner on Amendment #1."

Skinner: "Well this is really where the Amendment ought to have been voted on. But I would ask to withdraw the Amendment."

Speaker Steczo: "The Gentleman...The Gentleman withdraws Amendment #1. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. Senate Bill 1545, Representative Turner. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1545, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. Senate Bill 1558, Representative Martinez. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1558, has been read a second time previously. Amendments #1 and 2 were adopted in committee. Motion has been filed by Representative Biggert to table Amendment #1."

Speaker Steczo: "The Chair recognizes Representative Biggert on Amendment #1."

Biggert: "Thank you, Mr. Speaker. Amendment #1 is to...is to replace everything after the enacting clause, and to return to the Bill to the way it was presented with the original

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Bill plus the second committee Amendment. So it takes out...it takes out the establishing that the court shall not hold the prosecution to a showing of the traditional elements for equitable relief, and nor to authorize prevailing plans be awarded punitive damages, attorney fees, and the cost of bringing the action."

Speaker Steczo: "Representative Biggert? Representative Biggert? Is this...is...your Motion is to table this Amendment, correct?"

Biggert: "Yes."

Speaker Steczo: "Okay. So the Lady has moved to table Amendment #1. On that, is there any discussion? There being none, all those in favor of the Motion to table will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. And the Amendment is tabled. Any further Amendments, Mr. Clerk, or any further Motions."

Clerk McLennand: "No further Motions. Floor Amendment #3, is offered by Representative Biggert."

Speaker Steczo: "The Chair recognizes Representative Biggert on Amendment #3."

Biggert: "Can the...Mr. Speaker, is there also Amendment 4?"

Speaker Steczo: "Mr. Clerk, has Amendment 4 been filed?"

Clerk McLennand: "Yes, it has been. Amendments #4 and 5."

Speaker Steczo: "They have been filed, Representative Biggert. If you would like to proceed on Amendment #3."

Biggert: "All right. Amendment #3 is to return the Bill to the way that it was originally presented, and to remove the Committee Amendment 1. Which again, establishes that the courts not hold the prosecution to a showing of the traditional elements for equitable relief, authorizes prevailing plaintiffs be awarded punitive damages, attorney fees, and the cost to bring in the action."

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Speaker Steczo: "The Lady has moved for the adoption of Amendment #3. The Chair recognizes Representative Martinez."

Martinez: "Thank you, Mr. Speaker. I find this Amendment to be hostile and I...I think the Lady was addressing Amendment #1, which was adopted in committee. And so I oppose Amendment #3 and move to table it."

Speaker Steczo: "Representative Dart."

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

Speaker Steczo: "She indicates she will."

Dart: "Amendment #1 has been tabled, correct?"

Biggert: "That's correct."

Dart: "Now what...what exactly is contained in Amendment #3?"

Biggert: "Contained in committee #3 is the Bill as was originally proposed in the committee and Amendment #2, the Committee Amendment."

Dart: "So the Bill as it came over and went into...as it was in committee?"

Biggert: "There were two Amendments that were proposed in committee."

Dart: "So this is..."

Biggert: "Amendment #1 and Amendment #2 and this deletes Committee Amendment #1."

Dart: "And what was the reason behind deleting Amendment #1?"

Biggert: "The Amendment #1 made some technical changes, and provided for punitive damages, and other forms of relief by the court."

Dart: "Now if...if Amendment #3 guts the whole Bill by replacing everything after the enacting clause, why did we have to table Amendment #1?"

Biggert: "I had to do that before I gutted the Bill."

Dart: "And we didn't table Amendment 2, but Amendment 2 is no longer around because we've gutted the Bill with Amendment

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3, correct?"

Biggert: "Yes."

Dart: "Okay. No more questions."

Biggert: "I'm sorry, Representative Dart, could you repeat the question?"

Dart: "If Amendment #1 we have tabled, Amendment 2 we did not table but both Amendments are gone anyway because Amendment #3 guts the Bill and becomes the Bill, correct?"

Biggert: "That's correct."

Dart: "So we didn't need to table..."

Biggert: "No. Amendment #2 is included in Amendment #3."

Dart: "So is Amendment 2 tabled then or no?"

Biggert: "No."

Dart: "No further questions."

Speaker Steczo: "Representative Martinez. Representative Martinez, for what purpose do you seek recognition?"

Martinez: "Mr. Speaker, I would like to point out that the young Ladies...moving to table Amendment #1 when that was put in committee, that shouldn't be. Speaker, I would like to take this Bill out of the record."

Speaker Steczo: "The Gentleman wishes the Bill to be taken from the record. So the Bill will be taken from the record. On the Order of State and Local Government, Second Reading, appears Senate Bill 1560, Representative Ronen. Representative Ronen? I'm sorry. Mr. Clerk, please read the Bill."

Clerk McLennand: "Senate Bill 1560, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Representative Currie in the Chair. Third Reading. Representative Currie in the Chair."

Speaker Currie: "On the Order of State and Local Government,

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appears Senate Bill 1329, Representative Steczo. Clerk, what is the status of the Bill?"

Clerk McLennand: "Senate Bill 1329, has been read a second time previously. Amendments #1 and 2 were adopted in committee. No Motions filed. No Floor Amendments."

Speaker Currie: "Third Reading. On the Order of State Budget, Second Reading, appears House Bill 2574, on page 6 of the Calendar. Clerk, read the Bill."

Clerk Rossi: "House Bill 2574, a Bill for an Act making appropriations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. Yes, okay, sorry. We will put the Bill back on...leave the Bill on Second Reading return it from third. House Bill 2575, Representative Daniels. Out of the record. House Bill 2578, Representative Daniels. Out of the record. House Bill 2579, Representative Daniels. Out of the record. House Bill 2580, Representative Daniels. Out of the record. House Bill 2591, Representative Daniels. Out of the record. House Bill 2593, Representative Daniels. Out of the record. House Bill 2603, Representative Daniels. Out of the record. House Bill 2605, Representative Daniels. Out of the record. House Bill 2607, Representative Daniels. Out of the record. House Bill 2726, Representative Capparelli. Representative Capparelli. McPike. Is Representative Capparelli in the chamber? Out of the record. House Bill 2980, Representative Edley. Representative Edley. Clerk what is the status of the Bill?"

Clerk Rossi: "House Bill 2980, has been read a second time previously. No Committee Amendments."

Speaker Currie: "Are there any Floor Amendments?"

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Clerk Rossi: "No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2981, Representative Edley. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 2981, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2982, Representative Edley. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 2982, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2983, Representative Edley. What is the status of the Bill, Clerk?"

Clerk Rossi: "House Bill 2983, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2984, Representative Edley. Clerk, what..."

Clerk Rossi: "House Bill 2984, has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Walsh."

Speaker Currie: "Representative Walsh."

Walsh: "Thank you, Madam Speaker. One second here. What Amendment #2 does is it increases from 1 million to 3 million, the GRF funding for early intervention programs which is administered by the State Board of Education. The purpose of this program is to provide funds for screening, assessment and evaluation for children ages birth to two. And I would ask for a favorable adoption of this Amendment."

Speaker Currie: "Representative Walsh has moved adoption of Amendment 2, to House Bill 2984, and on that Motion. Is

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there any discussion? All in favor say 'aye'; opposed, 'no'. The 'ayes' have it, the Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Edley."

Speaker Currie: "Representative Edley."

Edley: "Thank you, Madam Speaker. Amendment 3, encompasses the funding contained in Amendment 2, as well as a million dollars in increased personnel reimbursement, and \$10,000 to the state board for the production of an instruction booklet for guidance counselors."

Speaker Currie: "Representative Edley moves adoption of Amendment 3 to House Bill 2984, and on that Motion is there any discussion? Representative Walsh."

Walsh: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "He indicates he will."

Walsh: "Representative did you say, that it encompasses the language in Amendment #2?"

Edley: "Yes, it does. It encompasses the 2 million dollars."

Walsh: "Okay, thank you. No further questions."

Speaker Currie: "All in favor of the Amendment signify by saying 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Younger."

Speaker Currie: "Representative Younger, Representative Younger, Representative Younger, is Representative Younger in the chamber? What is your pleasure Representative Edley? Do you want to take the Bill out of the record for a moment? Do you want to present Representative Younger's Amendment?"

Edley: "Madam, would you take the Bill out of the record please?"

Speaker Currie: "Happy to, take the Bill out of the record."

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House Bill 2991, Representative Hannig. What is the status of the Bill Clerk?"

Clerk Rossi: "House Bill 2991, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. And why don't we at this point go back and, is Representative Capparelli in the chamber? Representative Capparelli, Okay so we won't go back to that Bill. But Representative Edley, are you here Representative Edley, why don't we go back and do your Bills that are on third, on third, while you are up. So we are going start with House Bill 2980, on Third Reading. Clerk, read the Bill. Representative Ryder for what reason do you rise?"

Ryder: "Speaker it is my understanding that this is a Bill that we just heard on, second and moved to third today?"

Speaker Currie: "It had been read previously on Second Reading."

Ryder: "And does it not require unanimous consent now to be heard today?"

Speaker Currie: "No, because it had all ready been read on Second Reading."

Ryder: "I see, but we are just going on what ever order that you wish? You know that that was numerically, we were doing Second Reading now you are doing third, you jump from one number to the others, that is a course of conduct today?"

Speaker Currie: "The Chair existence in thinking that we are not going to consider these on Third Reading, we are, so it seemed sensible just to keep it on....orderly."

Ryder: "Well, we appreciate the notice that we did not receive as far as considering appropriations today. We were surprised as your staff to discover that this is the order of call today. Typically, it is a little bit more of an agreement."

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That we have some idea that this is happening, but obviously that is not to be the case today, is it Speaker? That was a question, Speaker. Is there an answer, Speaker?"

Speaker Currie: "I said the answer is that we are now on the Order of Appropriations we are on House Bill 2980, I will ask..."

Ryder: "No, that was not the question. The question was not responsive. The answer was not responsive to the question, Speaker."

Speaker Currie: "Clerk, read the Bill."

Clerk Rossi: "House Bill 2980, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Currie: "Representative Edley."

Edley: "Thank you, Madam Speaker. This is a vehicle Bill, that appropriates one dollar, and I would ask for a favorable roll call."

Speaker Currie: "Representative Edley has moved passage of House Bill 2980, and on that Motion, Representative Ryder."

Ryder: "Would the Sponsor yield for questioning?"

Speaker Currie: "He indicates he will."

Ryder: "Representative I am assuming that the \$1.00 is not indicative of your commitment to the Student Assistance Committee, or is it perhaps?"

Edley: "No, the \$1.00 is so that we can continue with the process, and get this Bill over to the Senate. So that the budgeteers, and the leaders, and the Governor can work out a budget, to where we can fund..."

Ryder: "Representative allow me to explain something to you, perhaps this question might be helpful. This Bill is dead. It does not help the process one iota, in fact the dollar that your placing on it is only one hundredth of the

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useless cost of this Bill. It is not needed. There are already Bills in place, there are already Bills in place there are all ready Bills Conference Committee Status, this is useless. Am I making my point here, Representative do you understand?"

Edley: "Well, Representative. This process tends to take many turns before we reach the end of the road. What may appear to be dead today, may arise and become alive and vibrant and effective a week or two down the road."

Ryder: "Representative, this Bill is a dead end on the road. If you want to go on record as indicating that your only vote to this date is that you want a dollar for the student assistance, you right ahead. For anyone else who wants to indicate that you want a dollar for student assistance, you go right ahead. The vote on this Bill will be your indication. This is a useless tactic. Let me ask Representative when is the dead line in the Senate for this House Bill to be heard?" be heard?"

Edley: "Those dead..."

Ryder: "The question is..."

Edley: "The question is the dead lines can be changed, all the Senate Bills are also dead, you know I assume that we...at some point and time here, in the near future, we will pass a budget, and we will revive some of these Bills that are currently appear to be dead."

Ryder: "Representative, I would suggest to you, in response to you assertion, that there are Bills that are in play, in fact, there are Bills containing a Senate budget that have currently come to the House, that met the Senate deadlines. But let me ask you this question, how many times this year has the Senate changed the rules for deadlines, so that you might have some hope that this Bill is going to be heard?"

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How many times, Representative?"

Edley: "I assume that you would know that."

Ryder: "How many times, Representative. Zero, zero, the exact value of this Bill. Zero times has the Senate changed their..."

Edley: "As one sports pun, that once put it, the game is not over till the fat lady sings. And I do not even think the fat lady has even warmed up."

Ryder: "This Bill would have to have a whole lot else on it, it is far to skinny to sing. Why are we doing this useless act? Tell me that please? Tell me. And besides that, what lady was it that you were calling fat?"

Edley: "Representative Ryder, I have always tried to be an optimist. I am not ready to go home yet, I hope your not. And let's keep the process moving."

Ryder: "With useless Bills, for a dollar for Student Assistance, and you have insulted the Ladies of this chamber. Representative, I do not know how much more damage you can do with one Bill, but if you would like to keep trying, go right ahead. I for one am standing up for the Ladies of this chamber."

Edley: "I can not hear you, Mr. Ryder, Representative."

Ryder: "That is because you hear singing and I don't."

Edley: "No, you hear the singing, you may be one of law makers from out of space, and you are communicating with the cosmos, as yet this General Assembly it is still in session, and the ball is still in play, and I...and I think we ought to pass this Bill, and keep the ball in play."

Ryder: "All right, Speaker, to the Bill. I do not understand what the Gentleman is trying to do. The Senate has shown an absolute refusal to consider any house Bills, in the event that this Bill were to pass, and I am not sure why it

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should pass, why anybody here would want to be on record as saying Student Assistance should only receive a single dollar. I do not want to vote for that. I am sure that many of you don't want your record to show for that. In the event that were to occur, there is not even a Rules Committee scheduled, in fact there has been a absolute, an absolute signal from the Senate that the Bill would not even get scheduled for Rules, much less heard in Rules, much less passed out of Rules, because it is dead. How many time does the Senate have to tell us this. How many times do we have to go through this useless tactic, but most embarrassing of all, why in the world, do you want to show a vote for a single dollar for education, for assisting students. If you want that on your record, you go right ahead. I for one do not, and I would suggest all of you be very careful as to how you vote on this particular issue."

Speaker Currie: "Representative Edley."

Edley: "Madam Speaker, take this Bill out of the record."

Speaker Currie: "Please take the Bill out of the record. Representative Capparelli has returned to the chamber. We will return to House Bill 2726, Clerk what is the status of the Bill?"

Clerk Rossi: "House Bill 2726 has been read a second time previously. Amendment #1 was adopted in Committee. No Motions have been filed. No Floor Amendments."

Speaker Currie: "Clerk read the Bill."

Clerk Rossi: "House Bill 2726 a Bill for an Act making Appropriations to Metropolitan Pier and Exhibition Authority. Third Reading of this House Bill."

Speaker Currie: "Representative Capparelli, we will leave the Bill on Third. Representative Edley are ready with House

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Bill 2981? Representative Edley, Representative Edley would you like House Bill 2981 called on Third Reading, no. How about 2982, Representative Edley. No. How about 2983? No. House Bill 2984, Representative Edley? Sorry this is the one where we were waiting for Representative Younge to return to the chamber. Representative Younge are you ready with your Amendment on this Bill, we were at Amendment 4, it was yours. Representative Younge on Amendment 4."

Younge: "Thank you, very much Madam Speaker. Amendment #4 to House Bill 2984, would provide \$175,000 to be appropriated to the State Board of Education for the demolition of the Madison Junior High School at 3rd and Alton in Madison Illinois. This is a junior high school building in Madison Illinois, that is very dangerous and needs to be demolished. The state superintendent of schools has approved the demolition of this building. All the parties involved have approved the demolition of the building, it is a extremely hazardous situation with young children playing in the neighborhood and a area not to far from here. In Alton there has been a young girl who has been abducted and it is a very bad situation, and local school districts do not have any way at all to demolish these buildings once it has been declared that they ought to be demolished. And so I ask for your support, in the funds to demolish this junior high school."

Speaker Currie: "Representative Younge move to adopt on Amendment #4 to House Bill 2984, and on that Motion, is there any discussion? Representative Edley, Representative Edley, never mind. Representative Ryder."

Ryder: "Thank you, Speaker. Would the Representative yield for a question please?"

Speaker Currie: "She indicates she will."

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Ryder: "Representative, I just wanted to make for sure this in Madison, Illinois. You made reference to an abandoned school, in Alton Illinois where a young girl was assaulted, taken as a kidnap...they are two different schools, right?"

Younger: "They are two different schools, but a similar situation."

Ryder: "Right, and there is no money in this to deal with the Alton Illinois school?"

Younger: "No, there is not. But there is a similar situation. In this neighborhood, is in physiological fear, and the people who...."

Ryder: "I am not debating, the value of your Amendment. I just wanted to make it clear, that it is not in Alton Illinois, it is Madison, Illinois, right?"

Younger: "That is correct, it is in Madison Illinois."

Ryder: "Okay, thank you."

Speaker Currie: "Further discussion? Representative Weaver."

Weaver: "Thank you, very much Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "She will."

Weaver: "As I understand it this Amendment and the next Amendment which also deals with an additional appropriations. I guess I can understand the importance to your districts of these Amendments, but why were they never brought up in during committee?"

Younger: "Well, I presented this subject matter to the committee, you will remember I talked about it in the committee, but it...the Amendment was never put on, and I do not know exactly why, but I did talk about it and bring it to the attention of the committee, hoping that it would be handled at that stage. The only way that these situations of schools that need to be demolished can be corrected, is

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that they are...go on by Amendment, there is just no other way of doing it."

Weaver: "My only concern is and you been listening to discussion to the previous Bills that knowing the Senate Rules as we do that this Bill will arrive in the Senate, too late for any action, are you aware of the fate that you may be condemning these Amendments soon?"

Younger: "Well, I would like a roll call on this Amendment. I think it is important that these school buildings that are idle that are hazardous, that damage the physiological peace and tranquility of the Community. I think that we have a duty to do something about that."

Weaver: "I do not think we disagree with that, I just want to make you aware that this Bill is not going to go anywhere, and I hate to see you waste your effort on a very worth while cause on something that is going to be scheduled to die when it reaches the Senate."

Younger: "Well, I appreciate your concern, and we will continue to fight for this, which we believe that this little community is entitled to."

Speaker Currie: "Further discussion? Representative Skinner."

Skinner: "Madam Speaker, there is another way that funding for needed schools like this and schools in my district could be found. And that would be through a reinstitution to the Capitol Development Board's, Capitol Assistance Program which was first passed in 1973. My first freshman year. Governor Edgar has proposed taking gambling proceeds from the riverboat casinos above a certain number, which he has picked, and that money would go to fund bonds for schools such as this. It would seem to me, that that there is some commonality of interest between your district and my district in such a program. Your district would get a

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higher percentage than my district would get, but never-the-less each of us would get state assistance assuming there was local matching money, I mean you would have to pay us a referendum. I think that all of us have learned that individual Amendments mean virtually nothing on this House Floor, and that what you have to do is get through to Representative McPike and Representative Ryder, and perhaps the Governor's Office, and your state and the two counterpart Legislators in the Senate that will eventually devise a state budget. And I would hope that you would point your attention toward Representative McPike, convincing him that it is a good idea. And I will do my best to convince Representative Ryder that is a good idea. Thank you."

Speaker Currie: "Further discussion? If not Representative Younge moves, do adopt on Amendment 4 to House Bill 2984. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Younge."

Speaker Currie: "Representative Younge."

Younge: "Withdraw Amendment #5."

Speaker Currie: "Further Amendments? Yes, the Lady has leave to withdraw the Amendments. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Clerk read the Bill."

Clerk Rossi: "House Bill 2984, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Currie: "Representative Edley."

Edley: "Thank you, Madam Speaker and Ladies and Gentleman of the General Assembly. This is the budget for the State Board of Education appropriates \$3,658,569,900 in a general

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revenue funds, \$1,460,000,000 in other state funds, \$16,382,300 in driver education funds and federal funds of \$972,602,300. I would ask for a favorable roll call."

Speaker Currie: "Representative Edley moves do pass on House Bill 2984, and on that Motion Representative Ryder."

Ryder: "Thank you, Speaker. Would the Sponsor yield for questions?"

Speaker Currie: "He indicates he will."

Ryder: "Representative, I heard the numbers you said, what level is this, is this state boards level or the Governors level, which?"

Edley: "It is \$25 million above the Governors level, the total of \$185 million in general revenue funds, above last years appropriated level."

Ryder: "If it is not at the state boards level, and I understand that it is not, where were the reductions?"

Edley: "We had the State Board allocate, allocate to the Governors level, and then we added an other \$25 million on top of that. The Governor had proposed funding substantially below what the State Board had requested."

Ryder: "Representative, I was not in Committee where I assume, the changes were made for the extra 25 million that is on the budget. Is that right?"

Edley: "There was an Amendment in Committee that were adopted at 21 to 5 then we adopted Representative the accumulation of Amendments 2 and 3 I think today, out \$3.5 million on to that but we adopted those Amendments today."

Ryder: "That I just asked for you to be specific of the \$21,500,000 that is in addition to the Governor's level, where is that extra money? Please."

Edley: "There are \$10 million for transportation reimbursement to parents."

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related to Frank Giglio. And, and I urge you to uphold the honor, and dignity of the Chair that you now occupy, and rule this Amendment not germane. It is not germane to the underlying Bill, this isn't necessary, the man has filed it in more places than Chicago politicians put election posters. Enough is enough, either we have some basic fairness, or I say let's go home, let's stop this charade, and get out of here."

Speaker Steczo: "Representative Brady."

Brady: "Thank you, Mr. Speaker. I, I appeal to, to your decency and the decency of the parliamentarian, you have ruled at least four times, Republican Bills, forty, excuse me 40 times, Republican Bills in the same instances of this, dealing with the same act, and a Bill with the same act nongermane. How can you justify just because it's Speaker Madigan's Bill, or Amendment to rule it germane? In the dictionary does it exclude Speaker Madigan from germaneness. In the Parliamentarian Book and Roberts Rules of Order, is that, how it's written, I think not, and I think you need to reconsider along with the parliamentarian and..."

Speaker Steczo: "Representative Stephens. I'm sorry..."

Brady: "I move to appeal the rule of the Chair and ask for a roll call vote, and am joined by the requisite number of Members."

Speaker Steczo: "Okay, okay, Mr. Brady we will, we will recognize your Motion as soon as everybody else who wishes to complete their statements. Representative Stephens."

Stephens: "Well, Mr. Speaker, it's a sad day when Representative Black stands on the House Floor and misstates the facts, because I can assure you that this Amendment, I've seen it tacked on to the wallpaper of several local restrooms, and

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Ryder: "All right that is 12 million plus 10 million plus 2 and one half million, that is 24 and one half million and you said it was a 21 million add on?"

Edley: "25 million, total."

Ryder: "All right then what about the 1.5 million to special ed? I am not coming up with 25, Representative 25 million."

Edley: "You have 10, 12, you've got \$10 million in transportation, you've got \$12 million in general state aid..."

Ryder: "That is 22."

Edley: "You have \$2.5 million for truant drop out. That's 25 million."

Ryder: "That is 24.5, and then you have 1.5 million to special education? See I do not...the numbers do not add up here Representative, and I know that you are very sensitive about cooking the books on your Amendment, and I am just wondering why they do not add up? Why your numbers do not add up."

Edley: "I think part of the problem is, Representative, that you're calculating from the state board base, rather than from the Governors level."

Ryder: "No, Representative you and I agreed on the base. The base was allocated by the state board to the Governor's level. You indicated that your Bill is at the Governor's level, I understand that, and now we are talking the add ons and I am just working with you, with the numbers you are providing, and the add ons are in excess of what you are telling me the Amendment cost. I want to be a responsible Representative, and know what it is that I am voting for, but your numbers do not add up."

Edley: "If you'll wait a moment we will put it in the context that you can understand them."

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Ryder: "That would be a first. You know if we had a little warning on this we probably could have been prepared Representative."

Speaker Currie: "Representative Ryder."

Ryder: "Thank you, Speaker I was just wondering if Representative Edley needed a calculator or adding machine? We would be happy to accommodate. I guess that he is doing okay with out it."

Speaker Currie: "Representative Edley."

Edley: "There have been some Amendments placed on this today. I would ask that we take the Bill out of the record until the staff can adjust their numbers to reflect what we have adopted here today."

Speaker Currie: "Out of the record. House Bill 2991, Representative Hannig. Clerk what is the status of the Bill?"

Clerk McLennand: "House Bill 2991, is on the Order of Third Reading."

Speaker Currie: "House Bill 2992, what is the status of that Bill."

Clerk McLennand: "The Bill is on the Order of Third Reading, a Bill for an Act making appropriations. Third Reading of the Bill."

Speaker Currie: "House Bill 2992, Clerk what is the status of that Bill."

Clerk McLennand: "House Bill 2992, has been read a second time previously. No Committee Amendment. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2993, what is the status of that Bill?"

Clerk McLennand: "House Bill 2993 has been read a second time previously. No Committee Amendments. No Floor Amendments."

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Speaker Currie: "Third Reading. House Bill 2994, it's status?"

Clerk McLennand: "House Bill 2994 has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2997, Representative Schakowsky. What's the status of the Bill."

Clerk McLennand: "House Bill 2997, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2998, what is the status of that Bill?"

Clerk McLennand: "House Bill 2998, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 2999, tell us the Status."

Clerk McLennand: "House Bill 2999, has been read second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Wyvetter Younge."

Speaker Currie: "Representative Younge, Okay, Representative Schakowsky do you wish to take the Bill out of the record? Do up you wish to take the Bill out of the record? Representative Schakowsky wants the Bill out of the record. House Bill 3000 what is its status?"

Clerk McLennand: "House Bill 3000 has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 3001, what is its status?"

Clerk McLennand: "House Bill 3001 has been read a second time previously. No Committee Amendments. No Floor Amendments."

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Speaker Currie: "Third Reading. House Bill 3002, what is its status?"

Clerk McLennand: "House Bill 3002 has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 3005 what is...Representative Saltsman. What is the Bills status?"

Clerk McLennand: "House Bill 3005, has been read a Second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 3006 what is it's status?"

Clerk McLennand: "House Bill 3006 has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 3007. What is it's status?"

Clerk McLennand: "House Bill 3007, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Currie: "Third Reading. House Bill 3008, what is it's status?"

Clerk McLennand: "House Bill 3008 has been read a second time previously. No Committee Amendments. Floor Amendment #1 offered by Representative Wyvetter-Youngue."

Speaker Currie: "Representative Youngue on Amendment 1 to House Bill 3008, Representative Saltsman asks that we take the Bill out of the record. House Bill 3012, Representative Steczo. Is Representative Steczo in the chamber? Representative Hannig, Clerk what is the status of the Bill?"

Clerk McLennand: "House Bill 3012 has been read a second time

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previously. Amendment #1 was adopted in Committee. No Motions filed. No Floor Amendments."

Speaker Currie: "Third Reading. Clerk read the Bill."

Clerk McLennand: "House Bill 3012 a Bill for an Act in...a Bill for an Act making appropriations to the Supreme Court. Third Reading of this Bill."

Speaker Currie: "Representative Steczo, on House Bill..."

Steczko: "Thank you, Madam Speaker and Members of the House. House Bill 3012 contains the fiscal year 1995 appropriation for the ordinary contingent expenses of the Illinois Supreme Court. I would answer any questions that the numbers might have. If not I would ask for favorable votes."

Speaker Currie: "Representative Steczo move passage of House Bill 3012, and on that Motion, Representative Ryder."

Ryder: "Thank you, Speaker. Would the Sponsor yield for questions?"

Speaker Currie: "He indicates he will."

Ryder: "Representative I note the fine Sponsors you have on this Bill. And I was just wondering if perhaps you might tell me the exact amount of the appropriations, please?"

Steczko: "Representative Ryder the appropriations stands at \$205,990,000 and some change."

Ryder: "And what were the subjects of the change, Representative?"

Steczko: "The changes in the appropriations or the change that I mentioned?"

Ryder: "I'm..."

Steczko: "\$600 was the change."

Ryder: "Is this the amount that is introduced in the Governors budget?"

Steczko: "The change that we have here, Representative Ryder in House Bill 3012, represents an increase of about \$19

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million."

Ryder: "Over the Governor's level?"

Steczo: "Over the Governor's level, to my understanding, at..."

Ryder: "19 million over the Governor's level?"

Steczo: "That is correct."

Ryder: "Representative, I...that is more than even I thought it was over the Governor's level, our records show 8.5 million. Could you tell me where you got the 19?"

Steczo: "Representative Ryder. I am sorry you are correct. I see a difference from the Governor as it was passed of \$8.4 million."

Ryder: "Would you state that part about me correct being correct a little bit louder please."

Steczo: "In this case Representative Ryder...You are absolutely correct, and the change is \$8.4 million."

Ryder: "A little louder, we have absolutely too much noise in this chamber for that statement to be heard, Speaker, Speaker."

Steczo: "But those people who read it in the transcript Representative Ryder will see that I have mentioned it twice."

Ryder: "Speaker, Speaker. I insist."

Speaker Currie: "Could we have a little order, so that Representative Ryder can hear his compliment one more time. Representative Steczo,"

Steczo: "Madam Speaker, I think this deserves this deserves quiet, because for the, one of the few times that I can recall, Representative Ryder is absolutely correct in his assessment, that this Bill is \$8.4 million over the Governor' request. He was correct in pointing out my error."

Speaker Currie: "Representative Ryder."

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Ryder: "I'm sure it was not your error, I'm sure you just repeated what staff told you. Like I have been doing all afternoon. And what areas is it over the Governors level? Any particular areas?"

Steczo: "Representative Ryder, the issues are an increase in personal services due to a 5% pay increase for judges and other court personnel. There is a request for 15 new employees, there is an increase in probationary services of about 5%, for Supreme Court Operations, there is a request for two security officers, there is also a request for a library clerk, two internal auditors, and 10 court monitors for the circuit courts."

Ryder: "Representative Steczo, I appreciate the detail, and I want you to know, that I stand strongly in support of the two security guards that are part of this budget. However, I think that the first part that you quit as eloquent nor as loud as you were before, did you say that this included a 5% pay increase for judges?"

Steczo: "It includes a 5% pay increase for judges and other court personnel."

Ryder: "All right, I now have a question about the procedure in this manor, what is your understanding of the status of this Bill as it pertains to Senate rules as they currently exist, Sir."

Steczo: "Representative Ryder, the best I can ascertain is that it is our position in the House to look at these appropriation Bills, determine what is acceptable, pass them over to the Senate, in hopes that the Senate will entertain looking at them, and as part of the entire budget process."

Ryder: "I am not asking you to hope Representative. I am asking you what the current status is under the rules?"

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Steczo: "Our rules deadline is Friday."

Ryder: "That is the House rules."

Steczo: "Yes, that is the House rules, that is correct."

Ryder: "I acknowledge that, and that was the fifth time that we have changed that rule. My guess is before Friday we will change it once again, so that we will have from now to eternity, to consider these rules, or these Bills. I am asking about the Senate Rule, have we not passed the deadline for the Senate to consider House Bills? As the Senate Rules currently exist."

Steczo: "Representative Ryder, you may be correct, but I am not sure how the Senate rules treat appropriations, number one, and number two, there is always a possibility as I believe that the Senate did last week of changing those rules, to consider those rules to consider especially appropriations Bills."

Ryder: "I am not asking for speculation, I understand that lots of things can happen. I am not suggesting that we will not pass a budget for the Supreme Court at some point, I believe that we will. And I believe that we will pass a budget that would allow us to accomplish the work of the Supreme Court in the court systems. My question to you very clearly was, under the current status of Senate Rules, is not this Bill past the deadline for consideration of House Bills."

Steczo: "I believe you are correct."

Ryder: "That is twice and I want to hear that one loud too. Do you want to say that again?"

Steczo: "I say I believe you are correct."

Ryder: "And I think you have a good belief. So at this point, the Sponsor admits to the best of his belief that this Bill is dead in the Senate. Now we have been saying that for

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several weeks now, but we have a leader of the Democrat Majority, who has indicated that he believes the Bill also to be dead. In the event that we vote on this Bill, I would suggest that we vote present to indicate the, this is not a Bill to, can be considered. I happen to take pride in Sponsoring this Bill along with the Representative, because I believe that the money spent is appropriate, but I can not participate in a decision when the Sponsor of the Bill himself indicates that the Bill is dead on arrival in the Senate. Thank you for answering my questions."

Speaker Currie: "Further discussion? Representative Olson."

Olson: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "He will."

Olson: "Representative Steczko, in the exchange by between Representative Ryder, and yourself. You answered some specifics on where there were increases over the Governor's introduced level. My question would be was, what was the reasoning, is there a general reasoning, specific reasoning, why did we did see some increases over the Governors level?"

Steczko: "Representative Olson could you please repeat that question for me, I could not catch the last part of it."

Olson: "Representative Ryder asked you some questions about specific..."

Steczko: "Correct."

Olson: "What is, is there a general reasoning, a general thought process, behind these individual increases? Do you have a some agenda here?"

Steczko: "There is no agenda, except that the Supreme Court felt that perhaps for certain court personnel, that they might be a good idea to provide for a pay increase. There is also a need that the Supreme Court felt that in terms of

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probationary services, which are a very, very important part of what the Supreme Court does, to increase that line item by 5%, for both grants and aid and probation officers' salary subsidies, as well as incorporating 208 of the Juvenile Detentional Personnel, hired after December 1, 1990. The reimbursement rate at 100%. In addition to that the Supreme Court has requested some new employees, security officers, a library clerk, due to the reorganization of their library at 116 North LaSalle, internal auditors, we know that they have agreed to audit, so they have requested two internal auditors, ten monitors for the circuit court program. So that is the basis, there is no agenda other than fulfilling the responsibilities that we in the Legislature have mandated that they do."

Olson: "Madam Speaker, I could only hear about a one third of what Representative Steczko said, could we have a little quiet please?"

Speaker Currie: "Could we have a little quiet in the chamber?"

Olson: "Representative Steczko, I did hear about some 5% increases, is that in line with what we are doing in other agencies as far as..."

Steczko: "I'm sorry Representative Olson, which for the court personnel? The court personnel pay increases?"

Olson: "Yes."

Steczko: "Are they in line with other agencies?"

Olson: "Yes."

Steczko: "Is that your question?"

Olson: "How does 5% compare with other agencies?"

Steczko: "I believe that they are."

Olson: "Okay. Now, I have sat in on a hearing about two weeks ago, relative to the compensation increase, possible or not, and two judges were there and they were asking for

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increases. They say they have not had any in about four years, really. I do not think that is going to happen. I do not think that the General Assembly is going to approve the merit are going to approve the compensation boards report. How will the Judges themselves feel if all their staff are getting raises and they do not get any?"

Steczo: "Well, Representative Olson, let me just indicate to you that this appropriation and this level, was introduced prior to the report of the compensation review board number one, number two I think that it is important for all of us to know that, unless we, in the legislature, act affirmatively on the compensation review board for report or on a another piece of legislation that grants those judges a salary increase, they won't get one. So that is a simple matter. They may not be happy. But that is the fact of life."

Olson: "What is the salary of the Supreme Court Judge?"

Steczo: "I'm sorry, excuse I did not hear your question."

Olson: "What is the salary of a Supreme Court Judge?"

Steczo: "Representative Olson I can not get exact handle on it, but I can get that information to you very soon. In fact, Mr. Olson would you prefer me to take this Bill out of the record so that I can get this information to you?"

Olson: "I would except that, yes."

Steczo: "Madam Speaker I will take the Bill out of the record for now."

Speaker Currie: "Out of the record."

Olson: "Thank you."

Speaker Currie: "House Bill 3111, Representative Madigan. What is the status of the Bill, Clerk?"

Clerk: "House Bill 3111, has been read a second time previously. No Committee Amendments. No Floor Amendments."

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Speaker Currie: "Third Reading. Clerk read the Bill."

Clerk McLennand: "House Bill 3111, a Bill for an Act making appropriations for the ordinary contingent expenses of the office of the state treasure. Third Reading of this House Bill."

Speaker Currie: "Representative Hannig."

Hannig: "Yes, thank you Mr. Speaker and Members of the House. This would appropriate \$9,635,000 of other funds and one million 753...I'm sorry, excuse me, this request is for \$12,499,000 in GRF and \$597,000 in other federal or other state funds, for a total of \$609,554. This is the ordinary contingent expense of the State Treasurer and the GRF is actually less than last years level. I would be happy to answer any questions and would hope for a favorable roll call."

Speaker Currie: "Representative Hannig, moves due pass on House Bill 3111, and on that Motion, Representative Ryder."

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

Speaker Currie: "He indicates he will."

Ryder: "Representative it has been a while since I have had a chance to look at these numbers, and I am wondering if you might indulge me if you will. Because I know that you have had plenty time to take a look at these last night, and this morning in preparation for what it is we are doing today. Since you had knowledge that we were going to be doing this and I did not. So again this is for the operation for the Department of the Treasurer?"

Hannig: "The Illinois State Treasurer."

Ryder: "It is my understanding that his budget is a little less than last year?"

Hannig: "The GRF request is 12,499 versus last years appropriations of 12,512..."

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Ryder: "\$12,000?"

Hannig: "Excuse me \$12,512."

Ryder: "Representative I know it has been a while since that appropriations being the Medicaid Tzar that you are, but 12,000 and 12,000,000 is a big difference, down where you and I come from."

Hannig: "Oh, absolutely and I apologize it was twelve million."

Ryder: "All right, since I was taken back by that, is it...what was last years, and what was this years again please?"

Hannig: "Again, yes 12,499 is this year. Last years appropriations was \$12,512. So, it is a reduction of thirteen."

Ryder: "Thirteen what?"

Hannig: "Thirteen thousand."

Ryder: "Thirteen thousand?"

Hannig: "That is correct."

Ryder: "Okay, that is the GRF is that correct?"

Hannig: "That's correct."

Ryder: "Is the State Treasurer show an increased revenue for his operations through any other bonding? Expenses, it is my understanding that the treasurer had some bonding funds in which they refinanced some bonds and had an increase of over a million dollars that was then placed into a special account that the state treasurer is using."

Hannig: "Well...."

Ryder: "That was evidence given, given in Committee, Representative given in Committee, Representative."

Hannig: "The State Treasurer is his responsibility to invest the excess monies and to earn interest on them, and is that my question?"

Ryder: "Yes, my concern is that if that is income that is made available through the State of Illinois, I like you would

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like for that money to be appropriated rather than allow as the exclusive slush fund of the treasure."

Hannig: "Which specific, do you know specifically which..."

Ryder: "Well, Representative if I knew we were talking about the Treasurer I would have been happy to review my files. But I'm some what taken aback, today, and I know that was purposefully on your master minded stroke of tactics here, but no I do not know the number, if you would like to take it out of the record I would be glad to have a few minutes to go back and take a look at my notes on that. To see if I could dig them out, it might take a while, I would be happy to answer a question if I can."

Hannig: "It is your question Representative, and I want to answer it."

Ryder: "And I appreciate your cooperation Representative, but since I do not have that file in front of me, nor do I have the resources of the staff that you have directly from the Treasurers Office there, I would like to get the specific amount so that we can talk about it in correct detail and I know that you would not like to pass, a Bill that would do any sort of book cooking for the treasurer."

Hannig: "We do not want to any book cooking for any one. Representative I understand that the problem you face right now, I would be happy to take it out, and let you find that...and we will try to answer that question."

Ryder: "I will do my best this afternoon to find that information, well I will try to get the information so we can work on it to Representative, Thank you for your courtesy."

Hannig: "Okay, thank you. Can we take this out of the record."

Speaker Currie: "Out of the record. House Bill 3210, Representative Brunsvold. Clerk what is the status of the

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Bill?"

Clerk McLennand: "House Bill 3210 has been read a second time previously. Amendment #1, was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Currie: "Third Reading. Clerk read the Bill."

Clerk McLennand: "House Bill 3210, a Bill for an Act making appropriations to the office of the State Attorney's Appellate Prosecutor. Third Reading of this Bill."

Speaker Currie: "Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, and Ladies and Gentleman of the House. This is the Budget for the Appellate Prosecutor, which, this year, 1994, was six million one and seventy five thousand nine hundred dollars. It was introduced at six million seven hundred and one, seven hundred and one thousand nine hundred dollars and the request as is today, the request as of the 95 budget, would be six million seven hundred one thousand and nine hundred dollars."

Speaker Currie: "Representative Brunsvold moves passage of House Bill 3210. On that Motion is there any discussion? If not all in favor, I'm sorry Representative Tenhouse."

Tenhouse: "Thank you, Madam Speaker Ladies and Gentleman of the House. Would the Sponsor yield?"

Speaker Currie: "He indicates he will."

Tenhouse: "Representative Brunsvold, we are having some questions here, there has been an agreement that two thirds of the money would be general revenue funds one third from from appellate prosecutor funds, has that goal been achieved?"

Brunsvold: "Repeat that, I did not hear that."

Tenhouse: "Two thirds as we been, it has been explained in the past, that we have had a goal of having two thirds of the funding as far as the state appellates attorney, state

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attorney appellate prosecutor. Two thirds come from general revenue funds, one third from state appellate prosecutor funds, is that, has that been achieved."

Brunsvold: "The GRF is on the request, or on...the request is three point six, a little over three point six from GRF. And the Fed, the other state would be one point nine, and the federal would be point nine, million. So it's fairly close. I do not have a calculator but..."

Tenhouse: "As we understand for the other budgets Representative that they are trying to achieve a cap as far as 3% as far as merit comp is concerned. It is our understanding that looking at this that there is a 4% increase from merit comp., could you explain that discrepancy, or difference."

Brunsvold: "Is that the ASFME? agreement, Art?"

Tenhouse: "No, we are talking about the merit comp We tried to limit it to the same..."

Brunsvold: "Same as the ASFME contract?"

Tenhouse: "Our other agencies, we're, trying to hold it 3%, as I understand it this budget is at 4%."

Brunsvold: "I think that is correct, Representative."

Tenhouse: "Are we, would you be willing to let us talk about adjusting that down to the 3% level like we had for our other state budgets?"

Brunsvold: "You want to adjust this down?"

Tenhouse: "What I am saying here is, our other agency budget we were limited to a 3% merit comp increase. This budget in place a 4% merit comp increase and that what this just for, I guess, purposes of legislative intent intent if we are going to Conference Committee, would you certainly, would you look at taking that down to the 3% level like we have on are other budgets?"

Brunsvold: "Well, I am willing to let, this is the Governors

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Budget, well I am willing to let the Governor if he wants to do the merit at 3%, that is fine with me. If the Senate wants to address that issue, and put the 3% in there that is okay."

Tenhouse: "And I guess just to correct a little bit of misunderstanding. Perhaps. This is not the Governor's Budget, under the Governor's budget that was introduced, it was \$210,000 below this figure and I was wondering if you could give us some idea of why we are coming in at a level, \$210,000 above the Governor's level."

Brunsvold: "That is the budget that we have received from the appellate prosecutors office and I asked the same question, Art, about the where the \$210,000 was, and it is in the budget, to identify the specific point I can not do that."

Tenhouse: "Thank you, Madam Speaker."

Speaker Currie: "Representative Brunsvold moves passage of House Bill 3210, all in favor signify by voting 'aye'; opposed, 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk please take the record. On this Motion there are 81 voting yes, one voting no. And this Bill, having received the required Constitutional Majority, is here by declared passed. House Bill 3259, Representative Daniels. Representative Ryder, for what reason do you rise?"

Ryder: "Thank you, Speaker. I just have an inquiry of the Chair. I wanted to know of which Appropriations Committee Representative Brunsvold is the Chairman, since he is the only guy so far that has had a Bill passed out of here. Which appropriations Committee is that, could the Chair so inform me?"

Speaker Currie: "We think it is his roll in the Sportsmans Caucus, that led to this stunning ..."

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Ryder: "I'll bet that is right, now that you think of it, the sportsman's caucus and the appellate defender have a very close relationship."

Speaker Currie: "Absolutely. House Bill,"

Ryder: "We would like to take this Bill out of the record."

Speaker Currie: "House Bill 3259, out of the record. House Bill 3260, Representative Daniels, out of the record. House Bill 3261, Representative Daniels, out of the record. Representative Biggins for what reason do you rise?"

Biggins: "Thank you, Madam Speaker, two Bills ago would you please record that I moment to vote present, I mistakenly voted an other way."

Speaker Currie: "Representative Biggins would like the record to reflect, that would prefer to have been voted as 'present' on House Bill 3210. The record shall so reflect. House Bill 3263, Representative Daniels, Representative Daniels. Out of the record. House Bill 3296, Representative Daniels. Out of the record. House Bill 3302, Representative Homer. Clerk, what is the status of the Bill?"

Clerk McLennand: "House Bill 3302, has been read a second time previously. Amendment #1 was adopted in Committee. No Motions filed. No Floor Amendments."

Speaker Currie: "Third Reading. Representative Ryder for what reason do you rise?"

Ryder: "Before we start discussion of this Bill, is Representative Homer the co-chair of the Sportsman's caucus? I just want to know before we get started, here, because I know he not Chairman of any appropriations committee."

Speaker Currie: "So you want to know how to how to vote, if he is, then..."

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Ryder: "Well it is helpful."

Speaker Currie: "If he is then we know...."

Ryder: "It is probably as good as indication on how to vote on these dead end Bills as any thing else, I will say that."

Speaker Currie: "Representative Tenhouse for what reason do you rise? Wait, we are just waiting to see if Representative Homer wants to call the Bill on third. Clerk, read the Bill."

Clerk McLennand: "House Bill 3302, a Bill for an Act in making appropriations for the office of the State Appellate Defender. Third Reading of this Bill."

Speaker Currie: "Representative Homer."

Homer: "Thank you, Madam Speaker. This is the appropriation for the ordinary and contingent expenses of the State Appellate Defender. I would move it's adoption."

Speaker Currie: "Representative Homer moves 'do pass' on House Bill 3302, and on that Motion, Representative Tenhouse."

Tenhouse: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Currie: "He indicates he will."

Tenhouse: "We are looking at the numbers here. With three point six million dollars over the introduced budget level, can you enlighten us a little bit, about why this amount would be so much higher than the Governors introduced budget?"

Homer: "My understanding Representative Tenhouse is that the Committee Amendments brought the Bill back to the Governor's level."

Tenhouse: "How does this, maybe, perhaps you can enlighten us a little bit, how does this budget as far as the State Appellate Prosecutor and the State Appellate Defender which is what we are talking about now, how are these interrelated? The fact that we had some increases in the other, would this impact on this budget later on? Or will

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it be...the current fiscal year?"

Homer: "All right, there should be, no, actually the correlation is the inverse. The appellate prosecutor's, case load is determined by the appeals filed, by the appellate defenders, so this appellate prosecutor's budget does drive the appellate defenders budget. It is the other way around."

Tenhouse: "Okay, well we have had it the other way around a lot of times here in the last few days to say the least. One of the things we are looking here, obviously, one of the reasons for the increase early on we had the case of Green versus Peters, which is of course involvement I think as far as the Department of Corrections. How will the reduction, that we were looking at and I realize that we are going back down to the Governor's level, but will we be able to comply with the concerns that are raised by this law suit, by the reductions as far as this funding is concerned?"

Homer: "Representative Tenhouse, we are relying upon the Governor's request, I am sure that he would have taken into account the law suit that you are indicating, and built that, factored that into the budget."

Tenhouse: "The Green versus Peters decision, do you have any idea when that law suit is going to be resolved, do you, since you are carrying this budget. Us poor Republicans, we are just wondering about what is going to happen as this year goes by."

Homer: "I do not know the status of it."

Tenhouse: "What...where are we at as far as this budget is concerned, we had the concern as far as this merit comp, and that last budget we were talking about from the appellate prosecutors side, in terms of the appellate

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defender do we have 3% or 4%, where are we at on merit comp. on this budget?"

Homer: "I understand that merit comp. is comprised of about 3% of the appropriation."

Tenhouse: "So the 3% is in line with the Governors budget?"

Homer: "Yes."

Tenhouse: "Are there any major equipment purchases in this budget, over and above where we were. I guess just at the Governor's level?"

Homer: "No, they had, the agency had requested equipment for the new lawyers that they had hoped to hire, but since we have eliminated that additional appropriation they requested, we have also taken away, the request for the additional equipment."

Tenhouse: "The cut as far as Committee Amendment #1, our records show that eliminates 82 positions, is that the same figure that you show on your side?"

Homer: "We show 48 positions, that were at issue. The Amendment eliminated those positions."

Tenhouse: "In terms of the case load situation. As far as the back log, do have any idea of what this is going to do the it, as far as the Committee Amendment?"

Homer: "We, based upon our information Representative Tenhouse, this appropriation level would approximately allow them to maintain, their status quo, regarding the current back log, it does not give them resources to expedite those cases, but it should not put them any further behind than they already are."

Tenhouse: "Our records show that at present time we have a back log of 1,950 cases, is that the same figure that your staff...."

Homer: "Yes, that is correct. That is what we show."

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Tenhouse: "About, and I understand obviously, that time is going to a vary based on how difficult the cases are, but approximately what is our, because of that back log, what, what is the time lag right now, as far as resolving cases? From the stand point..."

Homer: "Perhaps you should repeat...would you repeat that question?"

Tenhouse: "I guess in terms of the current back log, we are just trying to catch up a little bit here because obviously we are just, we know that your staff is very much on top of this issue, we are curious as far as the 1,950 cases, if we could get a rough idea, in terms of approximately how much of a back log that that would encompass?"

Homer: "It is staff's understanding, that that translates into an approximate one year back log, in the filing of an appeal."

Tenhouse: "Approximately one year you are saying."

Homer: "That is our understanding, the current delay."

Tenhouse: "Okay, our staff indicates two years, but again maybe a Republican lawyers are a little slower than Democratic Lawyers."

Homer: "On the uptake, that what we here."

Tenhouse: "I know how that..."

Homer: "We bill at higher hourly rate, also."

Tenhouse: "Is that what happens?"

Homer: "Yes."

Tenhouse: "I never thought I would be up here defending adding more positions as far as attorney's spots, but never-the-less, we all have our function to play. I certainly appreciate your indulgence on this and I would, I guess the fact that this budget comes in line, is one thing. But I must say, to the Bill, Madam Speaker and Ladies and Gentleman of the House, I think the real concern

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for those of us is, first of all, we are three weeks beyond the Committee deadline in terms of where we are going to be going with this issue. We also have some serious concerns, as to really where these budgets are going in terms what is going to happen and what is going to ultimately be added as far once it makes it through this process, but I encourage the Members on this side of the aisle to vote no or present on this Bill. I thank you very much for your time."

Speaker Currie: "Representative Skinner."

Skinner: "I wonder if the Sponsor could answer a question?"

Speaker Currie: "He will."

Skinner: "Do you have any idea on how much of this last year's budget for the State Appellate Defender went to defend Gacy?"

Speaker Currie: "Representative Homer."

Homer: "Actually, I have consulted with all my experts here and we do not know the answer."

Skinner: "Thank you."

Speaker Currie: "Representative Homer moves 'do pass' on House Bill 3302. All in favor vote 'aye'; opposed, vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, please take the record. On this Motion, there are 63 voting 'aye', and one voting 'no'. And this Bill, having received the required Constitutional Majority, is hereby declared passed. We are prepared to go back Representative Edley's Bill. Representative Ryder for what reason do you rise?"

Ryder: "Speaker, I am just really concerned that at the embarrassment to the appropriations chairman, because they can not get Bills out. I just don't understand it. What is going on. I mean, is Representative Homer looking for a another career now in the appropriations area, we had a

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funeral for his career last evening, was that funeral premature?"

Speaker Currie: "Perhaps you could discuss this with Representative Homer, he may have..."

Ryder: "Well I would prefer to discuss it like this, because it is every bit as valuable as any thing else we are doing this afternoon."

Speaker Currie: "We are prepared to go back to Representative Edley's Bill, on Third Reading. House Bill 2984, Clerk I believe that you have read that Bill that Bill on third. Would you advise the Chair as to the status of the measure."

Clerk McLennand: "On House Bill 2984, Amendments 2, 3 and 4 were adopted on the floor. Amendment #5 was withdrawn. The Bills on the Order of Third Reading."

Speaker Currie: "Representative Edley, and it has been read a third time? Representative Edley."

Edley: "Thank you Madam Speaker, Ladies and Gentleman of the General Assembly. This Bill, as amended, appropriates \$3,361,363,500 or \$185,185,000 in general revenue funds, more than we appropriated last year. Add to that the \$295,830,300 in teacher's retirement fund, for a total general funds appropriation of \$3,657,193,800. It appropriates, in other funds \$1,460,000 in drivers education funds, \$16,382,300, and in federal funds \$972,602,300 for a total appropriation of 4,647,638,400. This is a \$185...\$185,000 above the above the last years appropriation in general funds, and \$250,185,000 above the Governor' request."

Speaker Currie: "Representative Edley moves passage of House Bill 2984, and on that Motion Representative Weaver."

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

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Speaker Currie: "He will."

Weaver: "Now that we've got our numbers straight on a Bill that is not going to go anywhere, does this also include 6.2 million of GRF for the teacher's academy, for math and science in Chicago?"

Edley: "That is an allocation of funds."

Speaker Currie: "Representative Steczo in the Chair."

Weaver: "But that is in there. That 6.2 million is in there."

Edley: "That is in there as an allocation."

Weaver: "All right, does Bill as Amended also include four hundred thousand for operating the Enterprise School in East St. Louis?"

Edley: "I think, again Representative we will check that out, but I think that is part of an allocation."

Weaver: "Does this also contains \$400,000 for the Family Resource Development Center at State Community College in East St. Louis."

Edley: "We are checking the budget, but I do not recall that."

Weaver: "I think perhaps Representative Younger might be a little upset if it is not in there."

Edley: "Is that for a Family Resource Development Center at the State Community College."

Weaver: "Correct."

Edley: "Again that is part of the allocation."

Weaver: "Okay, as Amended does this Bill, also contain. Seventy thousand dollars of GRF for a grant to Union Community Unit School District, for a turn lane of U.S. Route 34?"

Edley: "That again is an allocation."

Weaver: "Well, but is in there right? Money is part of this budget Bill that you are offering us to vote on."

Edley: "It is in the Bill, as an allocation, not a line item appropriation."

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Weaver: "So we are taking that money, and those allocations the \$6,200,000 to \$400,000 for the Enterprise School in St. Louis, the four hundred thousand for the Family Resource Development Community College in East St. Louis, the \$70,000 for a turn lane on U.S. 34 the \$1,800,000 for Rockford Public Schools and \$100,000 for free recorded educational books for visually and handicapped students, that is all coming out of GRF that would other wise go into the school aid formula. Is that what you are telling me?"

Edley: "It is a allocation from staff development which had an over \$7,000,000 increase, \$7.9 million increase, none of the funding is coming out the general state aid. For which we have increased \$12,000,000 above the state board allocation and \$2 million above the Governors request."

Weaver: "So of that \$12 million we reallocated to do various places, about \$8.7 million."

Edley: "I'm sorry could you repeat the question?"

Weaver: "Well, according to our numbers that twelve million increase, has eight point seven million of that 12 million increase has now been reallocated to these various projects."

Edley: "As I just stated to you the allocations are not coming out of the general state aid appropriation. So that shows your staff has an error on that matter."

Weaver: "Where exactly is it coming out of?"

Edley: "It is coming out of staff development."

Weaver: "So in your view, probably the education association would not be in favor of this because we are taking eight point seven million out of the staff development fund, and putting into such things as turns lanes, and roads and teachers academy. They probably would not support this, would they."

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Edley: "Are you speaking for them?"

Weaver: "No, am asking you what your evaluation might be?"

Edley: "I would not venture to speak for them either. They have not contacted me, and opposed these allocation and we passed them I think two or three weeks ago."

Weaver: "So you think the teachers would probably be happy then, if we took \$8.7 million out of their program."

Edley: "I think the people, the teachers will be happy with the \$25 million that we have added, above the Governor's request for K-12 education."

Weaver: "Well, I am sure that they will be. I am just concerned that they might not like us taking money out of their staff development program. Thank you very much."

Speaker Steczo: "The Chair recognizes Representative Biggert."

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

Speaker Steczo: "He indicates he will."

Biggert: "Representative Edley, the increase for General State Aid is just for that. Is there any increase for categorical for this year?"

Edley: "Yes, Ma'am, there is."

Biggert: "Are those the ones that you just talked about with the teachers academy? And, or is every categorical given an increase? Such as drivers ed, physical education...?"

Edley: "I can not hear...could we have some order. I can not hear the specifics of her question. Would you repeat your question again?"

Biggert: "Is there an increase given for each of the categorical that we now fund, such as physical education, drivers' education, you did mention, but what about all the categorical that we fund?"

Edley: "Okay, physical education and drivers education are not categorical."

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Biggert: "Well they are state mandated, are they included in as an increase?"

Edley: "We can share with you the increases and categorical if that is what you are concerned about."

Biggert: "All right, can you just tell me what is the increase for all categorical?"

Edley: "Well there is quite a few of them, I can give you a total of \$44,597,200 for special education, which encompasses extraordinary services, personal reimbursements, private tuition, transportation, and so forth. We have an other..."

Biggert: "All right what about bussing?"

Edley: "We have an other \$400,558,900 for other mandated categorical, including regular and vocation transportation, the free lunch program, bi-lingual."

Biggert: "Okay, then is the percent funding of categorical increased?"

Edley: "Yes, they increase anywhere from about 15% increases to a few percentage points."

Biggert: "Well, let's say that the categorical are at 67% would they be like increased to 70% then?"

Edley: "Okay, extraordinary services under special education increased from 65%, to 81%. Personal reimbursement is about the same, personal and private tuition increased from 82% to 85.8%. Transportation increased from 74% to 80%."

Biggert: "Okay, thank you very much."

Speaker Steczo: "The Chair recognizes Representative Ryder."

Ryder: "Thank you, Mr. Speaker. To the Bill. I am going to recommend that my colleagues on this side of the aisle help avoid the embarrassment of the Democratic Chairman of the Committee, I am going to recommend that the Republicans vote yes on this Bill, to finally allow a Chairman of an

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Appropriations Committee to get an Appropriations Bill out of the House. Now it contains some stuff that I do not like. It contains some Amendments on here with some money that I do not like. But I believe that it is important for us to vote for the kids. I believe that it is important for us to vote for an education Bill, but even more important than that, we can not allow these Chairman of the appropriations process of the Majority to see Tom Homer and Joe Brunsvold pass Bills and they can't. It is embarrassing. So we think you should vote yes, on this Bill."

Speaker Steczo: "Representative Cowlshaw."

Cowlshaw: "Thank you, very much. Mr. Speaker and Ladies and Gentleman of the House. I just have an inquiry, I am not quite certain whether it is an inquiry of the Chair or of the Sponsor. Could someone let me know, whether an Amendment that had to do with the Teacher's Academy for Mathematics and Science in Chicago, was adopted to this Bill? Perhaps the Sponsor will know?"

Edley: "Representative, I think you voted for that in Committee. If those changes were adopted in the Education Appropriation Committee."

Cowlshaw: "In other words, the Bill that started out as 3371, became an Amendment, was adopted to House Bill 2984 is that correct? It's the funding for the Teacher's Academy for Mathematics and Science in Chicago?"

Edley: "That is part of the allocation."

Cowlshaw: "Very good. Could you please tell me the level of funding contained in this Bill for the Teacher's Academy for Math and Science in Chicago?"

Edley: "Hold on just one minute."

Cowlshaw: "Thank you very much?"

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Edley: "Six point two million."

Cowlshaw: "Pardon me, I'm sorry I could not hear you."

Edley: "Did you want the funding for the math and science academy?"

Cowlshaw: "I want the funding for the Teacher's Academy for Mathematics and Science in Chicago? It is an Academy only for teachers of mathematics and science. It is the subject of a memo from Leon Lenderman, which I passed out to every desk to the Floor of the House."

Edley: "\$6.2 million allocation."

Cowlshaw: "Thank you, very much. Thank you Mr. Speaker."

Speaker Steczo: "Representative Edley to close."

Edley: "Thank you, Mr. Speaker, Ladies and Gentleman of the General Assembly education I know is important to all of us. We have been able to come up with another slightly more than \$25, million above the Governor's request, hopefully the Senate can agree with that on us, with us on that increase and I would ask for a favorable roll call."

Speaker Steczo: "The Gentleman has moved for the passage of House Bill 2984. All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. The Chair recognizes Representative Hassert, Mr. Hassert, the Gentleman is not seeking recognition. Have all voted who wish? Have all vote who wish? Mr. Clerk, please take the record. On this question there are 115 voting 'yes', none voting 'no', none voting 'present'. House Bill 2984, having received the Constitutional Majority, is hereby declared passed. On the Order of State Budget appears House Bill 3432. The Chair recognizes Representative Hannig. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 3432 has been read a second time previously. Amendment #1 was adopted in Committee. No

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Floor Amendments."

Speaker Steczo: "Third Reading. House Bill 3433, Mr. Clerk please read the Bill."

Clerk McLennand: "House Bill 3433, a Bill has been read a second time previously. Amendments #1 were adopted in Committee. No Motions filed. Floor Amendment #2 offered by Representative Hannig."

Speaker Steczo: "The Chair recognizes Representative Hannig on Amendment #2."

Hannig: "Yes thank you, Mr. Speaker and Members of the House. This increase is the House Operations revolving fund, from 48,000 to 72,000 in the Senate Operations revolving fund from \$32,000 to \$48,000. These moneys are collected by selling like legislative information service and items like that to the public, and we have more money in the account that we thought we would have, and so we are increasing the authorization by this Amendment, and I would move for its adoption."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #2. On that is there any discussion? The Chair recognizes Representative Olson."

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

Speaker Steczo: "He indicates he will."

OLson: "Representative Hannig, 3432 that is amended into this Bill, is that correct, we did that in committee, I believe?"

Hannig: "What was the question?"

Olson: "House Bill 3432 that is now in 3433?"

Hannig: "We're on Amendment 2, that may be in Amendment 1 but I don't have that in front of me."

Olson: "Oh, excuse me, excuse me."

Hannig: "Amendment 2 and what does that do?"

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Olson: "Okay. That...that deals with the House operations revolving fund and it increases the spending authority from 48,000 to 72,000 and the Senate operations revolving fund from 32,000 to 48,000."

Hannig: "Okay. I guess we might be out of order if we discussed that too much. I support the Amendment."

Speaker Steczo: "Is there any further discussion? There being none, all those in favor of the adoption of the Amendment will signify by saying 'aye'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Mr. Clerk, any further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Steczo: "Third Reading. On the Order of State Budget, Second Reading, appears House Bill 3434. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 3434, has been read a second time previously. Amendment #1 was adopted in committee. No Motions filed. No Floor Amendments."

Speaker Steczo: "Third Reading. On the Order of State Budget, Second Reading, appears House Bill 3438, Representative...Representative Olson, for what purpose do you seek recognition? Mr. Olson? Mr. Olson?"

Olson: "Mr. Speaker, we withdraw the request for discussion."

Speaker Steczo: "Okay. On the Calendar, State Budget, Second Reading, Special Order appears, House Bill 3438, Representative Hannig. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 3438, has been read a second time previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. House Bill 3461. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 3461, has been read a second time

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previously. No Committee Amendments. No Floor Amendments."

Speaker Steczo: "Third Reading. House Bill 3464. Mr. Clerk, please read the Bill."

Clerk McLennand: "House Bill 3464 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig."

Speaker Steczo: "The Chair recognizes Representative Hannig, on Amendment #1. Hannig, proceed on Amendment #1."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This appropriates \$45,000 or as much as may be necessary to the attorney general for payments of the U.S. geological survey for services involved in drawing the boundary line between Illinois and Kentucky. And that was a court case that a Supreme Court appointed some people to negotiate that case between Illinois and Kentucky. It's been settled, and there is some expenses associated with that. And that's what this Amendment is about, and I'd move for its adoption."

Speaker Steczo: "The Gentleman has moved for the adoption of Amendment #1. On that, the Chair recognizes Representative Ryder. Representative Currie, in the Chair."

Speaker Currie: "Representative Ryder."

Ryder: "I was caught in the switches there. I couldn't quite figure it out. Did you come back just for me, Speaker?"

Speaker Currie: "Absolutely."

Ryder: "Would the Sponsor of the Amendment yield for a question or two or three or more?"

Speaker Currie: "He will."

Ryder: "Representative, why are we paying \$45,000?"

Hannig: "Representative, there was a dispute between the State of Illinois..."

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Ryder: "And we won."

Hannig: "...and the State of Kentucky as to where the boundary line..."

Ryder: "And we got Paducah?"

Hannig: "Well, not quite. We at least got a little bit more of that river than we..."

Ryder: "...still have to give away Cairo, though?"

Hannig: "No, we did okay, but there was some legal expenses, as is often the case with these disputes, that were involved with this and this is to pay those."

Ryder: "We're paying \$45,000 for lawyer's fees?"

Hannig: "Well, actually this is for the U.S. geological survey which were the people that came out and took a look at that..."

Ryder: "Just about lost the Bill right there, Representative. It was close."

Hannig: "I pulled it out though, I hope."

Ryder: "It was close. So we're paying the U.S. Geological Survey for their services?"

Hannig: "Yes, they came out and..."

Ryder: "And what did they do?"

Hannig: "Well, I assume, Representative, they came out and brought some records and showed us where the old boundaries were and helped these individuals who had this..."

Ryder: "You assume they did that? I mean, did they send us a bill?"

Hannig: "They did geological services, Representative."

Ryder: "All right. What's a geological service, Representative?"

Hannig: "Well, the dispute arose over..."

Ryder: "I mean, that's more than you make in a year, Representative. This should be important."

Hannig: "I got in the wrong profession, didn't I?"

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Ryder: "Well, it depends on what a geological service does. I don't know."

Hannig: "Well, the dispute arose in part over where the low water boundary was for this..."

Ryder: "Right."

Hannig: "...between the two states."

Ryder: "I'm with you so far."

Hannig: "And what we..."

Ryder: "Just take it slow."

Hannig: "Okay. And part of what we have to do is to look at the old maps, look at some of the old drawings, and have people who have this background in geology to come out and make these determinations and present this very scientific evidence to the legal people who then digested it and made this ruling. So that's what the \$45,000 is to help pay those people."

Ryder: "Your training in extemporaneous speaking, that was pretty good. Now my next question is, 'Who won between Illinois and Kentucky?' Representative, who won?"

Hannig: "Well, we believe that we did."

Ryder: "Good. Then why are the winners paying the fees? Why aren't the losers paying the fees? In most court cases, the losers pay the costs."

Hannig: "Well, apparently this court order was that we would pay at least this portion."

Ryder: "So we won but we have to pay?"

Hannig: "We have to pay this."

Ryder: "Is that all...is that all the amount or is that a portion of the total?"

Hannig: "We only know what we have to pay. I'm not sure what Kentucky has to pay. But we pay \$45,000, that's our assessment."

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Ryder: "So Kentucky might not have to pay anything? Doesn't sound fair."

Hannig: "Well, Representative, I don't know what Kentucky has to pay and I..."

Ryder: "Well, don't you think we ought to know before we pass this Amendment?"

Hannig: "I don't know that it's really important what Kentucky has to pay. It's important that we won the case and that we have all this new river that we can overlook. Maybe we can put riverboats out there. We go fishing out there. We can do a lot of good things."

Ryder: "You mean if I vote in favor of this Amendment, I'm voting in favor of riverboats? Is that what you said, Representative?"

Hannig: "I said there's a lot of things that you can be doing on that river that's now in our state, but we have to pay this \$45,000 because we owe it and the courts said so."

Ryder: "Well, I understand those courts sometimes make decisions that are unusual. What was it that we gained? Was it part of the river?"

Hannig: "Part of the problem in the past is that, for example, if you fished on the Illinois side, you would have to an Ohio...or Kentucky fishing license. Now, those kind of things are all clarified, and if you're fishing on our side of the river you buy an Illinois fishing license."

Ryder: "I had heard that before."

Hannig: "And those are the kinds of issues that were at stake here. But the cost of bringing in these professional people, we have to pay the \$45,000. That's what it boils down to, Representative."

Ryder: "Now that you mention that, Representative, see how much we learn when we have these questions and you're prepared

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for what's going on here? See... Now that you mention that, I recall someone telling me that we could actually be arrested for sitting on the Illinois bank and putting a fishing line into the, that's the Ohio River, right?"

Hannig: "Yes, that's correct."

Ryder: "Okay. But...so we could be arrested for doing that and that's the basis of the lawsuit?"

Hannig: "Well, the basis of the lawsuit was who actually controlled that river, and yes that's what, I think, brought it about is Illinois individuals fishing on the Illinois side would be approached by the game wardens from Kentucky."

Ryder: "Representative, is this GRF funds?"

Hannig: "Yes, this is general revenue funds."

Ryder: "It is now May 25, and perhaps the crack staffers that you have giving you this good information might tell me how much anticipated lapse that the good attorney general, because he's a fiscal conservative kind of person, might be going to lapse in his budget?"

Hannig: "Representative, this is just an Amendment on \$45,000 for the geological survey."

Ryder: "I understand that. I appreciate that, but the point of my question, had you been able to answer it, was it would seem to me that we might give the authority to spend but not appropriate any further money for that in the event he could absorb it into his budget. Is that not possible?"

Hannig: "Well, the attorney general asked us to offer this Amendment."

Ryder: "I'm sorry. I didn't hear that."

Hannig: "The Attorney General's Office asked us to offer this Amendment on their behalf because they feel that it's necessary in order to..."

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Ryder: "I understand that he asked for the money, but it's our job, yours as an appropriation Chairman (one who hasn't been able to pass a Bill today, I might add), but as an appropriation Chairman, don't you look at those dollars? I mean, this is an amount of money that's more than your salary? And we shouldn't just willy-nilly around that to be authorized. Why aren't we looking in his budget to see if he might lapse some money in some lines and then offer a transfer from those lines to this so we wouldn't be spending all this extra money? This is a lot of money."

Hannig: "Well, Representative, any money that lapses will go back in the general revenue anyway, so it's just a little bit of how you... You know, whether you transfer that money or whether you just let it lapse back, I don't think it's going to make any difference."

Ryder: "If he'd been a better lawyer, we wouldn't have had to pay these fees. He'd make the losers pay these fees. I don't want to make it easy for him and encourage him to win more cases that we have to pay money for."

Hannig: "Now, the attorney general's retiring. I think the least we can do is let him have this Amendment to pay his bills."

Ryder: "Maybe that's why he is retiring because he wins lawsuits and then has to pay money. I don't understand this concept."

Hannig: "You know, you're an attorney, Representative. You should understand that better than anyone in here."

Ryder: "When I'm an attorney, if I'm an attorney (which isn't very likely at this stage), I try to save money for my clients. I don't tell my clients, 'Congratulations, you won the lawsuit, now you got to pay the fees'. Thank you, Representative, for your thorough examination of the issues."

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Speaker Currie: "Further discussion? Representative Black."

Black: "Thank you very much, Madam Speaker. Will the Sponsor of this Amendment yield?"

Speaker Currie: "He will."

Black: "Thank you. Representative Hannig, I've been listening to this debate with a great deal of interest. I'm hanging on every word. Let me take you back about five minutes ago. I heard something about giving preference to Illinois fish. Now yesterday, we gave preference to Illinois horses. What are we doing to fish today? I heard something about fish."

Hannig: "We're helping all those fishermen in the State of Illinois."

Black: "We're helping the fishermen by spending \$45,000 for a lawyer to represent them. Is that we're doing here?"

Hannig: "We're saving them the cost of having to buy a Kentucky fishing license because now, because the diligence and hard work of our attorney general, we got this lawsuit..."

Black: "Well now, let's not get carried away."

Hannig: "...resolved in our favor. And so now we can fish down there along the Illinois River...the Ohio River on the Illinois side and all we need is that Illinois license that we already have, I hope, and we don't have to buy that Kentucky license anymore. So look at all the money this is going to save us and save our citizens..."

Black: "Why there's no question about it."

Hannig: "...in the long run. It's certainly well worth a small \$45,000 that we have paid to this profession."

Black: "I was just in...the other day. The price of carp has just gone through the ceiling, and now we can take it out of there and not have to pay any freight to Kentucky. Is that what we're doing here?"

Hannig: "Could you repeat the question?"

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Black: "I can't remember what it was. If Representative Woolard hadn't...hadn't bothered you, I...we had something."

Hannig: "He was just explaining to me the very important nature of this decision to the people of his district who no longer have to pay that \$45 for that Kentucky fishing license."

Black: "Well, I can understand that. Forty-five dollars? That's higher than ours."

Hannig: "We had to buy an out-of-state fishing license to fish on Illinois land."

Black: "But this \$45,000 that we're talking about, who's that money actually accrue to?"

Hannig: "Who does it accrue to?"

Black: "Who does it go to?"

Hannig: "Well, it goes to the United States Geological Survey. The people that actually came out and helped us determine that we were right in saying that that portion of that river belonged to us."

Black: "And the Federal Government...we have to pay the Federal Government to do that?"

Hannig: "We have to pay for all these professional services rendered to us by...by these federal agencies, and yes. It's only \$45,000. We'll certainly make that up very quickly."

Black: "Well, you know what they say in Washington, Representative, '\$45,000 here, \$45 billion there, pretty soon you're talking real money'."

Hannig: "Well, maybe we can get our congressional delegation to forgive this or something of that sort or reimburse us, but..."

Black: "If you could pursue that, I would join you in that pursuit. But I...I, Sir, I'm very interested in this, and

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I am glad that Representative Woolard came over because I was having difficulty last Session sleeping soundly at night because I could envision the Kentucky game wardens sneaking across, what river is that down there?"

Hannig: "That's the Ohio."

Black: "The Ohio. What's Kentucky doing on the Ohio River?"

Hannig: "They must have been lost."

Black: "Well, I'll tell you. But I...I, weren't there several Illinois fishermen arrested for fishing on the banks along the beautiful Ohio in the wonderful State of Illinois and these Kentucky game wardens coming over with their camouflage gear and harassing Illinois hunters?"

Hannig: "It was terrible, Representative. People from your district and mine..."

Black: "I know it."

Hannig: "...came down here to Southern Illinois, the beautiful part of our state, they went and did a little fishing and didn't realize that they had to have a fishing license."

Black: "I'll tell you what we could do. Maybe we could put these endangered fishermen down there along the Ohio River under that ratite law that Representative Woolard, so we can get them some...get them some additional protection. That way if those Kentucky game wardens came over and worried those fishermen, then we can get them."

Hannig: "I see."

Black: "All right. Well, I'll join you in this. This is, I think, one of your finest Amendments at a fine hour, and I can't wait to vote on this Amendment."

Hannig: "It's a fine hour, isn't it?"

Black: "Oh, it's fantastic."

Speaker Currie: "Further discussion? Representative Olson."

Olson: "Thank you, Madam Speaker. Will the Sponsor yield?"

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Speaker Currie: "He will."

Olson: "Representative Hannig, I don't know if some of the previous questions were a little tongue and cheek or not, but mine's very serious. I noticed you were being coached by Representative Woolard there and then Representative Phelps is standing just on the other side of you and he had a smile on his face. We get in some debate down here that are not really politics, they're upstate-downstate. And I'm wondering if Representative Woolard and perhaps Representative Phelps are going to have some now some new fishing accommodations that really will pay off for those residents in southern Illinois where perhaps Representative Weller here in front of me living in northern Illinois will not have access to this windfall. Is there any partisan state areas involved in this program of claiming that land?"

Hannig: "Well certainly this was not a partisan issue. The people from your district and mine traveled to the southern part of this state and fished along this river; and, quite frankly, probably didn't realize that they were under the law...under the old law before this ruling required to have a Kentucky fishing license. Now we don't have to worry about that problem."

Olson: "The...how did the game wardens from Kentucky reach the Illinois fishermen?"

Hannig: "They just came over on our side and walked along..."

Olson: "Oh, they came on Illinois property. They didn't walk on the water, so to speak."

Hannig: "...or they could be in boats. They could be in boats."

Olson: "Well, I kind of see, as we're getting ready to vote on this Amendment, I kind of see an upstate-downstate issue here, and I think we ought to watch this rather carefully."

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Thank you, Madam Speaker."

Speaker Currie: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Will the Sponsor yield?"

Speaker Currie: "He will."

Steczko: "Representative Hannig, just...just to inquire. This Amendment is to pay the geological survey for work they did to help us in a legal dispute, correct?"

Hannig: "That's correct."

Steczko: "Is that the same legal dispute that was raging for 150 years over the border at one part of our state?"

Hannig: "That is exactly right, Representative."

Steczko: "Which...which state was it that we were at issue with?"

Hannig: "We were at dispute with the State of Kentucky, the Commonwealth of Kentucky over where that boundary between they and us actually resided."

Steczko: "So for 150 years there was this boundary dispute with the State of Kentucky, and we went to court. And we won, correct? The State of Illinois won."

Hannig: "Yes. The attorney general...the attorney general was able to finally bring this thing to a conclusion in our favor."

Steczko: "Due to the work of the geological survey, correct?"

Hannig: "Absolutely. They brought in the scientific data that supported us, and, I think, cinched the case for us."

Steczko: "Well, Madam Speaker, to the Bill. I think that rather than looking at this at as a upstate and downstate issue, I think we really have to look at this as an Illinois versus Kentucky issue. And the fact was for 150 years the State of Kentucky was illegally, illegally going after citizens of the State of Illinois, the State of Kentucky contested the borders, we decided to go to court and challenge the State of Kentucky, and we won. We won and the geological

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survey helped us do that. So this is a small price to pay for winning that important court suit, and I think we should support this Amendment."

Speaker Currie: "Representative Hannig moves 'do adopt' on Amendment #1 to House Bill 3464. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker Currie: "Third Reading. Representative Hannig, do you want... Representative Hannig, do you want to consider the Bill on Third at this time? Clerk, read the Bill. I'm sorry. Third Reading. Clerk, read the Bill."

Clerk McLennand: "House Bill 3464, a Bill for an Act making appropriations to certain state agencies. Third Reading of this House Bill."

Speaker Currie: "Representative Hannig."

Hannig: "Yes, thank you, Mr...Madam Speaker and Members of the Assembly. This appropriates \$28,367,000 in GRF and \$8,271,000 in other state funds for a total of \$36,659,000 in total resources for the ordinary and contingent expense of the Attorney General's Office, and I'd move for its adoption and passage."

Speaker Currie: "Representative Hannig moves passage of House Bill 3464. And on that Motion, Representative Ryder."

Ryder: "Thank you, Madam Speaker. Would the Sponsor, since he had such an easy time with the Amendment, yield for questions on the Bill?"

Speaker Currie: "He indicates he will."

Ryder: "Representative, what is the total amount of the appropriation, GRF and otherwise?"

Hannig: "It's \$36,659,000 plus the \$45,000 we just put on."

Ryder: "As a kind of number crunchier that you are, I have this

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word problem for you. If it takes us 45 minutes to pass an Amendment that spends \$45,000, how long will it take us to pass a Bill that spends \$36 million or whatever it is?"

Hannig: "Well, I hate to even think about that one."

Ryder: "How many employees in the Attorney General's Office?"

Hannig: "The head count at the end of FY '94 is 681 people. They anticipate 685, and this is an office that will vacated in January and we'll have a new attorney general at that time."

Ryder: "Representative, I understand that, and the last time we went through this your side of the aisle proposed a six month budget for all of the constitutionals. I noticed you didn't do that this year. Of those 685, how many of those are attorney's?"

Hannig: "Well, a good portion of them are because of the nature of the Attorney General's Office requires..."

Ryder: "I'm sorry?"

Hannig: "A good portion of those individuals are attorney's because..."

Ryder: "I would expect that they would be, Representative. I just need to know how many?"

Hannig: "Well, that can vary from day to day as people leave the office and people come on so I don't know that exact number today."

Ryder: "Well, let's not ask exactly today. How many are slotted on the budget requested by the attorney general? How many attorney's?"

Hannig: "We don't have that figure with us today, Representative. But it's been consistent with..."

Ryder: "But you're asking us to pass the budget even though you don't know who's going to be working there?"

Hannig: "We're asking...we're asking that we pass a budget for

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the Attorney General's Office, someone who I think your side of the aisle hopes will be from your side of the aisle and some who hope will be from our side of the aisle."

Ryder: "Well, if you could guarantee... If you could guarantee that, you'd probably have a much shorter time passing this Bill, but I don't think you can guarantee it so we both have to go through this drill. Of...comparing the amount requested for the next fiscal year, is that above or below the amount appropriated for the preceding year...fiscal year?"

Hannig: "Okay, the request for '95 from GRF is \$28,387,000 and the '94 estimated expenditures are \$27,867,000 so the..."

Ryder: "So the...appropriation request for FY '95 is less than the appropriations for FY '94. Is that correct?"

Hannig: "No. No, it's actually higher by about \$520,000 or 1.87%."

Ryder: "All right. And that's just GRF?"

Hannig: "And that's the GRF line."

Ryder: "Are there other funds that the attorney general..."

Hannig: "There are other state funds in this budget, Representative."

Ryder: "I'm sorry?"

Hannig: "Yes, there are other state funds in this budget."

Ryder: "And are there...is the request for appropriations higher on those funds or lower?"

Hannig: "They're higher."

Ryder: "By how much?"

Hannig: "In terms of dollars, \$454,000."

Ryder: "What are the sources of those other funds, Representative?"

Hannig: "There are several. There's the Illinois Gaming Law Enforcement Fund, there's the Asbestos Abatement Fund, and

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the Crime Victim's Assistance Fund are the other funds in the general...in the attorney general's budget."

Ryder: "What is the Illinois Gaming Fund? What is the source of those moneys?"

Hannig: "That is a statutory...statutorily defined fund and the breakdown by statute comes...a portion of it comes to the Attorney General's Office."

Ryder: "I appreciate that. What does the statute say the source of the money might be? Who pays it?"

Hannig: "We're trying to find it. Do you have other questions?"

Ryder: "I know you are. I appreciate it. You know, we all had this preparation time ahead of...ahead, and I just have a few questions."

Hannig: "I'm not certain where that comes from, Representative. Do you have other questions, though, you'd like to ask."

Ryder: "Well, I was just waiting for that answer. What were the other funds besides the gaming funds?"

Hannig: "The Asbestos Abatement Fund and the Crime Victim's Assistance Fund."

Ryder: "Who pays the Crime Victim's Assistance Fund? What are the source of those moneys?"

Hannig: "Those are assessments that are made on fines for certain violent crimes so they can go to court."

Ryder: "Is it...Is it collected through the Circuit Clerk's system, perhaps?"

Hannig: "Yes. So the Circuit Clerk submits that, to the Circuit Judge assesses that the Circuit Clerk collects it and they submit it to the Attorney General?"

Ryder: "And how does the Attorney General's Office spend those moneys?"

Hannig: "The Attorney General provides grants to local organizations to provide centers for victims and witnesses

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of violent crimes and for some administrative cost."

Ryder: "What is the total amount in that line item please?"

Hannig: "That's 6,925,200."

Ryder: "And what organizations receive \$6,900,000, if you don't know the names of the organizations. Perhaps you could simply indicate where the money goes."

Hannig: "I don't have the names of the organizations, but it is to local organizations to provide centers for victims and for witnesses of violent crime. So it goes to local groups."

Ryder: "What criteria is used for those payments?"

Hannig: "The grants are awarded after review of an application by the Violent Crime Victims Divisions staff. So they review the proposals and they make grants."

Ryder: "And the third source of funds, special funds, was what, Representative?"

Hannig: "The appropriation is from the Asbestos Abatement Fund."

Ryder: "I'm sorry. I realize this is a important area, but I just can't hear the answers that are given."

Hannig: "It was the Asbestos Abatement Fund."

Ryder: "Okay, fine. Thank you. Have you had a chance to count the lawyers yet?"

Hannig: "Representative, we don't have those numbers and we'll have to dig them up for you at sometime but we don't have those today. The Attorney General's office wasn't notified to be here at this hour so they're not here to assist us either."

Ryder: "The Attorney General's Office wasn't with this, this is their budget, Representative."

Hannig: "I understand that, Representative and we're going to try to..."

Ryder: "Don't they care about their budget?"

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Hannig: "I would like to try and get one of their budgets over to the Senate."

Ryder: "Don't they care about their budget?"

Hannig: "I'm sure they care and I think..."

Ryder: "Then why aren't they here?"

Hannig: "That your side of the aisle and my side of the aisle should care about this budget."

Ryder: "Why aren't they here?"

Hannig: "Well, Representative, they were not notified that..."

Ryder: "Neither was I but I'm here."

Hannig: "I understand that and we're sorry but I am going to do the best that I can to get this Bill in the Senate."

Ryder: "You are doing us a good job. But I would like to know how many lawyers there are over there."

Hannig: "We don't have that information but I don't think that's its any different than it has been in the past portionately."

Ryder: "It's 5:30 and it's 5:30."

Hannig: "Yes, and its time..."

Ryder: "And time just flies and you may just have to take the Bill out of the record and we'll count them tomorrow morning, see who shows up for work."

Hannig: "Well, I'm sure that before we come to the end of the budget deadline and before we finally put the Bill on the Governor's desk that has the..."

Ryder: "Representative, you tell me when deadline is..."

Hannig: "We will get you those numbers, I guarantee you that, Representative."

Ryder: "You tell me when that deadline's going to be because I can hardly wait to see it, it has been a moving target for about four weeks now."

Hannig: "Well, the constitution says that we should try for June

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30th. We don't always catch that deadline but we do our best."

Ryder: "All right. I'll hold you to that. Thank you, Representative."

Speaker Currie: "Further discussion? Representative Rutherford.

Rutherford: "Thank you, Madame Speaker. Will the Sponsor yield?"

Speaker Currie: "He will."

Rutherford: "I just, Representative, just to clarify Representative Ryder's request. As we do try to find the information, I think two questions in regards to attorneys are: #1: How many staff attorney's internally are there, and #2: How many are contracted out? How much money do we spend on contract attorney's on the outside as well, if we could please? I know you don't have that."

Hannig: "I know you don't have that, Representative. But I will get that, if that is important to your side, we will get that for you."

Rutherford: "Two separate parts of that question. The other question is, how many regional offices are there with the Attorney General's office?"

Hannig: "They have a division, the Springfield division and the Chicago division. Is that what you mean, Representative?"

Rutherford: "No. I think there is actually regional offices for the Attorney General throughout the state."

Hannig: "I'm not sure of that number off hand, but the new Attorney General, whomever that may be, may want to look at that anyway. So."

Rutherford: "For example, what does the Kankakee regional office do for the Attorney General?"

Hannig: "Representative Novak said they do the same thing as all the other ones."

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Rutherford: "Perhaps we could ask Representative Novak to explain to us then what they do."

Hannig: "Representative, I think they have a number of regional offices around the state and they're in place to try to provide people with assistance when they come in and they have some...when they have some legal..."

Speaker Currie: "Representative Novak, Representative Hannig, seems willing to answer the question. Representative Novak to answer the question."

Novak: "Thank you. Representative Rutherford, the Kankakee regional office for the Attorney General services Livingston County as you well know. And it is a regional office, it services Kendall County and Kankakee and Iroquois, so it does an excellent job just like all the other regional offices."

Rutherford: "Without, without even questioning that I do realize the service territory they provide but I am just trying to understand exactly what they do there. I mean, do they...and of course the place they are we wouldn't suggest we would want to move into Livingston and they should stay right there. But what does the regional office do? I mean you got...do you have investigators, do you have attorney's, do you have fax machines, do you have secretaries, I mean, what does a regional office do, that does service my county and Representative Novak's county?"

Speaker Currie: "Representative Novak, do you want to answer that as well? Representative Novak."

Novak: "Regional offices were created, I don't know, about 3 or 4 or 5 years ago, at the request of the Attorney General with the approval of the General Assembly and a subsequent approval of Governor Thompson, at that time, and they regionalized services and they save money for constituents

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and consumers. They act on consumer complaints, they represent the state in various cases dealing with private industry and other matters. They receive consumer complaints..."

Rutherford: "The last part."

Novak: "They receive consumer complaints, they investigate consumer complaints, they represent the state in various legal cases, they mediate cases so they are worth their weight in gold. They do provide services."

Rutherford: "I may have, I may have as Representative Black said. And they've got fax machines there that are paid for by the state? Representative Hannig?"

Novak: "They have office equipment."

Rutherford: "And state faxes."

Novak: "You know they have various...I don't know specifically what they have in the Kankakee office, Representative."

Rutherford: "Okay."

Novak: "If you tell me they have a fax machine I believe it. If you say they have one I believe it."

Rutherford: "No I meant...I'm assuming they do. I just want to be sure that we've got it clear here too that if there are state fax machines in the Kankakee office, they cannot be used for political purposes paid for out of the state tax dollars. Out of the budget of the Attorney General."

Novak: "Well I would think that that would be very clear that no constitutional officer of either..."

Rutherford: "I'm sorry."

Novak: "No constitutional officer of either party should be using their internal office machinery for political purposes. Whether that be the Governor, the Attorney General, the Comptroller, the Secretary of State, the Treasurer, any of them."

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Rutherford: "Excellent. I totally agree with you and then of course if any staff persons were and tried to use them to fax out political press releases and so forth obviously Attorney General Burris would not condone that and would...look down on that happening at his regional offices in Kankakee by his staff people."

Novak: "Now Attorney General Burris is not a candidate for any office this fall but I'm certain that he would still not be in favor of any use of this for political purposes."

Rutherford: "Terrific. Thank you very much, Representative."

Speaker Currie: "Representative Flinn. Representative Flinn."

Flinn: "Madame Speaker. I move the previous question."

Speaker Currie: "Representative Flinn moves the previous question. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. And in the opinion of the Chair the previous question has been moved. Representative Hannig to close."

Hannig: "Thank you, Madame Speaker and Members of the House. This is the Attorney General's budget. I think we have debated it very throughly and I would ask for your 'yes' vote."

Speaker Currie: "Representative Hannig moves passage of House Bill 3464. All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McAfee votes 'aye'. Have all voted who wish? The Clerk will take the record. On this Motion, there are 65...64 voting 'aye', none voting 'no'. And this Bill, having received the required Constitutional Majority, is hereby declared passed. The Chair would like to announce that the Rules Committee, Rules Committee, is scheduled to meet in two minutes at 5:45 in the Speaker's Conference Room behind the

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chamber. If you are a member of Rules Committee, it is time to be on your way. Representative Ryder, for what reason do you rise? Representative Ryder."

Ryder: "An inquiry of the Chair, please."

Speaker Currie: "State your inquiry."

Ryder: "Well, I need some help figuring out what I am suppose to do. I'm on the Rules Committee and you're going to be running appropriation Bills out here, so I need to figure out. Could you go to another order of business for a few minutes?"

Speaker Currie: "I will. For you, Representative, we will go to another order of business."

Ryder: "Thank you."

Speaker Currie: "All right. So you may goes to rules with a clear, clean conscience, just so you go now. Representative Pedersen, for what reason do you rise?"

Pedersen: "Madam Chairman, I wanted to explain why I voted 'present' on that last Bill and you didn't recognize me."

Speaker Currie: "The Chair apologizes."

Pedersen: "I had a question of the Sponsor and it had to do with the Asbestos Abatement Fund, and I was curious as to what it was used for, and how much it was, and what have you. Because, you know, it just seems like asbestos keeps cropping up all the time. And every place I read says that it has been a big boon doggle and that we, you know, we shouldn't be doing it anymore of this. And so, I guess I wondered what this money was going to be spent for and if it is unnecessary as like a lot of, the media are telling me, maybe we wouldn't be filing a lawsuit, and providing them with scientific information as to why we shouldn't be doing this."

Speaker Currie: "The Chair apologizes for missing your light,

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Representative Pedersen. And I'm sure that Representative Hannig and the Representatives of the Attorney General's Office would be happy to visit you at your desk and answer your questions. Representative Biggins, for what reason do you rise?"

Biggins: "Thank you, Madame Speaker. I would like to address the Chair. Noting the hour is rapidly approaching 6:00 p.m. and a reminder of Representative Daniels request earlier in the day to hear House Bill 1700, to give this important ethics, gaming ethics, Bill an opportunity...Senate Bill 1700, an opportunity to be heard today. It might be something we can do during this brief hiatus, if the Chair would so agree."

Speaker Currie: "The Chair appreciates your careful watching of the clock, Representative. Representative Black, for what reason do you rise?"

Black: "Well, I rise to a point of personal privilege."

Speaker Currie: "State your point."

Black: "I...earlier today I asked, you know, last week a fire, last night a flood, what would be next, the locusts? I have in my hand an official document from the Convention and Visitors Bureau. Late this afternoon the locusts...the locusts will be arriving in the State Capitol. They're coming in here from Marengo, Illinois and I'm just wondering which one of the staffers over there is bringing these locusts in and how many Republican Amendments will they destroy tonight? I beseech you, Madame Speaker. Enough is enough. First a fire, then a flood, and now here come the locusts from Marengo, Illinois. Who represents Marengo, where is it? Cal Skinner represents it, I should of known, I'll sit down."

Speaker Currie: "On the Order of State and Local Government,

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Senate Bill, Second Reading, appears on page 48 of the Calendar, Senate Bill 1125, Representative Dart. Clerk, can you tell us the status of the Bill?"

Clerk Rossi: "Senate Bill 1125, has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Skinner."

Speaker Currie: "Representative Skinner."

Skinner: "I ask permission to withdraw the Amendment."

Speaker Currie: "The Gentleman has leave to withdraw the Amendment. The Amendment is withdrawn. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Leitch."

Speaker Currie: "Representative Leitch. Is Representative Leitch in the chamber? Representative Leitch would like to withdraw the Amendment. The Amendment is withdrawn. Further Amendments?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Stephens."

Speaker Currie: "Representative Stephens. Withdraw the Amendment. The Amendment is withdrawn. Further Amendments?"

Clerk Rossi: "Floor Amendment #5, offered by Representative Tom Johnson."

Speaker Currie: "Representative Johnson, Amendment #5. Representative Johnson."

Johnson, Tom: "Yes. Madame Speaker, Members of the House. This Amendment is one that has...a Bill which is previously passed out of this House and it is the Truth in Sentencing Bill that passed out of the Judiciary Committee proposed by State's Attorney O'Malley in Chicago. Basically this is a

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Truth in Sentencing Bill that would require that anyone convicted of a felony would serve 85% of their time and I would ask that this Amendment pass."

Speaker Currie: "Representative Johnson moves adoption of Amendment 5 to Senate Bill 1125. And on that Motion, Representative Dart."

Dart: "Thank you, thank you. Will the Sponsor yield?"

Speaker Currie: "He indicates he will."

Dart: "Representative, is this the same Amendment the Representative Hoffman...similar to his Bill?"

Johnson, Tom: "Very, very similar, that is correct."

Dart: "And it is the same as the one you passed out of here too?"

Johnson, Tom: "It's the one that we passed out of here, that is correct."

Dart: "Okay. We passed out, how many, three times now?"

Johnson, Tom: "That's right. That was after the deadline, this of course of an Amendment now on a Senate Bill, so hopefully one of these will survive."

Dart: "Yes. How much is this one going to cost, again?"

Johnson, Tom: "Well, its debatable, you know, we've heard numbers from everywhere from \$500,000 up to \$5.6 billion over..."

Dart: "Yes, 5.6 billion, yes. Five Thousand Six Hundred Million?"

Johnson, Tom: "Five Hundred Thousand."

Dart: "Yes but that 500,000, I think those numbers came from somebody who was guessing that we weren't going to have any crime in the next three or four years."

Johnson, Tom: "No. That came from some pretty detailed studies from State Attorney O'Malley's office, that it projected out but look if you've got the people in here recidivism is going to go down, obviously we would hope some deterrent effect would take place and of course the cost of crime itself turns to society of these people going out and

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committing these crimes."

Dart: "And State's Attorney O'Malley worked out a formula for that?"

Johnson, Tom: "Those were the projections that he listed in front of committee."

Dart: "And you're sure that was for the entire State of Illinois and not just for one precinct?"

Johnson, Tom: "No. That was for the State of Illinois. That's correct. So obviously, it is broad range."

Dart: "And so this would be no good time credit at all."

Johnson, Tom: "It's the same projection, I might add, in fact there was only one projection for Representative Hoffman's truth in sentencing. It was the 5.6 billion."

Dart: "Yes. And now this is...that have to serve 85% of their sentence for any offense, for any felony?"

Johnson, Tom: "That is correct."

Dart: "And so the retail thefts over \$150 they have got to serve theirs?"

Johnson, Tom: "If it a felony, that is correct. It would be 85% of their time."

Dart: "So, they will be taking up the bed space for the in the prison system for 85% of their sentence?"

Johnson, Tom: "If they are convicted of a felony, that is correct, sure."

Dart: "Sure. No further questions."

Speaker Currie: "Further discussion? Representative Skinner."

Skinner: "Madame Speaker, pursuant to Rule 55 (c) I would request a roll call on this. I think I am joined by sufficient numbers."

Speaker Currie: "The Chair does see five hands."

Skinner: "And I would just note for the record that the Department of Corrections doesn't oppose this Bill. The

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only corrections Bill they oppose are Mary Flowers and mine."

Speaker Currie: "Representative Tom Johnson, to close."

Johnson, Tom: "This has been debated several times in this chamber and I would just ask for an 'aye' vote."

Speaker Currie: "The question is, 'Shall the House adopted Amendment 5 to Senate Bill 1125? All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? On this Motion, there are 101...102 voting 'aye', 5 voting 'no'...103 voting 'aye', 5 voting 'no'. And the Amendment is adopted. Are there further Amendments?"

Clerk Rossi: "Floor Amendment #6, offered by Representative Biggert."

Speaker Currie: "Representative Biggert."

Biggert: "Thank you, Madame Speaker. Amendment 6 is the Boot Camp Bill that we passed out earlier and is to permit the sheriff in a county of 3 million or less, with the approval of the county board, to operate an impact incarceration program for persons who would otherwise be sentenced to a term of imprisonment."

Speaker Currie: "Representative Biggert moves adoption of this Amendment. And on that Motion, Representative Dart."

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

Speaker Currie: "She will."

Dart: "One quick question, Representative. How many Bills is this Amendment been put on or filed on?"

Biggert: "Its been put on several Bills, but this is the second one that has come up."

Dart: "The second one has come up and has been filed on how many Bills?"

Biggert: "I believe nine."

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Dart: "Nine?"

Biggert: "Yes."

Dart: "Okay. Thank you."

Biggert: "But if it...if it passed on this I will withdraw all the rest."

Speaker Currie: "Representative Biggert moves passage...moves adoption of Amendment 6 to Senate Bill 1125. All in favor say 'aye'; opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #7, offered by Representative Schoenberg."

Speaker Currie: "Representative Schoenberg."

Schoenberg: "Thank you, Madame Speaker, Ladies and Gentlemen of the House. Floor Amendment #7 creates a grant program for the state police to administer grants to counties in the metropolitan Chicago area. So that those counties can send a law enforcement official with a member of the Federal Alcohol, and Tobacco and Firearms Department to provide for personal interviews with individuals who to apply for federal gun licenses. This is a program which has been successfully utilized in New York City, thus far, during the period of time that it has been in force over 90% of the people who do apply for federal gun licenses withdraw their applications, because they don't want the prospect of a personal visit from a member of the law enforcement community. This passed with no opposition as a House Bill with short...on short debate and I urge its adoption."

Speaker Currie: "Representative Schoenberg moves adoption of Amendment 7 to Senate Bill 1125. And on that Motion, Representative Cross."

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

Speaker Currie: "He indicates he will."

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Cross: "Representative, what's is the reasoning behind only having Cook, Will, Lake, DuPage, Cain and McHenry included in this Amendment?"

Schoenberg: "The rational behind it is that the...the overwhelming number of federal gun licenses that...lets put it this way, those individuals who are applying for federal gun licenses who perhaps we would not want them to have federal gun licenses because of their links with criminal activity, they are concentrated in the metropolitan area. The last thing I want to do is create a situation where we are not addressing the problem at its fullest, with a minimal amount of resources. And that why its limited to the metropolitan area."

Cross: "How much money are we talking?"

Schoenberg: "The cost...the cost estimate that was provided within the fiscal note, I'm sorry, the cost estimate provided by the Department of State Police is in the area of \$100,000 to \$150,000. To me that...I personally think, that that represents a tremendous bang for the buck, if you will pardon the expression, because of the large number of people who do end up not completing the federal gun license program as a result of having someone available to make a personal visit."

Cross: "Are we not treading into the ground for the area of federal government and ATF responsibility?"

Schoenberg: "No we're not. Because this would provide for a county law enforcement official to accompany a federal ATF official. The ATF...the program which currently exists in New York City, the U. S. Bureau of Alcohol, Tobacco and Firearms, they would...they make the provisions and provide the funding for doing this anyway. This is some...for the local component in New York, this is something...a

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responsibility that the municipality has taken upon itself. What I am saying is, that we want to enable the counties to take it upon themselves to supplement, on their end, what the ATF is doing. In New York a federal ATF agent goes with the local law enforcement official. These grants would make it possible to pay for those local law enforcement officials to go with the ATF."

Cross: "What...where are the state police on this?"

Schoenberg: "The state police...the state police has offered no formal position on this."

Cross: "Are we...are the counties that you have listed in this Bill going to incur additional costs or will it all be included under the grant?"

Schoenberg: "I'm sorry."

Cross: "Will the counties be incurring additional costs or will it all be part of the grant program?"

Schoenberg: "It will all be part of the grant program."

Cross: "What about areas...do we have statistics in areas like Rockford or Aurora, Peoria or East St. Louis, where we are having non-compliance? Similar to what is happening in the collar counties."

Schoenberg: "Those...those statistics are not readily available but what I will say is, the reason why I designed...the reason why I designed this Bill to deal with the Chicago Metropolitan Area would be to see if it was indeed successful. And if this where to be successful, I would strongly encourage us, in subsequent years, to reach out and make this available on a broader basis. But, this has worked with some...with a great degree of success in New York City and I thought that we should try it within a geographical region of the similar size, a similar demographic makeup and the last as one who represents a

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suburban area, like yourself, I do recognize that these problems exist beyond the borders of the City of Chicago. Thank you very much."

Speaker Currie: "Further discussion? Representative Mulligan."

Mulligan: "Thank you, Madame Speaker. Will the Sponsor yield for a question?"

Speaker Currie: "He will."

Mulligan: "Representative Schoenberg, in New York did this just encourage gun dealers to trade outside of the city?"

Schoenberg: "I'm sorry, I wasn't paying attention. Could you repeat the question?"

Mulligan: "In New York do you know if this just encouraged gun dealers to work outside of the city?"

Schoenberg: "The information that was provided to my staff from the New York City Police Department shows no evidence of that. Pardon me. I would be happy to tell that the results of the program, the project began in February of 1993, the personnel involved for New York City required 2 ATF inspectors, which were paid for by the Alcohol, Tobacco and Firearms, two New York City Police Officers, and one New York City Police Supervisor. From February 1993 to September 1993, there were 167 applicants for federal gun licenses and 56 of those applications were abandoned and 98 of them were withdrawn, three were denied, out of the 167, as a result of this. And in January of 1994, of 95 applications which were initially made when it came time for a personal visit from someone from the New York City Police Department, as well as, from the Department of Alcohol, Tobacco and Firearms. Of the 95 applications which were originally pending, 50 were withdrawn, 40 were abandoned and 5 were issued. So there is no evidence to date as to whether or not this is moving outside the

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boundaries of Chicago but what we do want to do is in order to keep federal gun licenses in the hands of responsible parties, we want to be able to address those areas where there are the higher incidents of people who are receiving federal gun licenses without the type of checking that they should receive."

Mulligan: "I think this is probably a more appropriate way to deal with the gun issue and who the people are that they're selling gun to. I'm just...was...had some concern over the fact that all this would do is, move the center of operations if you limit it to just a certain area or put a certain group of people at a disadvantage or an advantage over other people. It does appear that, it makes people appear before them for the interview that are legitimately doing business rather than people that may be looking towards doing business illegitimately."

Schoenberg: "Well, the people who are conducting...the reason why the New York City Police Department is...has been so enthusiastic about this, thus far, is because...they feel because they feel that it has reduced the amount...the number of firearms which are available to...through federal gun dealers who...because of the sheer volume of people who are being...who are applying for a federal gun licenses don't have...they don't have the opportunity to provide the type of thorough investigation that perhaps they can. The New York City Police Department...this program, as I indicated, was...began in February 1993 and so, thus far, it is too premature to say to what extent people are going beyond the boundaries of the geographical area. However, the New York City Police Department and many in the law enforcement communities do find this to be a successful measure thus far, and based on the statistics which

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statistics which they provided me and my staff, they seem to feel that it is an expenditure well worth it. And because, as I said to Mr. Cross, because the geographical region, the size of the geographical region for metropolitan Chicago area, seems to be the same in size as New York City. I am looking to see if this pilot would actually be effective here. If it were not to be effective, I would be among the first to suggest that we appropriate our resources in a better manner."

Mulligan: "So in other words, this would just strictly effect the City of Chicago?"

Schoenberg: "This would effect the metropolitan Chicago area. It would effect the City of Chicago and those counties surrounding it. Those counties which constitute the metropolitan Chicago area."

Mulligan: "Law enforcement feels that they can monitor to this well enough to see if perhaps they are encouraging dealers to move their base of operation who do not particularly want to do business legitimately to other areas of the state so that if there was such a problem were to arise they could monitor that?"

Schoenberg: "The question with federal gun licenses because of the...because of the large number of applications which are made. As is the case with many license applications, whether it is federal gun licenses, whether it is anything. The problem which often occurs on the local level, is that we would like to encourage people to have greater accountability and to do a more thorough job. But yet, the resources on the local level simply don't exist. This is a paradigm which appears to be successful in the New York area and what I am proposing is that we do is adopt something similar here and we're doing it for...not just

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for the City of Chicago but we are doing it for the entire Chicago metropolitan area. Where I believe that there is a higher percentage of individuals who we would want to have that personal visit from a law enforcement official."

Mulligan: "I think it's an interesting concept. Thank you."

Speaker Currie: "Further discussion? Representative Black."

Black: "Thank you, Madame Speaker. Will the Sponsor yield?"

Speaker Currie: "He will."

Black: "Representative, have you talked to the Bureau about Alcohol, Tobacco and Firearms about this idea?"

Schoenberg: "My staff has been in contact with the Bureau of Alcohol, Tobacco and Firearms as well the New York City Police Department."

Black: "And what did they tell your staff about this idea? Are they all excited and want to work with you, hand in glove on this? I can just imagine the BATF agents just want to go all over the collar counties, Cook, with a...what is this a deputy sheriff or a city police officer that is going to accompany them? Do you make that distinction in the Amendment?"

Schoenberg: "The Amendment provides for a just..."

Black: "Local police departments."

Schoenberg: "For counties for be able to determine..."

Black: "If a BATF agent was going out checking on a federal firearm licensee applicants and he had several places to go that day in Cook County, does your Amendment state that these grants are only going to go to local police departments so that jurisdictional problems will result or will they go the county sheriff's departments so that in the unincorporated are the deputy sheriff could follow along with him."

Schoenberg: "They will go...they will go to local police

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departments within the metropolitan Chicago area, so that those local law enforcement officials can accompany a federal Alcohol, tobacco and firearms agent in order to make a personal visit. However, Sir, as I indicated earlier from the statistics that I provided, that the vast majority...it's the very...it's the mere specter of a personal visit from a member...from two members of the law enforcement community which have deterred a great number of people who are...who perhaps we would have reason to doubt whether they should have federal gun licenses. The mere specter of the personal interview has been enough to deter over 90% of the people from either completing the firearms...from completing the entire application process."

Black: "Is that right?"

Schoenberg: "Now if I were from...now if I were from an area of the state such as your own, or if I were to be ...or if I were to be an individual from the metropolitan Chicago area operating, operating a responsible gun shop for sportsmen, I would see this as something that would frankly now give me a great sense of relief to know that these things are being done...that these applications processes are being done in the most thorough manner possible. But all I am simply suggesting is that just the mere possibility of a personal visit from the law enforcement community to someone who applies for our federal gun license is generally been enough in this New York City pilot program. It has generally been enough to deter many individuals who the New York Police Department feel should not have federal gun licenses. It has not deterred them from completing the process, either withdrawing their applications or if they have been bold enough to try to complete the process they have been turned down. I think the individuals who you and

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I are concerned about, I have no...the individuals who you and I would fear that this would be an owner's burden to them. I don't think that they have anything to be concerned about. But I do think this has proved to be, thus far an effective tool in the management of federal gun licenses."

Black: "Well, that's all fine and dandy, but you didn't answer my question. It would seem to me that you are simply creating a jurisdictional nightmare. Obviously an agent of the Bureau of Alcohol, Tobacco and Firearms can go throughout these six counties and check on these license applicants. Now, as I understand your Amendment, you're going to set up a program where the BATF agent has to be accompanied by quote, 'a local police department' unquote, to make these visits. Now if you're in Arlington Heights, I assume that officer could only go to Arlington Heights. If you're in Schaumburg, that officer could only visit those applicants in Schaumburg. If you're in the City of Chicago, now we are talking about the City of Chicago police department. So are you telling me that the bureau would be in favor of this because their agent would have to call maybe 30 different jurisdictions and say, I'm going to be in your area today and the following 29 towns so please make sure that an officer is going to meet me so we can go check on these licenses. You're telling me that your not creating a jurisdictional nightmare?"

Schoenberg: "Sir, the way the program currently...if I were perhaps making this up on my own, perhaps I would be creating a jurisdictional nightmare, however, I'm not making this up on my own. This is a program which currently exists and what I am suggesting Sir, is that replicate both the mechanics and the dynamics of the

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program so that people who apply for federal gun licenses do have the opportunity to get a visit from a local law enforcement official and an ATF agent. As the statistics, which I sighted, indicate just showing up to inquire has required...just showing up to inquire has required the majority of applicants to either withdraw or abandon their requests."

Black: "Does not...does not the Bureau of Alcohol, Tobacco and Firearms have this authority? They could go visit anyone who applies for an FFI license, don't they have that jurisdictional authority right now?"

Schoenberg: "They do indeed have the jurisdictional authority, however, local law enforcement communities would be able to assist in that...to assist in that, not necessarily in a jurisdictional sense but in a practical sense. Because if you are saying that you're going to get a visit from the Chicago police department, and or the ATF, or if you're saying that you're going to...that you're going to get a visit from the Schaumberg police department, or the Evanston police department, and or an ATF agent, if in fact, you wish to have a federal gun license. The statistics have proven, thus far, that the number of people who do indeed try to complete the application process that it deters them from doing so. The very people who we feel do not deal with firearms in a responsible manner. I should tell you that I viewed...you and I, Sir, are always looking for areas where inter governmental cooperation can be enhanced on a state, federal and local level. In this area, it would seem to me, that this is something which is proven successful, thus far. And what I would like to do is be able to replicate this very paradime here in the State of Illinois and if, in fact, we were to see that it

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has proven successful to expand its parameters beyond those communities within the Chicago metropolitan area."

Black: "Well, I'm trying to figure out the genesis of this Amendment. You didn't answer the question, maybe I didn't phrase it quite, you know, accurately. Did BATF ask that such Amendments or pilot programs be adopted, or did the city or county police authorities, did they come to you and say that we need to replicate this program that is in New York or did you just read about this and decide to file the Amendment?"

Schoenberg: "Mr. Black."

Black: "Yes."

Schoenberg: "My interests...my interests in this stem from a January 9, 1994 New York Times column by Mr. Bob Herbert outlining the measure of success that this program has shown thus far in the metropolitan...in New York City. After reading this column I asked my staff to contact the Sergeant Janett Dice of the New York City Police Department, Mary Kathryn Hart of the U. S. Bureau of Alcohol, Tobacco, and Firearms and Mr. Jim Finley from the Illinois State Police to get their input on crafting such a measure for the State of Illinois. It's on that basis that I offered this Amendment which it was originally, as I indicated in my opening remarks, it was originally House Bill 3357, which passed without a single opposing vote and I have amended it on to this Bill which I was the original Sponsor because I felt that this is an effective measure."

Black: "You say the underlying House Bill passed without a descending vote, are you talking about committee vote?"

Schoenberg: "That's correct, Sir."

Black: "Okay. How many federal firearm licenses are held in New York City, do you have any idea? Are we talking a whole

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bunch or just a few?"

Schoenberg: "I don't have that figure available however I can tell you that according to the Bureau of...the Bureau of Alcohol, Tobacco and Firearms midwestern regional office that there are more than 10,000 registered gun dealers in Illinois. I cannot, however, provide you with a breakdown of where those fall in the metropolitan Chicago area except it is a generally acknowledged fact that in the metropolitan area the very people who we think take advantage of how easy it is to get a federal gun license, they more than do so."

Black: "Well, what I'm trying to get straightened out in my mind, the State of New York has one of the most stringent anti-gun laws of any state in the country and they have had it since the 1930's. I think it is called the Selabant Law. You cannot lawfully possess a handgun in the State of New York. And I just was curious as to whether or not there would be a whole bunch of federal firearms licensees in New York City since the ability to own or possess or carry a firearm in New York has been limited for a number of years."

Schoenberg: "As I indicated earlier, the...there has been an extremely high level in New York of inter-governmental cooperation between on the federal and local level to implement this program. This is...these...this is a program which the bureau feels has been successful in New York, thus far. It's a program which the city feels has been successful in providing a more thorough comprehensive check of individuals who apply for federal firearm licenses. If it can work in New York, if I can, if it can work in New York I believe it can work here in Illinois with a metropolitan area of similar size. And all I'm

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asking, Sir, is the opportunity to try this."

Black: "Well, let me...let me get at another thing that I'm not...that I'm having difficulty understanding. The Amendment is relatively silent on where this grant money comes from. Now am I to assume this grant money to local police departments will come from general revenue funds of the State of Illinois?"

Schoenberg: "The grant program would be established by the state police. It is contingent upon the approval of the U. S. Treasury Bureau of Alcohol, Tobacco and Firearms."

Black: "Well that is all well and good but a grant program to me means an expenditure of money, now since the Amendment is silent as to where the money comes from. Are we to assume that this money will come from the State of Illinois taxes?"

Schoenberg: "The Amendment makes no provision for that."

Black: "I know."

Schoenberg: "The money indeed would come from the State of Illinois."

Black: "Okay. I think that is very important to establish that. The Amendment is also silent on the amount of money that may or may not be appropriated. Do you have an amount of money in mind, to set up this pilot program?"

Schoenberg: "Earlier, Sir, the Illinois Department of State Police estimated that to for the same kind of personnel costs that it would be in the area of \$100 to \$150,000, To me that seems to be a pretty good return on the dollar given that a similar expenditure for the program, in New York, has resulted in over 90% of the individuals who have applied for their licenses deciding that perhaps it is a better idea not to do so."

Black: "The figure you quoted, a 150,000 or so, was that in a

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fiscal note or is that just a figure that somebody said, well we probably could do it for that?"

Schoenberg: "That was a request that was made of the state police as to the cost. As far as the fiscal note is concerned, it did not specify as such."

Black: "All right. Well, thank you very much for your patience, Representative. Madame Speaker and Ladies and Gentlemen of the House. The Amendment before you is certainly an interesting Amendment and the Gentleman seems to have worked very hard on it. He got this idea from the New York Times, boy that paper gets wide circulation in my district. I know we're very interested in one of their candidates for Governor, I think he's a disc jockey or something. But anyway, New York is New York. To the Amendment."

Speaker Currie: "To the Amendment."

Black: "To the Amendment. Thank you very much, Madame Speaker. The Amendment is open ended, it doesn't say how much money we're going to take out of General Revenue dollars and give to local police departments. Not to meet the cost of the other Amendment that we have seen but to accompany BATF agents as they do their inspections of federal firearms licensees or applications. I would simply submit to you, I don't know of a police department in the State of Illinois that has enough money to put enough manpower or person-power on the street to do the job that we expect them to do. We have state troopers driving cars in excess of 100,000 miles on them. As I said earlier, we have at least 30 counties who don't have a state trooper available to...for patrol duty from the hours of 11:00 p.m. to 7:00 a.m. Now if we are going to find money to give the police departments so that they can have somebody ride along with a BATF agent, I would suggest to you that a better place to

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put that money is in basic law enforcement. And rather than have the state police set up this program and transfer money to local entities, I've got a great idea. Why don't we give the money to the Illinois State Police? Maybe they could buy new squad cars for heavens sakes. Or maybe...maybe, heaven forbid, we could start a new class of cadets at the State Police Academy. I don't remember the last time we've hired a new state trooper in the State of Illinois. If I'm going to spend any money I want it to go basic law enforcement, not to have somebody go out and ride around with a BATF agent. And I'll make you a bet right now, the Bureau of Alcohol, Tobacco and Firearms probably isn't going to be real excited about having various jurisdictional disputes on who's going to accompany their agent as that agent goes about the business of the BATF. This Amendment, that its Sponsor is well intended, but this is so open ended, I would have to say a 'no' vote would be the only vote you could cast in good conscience and I intend to do so. Thank you, Madame Speaker."

Speaker Currie: "Further discussion? Representative Hicks."

Hicks: "Thank you, Ms. Speaker. Will the Sponsor yield, please? Representative Schoenberg, have you discussed this with the Illinois State Police? Have you discussed this at all with the Illinois State Police? So they have..."

Schoenberg: "No, Sir. They have not filed an official position on this Bill. They had the opportunity to do so in committee when this Bill was originally heard in the Judiciary Committee and they filed no position one way or the other."

Hicks: "Are you aware of the Clinton Administrations proposals for dealing with ATF and federal firearm licenses, are you aware of what their proposal is for licensing now?"

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Schoenberg: "I know that there is a proposal pending, however, there is not currently one in force."

Hicks: "Okay. Are you aware that it is a proposal and as I understand is seriously, if it hasn't already been passed, is being passed right now. That is going to increase the fee for obtaining a federal firearm license, dealer's license?"

Schoenberg: "Yes, I understand that."

Hicks: "Okay. Do you know what the current fee is?"

Schoenberg: "Pardon me."

Hicks: "Do you want the current fee is for a license?"

Schoenberg: "I believe the current fee is \$30."

Hicks: "Is how much?"

Schoenberg: "Thirty dollars?"

Hicks: "Thirty dollars, I believe that's correct. Are you...do you know what the proposed fee increase by the Clinton Administration is?"

Schoenberg: "I know that it is significantly higher?"

Hicks: "Something like a \$1,000 now, in that range?"

Schoenberg: "I would believe it is at least 10 times, I don't have an exact figure..."

Hicks: "Have you seen some of the estimates that because of the increase in fees they now believe that something less than 15% of all license dealers, all federal license dealers, now will not be renewing their license because they won't be paying the fee."

Schoenberg: "Mr. Hicks, my intention with this Bill, is not to preclude those federal gun dealers particularly those which...particuliary those which deal exclusively with sportsmen and the law enforcement community. My intention is not to price them out of existence, which is why I'm not suggesting that we sponsor a state Bill which creates a

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state gun license or a local gun license and jacks that cost up considerably. I'm not proposing that we do that, what I am saying is, that the target population that we're looking...in a perfect world someone who pays their \$30 application, fills out a form saying that they are not mentally unstable, a convicted felon, or an illegal alien. That is sent to the Bureau of Alcohol, Tobacco and Firearms and that person more or less as a formality, receives their license. Now in theory, the BATF could do a check of the application but in reality we know those checks don't get made. I'm not looking, as I said, to price..."

Hicks: "Okay. So you don't think those checks get made? That's the basis really for your legislation. You don't think BATF really makes those checks on those federal license applicants?"

Schoenberg: "I think the...my personal view, is that the sheer volume of the license application precludes BATF from making those personal visits."

Hicks: "Okay. When you say sheer volume, how many in Chicago last year applied for a federal firearm I.D.?"

Schoenberg: "Pardon me? The figures that I can give you are that...the only figures I have available is that there are 10,000 registered dealers in this state and it is my understanding that a disproportionant number of those who we would want to examen further are in the metropolitan Chicago area."

Hicks: "Okay. So, basically you are trying to look at the new people who are making application. What about somebody who's renewing theirs, would your's then have someone who renews and makes application for renewal of that license, would they than fall under your guidelines for what you are proposing?"

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Schoenberg: "There is no provision in this Amendment for renewals. The intent of the legislation, however, is for new applicants."

Hicks: "I know the hour is late, I appreciate your comments very much. Thank you, Madame Speaker."

Speaker Currie: "Further discussion? Representative Pedersen."

Pedersen: "Thank you, Madame Speaker. I would be willing to hold back on these questions until tomorrow if the Sponsor was willing to take it out of the record so, but I do have some serious questions. If he is willing to do that we can all go home."

Speaker Currie: "I don't believe he is willing to do that, Representative Pedersen. And if you didn't ask a lot of questions we could also go home."

Pedersen: "All right. I have some questions. Now it is my understanding is it true, Representative, that in order for someone to be a gun dealer he has to have a federal license?"

Schoenberg: "Yes, that is my understanding."

Pedersen: "So there is no other place that they can be licensed to sell guns?"

Schoenberg: "Pardon me?"

Pedersen: "So there is no other place where they could be licensed so they could sell guns?"

Schoenberg: "In Canada."

Pedersen: "Well that's not the answer I expected but...well, I just want to clarify this, is it true that all existing licensed dealers would be subject to this change that you are suggesting?"

Schoenberg: "This would be for new applicants."

Pedersen: "Did you say existing licensed dealers would be subject to this?"

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Schoenberg: "This would be for new applicants."

Pedersen: "New applicants."

Schoenberg: "Yes."

Pedersen: "Only."

Schoenberg: "Yes."

Pedersen: "Okay. Do you think, you know, there are a lot of us that are deeply concerned about the over regulation and maybe even harassment of businessmen, in general. Do you think that it might be possible that in New York a lot of these applicants that does...all of a sudden decided that they didn't want to bother that maybe they just thought it was too much hassle on the part of the government which is kind of common with government."

Schoenberg: "Based on the conversations that my staff had with the people from the New York City Police Department they seem to feel that the very people who they are looking to keep federal gun licenses out of their hands that they are the people who did not complete the application."

Pedersen: "Would you...would you consider restricting this to Chicago only?"

Schoenberg: "I have deliberately drawn this for the Chicago metropolitan area."

Hicks: "You don't want to just confine it to the big city of Chicago, that has lots of dealers? That would be certainly big enough to give your pilot a chance to see how it works?"

Schoenberg: "I thought it would be appropriate to make this available to municipalities throughout the metropolitan Chicago area, but you're not relegated to the cities boundaries, no."

Hicks: "You're not willing to change it?"

Schoenberg: "No."

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Hicks: "Could you tell us how much crime has been reduced in New York on account of this legislation? Has it been reduced? I mean...my guess it hasn't had any effect on crime at all, is that true?"

Schoenberg: "I can provide you, at this time, with no figures, all I can tell is that in New York City Police Department has indicated to my staff that they feel that this program is affective."

Pedersen: "So they're saying that they feel that the number of guns has been reduced at of all the thousands in that city?"

Schoenberg: "Yes, because they feel the number of guns has been reduced because they feel that they have been able to have greater control over the supply."

Pedersen: "How do they know that, how do they...how can they prove that to us?"

Schoenberg: "At this point, Sir, I'm just going to have to take their word for it."

Pedersen: "Oh."

Schoenberg: "I usually do take the word of the law enforcement community when they tell me that law enforcement techniques or programs are working. I generally take their word for it and I don't pretend to know better than they."

Pedersen: "Well they might have there own ox to gore or there own agenda. So, to the Amendment, Madame Speaker."

Speaker Currie: "To the Amendment."

Pedersen: "This really sounds to me like an awful lot of government interference and regulation and carrying on and it isn't going to have any real effect on the basic problem and so I think that this might be an Amendment that we can do without."

Speaker Currie: "Representative Deering."

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Deering: "Thank you, Madame Speaker. I move the previous question."

Speaker Currie: "Representative Deering, move the previous question. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The previous question is moved. Representative Schoenberg to close."

Schoenberg: "Little less than a year ago an individual who had secured a firearm from a licensed federal gun dealer, yet did not complete the necessary check, that individual came to see me in my office two hours before committing a murder which he was found guilty of just two weeks ago. That individual was able to acquire his firearm, the very firearm that he had on his person when he came to see me to discuss his Neo-Nazi views. He was able to do so because of the inadequacy of background checks for federal gun licenses and the inadequacy of background checks for those individuals who seek to purchase firearms. Now, I'm not suggesting, I'm not suggesting, that the whole problem of hand gun violence in our communities whether they're cities, whether they're suburbs, whether they're rural areas. I'm not suggesting that they're all going to be addressed through this, but like many of you here I believe that if we control the supply of firearms and we control the people who perhaps should not have access to these firearms then, in fact, we can make a difference and save lives. I don't think it is a stretch of the imagination to be able to say, that if the process of securing firearms through a federal gun permit had been done more thoroughly that that individual indeed would not have been able to walk through the door of my office to discuss his views with me before walking down the street and shooting down Dr. Martin Sullivan in cold blood. That's why I'm

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encouraging you all to give this a chance, this is a pilot program, we're not looking to stop federal gun dealers who sell guns to sportsmen, who sell guns to police officers. We're not looking to deter them from making an honest living. We're looking to keep guns out of the hands of people who perhaps should not have them in their hands. I urge your favorable support."

Speaker Currie: "Representative Schoenberg move adoption of Amendment 7 to Senate Bill 1125. All in favor vote 'aye'; opposed vote 'no'. Voting is open. Representative Skinner, one minute to explain your vote."

Skinner: "Mrs. Speaker, always we should ask, why is this Bill here or why is this Amendment here? And the reason this Amendment is here, you would have heard if you listened very carefully, and that is that the Alcohol, Tobacco and Firearms folks don't make individual inspections right now. Now you may trust these guys, but these guys tried to kick down my door when I was a State Representative in the 1970's. Now they were after the guy next...in the apartment next door but they weren't bright enough to be able to figure out which apartment that they ought to go after. Now are they going to go around the Chicago metropolitan area kicking down doors trying to find gun dealers to ask them questions? This will get them to do personal visits, that's what you want them to do and if that's really your intent you ought to vote in favor of it. But the AFT folks, from my experience, are loose cannons. I mean when they tried to kick down the door of a State Representative, what do they do to an ordinary citizen?"

Speaker Currie: "Have all voted who wish? Have all voted who wish? Clerk, please take the record. On this Motion, there are 58...47 voting 'aye', 58 voting 'no'. And the

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Amendment fails. The Clerk informs the Chair that there are two further Amendments filed on this Bill but they have not yet been printed and distributed. So I believe Representative Dart would like to take the Bill out of the record. Representative Dart would prefer to table the Amendments that are not printed. Clerk tell us about Amendment #8."

Clerk Rossi: "Floor Amendment #8, offered by Speaker Madigan."

Speaker Currie: "Representative Dart moves to withdraw the Amendment. The Amendment is withdrawn. Further Amendments?"

Clerk Rossi: "Floor Amendment #9, offered by Representative Black."

Speaker Currie: "Representative Black. The problem, Representative Black, is that you really can't present your Amendment because it is not printed and distributed. Representative...by a plague of locusts from Marengo have caught up with us. Representative...it was only filed a half an hour ago, Representative. Representative Dart."

Dart: "Move to table Amendment #9."

Speaker Currie: "Representative Dart moves to table Amendment 9. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. The Amendment is tabled. Are there further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Currie: "Third Reading. Committee Reports."

Clerk Rossi: "Committee Reports. The Committee On Rules is that in pursuant to Rule 1486, the Bill is referred pursuant to Rule 27 and 37 recommends consideration and the following Bills be placed on the Order of Second Reading. Senate Bills 33 and Senate Bill 580. And pursuant to Rule 29 (c) 3 the following Bills are ruled exempt, Senate Bill 630 and Senate Bill 1366, signed by Chairman Frank Giglio."

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Speaker Currie: "Supplemental Calendar announcement."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker Currie: "Representative Black, for what reason do you rise?"

Black: "Thank you very much, Madame Speaker. I get a sense that the Chair might be thinking of an adjournment at this early hour and I..."

Speaker Currie: "The Chair is."

Black: "Wondered if we could get to Senate Bill 1700?"

Speaker Currie: "We will."

Black: "A good solid ethics Bill, we'd kind of like to advance that today."

Speaker Currie: "Representative Granberg moves to discharge the Committee on Environment and Energy from further consideration and advance Senate Bill 630 to the Order of Second Reading. Is there leave for the Attendance Roll Call on that Motion? There is leave and the Motion succeeds. Read the Bill, Mr. Clerk, on Second. Okay. The Clerk advises the Chair that it can be read in perfunctory. Representative Granberg now moves to discharge the Committee on Environment and Energy from further consideration of Senate Bill 1366 and advance to the Order of Second Reading. Is there leave for the Attendance Roll Call on that Motion? Leave is granted and Senate Bill 1366 is now on Second Reading and will be read a second time in Perfunctory Session. Allowing the Clerk perfunctory time to continue reading Bills on second and for whatever other business may be appropriate for the Clerk's office. Representative McPike now moves that the House stand adjourned until the hour of 9:30 a.m., Thursday, May 26th. All in favor say 'aye'; opposed, 'no'. The 'ayes' have it. This House stands adjourned."

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Clerk McLennand: "House Perfunctory Session will be in order.

Second Reading of Senate Bills with the purpose and intent of leaving them on the Order of Second Reading. Senate Bill 630, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. The Bill will be held on the Order of Second Reading. Senate Bill 1366, a Bill for an Act to create the Municipal Development Impact Fee Act. Second Reading of the Bill. The Bill will be held on the Order of Second Reading. Being no further business House Perfunctory Session will be adjourned and the House will reconvene on Thursday, May 26th at the hour of 9:30 a.m."

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