

STATE OF ILLINOIS  
89TH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

124th Legislative Day

May 1, 1996

Speaker Churchill: "The House will come to order. Will all unauthorized persons please remove themselves from the Floor? Representative Churchill in the Chair. We will be led in prayer today by Pastor G. E. Livingston of the New Dimensions Christian Center in Decatur. Pastor Livingston is the guest of Representative Duane Noland. Will the guests in the gallery please rise and join with us for the invocation? Pastor Livingston."

Pastor Livingston: "Oh Thou most gracious God, Creator of the heavens and the earth, Creator of all that is. We implore You and invoke Your presence here today, God, because first you omnipotent. You have all power. And second because You're omniscient, You know everything. And third because You're omnipresent, You're everywhere all the time. So I ask You to lead and inspire these people in this House to lead this state and to pass Bills and do things, Lord, that would benefit the people and their constituents. We pray a special prayer for their families, Lord, they've made special sacrifices to be here and represent this state. And we thank You because every good gift and every perfect gift is from above and comes down from the Father of lights in whom is no variableness, neither shadow in turning in Jesus' name, I pray. Amen."

Speaker Churchill: "We'll be led in the Pledge of Allegiance today by Representative Balthis."

Balthis - 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 Churchill: "Roll Call for Attendance. Representative Currie is recognized for any excused absences on the Democratic side of the aisle."

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Currie: "Thank you, Speaker. Please let the record show that Representatives Martinez and Morrow are both excused."

Speaker Churchill: "The Journal will so reflect. Representative Cross, for the Republican side."

Cross: "I'm sorry, Mr. Speaker, what was the question?"

Speaker Churchill: "Are there any absences on the Republican side of the aisle, Representative Cross?"

Cross: "Thanks for repeating that, Mr. Speaker. No they're not. We're all here today, but thanks for asking."

Speaker Churchill: "You're most welcome. The Journal will so reflect. Mr. Clerk, please take the record. There are 116 Members answering the roll and a quorum is present. The House will come to order. Committee Reports."

Clerk McLennand: "Committee Report from Representative Churchill, Chairman of Committee on Rules to which the following Joint Action Motions and Resolutions were referred. Action taken on May 1, 1996. Reported the same back 'Do approve for consideration' to the House Floor. House Resolution #100, House Resolution #102, House Joint Resolution #105, and House Joint Resolution #106. All these Resolutions are available on the computer system."

Speaker Churchill: "Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendar #1 has been distributed."

Speaker Churchill: "Committee Announcements."

Clerk McLennand: "Attention Members. We have passed out an orange bulletin on your desk that has the committee changes for Thursday. Please note that several, all of the committees have changed their times and several of them have also changed room locations."

Speaker Churchill: "Committee Reports."

Clerk McLennand: "Committee Reports. Committee Reports from Representative Stephens, Chairman from the Committee on

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Executive to which the following Bills and Resolutions were referred. Action taken on May 1, 1996. Reported the same back with the following recommendations: 'Do pass' Senate Bills 1757, 1761, 825, Senate Bill 11, Senate Bill 1494, and Senate Bill 1380. 'Do pass as amended' Senate Bill 1490. 'Do pass on the Order of Short Debate' Senate Bills 1501, 1502, and 1684. 'Do pass as amended Short Debate' Senate Bills 1766, Senate Bill 1544, Senate Bill 1381, and Senate Bill 1463. 'Do adopt' House Joint Resolution #104. Committee Report from Representative Cowlshaw, Chairman from the Committee on Elementary and Secondary Education to which the following Bills were referred. Action taken on May 1, 1996. Reported the same back with the following recommendations: 'Do pass' Senate Bill 1019 and Senate Bill 1363. Committee Report from Representative Tom Cross, Chairman for the Committee on Judiciary for Civil Law to which the following Bills were referred. Action taken on May 1, 1996. Reported the same back with the following recommendations: 'Do pass' Senate Bill 958. 'Do pass as amended' Senate Bill 1467 and Senate Bill 522. 'Do pass Short Debate' Senate Bill 1459 and Senate Bill 1527. 'Do pass as amended Short Debate' Senate Bill 1912 and Senate Bill 1388."

Speaker Churchill: "Mr. Clerk, will you please read House Resolution 100."

Clerk McLennand: "HOUSE RESOLUTION #100.

WHEREAS, The Consul General of Italy in Chicago, Pasquale D'Avino, will arrive in Springfield on May 1, 1996 to visit the Illinois General Assembly; and

WHEREAS, Illinois' culture has been greatly enriched by the contributions of citizens of Italian heritage and the members of this House are honored to have Mr. D'Avino as our guest; and

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WHEREAS, A native of Naples, Pasquale D'Avino has pursued a distinguished career in the diplomatic service; he received a Laurea of Jurisprudence from the University of Naples in 1979 and studied for professional development at the Italian Association of International Organizations in Rome in 1980; and

WHEREAS, In 1982, he entered the Diplomatic Service after winning the post of Official Aide at the Italian Senate; he served with the Department of Cultural Affairs, Office of International Agreements, at the Ministry in Rome from 1982 until 1984; and

WHEREAS, From 1984 until 1987, he served as Secretary of Commercial Affairs at the Italian Embassy in Saudi Arabia; from 1987 to 1989, he served as Consul at the Italian Consulate General in New York; from 1989 until 1992, he served as Counsellor at the Italian Embassy in Ethiopia; and

WHEREAS, After returning to the Ministry of Foreign Affairs in Rome in 1992, where he was responsible for the African and United Nations Offices at the Department of Political Affairs, he assumed the duties of Consul General in Chicago; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we are pleased to extend a sincere Benvenuto to Pasquale D'Avino, expressing our profound respect and admiration for his years of diplomatic service; and be it further

RESOLVED, That a suitable copy of this resolution be presented to him as an expression of our esteem.

Speaker Churchill: "Ladies and Gentlemen, will the Members please be in their seats? Will the staff please remove themselves to the rear of the chamber? The Chair would like to recognize the Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. I respectfully move for the passage of House Joint Resolution 100. Thank you."

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Speaker Churchill: "All those in favor of the Resolution will signify by saying 'aye', and the opposed will say 'nay' and in the opinion of the Chair, the 'ayes' have it and the Resolution is passed. And now let me introduce to you the Consul General of Italy, Dr. Pasquale D'Avino."

Dr. Pasquale D'Avino: "Thank you. Good morning Ladies and Gentlemen. Bon giorno, as we say in Italy. It's a true privilege to address on behalf of the Italian Government and the Italian Organization, the honorable State Representative of the State of Illinois. The opportunity stress once more how much the Italian Government and the Italian people care for a sincere friendship with this state. It is with real pleasure that I convey to you the warmest greeting of the Ambassador of Italy, in Washington, Fernando Cilaio (?). The purpose of my visit is to contribute to further strengthen this friendship and provide you with some update information on the current situation in Italy. Also, the Italian Government is very interested in knowing more about Illinois. Keeping in mind the outstanding contribution this state has been giving to the rich American heritage of moral, political, and economic values. In Italy, we just had a political election a few weeks ago, and we hope that, thanks to this election we are phrasing a new political stability that will pave the way for an even better economic performance. Economically speaking, Italy is performing quite well. The national gross product is growing to about 3%. It is one of the highest in industrialized world. We have just recently started a privatization process and so, many state-owned corporations have been sold on the open market. We are very much committed on the international field, as you know. We are part of these important international

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efforts to keep peace in Bosnia. We very much appreciate, and we feel immense gratitude to the American Troops and the diplomacy that made possible to have peace back to Bosnia. We have now 4,000 Italian Troops and who are spending as presidency of the European Union \$1.5 U.S. billion for the construction of that area. We are very much persuaded that international support for that area is still very much needed like very much needed, and support to have peace back in the Mideast where Israel, Lebanon, and other countries are very much troubled. I would like also to remember that Italy is very much committed in this transatlantic dialogue that is a dialogue concerning European Union and the United States. As you know, Italy is now president of the European Union for this first semester. And we are very much pushing to have further discussions between Americans and Europeans to have economic barriers, protectionalist barriers falling down gradually. The world is still too much protectionist, taking and keeping apart too many resources. And we have to work together to move ahead in the direction of further liberalization of world trade, as a whole. I would like just to recall, how important in economic terms, the American/European relationship is. Just reminding you for just a few words about these that the America and Europe are each other's largest trading partners, accounting for 30% of world trade, and they also represent 60% of world gross domestic products. So, there are plenty of reasons to continue this friendship on very concrete terms. I don't want to keep you busy anymore. I repeat, it is a very great honor for me to be here. I hope you will come to all of the initiative cultural economic initiative we will organize in Chicago, in July. We will have Venetian

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Gondolas coming to Lincoln Park having the Regatta. I hope you will enjoy this. I hope you will come to the Art Museum, Art Institute in Chicago to see Italian Renaissance master painters next September and October. And I also hope to have you be my guest at the Museum of Science and Industry next February when the Italian Industrial Design will be on display. As you can see, Italy was really showing in concrete terms how much we care for you. Thank you. Grazi, por favoro. Bye."

Speaker Churchill: "Ladies and Gentlemen, we are indeed honored today also to have with us the General Consul of Mexico and so let me introduce to you at this time, Leonardo French."

Leonardo French: "Thank you, your honor. Mr. Speaker, Mr. Majority Leader, Honorable Members of the House, allow me to tell you what a privilege and an honor it is for me to be able to address the House of Representatives of the State of Illinois where my family and myself have had such a fantastic welcome, full of warmth, full of hospitality, full of friendship since our arrival as Consul General of Mexico. And having said that, I wish to emphasize that one of the reasons of my visit to Springfield today is to promote the joint celebration of the Cinco de Mayo which will happen, of course, in a few days but which is a battle that took place in Puebla some 70 miles away from Mexico City but that bind us very close together, taken into consideration that it happened in 1862 when both our countries were immersed in their respective Civil Wars. No wonder historians say that President Benito Juarez of Mexico and President Abraham Lincoln of the United States through the respective representatives and ambassadors had a very close relationship with each other although they'd never ever had the opportunity of meeting each other

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personally. Having said that and in order to be very brief following the brilliant words of my friend and colleague, the Consul General of Italy with whom I share and whom our countries share a lot of similarities including our respective banners, our national flags which have a green, white, and red. But having said that, let me just finish by saying that if Mexico and the United States were neighbors because of geographic fate, let's be the best possible neighbors because of political will and the best possible partners because of economic common sense like that will make it and we will make it of our common continent the Americas still the leading continent the world over. And having said that, allow me to finish by saying long live Illinois, long live the United States, Viva Mexico. Thank you very much for your kind attention."

Speaker Daniels: "Speaker Daniels in the Chair. House will come to order. HJR 106. Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. House Joint Resolution 106."

WHEREAS, The State of Illinois has a financial responsibility to provide services to its citizens; and

WHEREAS, The funding of many core state services, such as education, must be adequately addressed; and

WHEREAS, Illinois lawmakers are the guardians of the State's financial well-being; and

WHEREAS, The Illinois Compensation Review Board, independent of the General Assembly, has recommended a salary increases for State officers in a time of establishing budget priorities; Therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the General Assembly disapproves in whole the Illinois



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Compensation Review Board's April, 1996 recommendations for pay increases; and be it further

RESOLVED, That suitable copies of this resolution be presented to the members of the Illinois Compensation Review Board. I would ask your support on this Resolution at a time whenever education and service to the public is very important. I don't think it's appropriate for we in this House to receive a raise."

Speaker Daniels: "Any discussion? Representative Lang."

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

Speaker Daniels: "He indicates he will."

Lang: "Thank you. Representative, I heard you say your comments on this Resolution that you're concerned about balancing the budget, the amounts of money it costs us, and I assume you're concerned about working families in Illinois and the image it portrays with us taking pay raises while some of them are not getting pay raises. Did I hear you correctly?"

Speaker Daniels: "To the Resolution, Representative Lang. Representative Bost."

Bost: "That is correct."

Speaker Daniels: "Representative Lang, to the Resolution."

Lang: "Have you included anything in here about rolling back the 3% cost of living raise that we're all going to get automatically on July 1st, considering you're so concerned about the balancing of the budget?"

Speaker Daniels: "Representative Bost."

Bost: "Representative, in this Resolution, I'm dealing with the Illinois Compensation Review Board's Report."

Speaker Daniels: "Representative Lang."

Lang: "Well, you've also said very clearly, Sir, that the reason you what to reject it is that we can't afford it. That we

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shouldn't be taking additional raises while the budget of The State of Illinois is in difficulty, while we don't have enough money to do, all the things we want to do. And it would seem to me that if you're concerned about this, you would have part of your Resolution to roll back the pay raise, particularly, since that cost of living will go into all of our pensions which will cost significant, probably unfunded liability in the future. And if you have some concern about the budget problems of the State of Illinois, I would think you would want to address that at this time."

Speaker Daniels: "Representative Bost."

Bost: "Representative, all these other things we can deal with at the future time but right now what this still deals with is the report from the Compensation Review Board."

Speaker Daniels: "Representative Lang."

Lang: "In 1994 when we had a similar Resolution, sponsored by House Democrats to reject the Compensation Review Board's Report, the original Resolution was sponsored by all Democrats but at the request of Members of your side of the aisle, all Members were added as Cosponsors. Would you agree to add all Members of the House as Cosponsors to your Resolution, Sir?"

Speaker Daniels: "Representative Bost."

Bost: "Yes, Representative, I'd be more than happy to have all Members."

Speaker Daniels: "Representative Lang."

Lang: "Well, then I would move that all Members of the House be added as Cosponsors with the agreement of Mr. Bost, Sir, and I'm in support of the Resolution."

Speaker Daniels: "Further discussion and with leave of the House, all Members will be added as Cosponsors of the Resolution unless somebody objects. Representative Davis, you do not

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want your name on it? Or are objecting to leave be given to add all Members of the House? Representative Davis."

Davis, M.: "You know, Mr. Speaker, I appreciate this opportunity. I think that the law states..."

Speaker Daniels: "Excuse me. Representative Davis, the question is very clear. The question is, 'Do you grant leave of the House to add all Members to the Resolution as a Cosponsor?' The answer is 'yes' or 'no'. Representative Davis."

Davis, M.: "Yes."

Speaker Daniels: "You do? All right, leave has been granted and all Members will be added as Cosponsors of this Resolution. Representative...further discussion? Representative Bost to close."

Bost: "Thank you, Mr. Speaker, Members of the House. I would appreciate your support on this Resolution."

Speaker Daniels: "Representative Bost has moved for the adoption of House Joint Resolution 106. All in favor will signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? All Members have been added as Sponsors of this Resolution. Have all those Members who have been added as Sponsors of this Resolution care to vote 'yes'? The Clerk will take the record. On this question, there are 114 'aye', 1 voting 'no'. This Resolution having received a Majority is hereby declared adopted. Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report from Representative Krause, Chairman of the Committee on Health Care and Human Services, to which the following Bills were referred. Action taken on May 1, 1996. Reported the same back with the following recommendations: 'Do pass' Senate Bill 1661, 'Do pass as amended' Senate Bill 1696 and Senate Bill 1543. 'Do pass Short Debate' Senate Bill 1440, Senate

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Bill 1472, and Senate Bill 1416. 'Do pass as amended Short Debate' Senate Bill 1327."

Speaker Daniels: "Mr. Clerk, on page 6 of the Calendar appears House Joint Resolution Constitutional Amendment 18. Read the Amendment for a third time, Mr. Clerk."

Clerk McLennand: "Third Reading of House Joint Resolution Constitutional Amendment #18. RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to add Section 8.1 of Article IV of the Illinois Constitution as follows: ARTICLE IV THE LEGISLATURE Section 8.1. Passage of Revenue Bills. (a) A bill that would result in the increase of revenue to the State may become law only with the concurrence of three-fifths of the members elected to each house of the General Assembly. (b) Each house of the General Assembly shall have a revenue committee. It shall be the sole and the exclusive responsibility of the revenue committees to consider all bills that would result in an increase or decrease of revenue to the State. A bill pending in a revenue committee must be approved by a majority of members of that committee before it is sent to the full house for consideration or vote. (c) There shall be 25 members on the revenue committee in the House of Representatives. The members of the House Revenue Committee shall be appointed by the Speaker of the House and the House Minority Leader. The membership of the committee shall be proportionally as close arithmetically as possible to the percentage of members in the House of Representatives who vote for the

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Speaker and who vote for the Minority Leader. There shall be 13 members on the revenue committee in the Senate. The members of the Senate Revenue Committee shall be appointed by the President of the Senate and the Senate Minority Leader. The membership of the committee shall be proportionally as close arithmetically as possible to the percentage of members in the Senate who vote for the Senate President and who vote for the Senate Minority Leader. Revenue committee members may be removed from the committee only by a majority, recorded, roll call vote of all members of the committee's respective chamber. No member of the General Assembly may serve more than 4 consecutive years on a revenue committee. (d) The revenue committees may not vote upon a bill until a public hearing on the bill has been held. Reasonable notice of the hearing, in no event less than 2 weeks, shall be given to the public. SCHEDULE This Constitutional Amendment takes effect upon approval by the electors of this State. This is the Third reading of House Joint Resolution Constitutional Amendment #18 which has been read on February 15, read a Second time on April 30, and read a Third time today May 1."

Speaker Ryder: "Representative Ryder in the Chair. You've heard the Clerk read the proposed HJRCA 18, and on that the Chair recognizes the Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. HJRCA 18 is identical to the Tax Accountability Amendment that received 500 thousand signatures by petition in 1990 so that it could be placed before the people of Illinois. That was knocked off of the...knocked out by the Supreme Court. So we are now asking that the General Assembly give its approval so the people will have a chance

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to vote on it. It proposes to amend the Legislative Article of the Illinois Constitution concerning the passage of Revenue Bills. Requires all Bills that result in an increase in revenue to the state to receive a three-fifths vote of the Members elected to each chamber of the General Assembly. Stipulates the House and the Senate shall have Revenue Committees with the sole and exclusive responsibility to consider all Bills that would increase or decrease revenue to the state. Establishes guidelines for the membership of the committee. States the Revenue Committee cannot vote upon a Bill until a public hearing on the Bill has been held and reasonable public notice given. What this does...what this Amendment would do, to the Constitution would be open up a public input into the process and it showed broad support on any tax increase. So I urge an 'aye' vote."

Speaker Ryder: "You've heard the Gentleman and on that is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you. Will the Gentleman yield?"

Speaker Ryder: "The Gentleman indicates he will yield for your questions, Sir. Welcome back."

Granberg: "It's good to be home. Representative...Representative Pedersen, if you pass this, will you be the ALEC State Representative of the Year at the next convention?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Well, that's very hard to do in such an outstanding organization but I would hope so."

Speaker Ryder: "Representative Granberg."

Granberg: "Well, I know that you are very concerned with their policies but in all serious, Representative, what is the deadline for this measure to be put on the ballot? What

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would have to happen and to insure this thing would actually be placed on the ballot for a vote?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Deadline is May the fifth."

Speaker Ryder: "Representative Granberg."

Granberg: "So this measure has to pass the House, then has to go through the Senate, go through the Senate Rules Committee, go to the Senate Committee, then be read in the Senate three times and voted upon for it to be on the ballot?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Something like that."

Speaker Ryder: "Representative Granberg."

Granberg: "So we would have to pass this measure out, pass it over to the State Senate, they would have to assign it...or go to Committee on Assignment, it would go from Committee on Assignment to Committee on Rules, Rules to a various Subject Matter Committee, Subject Matter Committee then to the floor, have to be read three times in three days, and then voted upon and the deadline's tomorrow?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "I have been assured that it can be done."

Speaker Ryder: "Representative Granberg."

Granberg: "I'm sorry, Representative, I did not hear your response. You had assurance that this would be voted upon, is that correct?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "I have assurance that it can be done by the deadline."

Speaker Ryder: "Representative Granberg."

Granberg: "Has President Philip spoken to you about that this will be done? That they will bypass every possible rule in the Senate to have this voted upon by tomorrow and the Constitution?"

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Speaker Ryder: "Representative Pedersen."

Pedersen: "Well, Senator Philip is an outstanding accomplished Legislator and I think that he would certainly be sympathetic to...in fact, it was my understanding that he supported this back in 1990 and I would assume that he would do the best he can to get the job done."

Speaker Ryder: "Representative Granberg."

Granberg: "Well, I just want to make sure I understand this correctly, Representative. So we're going to go pass it out of the House, the Senate Rules, the Senate Committee on assignment, Subject Matter Committee, to be read three times, pursuant to the Illinois Constitution. So, has Senator Philip indicated that he will suspend the Rules to the Illinois Constitution to hear this matter?"

Speaker Ryder: "Representative Granberg. Thank you. Representative Pedersen."

Pedersen: "I have been told that this could be done by Friday if they wanted to do it."

Speaker Ryder: "Representative Granberg."

Granberg: "So you have an assurance that they're going to suspend the Illinois Constitution to hear this matter?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Well, I guess it comes down to this. I'm not a part of the Senate. It's really up to them to address it and what I'm concerned about is for the House to do the right thing."

Speaker Ryder: "Representative Granberg."

Granberg: "Well, I just want to make this clear. So you have assurances that the Senate is going to suspend the Illinois Constitution, the Constitution of the State of Illinois so this can be heard tomorrow? Is that correct? I just want to make sure this is right."



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Speaker Ryder: "Representative Pedersen."

Pedersen: "All I can tell you is that it can be done. I'm not going into all the fine points...we can do it. They can do it."

Speaker Ryder: "Anything further, Representative Granberg? Your time is drawing high."

Granberg: "Well, thy will be done but...so we're going to suspend the Illinois Constitution. I just want to make sure this is right, that you are in favor of suspending the Illinois Constitution. And we're going to do that today and that's fine. Everything's okay. Everybody's fine with this. Jerry's fine with this, Mr. Clark is fine with this. The staff is okay. And okay, well, you're consulting. Let's wait a second."

Speaker Ryder: "Is there a question, Representative Granberg?"

Granberg: "I'm waiting for the consultants here..."

Speaker Ryder: "Okay, Representative Pedersen."

Pedersen: "They can read it in today the first time, they can read it the second time tomorrow, and they can go at it on Friday."

Speaker Ryder: "Representative Granberg, you're time is almost gone. Representative Granberg. Representative, I've given you an extra minute."

Granberg: "Thank you. I appreciate that. Will Mr. Clark be given the ALEC Co-legislator of the Year Award, too?"

Speaker Ryder: "Representative Granberg, was that a question?"

Granberg: "Well, I just want to know because I'd like to make the Motion at ALEC next year that I think...because I think that both of these Gentlemen are deserving of that award and I know they are very concerned. But, Representative Pedersen, didn't this Amendment die in the Senate already?"

Speaker Ryder: "Representative Pedersen."

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Pedersen: "No."

Speaker Ryder: "Representative Granberg."

Granberg: "I'm sorry, but a similar Amendment was voted down in the Senate this past week. Isn't that correct?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Well, probably the proper understanding of what happened, they were really waiting for the best one. That's this one."

Speaker Ryder: "Representative Granberg, your time has expired. The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you. Will the Sponsor yield? My time is running, Sir."

Speaker Ryder: "That's correct it is. As a result I would ask the...I would ask the noise level to please be diminished. Representative Pedersen to answer the question."

Pedersen: "I don't think he asked a question yet."

Speaker Ryder: "Representative Lang."

Lang: "Well, you've found an ingenious way to take 30 seconds of my time. Thank you, Sir."

Speaker Ryder: "Wait until you see what I do with the last 30 seconds."

Lang: "Representative, you indicated that the Senate had not voted on this Resolution yet. But is it not a fact that they voted on a substantially similar Resolution and defeated it?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "I think not."

Speaker Ryder: "Representative Lang."

Lang: "You think not. All right, let me ask you this. Didn't we have a vote earlier this year, some months ago, on a similar measure? What's the difference between this and

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what we voted on previously? Was that just for sales tax and income tax and this is for all revenue?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Yes."

Speaker Ryder: "Representative Lang."

Lang: "So since this is all revenue, would that mean it would require a three-fifths vote to raise any fees in the State of Illinois?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Yes."

Speaker Ryder: "Representative Lang."

Lang: "So, I have to admit you've almost got me stumped but I'll come up with something. So, if we have these Bills periodically that go to Reg. and Reg. where some industry wants to raise its own fees to police itself. Recently, we had collection agencies like quadrupling their fees at their own request. Would we have to do that by a three-fifths vote?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "Well, you know if it's meritorious, I'm sure it would be not that hard. I mean I've seen all kinds of complicated votes here in the House over the years to get 50% or 50 plus one. I would assume that if these fees are out of line or you need something to cover expenses of the department it would be no big deal at all."

Speaker Ryder: "Representative Lang."

Lang: "So you say it wouldn't be that hard to do. Tell me, Representative, what fee in increase Bills have you voted for this year?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "How about the rate adjustment fee?"

Speaker Ryder: "Representative Lang."

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Lang: "I didn't hear his answer. I'm sorry, it was more than a one word answer so I didn't pick it up."

Speaker Ryder: "Please give the Gentleman your attention. I would ask that the conversations move to the rear of the chamber. The Gentleman has asked a question and he was unable to hear the answer. Representative Pedersen, would you please repeat the answer?"

Pedersen: "I'll give you another one. I just think it's not germane to the Bill and I've answered the question about increases on fees and so let's go on to the next question."

Speaker Ryder: "Representative Lang."

Lang: "Well, I'm not sure I heard the answer to my question. Representative, you said it was quite easy for something meritorious to get three-fifths vote. What easy meritorious votes have you made this year to increase any fees at all?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "I don't think that's germane to what we're talking about here."

Speaker Ryder: "Representative Lang."

Lang: "Well, I'm sure you're right about that. Let me ask you this. You recall we've had debates about Zambonis, previously. If the State of Illinois wanted to buy a Zamboni, would it require a three-fifths vote to do that?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "That's spending, not taxation."

Speaker Ryder: "Representative Lang."

Lang: "Well, what if we needed a special recreation fund that we wanted a tax for to buy a Zamboni, would we then need a three-fifths vote to do that?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "If it's an increase of revenue, it would take 60%,

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even for a Zamboni."

Speaker Ryder: "Representative Lang."

Lang: "Hold on. You could..."

Speaker Ryder: "I plan to let the clock run. It's your time."

Lang: "Well, Representative, I thank you for your forthright and straightforward answers to my questions."

Speaker Ryder: "Is there any further discussion? The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Well, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates that he will yield to your question, Sir."

Hartke: "Thank you."

Speaker Ryder: "You're welcome."

Hartke: "Representative, we discussed this Constitutional Amendment in the committee, and at that time I suggested that possibly you were just a little bit inconsistent in the language because in committee it only took like half the committee to approve of this Constitutional Amendment but out here this is going to take three-fifths vote. Is that right?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "I know, it's correct. That's correct."

Speaker Ryder: "Representative Hartke."

Hartke: "And also when new revenue increases are introduced as pieces of legislation, it's my understanding they'd be assigned to this committee. This special Revenue Committee on increases that that committee would only have to have a majority of Members prescribed by you to vote for an increase in order to carry. Is that correct?"

Speaker Ryder: "Representative Pedersen."

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Pedersen: "I don't think this a special committee. This is as we've stated in the Amendment, it delineates the number of members of the Revenue Committee, period. And, yes, it would take only a majority vote."

Speaker Ryder: "Representative Hartke."

Hartke: "Yes, I think you are creating a special committee. It is a specific committee only to handle issues that have in it a revenue increase for the State of Illinois. That could be a fee increase. That could be a sales tax, income tax, insurance tax, utility tax, or whatever tax or revenue increase there is. So that would be a special committee designated by you. Any new license fees that would come out or suggested would need to go this special committee. I'm suggesting that if you really want to be tough, maybe you should make that committee also have a three-fifths vote to carry it out of committee. And as it is right now, it only takes a simple majority. And what I think you're trying to do, is make it tougher to increase revenues in the State of Illinois. So I asked you in committee, would you consider taking it back to second to put an Amendment on this that would require not only three-fifths passage here on the House Floor but also through this special committee."

Speaker Ryder: "Representative Pedersen."

Pedersen: "I thoroughly disagree with this special committee thing. There is no reference to an additional committee. It just says the Revenue Committee will be this size and that's all there is to it. They'll include these Bills along with the kind of Bills they have in the past. And you're just adding a extraneous viewpoint here that has nothing to do with the legislation. And I think that what we're really trying to do is the broadest input into tax

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increases that we can possibly get. And I think that the full House and the full Senate is the place for it to be. So I have no problem letting it go before to the Floor easier."

Speaker Ryder: "Representative Hartke."

Hartke: "Well, whether you disagree or agree with whether it is a special committee, I think it is. It would be a special standing committee only to deal with those issues that deal with revenue increases. But you didn't answer the question. Would you agree to take this back to Second to allow us to put it, to make it tougher to pass this committee?"

Speaker Ryder: "Representative Pedersen."

Pedersen: "I've given you my reasons, the answer is no."

Speaker Ryder: "Well, I guess that answers that. I have no further questions."

Speaker Ryder: "Any further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you so very much, Mr. Speaker and Ladies and Gentlemen of the House. I Move the previous question."

Speaker Ryder: "The Gentleman moves the previous question. All in favor of putting the previous question say 'aye', those opposed 'nay'. The 'ayes' have it and the previous question shall be put. The Chair recognizes the Gentleman from Cook, Representative Pedersen, to close."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a taxpayer Bill. They are being taxed to death in this state and this will help decrease the tax burden in the future. It insures broad support for tax increases it makes the Legislators accountable. It opens up the process and limits the concentration of power, all good things, when it comes to tax increases and for the

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people of Illinois and the taxpayers of Illinois. I urge an 'aye' vote on this outstanding Amendment."

Speaker Ryder: "You've heard the Gentleman's Motion. The Motion is, 'Shall the House adopt House Joint Resolution Constitutional Amendment 18?' This requires an extraordinary majority. This is final action. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this issue there are 102 voting 'yes', 8 voting 'no', 6 voting 'present'. And this House Joint Resolution Constitutional Amendment having received the required three-fifths vote, is hereby declared adopted. We will now proceed to the Order of Senate Bills Third Reading. Mr. Clerk, please read Senate Bill 1408."

Clerk McLennand: "Senate Bill #1408, a Bill for an Act to create the Interstate Ozone Transport Oversight Act. Third Reading of this Senate Bill."

Speaker Ryder: "The Chair recognizes the Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1408 creates the Interstate Ozone Transportation Oversight Act. Provides for legislative review of any proposed memorandum of understanding by the Ozone Transportation Assessment Group. I'd be glad to answer any questions."

Speaker Ryder: "You heard the Gentleman's Motion. Is there any discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Gentleman yield?"

Speaker Ryder: "The Gentleman indicates he will yield for your questions, Sir."

Granberg: "Representative Bost, who's initiative is this? Is this coming out of the EPA or is this coming out of a study



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or a task force group?"

Speaker Ryder: "Representative Bost."

Bost: "This is coming from the Coal Association and other organizations in agreement with the United Mine Workers and many of our groups that do mining in the state."

Speaker Ryder: "Representative Granberg."

Granberg: "So, let's understand the parameters of this Bill. What will happen if this Bill becomes law? How will this help the coal industry and our workers in Southern Illinois if, in fact, this becomes the law of Illinois?"

Speaker Ryder: "Representative Bost."

Bost: "That's a good question. Thank you very much for asking because it will give me an opportunity to explain that we were kind of blindsided in 1990 by the Clean Air Act. We couldn't calculate the amount of loss of revenue that it would be to the state. The amount of loss of jobs that it would be to the state. The amount of families it would destroy. The amount of families it would drive out, especially the Southern Illinois region where we work and we live. What this does is, this actually puts a group in place that when this group that is founded between all the states that deals with Ozone Assessment Group hands its report down, we just don't blindly accept it. What it says is that we as Legislators have an opportunity to look this over, to give our advice, have some input, to do a financial study of what the impact is going to be to hopefully, not be blindsided like this again. And give those recommendations to the Governor and to the Illinois EPA so we can act accordingly to the proposals by this group."

Speaker Ryder: "Representative Granberg."

Granberg: "So, if I understand you correctly, you were blindsided

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by the Federal Clean Air Act and you were not in opposition to that Act before it took effect?"

Speaker Ryder: "Representative Bost."

Bost: "I was not. I wasn't here, but you were. I can't read that in for you but we did accept a lot of things from the federal government that, as you well know, we have lost a lot of coal industry jobs here on the State of Illinois."

Speaker Ryder: "Representative Granberg."

Granberg: "So you were in favor of the Federal Clean Air Act when it was passed by Congress?"

Speaker Ryder: "Representative Bost."

Bost: "Can you repeat the question? I'm sorry."

Speaker Ryder: "Representative Granberg."

Granberg: "So you were in favor of the Federal Clean Air Act when it passed Congress?"

Speaker Ryder: "Representative Bost."

Bost: "I was not because as a county board member it was not a major thing that I felt like I needed. I listened and I paid attention as every average citizen did. But I put my trust in the federal government to do that which was right and not destroy our jobs in Southern Illinois. I have since learned in my experience in life that maybe we shouldn't do that."

Speaker Ryder: "Representative Granberg."

Granberg: "So, now that you are a State Representative, that differs from being a county board member in respect to the Federal Clean Air Act that you will now try...you didn't take any action then to try to convince Congress not to take that action but now as a State Legislator you think you will, in fact, do that? You decided not to take action as a county board member but now as a State Representative, you will take action to try to repeal this law although we

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have no effect on the federal legislation?"

Speaker Ryder: "Representative Bost."

Bost: "If the findings of this group are that it will hurt the State of Illinois and I would hope that you would join with me in that, we would plead with, argue with, and fight for our jobs here in Illinois."

Speaker Ryder: "Representative Granberg."

Granberg: "So, this is your legislation to study, to see if there are any negative impacts to the law. Is that correct? You just said that. Now is that your understanding? We have to do this law to study to see if there are any negative impacts to the Clean Air Act. Is that correct?"

Speaker Ryder: "Representative Bost."

Bost: "No, that is not correct. What this committee does is reviews the recommendations from the Ozone Transportation Assessment Group. By reviewing that, we can work to protect our jobs in Illinois..."

Speaker Ryder: "Representative Bost, please bring your remarks to a close. Representative Granberg, your time has expired. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Thank you, Representative Bost. I don't know why as a Member of this Body that we need to do a study, particularly being from downstate Illinois. I don't think we need to conduct a study to determine how the Federal Clean Air Act impacts Southern Illinois. We know what it does, it hurts Southern Illinois. It hurts coal miners. It hurts our economy. Why do a study and have them meet to determine what the ozone impact will be? This is nonsense. We'll do it for Representative Bost, that's fine. And that way we can go back and say we're helping Southern Illinois. But we all understand what this is about, so let's get on with it."

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Thank you very much."

Speaker Ryder: "The Chair Recognizes the Gentleman from Kankakee, Representative Novak."

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

Speaker Ryder: "He indicates he will yield to your questions, Sir."

Novak: "Representative Bost, for the edification of the Members here, could you give us the chemical composition of ozone? What is ozone?"

Speaker Ryder: "Representative Bost."

Bost: "No, I can't."

Speaker Ryder: "Representative Novak."

Novak: "Well, Representative, I think there are a lot of people here on the floor that don't know what ozone is. You know, it certainly isn't something you buy over the counter in a drugstore. I mean what is ozone? Could you tell us? Since we're dealing with transporting it, you might answer the question how do we currently transport ozone by truck, rail, pipeline? Could you explain that?"

Speaker Ryder: "Representative Bost."

Bost: "Representative, what I can explain is that this, regardless of what the other speaker might have said, it is not to...it is an overview that we can provide of...it is an overview so that we as a legislative Body can protect our jobs in the State of Illinois. That's all this Bill does. It makes sure that whenever these rules for the Ozone Transportation Assessment Group come down that we can have an opportunity to review these and put our own livelihood out there so we can protect it."

Speaker Ryder: "Representative Novak."

Novak: "Thank you, Mr. Speaker. Representative Bost, does this study encompass the entire state or is it just concerned

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with non attainment areas?"

Speaker Ryder: "Representative Bost."

Bost: "Depending what their recommendations were on what they were going to change, it would be the non attainment areas."

Speaker Ryder: "Representative Novak."

Novak: "Thank you, Mr. Speaker. Well, is it not true that the only non attainment areas in Southern Illinois is the metro cities area? I don't think Carbondale is a non attainment area, is it?"

Speaker Ryder: "Representative Bost."

Bost: "You're exactly right. But those areas burnt Illinois coal. And when it starts affecting the amount of Illinois coal that is being burnt, then it affects our areas."

Speaker Ryder: "Representative Novak."

Novak: "Thank you, Mr. Speaker. While I realize the potential for the ozone depletion but isn't it true that there's more of a depletion of ozone in the Northern part of the State of Illinois, vis-a-vis the Southern part of the State of Illinois, because of the more fossil fuels are consumed and burned in the North than in the South?"

Speaker Ryder: "Representative Bost."

Bost: "Yes, Representative, that's true. But if this group comes together and changes those standards, then it will start affecting those downstate cities."

Speaker Ryder: "Representative Novak."

Novak: "Yes, thank you, Mr. Speaker. What responsibility or what participation does our Illinois EPA have to do with this Bill? Are they involved in it...what is the degree of their involvement?"

Speaker Ryder: "Representative Bost."

Bost: "Mary Gady, Chairs the OTAG group. OTAG is the Ozone

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Transportation Assessment Group, so she is the Chair of that group so we are quite involved in it, but not from this legislative standpoint."

Speaker Ryder: "Representative Novak."

Novak: "Thank you, Mr. Speaker. Are other states that are contiguous to Illinois such as Kentucky, Indiana, and Missouri since...I don't know how they transport ozone in those states but since I'm sure they burn a lot of coal too, the high-sulfur content coal. Is there a possibility for some kind of a compact involved with Illinois dealing with this problem?"

Speaker Ryder: "Representative Bost."

Bost: "Yes, Representative, that's what we're trying to work out through OTAG. OTAG has 37 states involved at this time."

Speaker Ryder: "Representative Novak, your time is almost gone."

Novak: "Yes, thank you, Mr. Speaker. One last question, Representative, will, I can't recall her name. She's the head of the U.S. EPA. She's the former EPA director from Florida. But anyway the U.S. EPA Director, will she be ultimately oversee, the workings of these groups? Carol Browner, that's her name."

Speaker Ryder: "Representative Bost."

Bost: "Carol Browning would implement any change in the standard from what I can tell."

Speaker Ryder: "Representative Granberg, did you have an announcement? Representative Granberg. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. We have a Page over here for this side of the aisle. This gentleman has a beef sandwich and an iced tea and Representative Johnson wants it for free, which is no surprise. But he's on this side of the aisle, would someone, who ordered this, could you please

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help this gentleman? He can't find you and it's not Representative Spangler, because he's eaten everything else."

Speaker Ryder: "Thank you, Representative Granberg. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you so very much, Mr. Speaker, and Ladies and Gentlemen of the House. All this verbage is wiping out the ozone layer. I Move the previous question."

Speaker Ryder: "The Gentleman has moved the previous question. All those in favor of putting the previous question, please say 'aye', those opposed 'nay'. The 'ayes' have it and the previous question shall be put. The Chair recognizes the Gentleman from Jackson, Representative Bost, to close."

Bost: "Thank you, Mr. Speaker, Members of the House. I'd appreciate your support on this Bill."

Speaker Ryder: "You've heard the Gentleman. The question is, 'Shall Senate Bill 1408 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair would like now to recognize in the gallery the students from Bethel Academy High School, accompanied by Martha Magos. They are the guests of Representative Saviano. We welcome you to the Illinois General Assembly. The Chair recognizes the Gentleman from Vermilion, Representative William Z. Black, for a point of personal privilege."

Black: "Yes, thank you very much, Mr. Speaker, I've had my light

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on for 45 minutes. In a previous debate, one of my colleagues used my middle name in debate and I just stand in opposition in doing that. I see no reason why you have to continually bring up my middle name of Zamboni when making a point, Sir, and I would appreciate it if the good Gentleman from Skokie would not do that again. I'm very sensitive about my middle name and he brought it up not once, not twice, but five times for some kind of crazy analogy about Zamboni and revenue and so I stand up to protect my good name and I appreciate the kindness of the Chair in letting me rise to that family matter some 45 minutes after it hurt me deeply."

Speaker Ryder: "You're welcome. Mr. Clerk, please read Senate Bill 1471."

Clerk Rossi: "Senate Bill 1471, a Bill for an Act concerning regulation of the financial industry. Third Reading of this Senate Bill."

Speaker Ryder: "The Chair recognizes the Gentleman from Cook, Representative Parke on Senate Bill 1471."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1471 is a Bill that gives more safety and soundness to the Illinois banking community. First of all, federal legislation is expected to abolish S & L charters both state and federal. The change permits a state conversion option to permit thrifts to convert to state banks and visa versa if the federal government does this. In addition, it provides an administrative remedy to penalize individuals and companies that are not, that are not authorized banking entities but that represent that they are authorized to conduct banking business or use names which imply they are a banking. In addition, it requires change in control, approval before other bank may



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purchase substantially all the assets or liabilities of a bank, a state bank. It requires agency's approval before an individual may exercise control obtained by a gift or inheritance. Also requires approval by the commissioner for change of senior management and directors of a de novo bank for the first two years of its existence. The Senate passed this without a 'no' vote that Illinois Bankers and the Community Bankers support this and it passed out of the Illinois House Financial Institutions Committee 19 to 0. Mr. Speaker, I will take questions."

Speaker Ryder: "Thank you. You've heard the Gentleman's Motion and on that is there any discussion? The Chair recognizes the Gentleman from Madison, Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates he will yield for your questions, Sir."

Hoffman: "Representative, you indicated that this passed out overwhelmingly with no 'no' votes from the Senate. I would like to ask you specifically about the portion that clarifies that before a change may be made the ownership of outstanding stock in any state bank through sale, gift, bequest, or inheritance or any other means, the new management must approve, must be approved by the commissioner and assets of the depositors shall be protected from such transfer. I would like to know where that comes from and why do we need to do that and aren't we really infringing upon the ability of people through gifts, bequests, and inheritance to transfer their outstanding stock?"

Speaker Ryder: "Representative Parke."

Parke: "Thank you, Representative. That's a valid question and the reason it's put in, first of all it doesn't affect the

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ability for that to happen. What the commissioner wants to do is make sure that the person taking over that bank has enough experience and background of which to operate that bank because we want to always protect the institution that people do business with. And we want to make sure that it's done properly and that that person has the experience to do a credible job because they are managing the money of all those consumers."

Speaker Ryder: "Representative Hoffman."

Hoffman: "Okay, so essentially what we're doing is just closing a loophole and I don't see any problem with that. With regard to the issue of the word 'bank, banker and banking'. It is a my understanding that the commissioner will be the one who will determine whether you can use the word 'bank', 'banker', or 'banking'. How is he going to determine whether that term can be used?"

Speaker Ryder: "Representative Parke."

Parke: "The entity must be registered as a bank with the commissioner and that way it will prohibit unscrupulous people from using the term 'banker'."

Speaker Ryder: "Representative Hoffman."

Hoffman: "I guess what I'm asking is give me an example of a time or what has to be present for the commissioner to allow a financial institution to use those terms, or a business, any business?"

Speaker Ryder: "Representative Parke."

Parke: "Yes, they'll find that out when they file because they have to file with the bank commissioner for approval of that charter and that kind of information will be shared at that time in the process. And that way if it is unauthorized, the commissioner will be able to research that and figure out that consumers will be at risk."

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Speaker Ryder: "Representative Hoffman."

Hoffman: "Well, name me one criteria that's going to be utilized by the commissioner in making that determination. Just one, only one."

Speaker Ryder: "Just tell when you're done with your question, and I'll transfer over."

Hoffman: "We just want one, only one."

Speaker Ryder: "Representative Parke."

Parke: "Well, quite frankly, that's rather technical and being a lay person I would not be able to give you any specifics but I am positive that if you were to ask the commissioner that information that they would get you reams of material for you to study."

Speaker Ryder: "Representative Hoffman."

Hoffman: "I guess we'll just accept that as 'a not sure'. Let me ask you this last thing. Why don't we want to now, I think it's important that if there's a bank robbery; that should be reported to the commissioner. Under this Act you no longer have to report it to the commissioner. So he can't make a determination as to whether it needs to be any type of action taken on his behalf."

Speaker Ryder: "Representative Parke."

Parke: "I'm curious, can you quote where a bank robbery doesn't have to be reported in the Bill?"

Speaker Ryder: "Representative Hoffman, on bank robberies."

Hoffman: "Well, I guess without the permission of the commissioner, under this Bill we could not call them bank robbers. Is that right?"

Speaker Ryder: "Representative Parke."

Parke: "Well, the specific answer is you may be asked why, according to my analysis, why state banks no longer have to file robbery reports with the commissioner? Funny you

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would ask that question. We removed this requirement because the Federal Bureau of Investigation and the Federal Deposit Insurance Corporation serve as the investigative units in the event of a robbery. All we do is file the reports. We take no action based on them. The agency feels that during the stressful climate at the bank, requiring the filing of a report would be counterproductive and so we let the FBI handle that aspect."

Speaker Ryder: "Representative Hoffman, your time is expired. Please bring your remarks to a close."

Hoffman: "I don't have any problem with the Bill. But I was just concerned that if an individual wanted to run for State Representative such as yourself and you were a banker, you under this Bill without getting permission from the commissioner could not run as Terry 'Banker' Parke. So I guess that's the concern of some people over here."

Speaker Ryder: "Is that in the form of a question, Sir? Any further discussion? Seeing none, the Gentleman from Cook, Representative Parke, to close."

Parke: "Thank you, Representative and Speaker. Again, this is supported by the Illinois Bankers, the Community Bankers. We think this is good public policy and would ask the Body to support this legislation."

Speaker Ryder: "You've heard the Gentleman. The question is, 'Shall Senate Bill 1471 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 94 voting 'yes', 19 voting 'no', and 3 having voted 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Continue on the order of House

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Bills. Third Reading. Mr. Clerk, please read Senate Bill 1763."

Clerk Rossi: "Senate Bill 1763, a Bill for an Act concerning the Secretary of State. Third Reading of this Senate Bill."

Speaker Ryder: "And on that Bill, the Chair recognizes the Lady from DuPage, Representative Biggert."

Biggert: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1763 is a proposal from the Secretary of State to amend the Illinois Vehicle Code to resolve a conflict between Statute and Administrative Rules concerning the imposition of audit fees. It also amends the Business Corporation Act of 1983 to provide that all amounts in excess of \$100 thousand in the Corporate Refund Fund after June 30, of each year shall be transferred to the General Revenue Fund. And I will be happy to entertain any questions."

Speaker Ryder: "You heard the Lady. Is there any discussion? The Chair recognizes the Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Will the Lady yield?"

Speaker Ryder: "She indicates she will yield to your questions, Sir."

Hartke: "Right now how often are these audits, how often do they take place?"

Speaker Ryder: "Representative Biggert."

Biggert: "The current law provides that these audits take place annually."

Speaker Ryder: "Representative Hartke."

Hartke: "So this piece of legislation would be a doubling of the tax or a fee on those automobile dealers and truck dealers and so forth in Illinois? Is that right?"

Speaker Ryder: "Representative Biggert."

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Biggert: "I don't think you, I'm not sure you that have the right Bill. This on the audit cost where somebody, right now the state says they must charge an audit fee of \$50 for an audit and under the Administrative Rules, it is permissive and if people come into the Secretary of State's Office with their materials, there is no charge."

Speaker Ryder: "Representative Hartke."

Hartke: "This doesn't change the fee structure then when they're done on site?"

Speaker Ryder: "Representative Biggert."

Biggert: "No."

Speaker Ryder: "Representative Hartke."

Hartke: "So that fee structure is going to be the same. But if an automobile dealer brings all of his books in to the Secretary of State's Office, then there is no charge?"

Speaker Ryder: "One second, Representative Hartke, we're correcting the board. Representative Biggert."

Biggert: "They have a right to do that. It permits the Secretary of State to do that so it will save on cost, travel and efficiency because of the time saved by not having to go on site."

Speaker Ryder: "Representative Hartke."

Hartke: "So an automobile dealer who wants to save \$25 or \$50, he gets his bookkeeper and all of his books and computers and he brings them in to the Secretary of State's Office, parks three blocks away, and then saves himself \$25 to \$50. Is that right? That he may or may not be charged when he gets there depending on the attitude of the Secretary of State that day?"

Speaker Ryder: "Representative Biggert."

Biggert: "It gives the Secretary of State the ability to waive that fee as an incentive for people to bring their records

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to the auditors thereby allowing the auditors to avoid the traveling and incurring travel costs and to improve the efficiency because they can attend to more audit business rather than having to put the time in to travel."

Speaker Ryder: "Representative Hartke."

Hartke: "Well, I guess this is kind of ambiguous because the automobile dealer would not know whether he may or may not be charged when he gets there and goes through the hassle. He may have forgotten some documents that are required and so I guess he has to have his whole computer, bookkeeping system and everything brought in, and he may or may not save money. Wouldn't it be best if you say the fee shall be waived completely rather than may or may not be waived by the Secretary of State?"

Speaker Ryder: "Representative Biggert."

Biggert: "I think this has been the practice of the Administration Rules right now and I think in keeping with not mandating this is again is something to make it permissive and give him the ability to waive the fee. I think it's a good Bill because it reduces cost to persons that are having an audit. It also improves the efficiency of government at the same time."

Speaker Ryder: "Representative Hartke, you're under a minute, Sir."

Hartke: "Well, I would suppose then that the Secretary of State probably been violating the law because if it said in the statutes 'they shall charge \$25 to \$50' and they've been waiving it already and we're just codifying an illegal act that they've been doing. I'm not sure that that's a wise thing for us to do. Beyond that, how many dollars are we collecting from this fee now?"

Speaker Ryder: "Representative Biggert."

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Biggert: "I don't have that figure. I believe that I said in my opening statement that this was to clarify the law because the Administrative Rules and the statutes are not in synch and this is why we're bringing this Bill, to make sure there is no...and there was an audit finding and a suggestion by the Auditor General that this be done."

Speaker Ryder: "Representative Hartke."

Hartke: "I would think that through the JCAR Committee they could..."

Speaker Ryder: "Representative Hartke, please bring your remarks to a close."

Hartke: "...think they could introduce that as a rule change through the JCAR Committee and that could be done if they have been doing this as a practice in the past, then they should bring it to that rather than changing the statute to codify something that they have been doing."

Speaker Ryder: "You've heard the Gentleman, is there any further discussion? Seeing none, the Chair recognizes the Lady from DuPage, Representative Biggert, to close."

Biggert: "Thank you very much, Mr. Speaker. This is a recommendation of the Secretary of State based on an audit that was conducted and I would ask for 'do passage'."

Speaker Ryder: "You've heard the Lady's Motion. The question is, 'Shall Senate Bill 1763 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Continuing on the Order of Senate Bills, Third Reading. Mr. Clerk, please read Senate Bill 1764."



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Clerk Rossi: "Senate Bill 1764, a Bill for an Act relating to motor vehicles. Third Reading of this Senate Bill."

Speaker Ryder: "And on that matter, the Chair recognizes the Lady from DuPage, Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Members of the House. This is another Secretary of State cleanup Bill. It basically has five elements in it. I will briefly go through the five elements and then I will stand ready to answer any questions. The first element, it defines registered plates. There was certain circumstances under which people with what were called registered plates were coming through the state and basically our troopers did not necessarily understand the definition or they felt it was unclear. So the definition has been revised so that they don't stop the people that they were stopping because they shouldn't have been stopping them in the first place. The second one has to do with permitting the spouses of Pearl Harbor guys who fought at Pearl Harbor to keep the plates when their spouse has died. It's not adding any new plates or adding any category. It's just allowing the widows to keep the same license plate. The third one allows for a second division vehicle who wants to pay a mileage weight tax in lieu of surety bond to be able to do that. It defines a surety bond. We had certain circumstances under which people wanted to bond themselves out. And basically this says, 'No, you can't do it that way. You have to do it by a certain method.' And this outlines the method. The fourth thing, it eliminates the requirement that the Secretary of State issue for second division vehicles the Mileage Weight Tax and it also adjusts that fee. And then, finally, it also clarifies that firefighters and other emergency equipment vehicles with audible and visual signals are

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subject to the commercial drivers' license provisions. And so I stand ready to answer questions on Senate Bill 1764."

Speaker Ryder: "You've heard the Lady's Motion. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Dart."

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

Speaker Ryder: "She indicates she will yield to your question, Sir."

Dart: "Representative, as far as the license plate part goes, you are not adding any new license plates here, correct?"

Speaker Ryder: "Representative Pankau."

Pankau: "We are not adding any license plates. These are license plates that had already been issued. The spouse has passed away. The widow wants to keep the plate for sentimental reasons, their husband was in the battle et cetera, et cetera. So this allows them to do it. You have no more plates and once these are gone, then there won't be any issued either."

Speaker Ryder: "Representative Dart."

Dart: "That's good because I was worried because there was some other Member who had a Bill that dealt with taking care of all these license plates by the Secretary of State's office and that was going to end us going through each one individually. And since then I think we've had six or seven individual ones. The other thing I was going to ask you about was, the change that you're making with the second division vehicles. Why are you doing that?"

Speaker Ryder: "Representative Pankau."

Pankau: "I'm sorry, Representative Dart, with which part?"

Speaker Ryder: "Representative Dart."

Dart: "The changes you are making in the second division vehicles allowing for the paying a flat weight tax. Why are we

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making that change?"

Speaker Ryder: "Representative Pankau."

Pankau: "That part was taken out. I was in error."

Speaker Ryder: "Representative Dart."

Dart: "Thank you. And just one last thing the clarification is, the part dealing with the reciprocity with foreign jurisdictions, what license plates have they been pulling over? What have been the problems there?"

Speaker Ryder: "Representative Pankau."

Pankau: "There's an organization called the International Registration Plan and this is adopted by an international organization and they define what these things are. But to basically put it in a vernacular we can understand, it's more like 'farm plates', other type of special plates, manufacturers' plates et cetera, et cetera. Our guys were sometimes stopping them saying, 'You don't have the correct plates on.' According to the international registry they did. So this way we make our law in compliance with theirs and everybody's happy and we don't stop the wrong guys."

Speaker Ryder: "Representative Dart."

Dart: "Nothing further, thank you."

Speaker Ryder: "Thank you, Representative. The Chair recognizes the Gentleman from Vermilion, Representative William Z. Black."

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

Speaker Ryder: "She indicates she will yield to your questions, Representative."

Black: "Representative, in your opening remarks, you made reference to an exemption of the Commercial Drivers' License Law. I believe on page 8 and 9 of the Bill you were talking about where you're adding language on page 9,

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first sentence, 'audible and visual signals'. I assume that's emergency equipment. Are you adding them to coverage under the CDL Law or are you exempting them?"

Speaker Ryder: "Representative Pankau."

Pankau: "We're adding it to put it into compliance with the federal law."

Speaker Ryder: "Representative Black."

Black: "About three or four weeks ago we passed legislation regarding farmers operating their equipment within a 100, I don't remember the exact mileage radius of the farm, hauling farm commodities would be exempt from the CDL requirement. This does language does not put them back in in any way, shape or form, does it?"

Speaker Ryder: "Representative Pankau."

Pankau: "No."

Speaker Ryder: "Representative Black."

Black: "I appreciate that. One last question. In other words, a police car or a fire truck is required to be under the CDL Law by the federal government? That's correct?"

Speaker Ryder: "Representative Pankau."

Pankau: "Yes."

Speaker Ryder: "Representative Black."

Black: "Does that mean that a sworn police officer or a sworn firefighter would have to have a Commercial Drivers' License?"

Speaker Ryder: "Representative Pankau."

Pankau: "No, this is talking about the equipment that they operate. That equipment comes under the definition of commercial drivers' provisions."

Speaker Ryder: "Representative Black."

Black: "Maybe you could ask the Secretary of State's liaison with you. That confuses me. If we're classifying emergency

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vehicles, marked and audible sirens, et cetera, as being covered under the CDL instruction permit, it would only seem logical to me that the driver of said vehicle would then have to have a Commercial Driver's License. What am I not seeing here?"

Speaker Ryder: "Representative Pankau."

Pankau: "Okay, the collective wisdom from the Secretary of State's Office tells me that we're not changing the definition. We're just clarifying what the equipment, under what category their equipment falls. And that equipment provision is in the Commercial Drivers' License provision of the law."

Speaker Ryder: "Representative Black."

Black: "Okay, so for purposes of intent, I remember talking about the part-time police officers' Bill last year and for some us that Bill came back to bite some of us who have small towns in our district. There is nothing in this Bill that will be construed by rule by the Secretary of State or anybody else, the State Police. What I don't want is year form now to have my police officers in small towns or my volunteer firefighters come to me and say somebody promulgated a rule to drive a police car or to drive a fire truck, I now have to have a CDL. There's nothing in here that can come back and you will resist any such change from the Joint Committee on Administrative Rules? There's no way that's going to come back to haunt us a few months from now? That's your intent and that's your understanding?"

Speaker Ryder: "Representative Pankau."

Pankau: "That's my intent. That's my understanding. You are correct."

Speaker Ryder: "Anything further, Representative Black?"

Black: "Thank you very much, Representative. I think it's very

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important that we get that clarified and I appreciate your patience."

Speaker Ryder: "The Chair recognizes the Gentleman from Effingham, Representative Hartke."

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

Speaker Ryder: "She indicates she will yield for your questions."

Hartke: "Representative Pankau, you indicated that I think in some of the questioning here that part of this legislation was, you were in error, and was taken off and I noticed in my analysis that the Secretary of State was a proponent and so were the Midwest Truckers. Did you take out the part that the Midwest Truckers were in support of?"

Speaker Ryder: "Representative Pankau."

Pankau: "No, the fee increase part was taken out. The truckers part is in."

Speaker Ryder: "Representative Hartke."

Hartke: "Okay, I have another question. I know this is not creating a new license plate number and is just helping the widows of Pearl Harbor survivors. How many special plates do we have now in the State of Illinois?"

Speaker Ryder: "Representative Pankau."

Pankau: "Are you talking total or just for the Pearl Harbor?"

Speaker Ryder: "Representative Hartke."

Hartke: "How many different types of plates can we and do we have for various organizations and so forth on an annual basis in Illinois whether it be POW, MIA, American Legion, whatever?"

Speaker Ryder: "If you include weight plates and everything else, I'm told it's 145."

Speaker Ryder: "Representative Hartke."

Hartke: "Thank you. One more question, final question. I know that last year and I think Representative Black possibly

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and a couple others of us wanted a plate which would allow a triple hitch on a...to bring livestock trailers into Illinois. Is that allowed now?"

Speaker Ryder: "Representative Pankau."

Pankau: "I have no idea. It's not part of this Bill."

Speaker Ryder: "Representative Hartke, you did say it was your final question, Sir. Please proceed."

Hartke: "She didn't answer the question, though. So it begs another question."

Speaker Ryder: "You didn't request that. You just said it was your question."

Hartke: "I've got time left."

Speaker Ryder: "You're a man of your word. Please proceed."

Hartke: "Well, we're recognizing second division plates in other states. Missouri, for example, I've traveled through Missouri and there are many trailer manufacturers of flatbed trailers and these small trailers that pull boats and things like that and even livestock trailers I've seen along the interstate some intersections there's a manufacturer. And I'm sure that those plates that are issued by the state of Missouri allow them to deliver their livestock trailers, within a certain length of course, into the State of Illinois because we're now recognizing those out-of-state plates. The question begs, why don't we have special plates that allow that here in Illinois so that our manufacturers can compete? I have a trailer manufacturer in my district, who puts together trailers and he wants to hook them in tandem, say one or two maybe three trailers, as long as they're within the length necessary. Why don't we have special plates for those individuals and we recognize them as well as those plates that are given those manufacturers in other states?"

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Speaker Ryder: "Representative Pankau."

Pankau: "What this Bill attempts to do is bring those plates in line with the International Registration Plan, this international body. The other subject that you addressed, Representative Hartke, as to why we don't have some of those plates in Illinois isn't part of this Bill. But if you want to talk about this at a later time, we could talk about it. But it's not part of this Bill."

Speaker Ryder: "Representative Hartke."

Hartke: "Well, I think it should be and I know you're not going to roller it back to second to allow me to do that. But you know I think it's ironic that we'll recognize a legitimate manufacturing plate from another state but yet in this state, we won't allow those individuals to do that. And when our manufacturers want to deliver those trailers in other states, they have to make two trips or three trips to deliver the product that they're producing but we recognize the plate on another vehicle from another state to come in here and deliver those which makes their trailers more cost effective than ours. I think we can work on that sometime. You'd work with me, wouldn't you? And support me on that as well as the Secretary of State's Office?"

Speaker Ryder: "Representative Pankau."

Pankau: "If I can support your Bull Semen Bill, I guess I can work with you on this."

Speaker Ryder: "Anything further, Representative Hartke. Seeing none, the Chair recognizes the Lady to close."

Pankau: "I ask for your favorable approval of Senate Bill 1764."

Speaker Ryder: "You've heard the Lady. The question is, 'Shall Senate Bill 1764 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open and this is



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final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'nay', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Continuing on the Order of Senate Bills Third Reading. Mr. Clerk, please read Senate Bill 1783."

Clerk McLennand: "Senate Bill #1783, a Bill for an Act that amends the Illinois Human Rights Act. Third Reading of this Senate Bill."

Speaker Ryder: "The Chair recognizes the Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1783 is a fairly simple Bill. The purpose of the underlying language is that it exempts the standards for exempting housing for older persons from the requirements of Human Rights Act. What it pretty much does is put our language in unison with the Federal Fair Housing Act. So these little technical changes were necessary. Also, Committee Amendment #1, is some language to streamline the appeal process over at the Human Rights Commission. There are no known opponents to this Bill. The proponents are America Association of Retired Persons, Township Officials of Illinois, the Department on Aging, Illinois Health Care Association. I'd ask for a favorable vote."

Speaker Ryder: "You've heard the Gentleman. On that matter, is there any discussion? The Chair recognizes the Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you. Will the Gentleman yield for some questions?"

Speaker Ryder: "He indicates that he will yield to your questions, Representative."

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Schakowsky: "Does this Bill relate to the issue of non-seniors, I'm sorry, I didn't hear all of your explanation, of non-seniors living in senior citizen buildings?"

Speaker Ryder: "Representative Saviano."

Saviano: "What it does is under the Fair Housing Act on the federal level, we had to relax our standards in the state here for housing for senior citizens of people over 55-years-old."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Would this Bill, though, allow more housing units to restrict tenancy to senior citizens? I know that there's been a problem in Illinois and that it's been brought to me among some seniors that non-seniors, very often people with various addiction problems, etcetera, are allowed in non-senior buildings. Does this Bill address that at all?"

Speaker Ryder: "Representative Saviano."

Saviano: "No, Representative, it does not."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Well, I'm sorry for being so unclear about this. So does this Bill then bring us in compliance with Federal Law? Is that the only intention of this legislation?"

Speaker Ryder: "Representative Saviano."

Saviano: "Every change pursuant to this Bill identically mirrors the Federal Law. We had to bring our standards in unison with the Federal Law. Whatever the federal government passed, we're just mirroring their legislation."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Well, then maybe you'll indulge me then in just telling me how does this improve the situation for Illinois seniors?"

Speaker Ryder: "Representative Saviano."

Saviano: "Okay, housing intended for persons 55-years-old or

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older, when at least 80% of occupied units are occupied by at least one person, 55 years of age or older. The housing facility publishes or adheres to the publication of and adherence to, policies and procedures in compliance with the exemptions regarding housing for senior citizens. Thirdly, the housing facility complies with the rules issued by the Department of Human Rights for verification of occupancy, provides that a person shall not be held liable for monetary damages for a violation if that person reasonably relied on the application of the exemption relating to housing for older persons. That's exactly what the Bill does."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Well, I know that and that's what I have in my notes, too, and that's kind of why I asked the question because I was hoping for a translation of that into understandable English. I'm really trying to understand, what does this mean? I mean, does someone...are 55-year-olds now in a new category? Are more people allowed into senior housing that weren't before? Is it the liability issue that we're mostly focusing on? I don't really understand what that language means for Illinois seniors."

Speaker Ryder: "Representative Saviano."

Saviano: "It means exactly what it says. It's relaxing the standards so people who are 55 years of age or older would have access to senior facilities and senior living arrangements. We have situations where people who are not necessarily 65 are in need of those accommodations and this would relax the standards to provide an exemption for a person 55 or older."

Speaker Ryder: "Representative Schakowsky."

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Schakowsky: "Got it. So what you're saying is, that those of us who are now approaching this ripe old age might be eligible now for senior housing that was not before previously available to us."

Speaker Ryder: "Representative Saviano."

Saviano: "Yes, that's correct. And of course, in their wisdom our federal lawmakers made this change and now we are just imitating them here on a state level to make sure everything is in unison."

Speaker Ryder: "Representative Schakowsky."

Schakowsky: "Well, I saw that the American Association of Retired Persons, that organization I am proud to be a card-carrying member of, has endorsed this legislation and I would urge an 'aye' vote."

Speaker Ryder: "Thank you. Any further discussion? Seeing none, the Chair recognizes the Gentleman from Cook to close."

Saviano: "Thank you, Mr. Speaker. I would appreciate a favorable vote. Thank you."

Speaker Ryder: "You've heard the Gentleman. The question is, 'Shall Senate Bill 1783 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this matter, there are 115 voting 'yes', 0 voting 'nay', and 0 voting 'present'. and this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Ryder: "Mr. Clerk, for a Supplemental Calendar Announcement."

Clerk McLennand: "Supplemental Calendar #2 is being distributed."

Speaker Ryder: "Moving to the Order of Senate Bills Second Reading. Mr. Clerk, please read Senate Bill 350."

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Clerk McLennand: "Senate Bill #350, a Bill for an Act in relation to the Adopt A Highway Program. Second Reading of this Senate Bill. Committee Amendments #1 and 2, were adopted. No Floor Amendments. No Motions."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 615."

Clerk McLennand: "Senate Bill #615, a Bill for an Act that amends the Comptroller Merit Employment Code. Second Reading of this Senate Bill. Committee Amendments #1 and 4, were adopted. Committee Amendments #2, was referred to Rules. Floor Amendment #3, was referred to Rules. Committee Amendment #5, was ruled non germane. No further Floor Amendments. Fiscal Note and State Mandate's Note has been filed on the Bill 'as amended'."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1246."

Clerk McLennand: "Senate Bill #1246, a Bill for an Act in relation to postpartum care. Second Reading of this Senate Bill. Committee Amendment #1, was adopted. Committee Amendments #2 and 3, were referred to Rules. No Floor Amendments. State Mandate's Note and Home Rule Note have been filed on the Bill 'as amended' by Amendment #1."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1316."

Clerk McLennand: "Senate Bill #1316, a Bill for an Act that amends the Fire Protection District Act. Second Reading of this Senate Bill. Committee Amendment #1, was ruled non germane. No Floor Amendments. A State Mandates Note has been requested and has been filed."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1420."

Clerk McLennand: "Senate Bill 1420, a Bill for an Act that amends

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the Township Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. A Fiscal Note, State Mandates Note, and Home Rule Note have been requested and have been filed."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1425."

Clerk McLennand: "Senate Bill 1425, a Bill for an Act that amends the Illinois Insurance Code. Second Reading of this Senate Bill. Committee Amendment #1, was withdrawn. Committee Amendments #2 and 3, were referred to Rules. No Floor Amendments. A Fiscal Note and a State Mandates Note have been requested and filed."

Speaker Ryder: "Third Reading. Mr. Clerk, continuing on the Order of Senate Bills, Second Reading. Please read Senate Bill 1681."

Clerk McLennand: "Senate Bill #1681, a Bill for an Act that amends the Emergency Telephone System Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. State Mandates Note has been requested and has been filed."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1327. Mr. Clerk, continuing on the Order of Senate Bills Second Reading. On Supplemental Calendar #2, Senate Bill 1327."

Clerk McLennand: "Senate Bill #1327, a Bill for an Act that amends the Emergency Medical Services Systems Act. Second Reading of this Senate Bill. Committee Amendment #1, was adopted. No Floor Amendments. A Fiscal Note has been requested and filed."

Speaker Ryder: "Third Reading. Please read Senate Bill 1388."

Clerk McLennand: "Senate Bill #1388, a Bill for an Act concerning public health and welfare. Second Reading of this Senate

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Bill. Committee Amendment #1, was adopted. No Floor Amendments. Fiscal Note has been requested and filed."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1416."

Clerk McLennand: "Senate Bill #1416, a Bill for an Act that amends the Illinois Vehicle Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1463."

Clerk McLennand: "Senate Bill #1463, a Bill for an Act concerning Local Transfer Taxes. Second Reading of this Senate Bill. Committee Amendment #1, was adopted. No Floor Amendments. No Notes have been requested."

Speaker Ryder: "Representative Granberg, for what purpose do you rise?"

Granberg: "Parliamentary inquiry, Mr. Speaker. Are the Amendments on the system? We don't seem to have track of them currently."

Speaker Ryder: "Representative Granberg, the Amendments are on the system. In order for you to access them, you may need to download the Amendments from the central computer. Have you done that recently, Sir? Are you uploaded or downloaded, Sir? Do you even have a computer on your desk, Representative? Representative Granberg."

Granberg: "They're on our tracking system, it says, there are no Amendments on this Bill, for example. Now, is that correct?"

Speaker Ryder: "Representative, we've checked with the Clerk's Office and we had double-checked that the correct Amendments were on, before we moved these. We have sent our technical expert here, the Assistant Clerk, to be of

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assistance. Anything further, Representative Granberg?"

Granberg: "Oh, you indicated, you sent your technical expert. I'm not sure where you sent him."

Speaker Ryder: "Clerk Rossi got detained in the first row of computers and is currently lost. Representative Granberg."

Granberg: "Well, if you could just wait a moment, Mr. Speaker, we're trying to find, apparently our technical and your technical expert is having the same difficulty we are, in that he cannot find these Amendments. Now, I'm sure in the spirit of open government, as we heard about last January, that you would certainly be in agreement that we would want to do these things so all the Members knew."

Speaker Ryder: "Representative Granberg, I'll be happy to pause a moment, if you promise not to give that same canned speech. Representative Granberg."

Granberg: "Well, I gave you the benefit of the doubt because I thought you believed in open government. But, certainly that hasn't been the case the last year and a half from the actions of this Body. But, with that, we appreciate your consideration."

Speaker Ryder: "Representative Granberg, during the time that you weren't giving the speech that you just gave, we have confirmed here on the podium that indeed, the Amendments are there. Representative Granberg."

Granberg: "Well, in the time you spoke about, you are in agreement we are for open government, unlike what this Body has done. We're still trying to find these Amendments and we have not...wait a moment, we have our technical expert and the technical expert is being advised by another technical expert. I think this is a great policy we have with these computers and this new and open fair process."

Speaker Ryder: "Representative Granberg, a filibuster is not



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required. We have confirmed from the Chair that the Amendments are available on the computer that is here. Representative Granberg."

Granberg: "Well, in reliance upon your statement, Mr. Speaker, we are waiting to no avail for some update on whether these Amendments are available. Now, Mr. Rossi, is pursuing this diligently, but yet, we have no answer. Now if Mr. Rossi, can't access these Amendments, my gosh, how does that reflect on the Members? We certainly can't do it."

Speaker Ryder: "Sir, Mr. Rossi, is a constituent and I would strongly suggest that you withhold any further aspersions on his character. We've ascertained that they are available on the computer. The Chair recognizes Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Members of the House. While Assistant Clerk Rossi, is trying to locate those Amendments, maybe after he's done locating those Amendments, he can come over to our side of the aisle and help Representative Black locate his chair. I understand that Representative Black's chair is missing from his office and it's made him a little grumpy today. I noticed that he had to sit on the floor this morning and greet visitors, sitting on the floor. So, I just wanted to know if Mr. Rossi, would maybe assist Mr. Black in finding that chair and I'm sure it will help put Mr. Black, in better humor for the rest of the day."

Speaker Ryder: "The Chair would appreciate anything that would make Mr. Black in a better humor. Representative Granberg. Has the Representative been updated, downloaded, and ready for action?"

Granberg: "Thank you, Mr. Speaker. First of all, in reference to Mr. Rossi, as you will know from your practice, I certainly

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made no, cast no in aspersions, in regard to his character, but if I did, truth is a defense. It's an absolute defense. So there's no problem with any type of action on his part because whatever we said is probably true. And secondly, we have been able to ascertain those Amendments, the whereabouts of those Amendments. It only took five minutes. But in this open process, it takes a while in this meined deliberate Body and we shall move forward at the discretion of the Chair."

Speaker Ryder: "Representative Lang having moved the previous question, Mr. Clerk, had we finished with Senate Bill 1463? Was it indeed moved to Third Reading? Please move Senate Bill 1463 to Third Reading. Continuing on the Order, Supplemental Calendar #2, Senate Bills Second Reading. Mr. Clerk, please read Senate Bill 1472."

Clerk McLennand: "Senate Bill #1472, a Bill for an Act that amends the Illinois Public Aid Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions."

Speaker Ryder: "Third Reading. Please read Senate Bill 1527."

Clerk McLennand: "Senate Bill #1527, a Bill for an Act that amends the Probate Act of 1974. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. All Notes have been filed."

Speaker Ryder: "Third Reading. Please read Senate Bill 1543."

Clerk McLennand: "Senate Bill #1543, a Bill for an Act that amends the Illinois Public Aid Code. Second Reading of this Senate Bill. Committee Amendment #1, was adopted. Committee Amendment #2, was ruled non germane. No Floor Amendments. No Motions."

Speaker Ryder: "Third Reading. Mr. Clerk, please read Senate Bill 1766."

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Clerk McLennand: "Senate Bill #1766, a Bill for an Act that amends the State Finance Act. Second Reading of this Senate Bill. Committee Amendment #1, was adopted. No Floor Amendments. Fiscal Note has been requested and filed on the Bill 'as amended'."

Speaker Ryder: "Third Reading. Mr. Clerk, what is the status of Senate Bill 1527?"

Clerk McLennand: "Senate Bill 1527 has just been moved to the Order of Third Reading."

Speaker Ryder: "Mr. Clerk, at the request of the Sponsor and without objection from the House, please return that Bill to the Order of Second Reading. Mr. Clerk, what is the status of Senate Bill 1381?"

Clerk McLennand: "Senate Bill #1381, a Bill for an Act that amends the Civil Administrative Code of Illinois. Second Reading of this Senate Bill. Committee Amendment #1, was adopted. No Floor Amendments. Fiscal Note has been filed as requested."

Speaker Ryder: "Mr. Clerk, having read that Bill a second time, please hold the Bill on Second Reading. Mr. Clerk, Messages."

Clerk McLennand: "Mr. Speaker, I received a Message from the Senate by Jim Harry, Secretary of the Senate, Directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of House Bill 2915, together with Senate Amendment #1, passed the Senate 'as amended', May 1st, 1996."

Speaker Daniels: "Speaker Daniels in the Chair. If I might have your attention for a moment, we will conclude our work today on a Death Resolution of a former Member. When we adjourn tomorrow, we'll come in Session tomorrow at 1:30. When we adjourn tomorrow, we will reconvene on Tuesday at

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noon. So we will not be in Session on Friday or Monday. I'm sorry that those of you that want to be here, won't be able to come back until Tuesday, but I'll be here so if you want to come in earlier and see me, you can come in and see me. Okay. House Resolution 102, which is a Death Resolution of a former Member. Mr. Clerk, and we will adjourn on this Death Resolution for the day. Mr. Clerk, read House Resolution 102."

Clerk McLennand: "House Resolution #102.

WHEREAS, It is with deepest sorrow that the House learned of the death of one of our respected former colleagues, Anthony DeTolve of Chicago on December 9, 1995;

Speaker Daniels: "Excuse me, Mr. Clerk. Members of the House, this is a Resolution of a former Member."

Clerk McLennand: "House Resolution #102. It is with deepest sorrow that the House learned of the death of one of our respected former colleagues, Anthony DeTolve of Chicago on December 9, 1995; and

WHEREAS, Anthony DeTolve represented the 17th District as a member of the Illinois House of Representatives from 1951 until 1956 and served as the Senator from the 7th District from 1959 until 1966; and

WHEREAS, During the years he was a member of the legislature, he was actively engaged in citizen's activities and community affairs for indigent people, seeking employment and assisting underprivileged children on the West Side of Chicago; and

WHEREAS, In 1963, Senator DeTolve was responsible for the introduction and passage of Senate Bill 1205, making Columbus Day a State holiday; and

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WHEREAS, Born in Chicago on May 26, 1922, Anthony DeTolve received his early education in the Chicago public school system; he received his Bachelor of Law Degree from DePaul College in 1946 and was admitted to the bar in January of 1947; and

WHEREAS, A veteran of World War II, Anthony DeTolve was affiliated with the Chicago Bar Association, the Chicago Law Institute, the Chicago Alumni Senate of Delta Theta Phi, the Dominic Oliver American Legion, the Chicago Federation of Musicians, the Justinian Society, the Disabled American Veterans, the Joint Civic Committee of Italian Americans, and the Loyal Order of Moose; and

WHEREAS, The passing of Anthony DeTolve will be felt most deeply by his devoted family and friends who supported him throughout his public and private career, especially his son Mark; his daughter Maria Donoghue; his sisters, Joan and Marian; and his grandchildren; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our most sincere condolences to the family of Anthony DeTolve, a respected colleague who will long be remembered; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Anthony J. DeTolve.

Speaker Daniels: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I personally did not have the pleasure of knowing Representative DeTolve, but from conversations from friends, mutual friends and acquaintances and members of the family, he must have been an outstanding gentleman. Concerned with his district, concerned with representing his constituents in the very best way he knew. He always

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cared about working people. He fought tirelessly to represent them in Springfield and their concerns. He always went out of his way to do everything possible to further the best interests of his district. An outstanding family man, always concerned with the priorities we should have in society. And I think, sometimes we forget that we're not here for a very long time, and our impact can be less than meaningful. But he served with honor, great honor in this chamber and in the Senate. And those who know him, realize what a tremendous job he did. We can only hope that most of us serve in the same capacity as he. And I would certainly ask leave of the Body to add all the Members as CoSponsors of the Death Resolution."

Speaker Daniels: "Representative Granberg asked leave of the House to add all Members as CoSponsors. Is there leave? Leave is granted. Representative Granberg now moves for the passage of House Resolution 102. All those in favor will signify by saying 'aye'; opposed 'no'. The 'ayes' have it. And House Resolution 102 is hereby passed. Representative Churchill now moves that the House stand adjourned until Thursday, May 2, 1996 at the hour of 1:30 p.m. All those in favor signify by saying 'aye'; opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. In allowing for perfunctory time for the Clerk, the House now stands adjourned until Thursday, May 2, 1996 at the hour of 1:30 p.m."

Clerk McLennand: "House Perfunctory Session will be in order. Constitutional Amendments. Second Reading of Senate Joint Resolution #3, Constitutional Amendment 'as amended' by House Amendments #1 and 2."

RESOLVED, BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY

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OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING  
HEREIN, That there shall be submitted to the electors of this  
State for adoption or rejection at the general election next  
occurring at least 6 months after the adoption of this resolution  
a proposition to amend Section 8 of Article IV of the Illinois  
Constitution as follows:

ARTICLE IV  
THE LEGISLATURE

SECTION 8. PASSAGE OF BILLS

(a) The enacting clause of the laws of this state shall be  
being enacted by the people of the State of Illinois represented  
in the General Assembly; the General Assembly shall enact laws  
only by law; Bills may originate in either House, but may be  
amended or rejected by the other; no Bill shall become law without  
the concurrence of the majority of the Members elected to each  
House; final passage of a Bill shall be by record vote; in the  
Senate at the request of two Members, in the House at the request  
of five Members, a record vote may be taken on any other occasion,  
a record vote is a vote by 'yeas' and 'nays' entered on the  
Journal; a Bill shall be read by title on three different days in  
each House, a Bill and each Amendment thereto shall be reproduced  
and placed on desk of each Member before final passage; Bills,  
except Bills for appropriation and for the codification, revision,  
or rearranging of laws shall be confined to one subject;  
Appropriation Bills shall be limited to the subject of  
appropriations; a Bill expressly amending a law shall set forth in  
completely sections amended; the Speaker of the House of  
Representatives and the President of the Senate shall sign each  
Bill that passes, both Houses certify the procedure requirements  
for passage have been met; after November 5th, 1996, no portion of  
any Bill shall require a unit of local government to establish,

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expand, modify, or increase its programs, activities, or services, and such as ways that necessitate the expenditure of additional public revenue by the unit of local government, unless at least one of the following applies: the state appropriations additional funds to the unit of local government to fully fund the additional expenditures necessary to carry out the requirement for each year the requirement is in effect, the Bill passes with the concurrence of at least three-fifths of the Members elected in each House, that a portion of the Bill imposes a federal law that the unit of local government would otherwise be required to meet by federal law or imposes a state or federal court order with no additional requirements imposed by the state, that a portion of the Bill creates, expands, or modifies a specifically defined crime, or that a portion of the Bill creates, expands, or modifies benefits for workers' injuries or disease or benefits for unemployed workers; a law enacted after November 5th, 1996 may not be the basis for administrative rules, regulations, or actions that require a unit of local government to establish, expand, modify, or increase its programs, activities, or services in such a way as to necessitate the expenditure of additional public revenue by unit of local government unless the law authorizes the rules, regulations, or actions; this subsection does not apply to any portion of a Bill that limits or regulates the ability of a unit of local government to raise revenue.

SCHEDULE

This Constitution Amendment takes effect upon approval by the electors of this State. Introduction Second Reading of Senate Joint Resolution #3, Constitutional Amendment 'as amended' by House Amendments #1 and 2. Motions have been filed with respect to Amendments #1 and 2, on SJRCA #3. The Chair has ruled that these Motions go to the Rules Committee. House Perfunctory



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Session will stand in recess until the hour of 4:30."

Clerk McLennand: "Perfunctory Session will be in order. Committee Reports. Committee Report from Representative Persico, Chairman from the Committee on Environment and Energy, to which the following Bills were referred, action taken on May 1st, 1996, reported the same back with the following recommendations: 'do pass' Senate Bill 1719; and 'do pass as amended' Senate Bill 1390. Committee Report from Representative Andrea Moore, Chairman from the Committee on Elections and State Government, to which the following Bills were referred, action taken on May 1st, 1996, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1385; 'do pass as amended Short Debate' Senate Bill 1288 and Senate Bill 1465. Committee Report from Representative Ann Hughes, Chairman from the Committee on Counties and Townships, to which the following Bills were referred, action taken on May 1st, 1996, reported the same back with the following recommendations: 'do pass' Senate Bill 1407; 'do pass as amended' Senate Bill 1513; 'do pass as amended Short Debate' Senate Bill 67 and Senate Bill 1673. Committee Report from Representative Zickus, Chairman from the Committee on Consumer Protection, to which the following Bills were referred, action taken on May 1st, 1996, reported the same back with the following recommendations: 'do pass as amended Short Debate' Senate Bill 681. Second Reading of Senate Bills for the purpose of holding them on the Order of Second Reading. Senate Bill 11, a Bill for an Act that amends the Unemployment Insurance Act. Senate Bill 522, a Bill for an Act in relation to adoptions, together with Committee Amendment #1. Senate Bill 825, a Bill for an Act that amends the

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Judicial Districts Act. Senate Bill 826, a Bill for an Act that amends the Regional Transportation Authority Act, together with Committee Amendment #1. Senate Bill 958, a Bill for an Act that amends the Mechanics Lien Act. Senate Bill 1019, a Bill for an Act that amends the School Code. Senate Bill 1278, a Bill for an Act that amends the Illinois Municipal Code, together with Committee Amendments #1, 2, and 3. Senate Bill 1319, a Bill for an Act that amends the Downstate Public Transportation Act. Senate Bill 1363, a Bill for an Act that amends the School Code. Senate Bill 1380, a Bill for an Act that amends the Civil Administrative Code of Illinois. Senate Bill 1440, a Bill for an Act concerning the deaf and hard-of-hearing. Senate Bill 1459, a Bill for an Act that amends the Criminal Code of 1961. Senate Bill 1467, a Bill for an Act that amends the Criminal Code of 1961, together with Committee Amendment #1. Senate Bill 1473, a Bill for an Act concerning agriculture, together with Committee Amendment #1. Senate Bill 1490, a Bill for an Act that amends the Unemployment Insurance Act, together with Committee Amendment #1. Senate Bill 1494, a Bill for an Act concerning state funding of court order and consent decrees. Senate Bill 1501, a Bill for an Act that amends the Illinois Marriage and Dissolution of Marriage Act. Senate Bill 1502, a Bill for an Act concerning cash bonds from builders or developers. Senate Bill 1518, a Bill for an Act that amends the Unified Code of Corrections. Senate Bill 1544, a Bill for an Act that amends the Illinois Public Aid Code, together with Committee Amendment #1. Senate Bill 1661, a Bill for an Act concerning children. Senate Bill 1664, a Bill for an Act in relation to the Southwestern Illinois Development Authority, together with

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Committee Amendment #1. Senate Bill 1669, a Bill for an Act that amends the Unemployment Insurance Act. Senate Bill 1684, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Senate Bill 1696, a Bill for an Act that amends the Children and Family Services Act, together with Committee Amendment #1. Senate Bill 1746, a Bill for an Act that amends the Unified Code of Corrections. Senate Bill 1757, a Bill for an Act that amends the Build Illinois Bond Act. Senate Bill 1761, a Bill for an Act that amends the General Assembly Organization Act. Senate Bill 1780, a Bill for an Act that amends the Code of Civil Procedure, together with Committee Amendments #1, 2, and 3. Senate Bill 1814, a Bill for an Act concerning the conveyance of land. Senate Bill 1912, a Bill for an Act in relation to installment sales, together with Committee Amendment #1. Second Reading of these Senate Bills. These Bills will be held on the Order of Second Reading. House Perfunctory Session will stand at ease. Committee Report from Representative Wirsing, Chairman from the Committee on Higher Ed, to which the following Bill was referred, action taken on May 1st, 1996, reported same back with the following recommendation; 'do pass as amended Short Debate' Senate Bill 1419. Being no further business, the House Perfunctory Session stands adjourned and the House will reconvene on Thursday, May 2nd at the hour of 1:30 p.m."

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