

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

71st Legislative Day

11/4/2003

Speaker Madigan: "The House shall come to order. Members shall be in their chairs. We ask all Members to... can I have your attention please. We ask all Members to turn off their laptop computers, turn off the cell phones and the pagers. And we shall be led in prayer today by pastor Keith Tipple of the Faith Temple Assembly of God in Frankfort, Illinois. Pastor Tipple is the guest of Representative Kosel."

Pastor Tipple: "By my accent you'll probably recognize I'm from England, but have been in your country for eight months, and it's a privilege and honor to be here. Let's pray together. Heavenly Father as we turn our hearts and thoughts to You, as we do we bring to remembrance Your greatness, Your magnificence. And we are humbled at the tremendous privilege You have granted mankind that we can actually commune with You, know You, and have access into Your presence. Your character Lord, remains the same. You are holy, righteous, faithful and true. You have always existed and always will. You are eternal and yet You stepped into time. You are invisible and yet we see You clearly through the life and ministry of our Lord, Jesus Christ. You are immortal yet You will prepare to lay down Your life, and so powerful You could take it up again three days later. By this same power You created all things and uphold all things. Your purposes for this generation have been planned before time began. You are awesome in Your glory and yet indeed in Your love You are amazing. You have made a way for us to approach You and to be lifted from our spiritual darkness. The Psalmists of old, Lord,

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asked a question 'What is man that You are mindful of Him, or the Son of man that You visit Him? Yet You are mindful of us and vitally interested in all that we are and do.' Today O'God, it's a privilege to turn to You and honor You as we look to You for divine help. You are the God who puts men and women into positions of leadership. You call them to positions of authority and responsibility in this nation, and You call us to pray for them. Your word declares first of all that prayers are to be made for all in authority. Today we pray for this great nation of the United States of America, for the President and his administration. We ask for protection against all evil. We ask for preservation of the standards of Your word and righteousness which exalt a nation. We ask for guidance and divine wisdom in the decisions that are made in government that not only affect this nation but other nations of the world. We pray for peace and justice to prevail. And to all those in our armed services that face danger day after day, we ask You will grant them Your protection. We bring to You today the Representatives of this State of Illinois, thanking You for the work that they're called to do. We pray that Your will may be done through the decisions that they make, and that they may know Your presence, Your protection, Your peace and blessing upon their individual lives and the lives of their families. And we will give You thanks and praise as we ask these things in the name of Jesus Christ, our Lord and Savior, and may God bless America. Amen."

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

Hamos - 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Speaker and Members of the House I know you will all want to join me in welcoming two new Democrats who have recently arrived in our midst. The first on October 20th, Daniel David Colman Miller, who is the son of Representative Miller and his wife Donna. And second, Taylor Courtney Langston, who was born just last Thursday, October 20th, to Keith Langston and his wife, our Representative Annazette Collins, who is excused today by virtue of the new birth. Moms, dads and babes are all doing very well."

Speaker Madigan: "Representative, Representative Currie, we're on the Order of the Attendance Roll Call."

Currie: "Yes, and I reported that Representative Collins, is absent today by virtue of a new baby."

Speaker Madigan: "Very well. And Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today. I understood what I supposed to do."

Speaker Madigan: "Very good. The Clerk shall take the record. On this question there are 116 Members responding to the

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Attendance Roll Call. There is a quorum present. Ladies and Gentlemen, if I can have your attention for a few moments. We'd like to recognize Representative Brandon Phelps for the purpose of an introduction. Mr. Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I want everybody to welcome our new colleague of ours. At a 117 district he hails from Marion, Illinois Williamson County. I give you Representative John Bradley."

Speaker Madigan: "Representative this is your first opportunity to speak. Proceed."

Bradley: "Thank you, Mr. Speaker, Members of the House. I am humbled to hear my voice ring through these sacred chambers. I accept this position with an appreciation of the responsibility and honor I've been given by the people of southern Illinois. And I come remembering the past and my family who has allowed me to be here, and standing upon their shoulders my wife Amy, our two-year-old son Jackson, my father Ed, my mom Melanie, my grandmother Shork, my grandmother Bradley, my uncle Mark and my aunt Cheryl. Four generations of Bradley's and we're honored to be here. Thank you."

Speaker Madigan: "Mr. Stephens, Stephens."

Stephens: "Well, thank you, Mr. Speaker. I noticed there were two new Democrats barn... born. On this side of the aisle we had an Independent born. And that child will decide his politics when he grows up. But I'm sure that he's going to consider the Democratic Party. But consid... considering his

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heritage he might be a Republican. Thomas Jackson Rose, was born October 10th, 8 pounds and 4 ounces. His dad calls him Jack, son of Chapin Rose."

Speaker Madigan: "Mr. Black.

Black: "Yes, thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Yes, Mr. Speaker, I've been here for a lengthy period of time and I've only worked with two Democrat Clerks of the House. Jack of course retired some time ago. My question is, what have you done with Clerk Bolin? I... I don't see him today."

Speaker Madigan: "We thought that Clerk Bolin was gonna switch allegiance. That's what we thought."

Black: "Oh, is that Clerk Bolin. What happened to the Assistant Clerk? What was his name? How quickly we forget."

Speaker Madigan: "Tony."

Black: "Rossi, Tony Rossi."

Speaker Madigan: "Tony."

Black: "Yes, what happened to Tony? He was a fine young man Mr. Speaker, and I..."

Speaker Madigan: "He still is."

Black: "Well, of course he is. But I don't know how were gonna get along without the team of Bolin and Rossi. What... what have you done with Clerk Rossi over the summer?"

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Speaker Madigan: "Mr. Rossi, has left the House of Representatives. He now works for the Capital Development Board."

Black: "Did he go on to bigger and better things?"

Speaker Madigan: "Bigger and better things."

Black: "He didn't go to the Senate by any chance did he?"

Speaker Madigan: "He did... he did an intelligent thing."

Black: "Yeah, and we wish him... and we wish him well. And Mr. Speaker, if you could get him on the phone, I do have another inquiry of the Chair. I need a hard hat. It has been called to my attention that a 40 pound chunk of very expensive plaster... you know, we just redid this ceiling as you'll recall about a year ago, being in the Minority Party I spent a lot of time up there working on it. But a 40 pound chunk of plaster fell and hit my desk. And I might add Mr. Speaker, the desk is damaged, seriously. I have a splinter in my hand because of the rough edge. The first... the first splinter I've had in my hand by the way in 40 years. Are there any plans to repair or replace my desk?"

Speaker Madigan: "We're working on that."

Black: "I... as I understand it we've been working on it for some time. But maybe I can get a piece of sandpaper. That would be certainly helpful. Thank you."

Speaker Madigan: "You're welcome."

Black: "Mr. Speaker, I... I just in closing did you have a good summer? Good."

Speaker Madigan: "I had a good summer."

Black: "Good."

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Speaker Madigan: "I did. But I missed you."

Black: "You... you look good. I... I missed you."

Speaker Madigan: "All right."

Black: "You look good, you look rested."

Speaker Madigan: "All right."

Black: "So, I assume we're ready to go. Let's go."

Speaker Madigan: "Chair recognizes the Clerk for the purpose of our Rules Report."

Clerk Bolin: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken November 04, 2003, reported the same back with the following recommendation/s: recommends 'be adopted' Motions to accept Amendatory Vetoes for House Bill 313, House Bill 1516, House Bill 2545, House Bill 3048 and House Bill 3080. Recommends 'be not adopted' Acceptance Motions for House Bill 3313 and House Bill 3412."

Speaker Madigan: "Mr. Clerk, read the Agreed Resolutions."

Clerk Bolin: "Agreed Resolutions. House Resolution 419, offered by Representative Mulligan. House Resolution 420, offered by Representative Joyce. House Resolution 421, offered by Representative Joyce. House Resolution 422, offered by Representative Joyce. House Resolution 423, offered by Representative Osmond. House Resolution 424, offered by Representative Brosnahan. House Resolution 425, offered by Representative Turner. House Resolution 426, offered by Representative Miller. House Resolution 427, offered by Representative Washington. House Resolution

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428, offered by Representative Granberg. House Resolution
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431, offered by Representative Brosnahan. House Resolution
432, offered by Representative Granberg. House Resolution
433, offered by Representative Granberg. House Resolution
434, offered by Representative Verschoore. House
Resolution 436, offered by Representative Froehlich. House
Resolution 437, offered by Representative Jakobsson. House
Resolution 438, offered by Representative Granberg. House
Resolution 439, offered by Representative Mautino. House
Resolution 440, offered by Representative Mautino. House
Resolution 441, offered by Representative Granberg. House
Resolution 442, offered by Representative Joyce. House
Resolution 443, offered by Representative Joyce. House
Resolution 444, offered by Representative Granberg. House
Resolution 445, offered by Representative Joyce. House
Resolution 446, offered by Representative Joyce. House
Resolution 447, offered by Representative Brady. House
Resolution 448, offered by Representative Bradley. House
Resolution 449, offered by Representative Dunkin. House
Resolution 450, offered by Representative Howard. House
Resolution 451, offered by Representative Howard. House
Resolution 452, offered by Representative Howard. House
Resolution 453, offered by Representative Howard. House
Resolution 455, offered by Representative Granberg. House
Resolution 456, offered by Representative Jakobsson. House
Resolution 457, offered by Representative Capparelli.

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House Resolution 458, offered by Representative Turner.
House Resolution 459, offered by Representative O'Brien.
House Resolution 460, offered by Representative Capparelli.
House Resolution 461, offered by Representative Dunkin.
House Resolution 462, offered by Representative Jones.
House Resolution 464, offered by Representative Black.
House Resolution 466, offered by Representative Dunkin.
House Resolution 467, offered by Representative Dunkin.
House Resolution 468, offered by Representative Dunkin.
House Resolution 469, offered by Representative Tenhouse.
House Resolution 470, offered by Representative Joyce.
House Resolution 471, offered by Representative Tenhouse.
House Resolution 472, offered by Representative Tenhouse.
House Resolution 473, offered by Representative Granberg.
House Resolution 475, offered by Representative Bradley.
House Resolution 476, offered by Representative Ryg. House
Resolution 477, offered by Representative Watson. House
Resolution 480, offered by Representative Madigan. House
Resolution 481, offered by Representative Osterman. House
Resolution 482, offered by Representative Flider. House
Resolution 483, offered by Representative Granberg. House
Resolution 484, offered by Representative Granberg. House
Resolution 485, offered by Representative Ryg. House
Resolution 486, offered by Representative Stephens. House
Resolution 488, offered by Representative Howard. House
Resolution 489, offered by Representative Monique. House
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Resolution 493, offered by Representative Capparelli.
House Resolution 494, offered by Representative Miller.
House Resolution 495, offered by Representative Madigan.
House Resolution 496, offered by Representative Madigan.
House Resolution 498, offered by Representative McGuire.
House Resolution 499, offered by Representative McGuire.
House Resolution 500, offered by Representative McGuire.
House Resolution 501, offered by Representative McGuire.
House Resolution 502, offered by Representative Hamos.
House Resolution 503, offered by Representative Monique
Davis. House Resolution 504, offered by Representative
Miller. House Resolution 505, offered by Representative
Scully. House Resolution 506, offered by Representative
Rose. House Resolution 507, offered by Representative
Rose. House Resolution 508, offered by Representative
Rose."

Speaker Madigan: "The Clerk has read the Agreed Resolutions.
Representative Currie moves for the adoption of the Agreed
Resolutions. Those in favor say 'yes'; those opposed say
'no'. The 'ayes' have it. The Agreed Resolutions are
adopted. The Chair recognizes Mr. Giles, Giles."

Giles: "Thank... thank you, Mr. Speaker and Ladies and Gentlemen
of the House. We... we also have another addition to the
Democratic Party. We want to congratulate Doctor David
Miller who on the birth of a beautiful baby boy by the name
of Daniel David Colman Miller. And we hope that he follows
in the step... step foots of his father, become a dentist.
We need more of them. I really appreciate the services

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that I received this summer. So, we're looking forward to this young whipper snapper to be a very fine young man. Doctor Miller, congratulations to you and your family."

Speaker Madigan: "The Chair recognizes Mr. Boland."

Boland: "Yes, thank you... thank you, Mr. Speaker, and..."

Speaker Madigan: "Ladies and Gentlemen please... Ladies and Gentlemen, please give your attention to Mr. Boland, please."

Boland: "Thank you very..."

Speaker Madigan: "Please give your attention to Mr. Boland."

Boland: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We have an honored guest here with us today. This is the American Legion Illinois, Miss Poppy. Her name is Nicole Rossow. And up in the gallery are her parents, Vera and Rodney Rossow, from Colona, Illinois in my district in the 71st district. Please welcome her and give her a great round of congratulations. She will also be handing out... Nicole will also be handing out poppies as soon as her dad brings 'em. I guess he's got 'em. They've got 'em so, she'll be handing out poppies to you. Thank you very much."

Speaker Madigan: "Mr. Boland, we have a Resolution to consider in this regard. So, Mr. Clerk, read the Resolution."

Clerk Bolin: "HOUSE Resolution 518, offered by Representative Boland.

WHEREAS, The members of the House of Representatives of the State of Illinois wish to congratulate Miss Nicole Rossow on being named the 2003 State of Illinois Miss Poppy; and

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WHEREAS, Nicole was born on July 28, 1992; she joined the Green Rock Legion Junior Auxiliary Unit 1233 in 1992; she served as President of the unit from 1997 to 1998 and 1998 to 1999; she has held the offices of Chaplin, Sergeant-At-Arms, and Vice President at Green Rock/Colona Unit 1233 Junior Auxiliary; and

WHEREAS, Miss Rossow held the office of Personal Page for the 15th District Auxiliary President from 1998 to 1999, 2000 to 2001, and 2001 to 2002; she has also served as the 15th District Junior Auxiliary Assistant Sergeant-At-Arms, Sergeant-At-Arms, and Chaplin; she was personnel escort for the State of Illinois Department Commander Elden Madden at the Junior Auxiliary Convention 2001; and

WHEREAS, Miss Rossow is active in her community; when not attending school, she helps at the local food pantry; she is a member of the Green Rock First Southern Baptist Church and also a member of the choir; and

WHEREAS, During her tenure as 15th District Miss Poppy, she has discussed the poppy program and had her photograph taken with Governor Blagojevich, Department of Illinois Legion and Auxiliary Officers of the past and present, the National Commander and President, and other local and State officials; and

WHEREAS, In July of 2003, Miss Rossow assisted with the Hamburger Fry and Bingo sponsored by the 15th District of the American Legion held at the Quincy Veterans Home; she assists with distributing Christmas baskets to the needy

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during the holidays; she aids in the Colona Police Department Benevolent Fund Halloween party for kids; and WHEREAS, Miss Rossow has been distributing poppies in her community since she was 2 years old; at the Illinois State Convention in 2003, Miss Rossow received the position of State of Illinois Miss Poppy; and

WHEREAS, The poppies which Miss Rossow distributes are made in veterans homes throughout the State; they are purchased by American Legion Posts, Auxiliaries, and Junior Auxiliaries, with all proceeds going to the veterans, and then distributed to the public; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Miss Nicole Rossow on being selected to be the State of Illinois Miss Poppy for 2003; and be it further

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

Speaker Madigan: "You've all heard the Resolution. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Resolution's adopted. And congratulations to Nicole and to Representative Boland and to Nicole's parents. Thank you. Mr. Novak, in the Chair."

Speaker Novak: "Will staff please retire to the chamber. Will all staff please retire to the rear of the chamber, please. Ladies and Gentlemen, can we have your attention. Will all staff please retire to the rear of chamber. And can we have your attention, please. Speaker Madigan. The Chair recognizes Speaker Madigan for a Motion. Speaker Madigan."

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Madigan: "Mr... Mr. Speaker and Ladies and Gentlemen of the House, if you would indulge with me for a few moments, I want to offer some introductory remarks before I move a Motion. And these remarks relate to the Section of the Illinois Constitution which is concerned with the Amendatory Veto, the Section which gives the Governor of Illinois the authority under that Constitution to offer Amendments to Bills. And thereafter, the Bill is returned to the Legislature for consideration of the Amendment. Mechanically, once the Governor offers the Amendment, the Amendment actually becomes a veto. And so, the message to the Legislature and the message to the Bill Sponsor is that your Bill is hereby vetoed, but if you take the language offered by the Governor then your Bill can become law. At the time of the Constitutional Convention in 1969 and 1970 this issue was debated at length on the convention floor. And the very clear intention of the convention was that this authority given to the Governor would be restricted to technical matters. That a Governor would not have the authority to completely rewrite a Bill, that a Governor would not have the authority to substantially change a Bill, that a Governor would not have the authority to change the fundamental purpose of the Bill. That was the very clear intent of the Constitutional Convention as memorialized in the debates of the convention. From that time coming forward, every Governor of Illinois, in my judgment, has exceeded their authority under the Amendatory Veto. It all started under Governor Walker through

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Governor Thompson, Governor Edgar, Governor Ryan, and now, Governor Blagojevich. Starting sometime in the middle '80s, while serving as the Speaker of the House, I took a great interest in these unwarranted exercises of authority under the Constitution by a Governor of Illinois. And I took it upon myself to begin reviewing Amendments by Governors, all Governors up until today, they were always Republican Governors. We would issue an opinion as to whether the Governor had exceeded his authority under the Constitution and take appropriate action. The nature of the action has changed over the years, but today House Rules provide that where there's a finding that a Governor's Amendment is not compliant with the Constitution then the Motion to Accept that Amendment will not receive favorable consideration from the Rules Committee. All of that happened on House Bill 3412. House Bill 3412 was the Bill which provided for substantial changes in Illinois law, relative to ethics. Some people have been rather disparaging of this Bill because they felt that there should've been more provisions put in the Bill. The record is that the House passed a very comprehensive ethics Bill. It included all of the items in House Bill 3412, plus it provided for an Ethics Commission, an inspector general, plus major changes in the State Gift Ban Statute. Those last three items were removed by the Senate. Then the Senate returned House Bill 3412 with what remained after the removal of the Ethics Commission, the inspector general, and the changes in the Gift Ban Law. Given those

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deletions, the content of this Bill is a significant change in Illinois law, because in part, for the first time it provides explicit direction as to which activities would be prohibited activities relative to political work being done while people are on the state payroll plus many, many other changes, all good changes, all things that should've been done years ago. Now, thank you for listening to the background. The Governor's Amendment to this Bill has been found to be noncompliant with the Constitution. A Motion was filed by the Bill's Sponsor, Mr. Cross, before the Rules Committee. The Rules Committee has voted not to consider that Motion. So, the choice remaining for us would be to move to override the Governor on this Bill or simply let the Bill die. I think the provisions of this Bill are far too significant to simply let this Bill die. And therefore, I have filed the Motion and I so move that House Bill 3412 do pass the Governor's specific recommendations for change notwithstanding. Today I will file an Amendment to a Senate Bill which will provide for an Ethics Commission, an inspector general, changes in the Gift Ban Statute. That Amendment will be heard before House Committee at about 3 o'clock this afternoon. It will be further considered by the full House and the Senate before we finish the Veto Session. So, it is my high expectation that at the end of this Veto Session, Illinois will have a very comprehensive, tough ethics statute, which will provide certain guidelines for people is... in terms of how they conduct themselves while employees and officials

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of the State of Illinois. And having said all that, Mr. Speaker, I renew my Motion that this Bill pass, the Governor's specific recommendations for change notwithstanding."

Speaker Novak: "Mr. Clerk."

Clerk Bolin: "Attention Members, the Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Novak: "Thank you, Mr. Madigan."

Madigan: "I would like to defer to Representative Cross to explain the provisions of the Bill."

Speaker Novak: "The Chair recognizes Representative Cross."

Cross: "And thank you, Mr. Speaker and to Speaker Madigan. I think so everyone's clear, Mr. Speaker, we will end the Motion to Override. The vote would mean that we are voting to accept the original Bill that passed out of the House when we left here in May and passed out of the Senate. We will be voting to approve what we sent to the Governor. And I think all of you would agree that we need to do more. But procedurally, the vote today means we are accepting the original or approving the original language that passed out of here right before we left the end of May and then ultimately passed out of the Senate and went to the Governor's desk. And so you know, it passed out of the House unanimously. And as the Speaker mentioned, some of the things omitted so you're aware House Bill 3412, that you all voted on... and if I could back up, the original version of that was as the result of a rather comprehensive ethics package that we worked on the whole Session, our

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side did. It was a 13-Bill package that was introduced. We worked with the Speaker, we worked with many people on your side of the aisle, on the Democrat's side and our side, and we spent a great deal of time on it. It was very comprehensive, it was very tough, and it would've provided for a very comprehensive ethics package. Unfortunately, as you know, the Senate removed a good bit of the portions that we felt were important. So, we have to deal with that. I think it's important also to note the ruling that the Speaker made is one that he felt was the right thing to do as the Speaker, with respect to noncompliance. But I don't think we want to get too caught up in process as we move forward. What we need to understand is we need to pass a very comprehensive, tough Ethics Bill that sends a message to the people of Illinois that we get it. That it's time we redo what we can to restore the public's faith in the Illinois government. In working with Governor and the Governor's Office I know that he, too, wants to pass a tough Ethics Bill, and he tried to do that through the amendme... Amendatory Veto process. It didn't work. We need to now move forward. We need to move forward on this Motion and we need to move forward on the Amendment that's filed by the Speaker later today. And I assume that will be acted on tomorrow, it's my understanding we will move forward. We want it, you want it, I know the Governor also wants a tough ethics package, and we need to all work together. But let me just highlight what's in 3412 so you're aware of it. One of the

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highlights of 3412, statutorily, we felt needed to be in there, was that we can't utilize state resources for political purposes. And that state employees cannot and shall not intentionally perform prohibited political activity. We mandated personnel policies, we regulated public service announcements. We had restrictions and had language restrictions that would restrict contributions on state property. We dealt with the Procurement Code, we dealt with the revolving door issue, when people leave government that were in the process of dealing with procurement issues, they couldn't go work for the company that they were involved with contract-wise. I believe that we will tighten that up even more in the Bill that will be... in the Amendment that will be filed today. We also, in 3412, mandated that local governments within six months have to pass an ordinance that's the same as what we've done. And they have to take care of that at the local level. And we also dealt with ex parte communications in the rule-making process. We've dealt with conflicts of interest, and we dealt with lobbying... what lobbyists can or cannot do in the area of serving on boards and commissions. 3412 is a good start, it's not enough. We all know we need to move forward. As I said earlier, the Speaker's been very involved in this, our side has been very involved, and I know the Governor himself wants a true ethics reform package. So, based on that, I would hope that we could adopt this Motion today. Thank you, Mr. Speaker."

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Speaker Novak: "Thank you, Mr. Cross. Is there any discussion?
Mr. Black."

Black: "Never have I seen such a waltz in a dance to get to
where you want to go. I've never understood why we have to
go through so many hoops to get to where we should have
been two years ago. Let me ask a question of the Speaker,
if the Speaker would be so kind to yield."

Speaker Novak: "State your question."

Black: "When... when one says that it has been the adjudicated
that the Governor's Amendatory Veto is noncompliant and
that decision has been reached, who makes that decision?"

Speaker Novak: "The Chair recognizes Mr. Madigan."

Madigan: "The House Rules Committee."

Black: "The House Rules Committee on, in this case, a 3-2 vote.
Where does it say in the Illinois Constitution that the
legislative body, i.e., a small group of that Body, shall
be the determining factor on whether an issue is
constitutional or unconstitutional?"

Madigan: "The answer to your question is that the House has
adopted its Rules in... and this Section is part of the House
Rules."

Black: "Yes, Rules that I did not vote for. The action then
that you are asking us to take and I don't recall ever
being offered an opportunity to vote on any issue that was
ruled in gubernatorial noncompliance. Not complaining,
I'm just simply saying I don't recall any such effort in
the past. There may have been one, but my memory is not
what it used to be. On the Motion before the Body, if you

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vote for House Bill 3412, under the Rules of both the House and the Senate, it's my understanding that then 3412, passes the House, but in actuality goes nowhere. The Senate will not act on 3412."

Madigan: "Senator Jones has told me that he's going to act on this Bill."

Black: "In other words, if we act on 3412, it's your understanding that the Senate will act on the same Bill that we send over? I doesn't that..."

Madigan: "They... they will... they will call up 3412, and consider a Motion to Override the Governor."

Black: "But that would appear to put the Senate in a position where they are acting on a Bill that the House has ruled is in gubernatorial noncompliance. They then would be taking an action that may exceed their authority."

Madigan: "The action of the House Rules Committee related to the Governor's Amendment to this Bill, not to this Bill. So, this Bill passed the House with, I think, one or no negatives votes, passed the Senate with one negative vote. The Governor chose to offer an Amendment to the Bill. The Rules Committee has voted that the Governor exceeded his authority under the Constitution when he offered that Amendment because of how the Amendment was drafted and what was contained in the Amendment."

Black: "Then if 3412, passes this chamber as it, and is, in fact, called by the Senate, do you have a reasonable guarantee that it will be called in the Senate?"

Madigan: "Yep."

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Black: "Since they changed the Bill last spring, as you so eloquently stated."

Madigan: "They changed the Bill, but they voted in favor of what's in this Bill that's before us right now."

Black: "And then the... then it is your intent that the trailer Bill will reinstate the language that this Body voted on last spring?"

Madigan: "Yes."

Black: "Do you have any reasonable assurance from the Senate that they will, in fact, act on the trailer Bill that we will be sending them, that I assume we will be sending them?"

Madigan: "Yes."

Black: "All right. My only concern in ri... raising to question you, Mr. Speaker, is I... I do not and I don't think you do either, I know you don't and I certainly know Leader Cross doesn't, but I think that what would put us in... in a worse light than we have been in, in some years if we get involved in what I call the two chamber volleyball game, where we send something to the Senate, the Senate doesn't like something, they send something back to us, we concur or not concur and we leave at the end of the Veto Session once again with no meaningful ethics reform. I think you have said it. I think Leader Cross has said it. The time to pass meaningful ethics legislation has, in fact, long passed. This, I think, represents our best opportunity. I just want, having been here some period of time and knowing how this volleyball game often works, sometimes it works so

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well that nothing gets done. And I want some reasonable assurance that... that the vote I am being asked to make is not a vote just to go home and say well I... I voted for an Ethics Bill. It's not my fault the Senate didn't. Will we have a reasonable assurance from the House Minority Leader, and I think I heard him say that and the House Speaker and I think I heard you say that, that when we leave the Veto Session we have a meaningful Ethics Bill on the Governor's desk, which I can only hope at this point he will sign?"

Madigan: "Again, Mr. Black, in reiterating my earlier answers to your questions, with the... my belief is that... that we will pass a very meaningful Ethics Bill."

Black: "Have you..."

Madigan: "We, being the Legislature signed by the Governor."

Black: "I understand that. And have you and/or the Minority Leader had conversations with the Governor that he will in fact, pass... or excuse me, sign what we put on his desk? Assuming it's within the parameters of what he has stated in his amendatory language, that I thought was the Bill we passed in the first place."

Madigan: "My plan is to engage with the Governor before the Bill leaves the Legislature to ascertain his view of what's pending before the Legislature, and then to suggest that we all join the Governor for a press conference."

Black: "If this Bill becomes law, Mr. Speaker, I will carry your bags to that press conference. Thank you very much."

Speaker Novak: "Thank you, Mr. Black. Is there any further discussion? Mr. Cross, to close."

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Cross: "If... if I could, Representative Black, I have talked to the Governor and I can tell you that in addition to 3412, and as you know if we accept that this Motion passes and the Senate does it, 3412 will become law. And we... we've all voted on that already. It passed the House and the... Senate. The Governor had... had several principles that he is concerned about, some are contained in 3412. But after that and the Speaker mentioned this earlier, they revolve around the removing of the exemption on golf, the expansion of the revolving door, public service announcements, the creation of a Legislative Ethics Commission, an Executive Ethics Commission, as well as... as well as inspector generals. I believe that if we get... if we can sit down with him as well as the Speaker, we can get to the point where you suggest we need to be and I believe we need to be, certainly we need to work out the nuances of that. But those are the principles that we all seem to be working off of. And as I said earlier, I know he believes that we need, like us, to pass a true Ethics Bill. So, thank you."

Speaker Novak: "Thank you, Mr. Cross. Seeing no further discussion, the question is, 'Shall the House override the Governor's Amendatory Veto of House Bill 3412?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And the Motion, having received the required Three-fifths

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Majority, the Motion to Override prevails and House Bill 3412 is declared passed, notwithstanding the Governor's recommendations for change. The Chair, Ladies and Gentlemen... Ladies and Gentlemen, the Chair is prepared to go to Motions to accept Amendatory Vetos, Motions to accept Amendatory Vetos. House Bill 313, Mr. Hoffman. Read the Bill Mr. Clerk. Mr. Hoffman, on the Motion to accept the Governor's Amendatory Veto, House Bill 313. Mr. Hoffman."

Hoffman: "Yes, I... I move that they we accept the Amendatory Veto of the Governor. The Governor amendatorily vetoed House Bill 313 due to concerns that it would conflict with the federal regulations, and therefore, potentially jeopardized a grant for more than 6 million in Federal Motor Carrier Safety Assistance Program Funds. In light of this conflict, the Governor added a language, advisory language that implemented the enforcement of this Section, and I would simply ask that we accept the Amendatory Veto. And I believe that it is in compliance with the Constitution."

Speaker Novak: "Thank you, Mr. Hoffman. Is there any discussion? Seeing none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 331 (sic-313)?' All those in favor signify by voting 'aye'; all those opposed signify by voting 'nay'. The voting is open. Correction House Bill 313. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Colvin, you wish to vote Sir? Mr. Clerk, take the record. On this question, there are

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116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion having received the required Constitutional Majority, the House accepts the Governor's specific recommendations for change, regarding House... House Bill 313. The Gentleman from Cook, Mr. Lyons, Mr. Joe Lyons. On House Bill 1516. On the Motion, Mr. Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wish to concur with the Governor's Amendatory Veto which basically changes the date of implementation. The... the original Bill wanted the fees to be collected on March 1st rather than... than July 1st. And the Governor rejected that one line. He wants to reinstitute the March 1st date for the collection of those fees. And I ask for your favorable consideration on this vote."

Speaker Novak: "Is there any discussion? The Gentleman from McHenry, Mr. Franks."

Franks: "Will the... will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Franks: "Representative Lyons, could you explain the veto a little more. I'm sorry I might... I couldn't understand exactly what the Governor did and why this makes it a better Bill."

Lyons, J.: "Well Jack the original collection fee for the credit unions is on their regular... on their self-imposed regulatory fees, was March 1st. In the Bill that I passed last spring, we moved that date to July 1st. The Governor reinstated the date of March 1st as opposed to July 1st."

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So he wants the date for collection of those fees March not July."

Franks: "Okay, thank you."

Speaker Novak: "Further discussion? Mr. Black."

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

Speaker Novak: "Sponsor will yield."

Black: "Thank you. Rep... Representative I'm trying to remember this Bill from last spring. This was part of a... an omnibus package, I guess if... if that be the right word, I'm not sure of a... series of fee increases on entities that are regulated by the State of Illinois. And when it started out the fee increase was, if I recall, the debate was to make sure that the regulatory function and those people who carried them out the inspectors et cetera would in fact, be self-supporting, would not... would not require an appropriation from the general fund to carry out the regulatory functions of various agencies and entities. Subsequent to our... subsequently we have discovered that many of the fees, in fact, are being swept, many of these increase fees are being swept into the General Revenue Fund instead of going to defray the costs of the regulatory function."

Lyons, J: "Representative, I don't know if you've got the right argument on this Bill Representative, all due respect. This... this I don't believe this thing had anything to do with the fee increase that they did on themselves a year and a half ago. The... the credit unions increased their own

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fees for... for on their own, I think we did that in 2001. My... my memory may not be correct there. This Bill... the underlining Bill basically allowed the authorizing credit unions to expel members for violations of board policies. It also allowed for... to make payments to on the orders of minor if... if so requested. And did some technical changes here to make loans to credit union service organizations up to 3 percent rather than what was 1 percent. And to invest members... in... I'm thinking... members to share stocks in an option amount not to exceed 3 percent and paid-in and unimpaired capital and surplus of the credit union. This didn't have... to my recollection Bill is everything that I'm reading in our synopsis here... was not their fair... the rate increase. That was done a couple years ago. When they self imposed an increase that member credit unions paid into the DFI. Now, there's another issue out here that we hopefully will talk about that talks about the increase that the credit unions had to absorb along with all the other fee increases that were passed last year. That's another issue that I'd like to bring up hopefully on another Bill later on during the Veto Session. But what you're... what you're explaining to me, I do not believe was part of this Bill, of 1516."

Black: "Representative I... I certainly have great respect for... for your expertise in this area. But let's concentrate on the language of the Governor's Amendatory Veto. His Amendatory Veto removed the General Assembly's language of Section 12 of the Illinois Credit Union Act, which was an

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agreement between the credit union industry and the... and the Department of Financial Institutions on a new examination fee... examination fee schedule to be paid by credit unions to DFI for their examination by the state. So what I'm trying to focus on is what specifically did his amendatory language focus on? Reducing the fee that went out on the underlying Bill? Correcting a fee increase or decrease in another piece legislation? Because the Amendatory Veto language clearly references an examination fee to be paid by credit unions to the Department of Financial Institutions for their examination."

Lyons, J.: "Bill, you are... you are making an argument with... for information I don't have in front of me. All my... but what I have in front of me was we changed the implementation date on this Bill from July until March. And... and... and in respect to you, if you want me to pull this out of the record so I can get clarification on this, we'll take a second look at this later on today or tomorrow. But I do not have that information as part of what the Governor did on this Bill, on 1516. It was... it was limited to a date change as far as I know."

Black: "Okay. And I... I... if... if I'm wrong I certainly apologize. But I... I... if I'm reading the Governor's Amendatory language it's not as it's being presented. And perhaps I've misunderstood it. That wouldn't be the first time."

Lyons, J: "Bill, then let's... better safe than sorry. I don't want to... I don't want to... if you're right and I'm wrong

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let's find out. But let's... Speaker can we pull this Bill out of the record for right now to clarify this?"

Speaker Novak: "Mr. Clerk. Mr. Clerk. Mr. Clerk, take this Motion out of the record. On a Motion to accept the amen... the Governor's Amendatory Veto, there is House Bill 2545, Majority Leader Currie, Majority Leader Currie, on the Motion."

Currie: "Thank you Speaker and Members of the House. I move the House do accept the Governor's Amendatory proposals for change in House Bill 2545. This is the Bill that will create incentives for counties to provide services to delinquent youth in the community rather than sending them to state institutions. The Governor made a technical change having to do with how funds from the state savings are transmitted to the counties. I know of no opposition as I say this is a technical change. I'd appreciate your support for the Amendment as I appreciated your support for the Bill when we passed it in May."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 2545?' This is final action. All those in favor signify by voting 'aye'; all those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Beaubien. Mr. Washington, Eddie Washington, do you wish to vote? Mr. Washington, do you wish to vote? Mr. Clerk, take the record. On this question, there are 116 voting

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'yes', 0 voting 'no', 0 voting 'present'. This Motion, having received the required Constitutional Majority, the House accepts the Governor's specific recommendations for change, regarding House Bill 2545. Mr. Fritchey, for what reason do you rise?"

Fritchey: "Point of personal privilege, Sir."

Speaker Novak: "State your privilege."

Fritchey: "I'm happy to welcome today... we all have a lot of school groups that come down to visit Springfield and take part in the process. I'm happy to have a group of students and teachers down here today from Abraham Lincoln School in my district. They came down to the lobby to work on some issues that are near and dear to them. I hope that we can give them a warm Springfield welcome up in the gallery. Thank you."

Speaker Novak: "Welcome to Springfield. Thank you. The Gentleman from Macon, Mr. Flider, on House Bill 34... 3048, on a Motion to accept the Governor's Amendatory Veto. Mr. Flider.

Flider: "Thank you, Mr. Speaker. The change that the Governor made to this legislation we believe was appropriate. It was one that we discussed. And what it would simply do is ensure that where federal funds might be in jeopardy of being lost as a result of irresponsible bidder legislation being implemented, then this... these provisions would not apply. And I would recommend that we accept the Amendatory Veto."

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Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question is, 'Shall the House accept the Governor's specific recommendations for change with the respect to House Bill 3048?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 5 voting 'no', 0 voting 'present'. This Motion, having received the required Constitutional Majority, the House accepts the Governor's specific recommendations for change regarding House Bill 3048. The Gentleman from DuPage, Mr. Biggins. On a Motion to accept the Governor's Amendatory Veto on House Bill 3080. Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. Yes I would move to accept the Governor's Amendatory Veto."

Speaker Novak: "Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. I would move to except the Amendatory Veto offered by the Governor."

Speaker Novak: "Do you want to explain the Amendatory Veto for the... for the Members of the Body?"

Biggins: "This was a minor technical change. I hate to take up a lot of people's time."

Speaker Novak: "Well, be brief."

Biggins: "I could go into de... detail on it. But it might take me a few minutes. I think I'll have my assistant remind me. Yes, the Governor's Veto took... but it's a minor technical change, and it provides that the... the new

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methodology was based upon the latest ten-year federal census and not any type of special census, period."

Speaker Novak: "Anything further?"

Biggins: "This has all been supported by the groups of township officials of Illinois that had originally proposed the idea also supportive of the Amendatory Veto."

Speaker Novak: "Thank you. Is there any discussion? Seeing none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 3080?' This is final action. All those opposed... all those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 voting 'yes', 18 voting 'no', 1 voting 'present'. This Motion, having received the required Constitutional Majority, the House accepts the Governor's spe... specific recommendations for change regarding House Bill 3080. Ladies and Gentlemen the Chair is... the purpose is to go to Total Override Motions... Total Veto Motions. On Page 4 of the Calendar, on a Motion to Override the Governor's Veto on House Bill 221, the Lady from Peoria, Representative Slone. Representative Slone, on the Motion to Override."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 221, which passed the House with over 100 'yes' votes and passed the Senate unanimously last spring, is a Bill that is intended to increase the accountability of the Department of Central Management

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Services in its leasing of state properties. Requires that when... when the department leases a property at less than the fair market... leasing rate that that... that there be certain safeguards put in place to assure that we have accountability. And that if it is to be leased at less than 10 percent of it's fair market value, they would actually have to have a Resolution of the General Assembly to do so. We continue to feel that this is legitimate oversight by the Legislative Branch over the Executive for these types of leases. And I would encourage your 'yes' votes on the override. I'd be happy to answer any questions."

Speaker Novak: "Thank you. Is there any discussion? The Gentleman from Madison, Mr. Hoffman."

Hoffman: "Yes. Will the Sponsor yield?"

Speaker Novak: "Sponsor will yield."

Hoffman: "Yes, Representative, with regard to your Motion of the of the... of the Governor's Veto, it's... is your Motion due to the fact that you would like to have something done with... with a particular... is it worth... would it have to do with the Zeller Mental Health issue or is it something else?"

Slone: "Mr. Speaker, Mr. Speaker."

Speaker Novak: "Yes."

Slone: "I can't hear Mr. Hoffman."

Speaker Novak: "Could you give the Lady... could you give the Gentleman your attention. Mr. Hoffman, want to state your

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question again? Can we have some order in the chambers please."

Hoffman: "Yes. Is it... is... is the legislation initial legislation or is it designed to address the situation with Zeller Mental Health in Peoria? Was that..."

Slone: "It would not have any affect on that... on that situation because that occurred before the legislation was proposed. So it wouldn't make any difference to that particular lease."

Hoffman: "So the Governor's Office, it's my understanding that they're... they are attempting to do something, the administration with regard to Zel... to the mental health facility in Peoria. They're attempting to work with you to get something done with regards to that facility, the administration, is that correct?"

Slone: "Some of the services that took place at that facility, we're working with the Governor's Office on trying to get those at another location. But that wouldn't have any effect on the... on that lease at all. That's a separate issue."

Hoffman: "Well, I stand in opposition to the Representative's Motion. And here's why. The reason... the reason that the Governor vetoed this is simply for one simple reason, not to argue the intent of the Representative, I... I believe her intentions are good. But what this would do is it would... it would, the parameter set forth in this legislation really would restrict the operation of State Govern... Government. And I believe that the administration will

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work with the Department of Central Management Services, Department of Human Services and local governing bodies to ensure these issues are clearly deliberated in forum, is to make sure communities are not blindsided by government reorganization. All though I understand the intent, and I understand why there... the Representative would like to have this into law, in these budgetary times, unfortunately, the administration needs to have the ability to... to move swiftly without the consistent legislative... legislative... Legislature getting involved in these issues. So I would ask for a 'no' vote on the... the Lady's Override Motion."

Speaker Novak: "Further discussion? The Gentleman from Peoria, Mr. Leitch."

Leitch: "Thank you Ladies and Gentlemen of the House and Mr. Speaker. I have great respect for the Representative, and I understand why she has introduced this Bill in reaction to what occurred at Zeller. However, I think Representative Hoffman, makes a very important point. And that is, this is a very irresponsible policy proposed in this Bill. This will handcuff the Governor and the administration to make the kind of tough decisions that are necessary to be made from time to time. And for that reason I would strongly encourage a 'no' on this vote. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Mr. Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'll make this very brief because

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my... I think my sentiments have been expressed by Representative Hoffman and Representative Leitch. I understand what the... the Sponsor is trying to do with her Bill and with her Motion to override. However, I had a situation in my district about four years ago where an elementary school caught fire during the day while students were there. As we look back on it, thank God they all got out of the building. But the building was damaged and had to undergo months of renovation. Now, we... we were able to make arrangements with other schools in the community to where those children could attend school. But in some cases it may be that you need to get vacant state property or to make a lease on state property that's available. And you need to do it quickly and efficiently and trust the director to make that lease that will serve not only the best interests of my community, in this case the children who attended the school that... was damaged extensively by fire, but also to protect the interests of the state. And in all due respect to the Sponsor this Bill could put a layer of bureaucracy to the point where the state simply could not react in a timely fashion. So, it's for that reason that I intend to uphold the Governor's Veto."

Speaker Novak: "Further discussion? Representative Slone, to close."

Slone: "Thank you, Mr. Speaker. Ladies and Gentlemen, the... this Governor has come into office with the promise of a new way of doing business in this state. It's not clear to me why he would want to veto a good government piece of

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legislation like this that simply provides for appropriate oversight when we are leasing state properties at something way less than fair market value. I would urge your 'aye' votes for the override. Thank you."

Speaker Novak: "Thank you. And the question is, 'Shall House Bill 221 be... 'Shall the Motion to Override the Total Veto Motion on House Bill 221 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Black. Mr. Winters. Mr. Clerk, take the record. On this question, there are 58 voting 'yes', 56 voting 'no', 1 voting 'present'. And this Motion, having failed to receive the required Three-fifths Majority, is hereby declared failed. On Page 4 of the Calan... Calendar under Total Veto Motions, there is House Bill 429. The Gentleman from Peoria, Mr. Leitch."

Leitch: "Thank you very much, Mr. Speaker. This is the Bill that's known as the 211 Bill. It's the Bill that would establish on our telephones a mer... a human service equivalent to the 911 emergency Bill. It's strongly supported by a number of groups including the police agencies, because so many calls into the police are related to human service issues. This Bill passed unanimously in both chambers and was vetoed by virtue of a misunderstanding where I believe the Governor thought that we were seeking state funds. We are not seeking state funds. It's important to pass this Bill in order to avail

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ourselves of anticipated federal funds and other monies that are available from other sources. The... when we first attempted to do this a couple of years ago it was my hope that we would be among the first states to do this in the country. We are behind the eight ball now 'cause 22 states have already moved ahead of us including those which surround us. So, I would strongly urge that we override this measure, that we... that we recall that this is not requiring state funds. But is critically important and must be passed in order of avail ourselves of anticipated federal money. For that Mr. Speaker, I would ask for a favorable vote."

Speaker Novak: "Is there any discussion? The Gentleman from Madison, Mr. Hoffman."

Hoffman: "Yes. I agree with the Representative and I support his Motion to Override the veto."

Speaker Novak: "Further discussion? The Lady from Cook, Representative Hamos."

Hamos: "Well, I think that Representative Hoffman probably said it for us. Thanks."

Speaker Novak: "Further discussion? Mr. Bla... (sic-Black), no. Okay, any further discussion? Mr. Leitch to close."

Leitch: "I'd simply ask for a favorable vote. Thank you."

Speaker Novak: "Thank you. The question is, 'Shall the Motion to Override... Total Veto Motion to Override House Bill 429 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Aguilar. Mr. Flider. Have

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all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Motion having received the required Three-fifths Majority, the Motion to Override prevails on House Bill 429 and is declared passed, notwithstanding the Governor's veto. On Page 4 of the Calendar there is House Bill 2895 on a Motion for a Total Veto Override. The Lady from Cook Representative Lyons. Eileen Lyons, do you wish to call your Motion for Total Veto Override of House Bill 2895? Representative Lyons. Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. Yes, I wish to override the Governor's veto. He... the Governor extended the... or would like to leave the status quo which is 90 days and this Bill passed out of the House and Senate unanimously moving it to 60 days, if the information got to the IDPA that they would move in 60 days rather than 90 days. And I move for an override."

Speaker Novak: "Mr. Hoffman. Any discussion? Mr. Hoffman."

Hoffman: "Yes. Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Hoffman: "Yes. Representative, I understand the intent of the law and I... I don't disagree with it. I believe though in the Governor's veto message he cited inconstancy between state and se... and federal law which would impede an already successful and... and efficient efforts by the state in this regard. How would you address that issue?"

Lyons, E.: "Actually I misspoke earlier, it is 75 days for the federal requirement, and I'm asking for 60 days. And this

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is only if that information is available from the custodial parents to the Department of Public Aid. They need to make an effort to find the parent within that period of time. If they don't have enough information, obviously, they wouldn't be able to do it."

Hoffman: "And I... I think..."

Lyons, E.: "So, I don't think this is onerous on the department."

Hoffman: "...I think that the... the concern is that the phrase 'credible information', at least I... I have my notes here from the department that they indicate that the phrase 'credible information' concerning the location of the father or non-custodial parent is fairly vague and just causes them some concern."

Lyons, E.: "I'm not changing that though. I'm not changing any... I mean, all's I'm asking is that we change it from 75 days to 60 days, which I think is a reasonable amount of time."

Hoffman: "Can... can you do me a favor? Could you just temporarily take this out of the record while I talk to you real quick?"

Lyons, E.: "Certainly."

Hoffman: "Okay."

Speaker Novak: "Mr. Clerk, take this Motion out of the record. On Page 27 of the Calendar, under Amendatory Veto Motions there is House Bill 1087. The Gentleman from DuPage, Mr. Daniels. Do you wish to call your Motion, Sir?"

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Daniels: "Thank... the Amendatory Veto Motion will be withdrawn. We're gonna go with the Total Override. I think didn't the Rules Committee state that he was out of compliance on that?"

Speaker Novak: "Thank... thank you. Mr. Clerk, with... withdraw the Motion. Okay. Mr. Daniels, on the Motion for Total Override on House Bill 1087. Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. The Rules Committee has ruled that the Governor was out of compliance with the Constitution on his Amendatory Veto, leaving me no alternative but to go with an Override Motion and therefore I would ask the House to override the Governor's veto. This Bill provides that the Department of Aging would establish a program to provide financial assistance to older Illinois residents that are primary care givers of family members with developmental disabilities, and would have to set up and... and put forth a program for that. The Governor's Amendatory Veto wanted to set up a study program. Frankly we've studied all these long enough. We need to take care of our disabled population. This is a very important Bill. And I would ask for your support of it of overriding the Governor's veto."

Speaker Novak: "Thank you. Is there any discussion? Mr. Hoffman."

Hoffman: "Yes. Will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

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Hoffman: "Representative, it's my under... it's my understanding that the reason that the Governor vetoed this is simply due to... due to cost. Is that... is that your understanding?"

Daniels: "It's my understanding that the Governor had issued an Amendatory Veto because he was fearful of the appropriation and there wasn't one set forth in the Bill."

Hoffman: "I... I agree with the intent of the legislation, unfortunately, I think in these economic times, I... I am going to vote 'present' on the issue of the override and I would ask my colleagues to do the same simply because of the issue of cost, not because of the intent, and I would look... work... like to work with you Representative in the next Session to make sure that this is adequately funded."

Speaker Novak: "Any further discussion? Mr. Daniels to close."

Daniels: "Well the fact of the matter is that this is now a time to act on the people that need our assistance, our most vulnerable population. And before this program could be implemented we would have to appropriate the dollars for it which we would be going into the appropriation season. So, to put this program into effect we would then deal with the appropriation of the items next Session, and that would be the required time frame. I would seek your support of the Override Motion."

Speaker Novak: "Thank you. The question is, 'Shall House Bill 1087 pass the veto of the Governor notwithstanding?' This Motion requires 71 votes. This is final action. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Mr. Reitz. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 3 voting 'present'. This Motion has received the required Three-fifths Constitutional Majority, the override prevails and House Bill 1087, is hereby declared passed, notwithstanding the Governor's veto. On Page 27 of the Calendar, on Amendatory Veto o... Override Motions there is House Bill 1180. The Gentleman, Mr. Mitchell, Jerry Mitchell. Do you wish to call your Motion?"

Mitchell, J.: "Thank you, Mr. Speaker. I certainly do. I would like to override the Governor's Amendatory Veto. This Bill passed out overwhelmingly in both chambers. We've worked six years on the way we fund special education. This is a method that's done easier, quicker and without the hassle to superintendents. The Governor amendatorily vetoed the Bill sunseting at one year saying that we can look at the results of this and resurrect the Bill at a later time. The problem with that, is that you don't have any time at all to see if the method worked at all. The method works well. The money has already been distributed for this year and should be done in future years. If there's Amendments that need to be done there are some districts that had problems with the base year, we have already said that we will meet and discuss that, and offer an Amendment to change the base year to help to help those districts that... that had some problems with the base year that was chosen because of... of miscounting of numbers.

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But without this Bill we have to go back, school type of style. This will change the amount of money they get. Some will even have to give money back. So, I would like to override that. If the situation needs improvement we can improve it from here, but this Bill has been six years in the works. Every single education group was in favor of this Bill. There was no opposition at all. And I would like to see an override. Thank you."

Speaker Novak: "Thank you. Is there any discussion? Mr... The Gentleman from Madison, Mr. Hoffman. Is there any discussion? Seeing none, the question is, 'Shall House Bill 1180 pass, notwithstanding the Governor's specific recommendation for change?' This Motion requires 71 votes. This is final action. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 0 voting 'no', 2 voting 'present'. This Motion having received the required Three-fifths Majority, the Motion to Override prevails and House Bill 1180 is hereby declared passed, notwithstanding the Governor's recommendation for change. Is Mr. Capparelli in the chamber? Representative Capparelli in the chamber for a Motion? Mr. Capparelli, on an Override Motion on House Bill 2545 (sic-2425). Mr. Capparelli, on the Motion. Excuse me, correction."

Capparelli: "Thank you, Mr. Speaker."

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Speaker Novak: "Excuse me, correction. House Bill 2425, Mr. Capparelli."

Capparelli: "2425 right. As the General Assembly passed House Bill 2425, would allow community currency exchanges through their statewide association to purchase a blanket surety policy to satisfy the existing requirements that a currency exchange have in bond. Currently, the exchanges must have \$10 thousand to cover their money orders. The blanket policy would be an aggregate of 2 million. This is the amount that American Express and Travelers money orders have. The blank... the blanket policy would significantly be cheaper in providing adequate... coverage. This Spring Session the Department of Financial Insti... Institutions did not oppose the Bill. While the Governor gave no reason for his Amendatory Veto he changed the Bill to require that the blanket policy to insure each currency exchange in the amount of at least \$10 thousand. The provision of the Amendatory Veto resulted in little if any reduction of the cost of such bonds. Please, I would like a 'yes' Motion... a 'yes' vote on the Motion to Override."

Speaker Novak: "Is there any discussion? Seeing none the question is, Mr. Black. Mr. Black."

Black: "Thank you very... thank you very much, Mr. Speaker. I hold the Dean in the House in highest regard, but I have an inquiry of the Chair."

Speaker Novak: "State your inquiry Sir."

Black: "Yes, Sir. If... if the... if Speaker's counsel could enlighten me House Bill 2425, if I'm reading it correctly

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the Governor's Amendatory Veto becomes the Bill. That would seem to me that the Governor may have exceeded his constitutional authority. And I'm just curious as to why this Bill would not be held to the standard that this is gubernatorial noncompliance. Since it appears we're being asked to override an Amendatory Veto that the analysis clearly states the Amendatory Veto becomes the Bill. So, that to me means he has rewritten the Bill."

Parliamentarian Uhe: "Representative Black, on behalf... on behalf of the Speaker and in response to your inquiry, the pending Motion before the House is to override the Governor's Amendatory Veto, therefore the question of noncompliance is not relevant."

Black: "And so, make sure that I understand this, this gets confusing every year. If we override... if the Motion is to override the Governor's veto or Amendatory Veto, we are in effect saying we don't agree with what you did, we're gonna revert the Bill to its original form. So there is not an issue of noncompliance on a Motion to Override?"

Parliamentarian Uhe: "That's correct."

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

Speaker Novak: "Any further questions Mr. Black? Okay. Mr. Capparelli to close."

Capparelli: "I definitely require a 'yes' vote. I would appreciate a 'yes' vote on this. Thank you."

Speaker Novak: "Thank you. The question is, 'Shall House Bill 2425 pass, notwithstanding the Governor's specific recommendations for change?' This Motion requires 71

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votes. This is final action. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 1 voting 'no', 3 voting 'present'. This Motion, having received the required Three-fifths Majority, the Motion to Override prevails and House Bill 2425 is declared passed, notwithstanding the Governor's recommendation for change. Representative Lou Jones, the Lady from Cook, on an Override Motion on House Bill 1480. Representative Jones, on the Motion."

Jones: "Thank you, Mr. Speaker and Members of the House. First I want to thank the Governor for not vetoing the entire Bill. And what he did was an Amendatory Veto. What he actually did was take it out of the Treasurer's Office and put it in another office. But I'm afraid that it will just lie there and nothing will be ha... nothing will happen to the Bill. As you remember, this Bill allowed banks to put banks in unserved areas, underserved areas, and the Treasurer's Office would also put money into those banks and also it'd be a tax abatement, so therefore, I am trying... attempting to override the Amendatory Veto. And I ask for an 'aye' vote."

Speaker Novak: "Is there any discussion? Mr. Turner, your light is on. Could you turn his light off please. Is there any discussion? Seeing none, the question is, 'Shall House Bill 1480 pass, notwithstanding the governor's

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specific recommendations for change?' This Motion requires 71 votes. This is final action. All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 109 voting 'yes', 0 voting 'no', 8 voting 'present'. This Motion, having received the required Three-fifths Majority to override, is hereby declared... House Bill 1480 is hereby declared passed, notwithstanding the Governor's recommendations for change. The Chair is prepared to go back to Representative Lyons, on the Motion on House Bill 1516. Excuse me. The other Representative Lyons, Mr. Lyons."

Lyons, J.: "The junior member of the Lyons, Lyons team, Speaker Novak. You know the question now we have Bradleys and Bradleys, Smiths and Smiths, Jones and Jones, plus duets are a dime a dozen down here. Ladies and Gentlemen, in respect to Representative Black, I did pull the actual language and looked into the actual deletions from the original Bill that I... I passed here. My... my person and Frank Straus got together we looked at this. The regulatory fees part of this Bill was pulled out of this language. So there's no fee increase language involved in this Bill. It was put into the Budget of Limitation Act which I believe was House Bill 1903, which is Public Act 9332, which was a separate issue that dealt with the increase the credit unions did have to come up with along with all the other fee increases that the government... the

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Governor implemented. But that was not included in this. This was strictly what I spoke to earlier. There was some in-house type of things that the credit unions wanted to have done, as far as increasing some limits and increasing, allowing them to disburse to... to minors under the right set of circumstances. And the Governor's net effect, basic effect on this piece of legislation was changing the fee of when... changing the date of when credit unions self-imposed fees are due from July 1st which was in this Bill originally to March 1st which was the original... which is what the Governor wanted to change. So, that is the effect. And I'll be happy to answer any questions or give any further clarification."

Speaker Novak: "Thank you, Mr. Lyons. The Gentleman from Vermilion, Mr. Black."

Black: "Well, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I just simply rise to thank Representative Lyons for his indulgence. Our staff had some questions about this Bill and I... I think the questions they raised were... were certainly legitimate and... and need to be looked at by Members of our side and Representative Lyons has certainly looked at the Bill very carefully. He didn't have to take this Bill out of the record. We're very grateful that he did and we appreciate his indulgence. Thank you."

Speaker Novak: "Thank you. Is there any further discussion? Mr. Lyons, to close."

Lyons, J.: "I'd appreciate a 'yes' vote."

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Speaker Novak: "Thank you. The question is, 'Shall House Bill 1516 pass, notwithstanding the Governor's specific recommendation for change?' This Motion requires 71 votes. This is final action. All those in oppo... all those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Leitch. Mr.(sic-MS.) Lindner. Mr. Clerk, take the record. On this question, there 86 voting 'yes', 29 voting 'no', 2 voting 'present'. This Motion, having received the required Three-fifths Majority, the Motion to Override prevails and House Bill 1516 is declared passed, notwithstanding the Governor's recommendations for change. For the record on House Bill 1516, the Motion passed. To accept, passed. Majority Leader Currie, for the purpose of a Motion."

Currie: "Thank you, Speaker and Members of the House. I move that the House suspend posting requirements so that the subject of electric rate structures can be heard in public utilities at 8:30 a.m. tomorrow, Wednesday, November 5th. And that real estate property tax assessment proposals again is a subject matter can be heard in the Revenue Committee at 8:30 a.m. on Thursday. I've cleared the Motion with the Members of the other side of the aisle and I'd appreciate your support."

Speaker Novak: "You've heard the Lady's Motion. Is there leave? Leave being granted the Motion is... Motion passed. Chair recognizes Mr. Grunloh, for a Motion."

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Grunloh: "Mr. Speaker, I move that the... the posting requirements be waived for House Bill 3828. We consulted with the... the other side and they're in agreement."

Speaker Novak: "Is there leave? Leave being granted the Motion passed. Thank you."

Grunloh: "Thank you."

Speaker Novak: "Chair recognizes Mr. Flider."

Flider: "Thank you, Mr. Speaker. I'd like to request that the posting requirements for House Bill 3835 be waived so that this legislation could be heard in the Veterans Affairs Committee. And as I understand it, the Republican side has been consulted with and there should be no objections."

Speaker Novak: "Thank you. Is there leave? Leave being granted and the Motion passes. Thank you. Mr. Moffitt, for what reason do you rise, Sir?"

Moffitt: "Rise to a point of personal privilege, Mr. Speaker."

Speaker Novak: "Please state your point."

Moffitt: "We've had several announcements today of new arrivals. Have you been keeping score of the political balance?"

Speaker Novak: "I think our side's winning."

Moffitt: "I believe it's three to two on the Dem's side. I'd like to even that score a little bit. My seatmate is a proud new grandfather and has a picture of his new grandson here on his desk for... for everyone to see. His new grandson, Ben Yeoman from Representative Sid Mathias."

Speaker Novak: "Congratulations. Grandpa Mathias, congratulations. That makes it three to three, but has the

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grandson decided which party to be in? Okay. Thank you.
Mr. Clerk, for an announcement on committees for tomorrow."

Clerk Bolin: "Attention Members. The State Government
Committee will meet at 3:00 p.m. today in Room 114.
Tomorrow morning at 8:30 the Public Utilities Committee
will meet in Room 114. At 9:00 the Labor Committee will
meet in Room 118. The House Insurance Subcommittee will
meet on mandatory insurance in Room D-1. The Housing and
Urban Development Subcommittee on transit insurance and
Transportation to Motor Vehicles Subcommittee on mass
transit compliance will meet in C-1. And Insurance
Committee will meet in Room... in Room 122-B. At 10:00 the
Republicans will caucus in Room 118."

Speaker Novak: "Mr. Brady."

Brady: "Thank you, Mr. Speaker. I was just going to confirm
what the Clerk already did, and that is tomorrow at 10:00,
the Republican will caucus in Room 118. The Republicans
Caucus tomorrow at 10:00 Room 118. And if I may Mr.
Speaker, for one quick second I would like to thank the
Body and my colleagues. With the recent death of my Mother
Paula Brady, I would like to thank all those from this
Assembly that were so kind to myself and my family in
expressing their sympathies at her death. Thank you very
much."

Speaker Novak: "Thank you, Representative Brady. Mr. Stephens,
for what reason do you rise Sir?"

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Stephens: "Well never one to question Leadership, but if we're meeting in Room 118, the Veterans Affairs and Higher Education are gonna be occupying that room."

Speaker Novak: "Mr. Stephens, I understand those committee meeting are being reorganized.. to accommodate the change."

Stephens: "I knew you'd take care of it."

Speaker Novak: "Thank you. The House is prepared.. prepared to adjourn. Allowing perfunctory time for the Clerk the House now stands adjourned till 11:00, tomorrow, Wednesday November 5, 2003. All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the House now stands adjourned."

Clerk Bolin: "House Perfunctory Session will come to order. Introductions of Resolutions. House Resolution 435, offered by Representative Bill Mitchell. House Resolution 463, offered by Representative Chapa LaVia. House Resolution 465, offered by Representative Bill Mitchell. House Resolution 474, offered by Representative John Bradley. House Resolution 478, offered by Representative Brauer. House Resolution 479, offered by Representative May. House Resolution 487, offered by Representative Granberg. House Resolution 492, offered by Representative Kelly, and House Resolution 497, offered by Representative Jakobsson. These Resolutions are referred to the House Rules Committee. Introduction and First Reading of House Bills. House Bill 3857, offered by Representative McKeon, a Bill for an Act in relation to transplants. House Bill 3858, offered by Representative Grunloh, a Bill for an Act concerning the

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display of historical documents. House Bill 3859, offered by Representative Black, a Bill for an Act concerning vehicles. House Bill 3860, offered by Representative O'Brien, a Bill for an Act concerning vehicles. House Bill 3861, offered by Representative Eddy, a Bill for an Act concerning employment. House Bill 3862, offered by Representative Franks, a Bill for an Act concerning local government. House Bill 3863, offered by Representative Saviano, a Bill for an Act concerning the State Police. House Bill 3864, offered by Representative Watson, a Bill for an Act concerning finances. House Bill 3865, offered by Representative Holbrook, a Bill for an Act in relation to gaming. House Bill 3866, offered by Representative Franks, a Bill for an Act concerning public libraries. House Bill 3867, offered by Representative Franks, a Bill for an Act concerning local government. House Bill 3868, offered by Representative Eileen Lyons, a Bill for an Act concerning tuberculosis sanitariums. House Bill 3869, offered by Representative Bill Mitchell, a Bill for an Act concerning criminal law. House Bill 3870, offered by Representative Franks, a Bill for an Act concerning reports to the General Assembly. House Bill 3871, offered by Speaker Madigan, a Bill for an Act regarding schools. House Bill 3872, offered by Representative Kosel, a Bill for an Act concerning education. House Bill 3873, offered by Representative Eddy, a Bill for an Act concerning school construction. House Bill 3874, offered by Representative Rose, a Bill for an Act concerning education. House Bill

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3875, offered by Representative O'Brien, a Bill for an Act concerning park districts. House Bill 3876, offered by Representative Poe, a Bill for an Act in relation to public employee benefits. House Bill 3877, offered by Representative Brady, a Bill for an Act regarding higher education. House Bill 3878, offered by Representative Kurtz, a Bill for an Act concerning fire protection. House Bill 3879, offered by Representative Chapa LaVia, a Bill for an Act concerning public health. House Bill 3880, offered by Representative Chapa LaVia, a Bill for an Act concerning insurance. House Bill 3881, offered by Representative Schmitz, a Bill for an Act concerning taxation. House Bill 3882, offered by Representative Dugan, a Bill for an Act in relation to criminal law. House Bill 3883, offered by Representative Jones, a Bill for an Act concerning accounting. House Bill 3884, offered by Representative Jones, a Bill for an Act concerning accounting. House Bill 3885, offered by Representative Fritchey, a Bill for an Act concerning taxes. House Bill 3886, offered by Representative Brauer, a Bill for an Act in relation to public employee benefits. House Bill 3887, offered by Representative Holbrook, a Bill for an Act concerning public employee benefits. House Bill 3888, offered by Representative Molaro, a Bill for an Act in relation to taxes. House Bill 3889, offered by Representative Franks, a Bill for an Act concerning counties. House Bill 3890, offered by Representative Franks, a Bill for an Act concerning local government. The

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First Reading of these House Bills. There being no further business, the House Perfunctory Session will stand adjourned."