

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

115th Legislative Day

4/2/2004

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We ask the Members and our guests in the gallery to turn off their laptop computers, their cell phones and their pagers. And we ask the guests in the gallery to please rise and join us for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Pastor Brett Beasley of the Second Baptist Church in West Frankfort, Illinois. Pastor Beasley is the guest of Representative John Bradley."

Pastor Beasley: "Let us pray. Father in heaven, we thank You so much for another day of life. We know that everyday is a precious gift from You. We thank You for the beauty of this day You've given us. Father, we thank you for the work that's gone on in this place, this week, for each Representative and their staff. We thank You, Father, that they do represent the people of the State of Illinois and they work hard. And we pray that the work that they've done this week will be fruitful and will bless our state. And Father, may we continue to be good stewards of the great life You've given us here as natives of Illinois. We thank You that we can live in a free land, in a free country. We pray for those who are defending our freedom on this day. We pray for our president. Lord, I pray that You would bless each one, as they've come this way this morning. God, be with their families. And we pray that You bless their work and give them another good day here on the House Floor. So Father, we thank You for all the privileges of life. We thank You, Father, for the good

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land that we live in. Bless these that lead this group this day. In Jesus' name we pray. Amen."

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

Hoffman - 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: "Thank you, Speaker. Please let the record show that there are no excused absences among House Democrats today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect all Republicans are present."

Speaker Madigan: "Clerk shall take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present."

Clerk Mahoney: "Representative Joe Lyons, Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on April 02, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Amendment... Floor Amendment #1 to House Bill 5056. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or joint action motions was/were referred, action taken on April 02, 2004, reported the same back with the following

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recommendation/s: 'approved for floor consideration'
Amendment #3 to House Bill 2380, Amendment #5 to House Bill 2633, Amendment #3 to House Bill 4703. Referred to the Committee on Rules, House Resolution 782, offered by Representative Bailey. House Resolution 784, offered by Representative Younge. House Resolution 786, offered by Representative Granberg. House Resolution 791, offered by Representative Cross. House Resolution 794, offered by Representative Graham. House Resolution 795, offered by Representative Graham. House Joint Resolution 75, offered by Representative Black. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "On page 10 of the Calendar, there appears House Bill 6138. Representative Osmond. Mr. Clerk, read the Bill. 6138, on page 10 of the Calendar."

Clerk Mahoney: "House Bill 6138, a Bill for an Act regarding schools. Third Reading of this House Bill."

Speaker Madigan: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6138 deals with an emergency situation existing in my district. Gavin Central School has 631 students, pre-kindergarten to fourth grade. Two weeks ago their seven and a half year-old school was condemned due to 51 wooden trusses cracking. This Bill will allow the school district to issue bonds without referendum to finance the total cost of repairing, reconstructing, replacing and condem... this condemned building. It'll prohibit the district from issuing bonds in excess of the

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repair and replacement of the cost. Repayment will be accomplished from a legal settlement or insurance proceeds.

I ask for your favorable vote."

Speaker Madigan: "Mr. Franks."

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

Speaker Madigan: "The Sponsor yields."

Franks: "Representative, I need some more information here. It seems when 51 trusses break that someone's been negligent. Wouldn't you agree?"

Osmond: "Absolutely. Yes, Sir."

Franks: "Has this... has the school district made a claim on their insurance?"

Osmond: "Two days ago, 22 entities were in a closed-door meeting trying to resolve this. The contractor was Boller Construction, the architect was Legat Architecture, and the wooden trusses was by a manufacturer out of Racine, Wisconsin. All three pe... all three entities are at the table right now. They're all trying to resolve this. The purpose of this Bill, right now, is time is running out. I need to get 631 children back in school in September. This may not be used, but I have to have this as a safeguard because of the time element."

Franks: "Well, what I'm worried about is passing legislation when there's pending litigation. Becau..."

Osmond: "It is not pending today, they're working on it to see if it can be resolved without it. And the reason I'm doing this is a safeguard, because we won't meet again, you know..."

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there isn't enough time for us to get this taken care of for September."

Franks: "To the Bill. I... I appreciate what the Sponsor's trying to do, but I respectfully disagree when there's obviously ...there's been negligence. Obviously, somebody has messed up here, whether it be the architect or the builder or the provider of the trusses. And obviously, someone here ought to be paying and it shouldn't be the taxpayers. And what we are asking for us to do is be an extra insurance company for these folks who should be following... doing what they're supposed to do. There's ways to get expedited relief through the arbitration, depending on how the contracts have been written. And I just think it's a bad public policy to pass a Bill such as this, because then we're letting the wrongdoers off without requiring them to fix the problem which they created. They've already been paid. They've already made their money. We shouldn't have to pay again. So, that's why I'm gonna vote 'no'."

Speaker Madigan: "All right, Ladies and Gentlemen, the Bill is on the Order of Standard Debate. If I could have your attention, please. The Bill is on the Order of Standard Debate. Representative Osmond has spoken for the Bill, and Mr. Franks in response. There will be an opportunity for four more people to speak on the Bill and there are five people seeking recognition. The Chair will recognize Mr. Washington. Mr. Washington."

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

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Speaker Madigan: "The Sponsor yields."

Washington: "I rise in support of my colleague's Bill because I do have firsthand knowledge. She has kept me abreast and we don't have the time for litigation in terms of the school year to get a major problem fixed. And I thank God that those 5 hundred students who normally attend, that that just didn't collapse on them. And I think the precedent your setting is definitely one that will warrant us supporting it to get that school back in working order. And I understand that the state is gonna be repaid. Am I not correct?"

Osmond: "Absolutely. That's the whole reason."

Washington: "Thank you. Thank you, Mr. Speaker."

Osmond: "Thank you."

Speaker Madigan: "All right, Ladies and Gentlemen, again the Bill is on the Order of Standard Debate. Two have spoken for the Bill, one in response. There are four people seeking recognition in the following order: Kosel, Beaubien, Black and Eddy. Ms... Representative Kosel."

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

Speaker Madigan: "Sponsor yields."

Kosel: "I wanna make something clear. One of the previous Representatives said that he thought that this would be the taxpayers paying again for this school that was built with construction grant money. And would you please clarify, is that a true statement?"

Osmond: "No, it is not."

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Kosel: "It is not. So, this particular Bill structures it so that the students will have a place to attend school come September. Is that correct?"

Osmond: "We have them housed right now, until school year in June finishes. We need to have... if it's all possible to have the repairs done by September, we have no other place for these students to go. We have to try to expedite and get them back into their school."

Kosel: "I would agree. The most important... the most important thing in this is the students and their education. And... and I think you are addressing that in the best way that you possibly can through this legislation and I think we need to, as a chamber here, be centered on the fact that this is about the students in the school. I don't think that anyone in this chamber, including you, would...would question the fact that there's... that something went wrong in the construction of this school."

Osmond: "Absolutely."

Kosel: "And I don't think that this local school board is intending to do anything other than make the local entity that is responsible for the neglect to pay the cost of this. Would that be a correct statement?"

Osmond: "That's correct."

Kosel: "So, this Bill is structured so that the state can help the students get an education, hopefully, in a timely manner and that the local entity, when the money comes in, will then repay the state. Is that a correct assess... assessment of your Bill?"

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Osmond: "Yes, it is, Representative."

Kosel: "I want to absolutely commend you on working for a piece of legislation that helps a local district help itself get through a very, very tragic, and what could have been a tragic situation, but a very serious problem. That's what we're here to do. Great job, I will be supporting your legislation and hope the rest of the Members of the chamber will also."

Osmond: "Thank you, Representative."

Speaker Madigan: "Ladies and Gentlemen, the Bill is on the Order of Standard Debate. Three have spoken for the Bill, one in response. Mr. Beaubien. Now, Mr. Beaubien we've run through those who are for the Bill. Mr. Beaub... Okay. There being nobody else seeking recognition, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Has Representative Monique Davis voted? The Clerk shall take the record. On this question, there are 99 people voting 'yes', 18 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 10 of the Calendar there appears House Bill 4920. Representative Berrios. 4920. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4920, a Bill for an Act concerning vehicles. Third reading of this House Bill."

Berrios: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 58... Oh oops, wrong Bill. Take this one out of the record. Sorry."

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Speaker Madigan: "All right it's 4920. Out of the record?"

Berrios: "Yeah."

Speaker Madigan: " Okay. Mr. Verschoore, did you wish to call House Bill 5445? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5445, a Bill for an Act concerning labor. Third reading of this House Bill."

Speaker Madigan: "Mr. Ver... Mr. Verschoore."

Verschoore: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5445, as amended, specifies that the Chief Judge of the Circuit Court are sole employers of the court reporters for collective bargaining purpose. The purpose of this legislation is to give the court reporters collective bargaining rights under the Illinois Public Labor Relations Act. I'd be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Gentleman moves for the passage of the Bill. Those in favor signify by voting ...; those opposed by voting 'no'. Have all voted who wish? Has Representative Bassi voted? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Mr. Acevedo in the chamber? On page 10 of the Calendar... Representative Currie, did you wish to call House Bill 5823? Mr. Clerk, read the Bill. Page 10 of the Calendar, 5823."

Clerk Mahoney: "House Bill 5823, a Bill for an Act concerning environmental protection. Third Reading of this House Bill."

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Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. A recent Illinois court decision threw into question the state's ability to require cleanup of polluted sites. This is a authority the Attorney General and the Illinois Environmental Protection Agency have exercised for 30 years. No one questioned it before. This Bill would clarify that it was the intent of the General Assembly and the Governor, and it continues to be the intent, to give these useful tools to our state enforcement agencies to make sure that our citizens don't suffer from contaminated groundwater and other ill effects of pollution, whether advertently or inadvertently added to the air and water. I would appreciate your questions and I certainly would appreciate your support to make sure that we don't have contaminated ground and contaminated water in your community or indeed in mine."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I think one of the key points that you made in your opening remarks is that the Attorney General has done this for 30 years..."

Currie: "That is correct."

Black: "...but a court... a court has ruled that, in fact, they should not have been doing that for 30 years, that they had no clear statutory authority..."

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Currie: "Right."

Black: "...to do that. Now, what I'm afraid of is that this Bill goes beyond the court decision. It... it's... if I read this, and your response might help me focus a little bit, it seems to me we're giving the Attorney General the authority to mandate contamination cleanup without court action or negotiation. And to me that would seem to negate the basic premise of due process."

Currie: "No, I believe the court would be required to... to determine... would balance the competing claims, which has been the practice for 30 years. And on the basis of committee testimony, both the Environmental Protection Agency and the Attorney General's Office said, quite clearly on the record, that the intent was merely to add language that we all thought should've been construed to be there by the court."

Black: "All right. And you... you mentioned, for example, the annual testing of... of well water. I...I interpret this to go far beyond just testing of well water. I see this as giving the Attorney General the statutory authority to come in on any kind of contamination, from a gasoline spill to a leaking landfill to a water well problem, et cetera. Broad powers under the Environmental Protection Act, right?"

Currie: "Which is... which is what the agency has consistently had. So, this does... this is not annual testing. This is when..."

Black: "Right."

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Currie: "...there is a report of environmental damage and the agency tests and they discover that there is a problem. The Attorney General can go to court and can ask that the polluters stop. That authority was not questioned by the decision."

Black: "All right."

Currie: "But the 30 years the agency and the AG have had the authority to ask the polluter to cleanup the site so that the materials that have leaked into the groundwater don't continue to spoil the water that your community depends upon for drinking."

Black: "All right. In the case where the contamination may be migrating from one site into another site and the Attorney General comes in and tells each landowner in the contaminated stream, you will clean this up and you will clean it up beginning Monday morning. Is it your... is it your understanding that the landowner or owners could still say, I don't agree with you and I'll see you in court?"

Currie: "Absolutely. Absolutely. But the target really here is the... the entity that was responsible for the pollution. So, this..."

Black: "All right. Now..."

Currie: "...this enables them to take that person to court if they're not able to agree upon a schedule for decontamination."

Black: "The... the critical part in my last question, the landowner being accused of the contamination, the cause, says, I don't agree, I'm going to court. Is there anything

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in this Bill that would gi... would give the Attorney General the right to tell a contractor or someone, you go in and start mitigating and mediating the site and we'll... we'll worry about what the court says later?"

Currie: "I don't believe so."

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

Speaker Madigan: "The Lady moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 79 'yes', 38 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Acevedo on House Bill 4949. Mr. Clerk, read the Bill. Mr. Clerk... House Bill 4949, read the Bill."

Clerk Mahoney: "House Bill 4949, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "Mr. Acevedo."

Acevedo: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4949 provides law enforcement with the tools to combat gunrunning and increases the penalty for possession of wearing a body armor while possessing a gun. The Bill makes it a Class X felony, punishable by a term of imprisonment of 10 to 40 years, when a felon violates the UUV provisions and is in possession of a body armor. The Bill also makes it a Class X felony when a person who has not been issued a valid FOID card commits an

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aggravated unlawful use of a weapon while wearing or possessing the body armor. The Bill creates a new offense in the unlawful sale of firearm provision. When a person knowingly sells or transfers ownership of a firearm to a person who does not display to the seller of firearm a currently valid FOID card the transaction constitute unlawful sale of firearm. The offense is not applied to those individuals who are exempt from possessing a fire... a FOID card. A first offense under this paragraph is a Class IV felony. A third or subsequent offense is a Class I felony. The Bill also sets a ten-year statute of limitations for a violation of this offense. All other offenses under unlawful sale of a firearm provision have a five-year statute of limitations. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Lindner."

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

Speaker Madigan: "Sponsor yields."

Lindner: "I... I believe it's correct that the statute is now two years. Can you tell us why the increase to ten years? What is the reason for that because that's a pretty big increase?"

Acevedo: "Representative, can...can you clarify which portion of the statute which... which you're referring to please?"

Lindner: "Well, you're talking that the ten-year statute of limitations for prosecution for unlawful sale of firearms."

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Acevedo: "Right. SOL is a three years for a felony and one year...up to for six months... one year six months for a misdemeanor. Representative, the reason the statute of limitation is being changed, it's due to the fact for gun-running it takes... it's a long process as far as identifying the person who actually is selling the weapon and to track that person down."

Lindner: "Okay, I mean, why is it a longer process? What happens?"

Acevedo: "Under what?"

Lindner: "Why is it a longer process? Why... why would it maybe take ten years to identify that person?"

Acevedo: "Because gunrunning actually is... is an underground practice that happens everyday."

Lindner: "Would you talk about body armor a little bit?"

Acevedo: "The body armor?"

Lindner: "Yes. I don't exactly know, ya know, what you mean by body armor and..."

Acevedo: "Okay."

Lindner: "...what... what situation this addresses."

Acevedo: "The body armor, Representative, is... is actually, in layman's... layman's terms, a bullet-proof vest. If... if you can recall a situation in California where two gentlemen held up a... a bank and the weapons that they had... the assault weapons that they had... and also they were wearing body armor, so it was... it was a very dangerous situation because the rounds of ammunition that the law enforcement officers had to try to defend themselves couldn't even

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pierce the body armor. So, it... it... if... if it's... the body armor is put in the wrong hands of an individual who has committed a felony with a firearm, it jeopardizes not only the lives of the citizens but the lives of a police officer who has a weapon to defend himself, and it's a struggle because he has to now fire or aim at a certain part of an individual's body because he has on body armor, and his rounds of ammunition is ineffective."

Lindner: "Okay, so is your legislation limited to somebody who is actually committing a felony while wearing body armor?"

Acevedo: "Can you repeat that, Representative? I'm sorry."

Lindner: "Is your legislation actually limited to somebody who is committing a felony when wearing body armor?"

Acevedo: "It... Yes. It's... it's specifically to an individual who is committing a gun offense, a felony, in... while in a possession of... of body armor or committing a felony with a weapon."

Lindner: "All right. So, a private citizen maybe who is being threatened and felt in fear of his life and maybe was wearing a bullet proof vest and carrying a gun, would he be charged under this law?"

Acevedo: "Right, it's not an offense to be in a possession of a body armor. It becomes an offense when you're committing a felony while in a possession of a body armor."

Lindner: "Okay. Thank you very much."

Speaker Madigan: "There being no further discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. The

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Clerk shall take the record. On this question there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Soto."

Soto: "...Members of the House. I'd like to take this moment to point of personal privilege. I'd like to introduce my mother and my sister. Can everybody wave at them? Thank you."

Speaker Madigan: "Representative Hamos. Did you wish to call House Bill 4099? Mr. Clerk. On page 8 of the Calendar, House Bill 4099. Read the Bill."

Clerk Mahoney: "House Bill 4099, a Bill for an Act in relation to energy conservation. Third Reading of this House Bill."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. House Bill 4099 establishes a statewide energy efficiency commercial building code. This is different than the Bill that we considered last year in that it applies only to new commercial buildings. The theory here is that if we build the building using energy efficiency standards in the first place, there will be reduced costs to operate it and this will benefit all the users of these buildings. Ladies and Gentlemen, Illinois is... is only... is one of only twelve states with no energy code for commercial construction. This is good for the people... the users of these buildings, the businesses, because we know that it will benefit their bottom line, energy costs are a big item of that bottom line. And this is also good for society because it will

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result in less energy use and a cleaner environment. And I'm available to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Bill is on the Order of Standard Debate. The Chair recognizes Representative Eileen Lyons."

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of this legislation. As the Sponsor mentioned, Illinois is one of only twelve states with no energy code for commercial construction. And it is the largest of these states and could achieve great energy savings by adopting a statewide energy efficient code. Many of the international provisions require features already standard in new buildings. The code simplifies rules for commercial builders, providing one unified... uniform statewide code and multiple options for compliance. The code provides a boost for Illinois economy, keeping dollars in the local economy that would otherwise be sent to Wyoming or Canada for natural gas. Approximately 60 million square feet of new commercial building space is constructed in Illinois each year. For new commercial buildings, the monetary impact of adopting a statewide energy efficiency building code could produce 60 to 80 million dollars of life cycle energy and other cost savings for each year of construction. Environmentally, the code would result in emissions reductions of 317 tons per year of sulfur dioxide, 100 and... 41 tons of per year of nitrogen oxides and so on. I guess my point, Ladies and Gentlemen, when are we, as a country... when are we, in this

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country and here in Illinois, going to own up to our responsibility as the biggest consumers of energy? It is our obligation to be good stewards of that... those resources and I would think everyone would be proud to support this Bill. Thank you."

Speaker Madigan: "The Bill is on the Order of Standard Debate, two people have spoken for the Bill. Mr. Black. Mr. Black withdraws. Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, isn't this a mandate on construction?"

Hamos: "It does establish a statewide building code, so it will change the standard throughout the state. And once we ramp up, everyone will use this, as they use other kinds of building codes right now."

Parke: "Well, so therefore we're mandating from Cairo to Waukegan that everybody is gonna build the same way in the State of Illinois, and there are certainly differences from one part of the state to another. Doesn't this pre-empt Home Rule?"

Hamos: "It does preempt Home Rule because, again, the goal here is to achieve a statewide building code that would create a level playing field in uniform standards, again making it more cost effective to build from one part of the state to the other. And Representative Parke, to correct a misimpression, under the Illinois Energy... International Energy Code, Illinois is divided into five climate zones,

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and there really are different standards from one end of the state to the other, depending on the climate zone."

Parke: "Mr. Speaker, can I have a clarification? Does this require 71 votes to pass?"

Speaker Madigan: "The Bill shall require 60 votes to pass."

Parke: "Oh, I thought that preempts Home Rule."

Speaker Madigan: "That's all true and I consulted with the parliamentarian who said 60 votes. I'd be pleased to let him speak to the issue if you wish."

Parke: "Well, if that's your ruling, he doesn't need to do that."

Speaker Madigan: "Okay."

Parke: "Thank you."

Speaker Madigan: "Mr. Parke."

Parke: "I'd like to continue. Ladies and Gentlemen, to the Bill. Your municipal governments have indicated that they are strongly in opposition to this Bill. I would like to point out to you that the organizations, the Capitol Development Board, the Illinois Manufacturers' Association, the Northwest Municipal Conference, Will County Government League, Dupage County Mayors and Managers, Illinois Association of Realtors, Metro Counties Association, Cook County Board of Commissioners, the City of Chicago, the Illinois Municipal League are all in opposition to this because this is intrusive. We all can appreciate what the Sponsor's trying to do, but this is gonna raise the cost of doing business in this state, significantly. And there's no guarantee that this program's gonna get funded. So, I

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would ask that you take a good hard look at whether or not you really think that this is what you gotta tell your municipal governments and how they're supposed to allow the builders of these development... the development in Illinois to do it. So, I would ask... the amount of people that deal in the development of this state are strongly in opposition. I would hope that this Body would take into consideration all those people who are in strong opposition and vote 'no' on this legislation."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 62 people voting 'yes', 54 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr... Is Mr. Bill Mitchell in the chamber? Jerry Mitchell. Do you wish to call 4211? Mr. Clerk, House Bill 4211, read the Bill."

Clerk Mahoney: "House Bill 4211, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I bring you House Bill 4211. 4211 lowers the legal age for a person to receive a tattoo from anyone other than a person licensed to practice medicine from 21 to 18, and raises the criminal penalty for a tattoo or body piercing a person under the age of 18 from a Class C

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misdemeanor to a Class A misdemeanor. It also provides that an owner or employee of a business that permits persons under the age of 18 to enter and remain on the premises of an establishment where tattooing or body piercing is being performed without being accompanied by a parent or legal guardian is a Class A misdemeanor. This is a local initiative. We had some problems in our own district. I've contacted the tattoo industry, they're in support of my Bill. This is a nonregulated industry and it's really tough to... to set any standards for them. But they agreed that... they accepted the... the penalty being raised if we could align the ages for both body piercing and tattoo. This makes it the same, it makes it the same as the voting age and they agreed with that. The gentleman that brought this to me was a detective with the Rockfalls Police Department, after many complaints from my district. Be happy to answer any questions."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 103 people voting 'yes', 13 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 5164? 5164."

Clerk Mahoney: "House Bill 5164 is on the Order of Third Reading."

Speaker Madigan: "Read the Bill."

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Clerk Mahoney: "House Bill 5164, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Madigan: "Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 5164 is a Bill that has this chamber has and Health and Human Services Committee has worked on for quite some time. It deals with the Model Health Emergency Powers Act that the Center for Disease Control has encouraged states to adopt into their statutes. I'd be glad to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Collins. Collins. Did you wish to call House Bill 4650? Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4650, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "Representative Collins."

Collins: "Thank you, Mr. Speaker. House Bill 4650, what we trying to do here is... House Amendment #4 just changes the language that says that if... if... if a landlord fails to pay utilities then that person will be given a criminal record so they'll go to jail, because we don't want landlords to have... people to pay... we don't want tenants to pay rent and

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then the landlord not pay the utilities. So we think that they should be incarcerated. We ask for an 'aye' vote."

Speaker Madigan: "Mr. Parke."

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, are you saying that someone doesn't have to pay... couldn't a housing manager for collecting utility payments... Can you tell me what... again... what this Bill does?"

Collins: "What this Bill does, if you're a tenant and you pay rent to the property management and they fail to pay the utilities, and as a result your utilities... you go all winter without heat or electricity, then... that's what we're trying to do. We're trying to prevent tenants from paying rent and not receiving utility services when the utilities are included in the rent."

Parke: "Well, I think we... we're all concerned about that, that doesn't sound too unreasonable. But the part here with the criminal violations, it says it could be a...a conviction is a petty offense, and the second conviction is a business offense subject to exceed \$15 hundred and it could be a Class A misdemeanor. I think that's the reason why the Illinois Realtors are opposed to this. And ya know, ya gotta... what is criminal intent? Do they...do they really intend to be criminal about this or... how do you define what criminal intent is?"

Collins: "Well, if it's the winter time and you have elderly people and old people and you have people who've actually

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paid their rent and the landlord knows that they're responsible for paying the utilities and you go all winter, and some people have died in that, you wanna make sure that your utilities are paid. And so if you go... if a... if a management company or a landlord, with three or more units, if they do that then it's criminal intent because... if the... now, we're not talking about if it's just possible that something happened and the utilities was cut off for a day or so, but this is talking about for a long period of time."

Parke: "Okay. Ladies and Gentlemen, to the Bill. The Illinois Realtors still find this Bill to be over the top in terms of what fines can be placed against someone owning these properties. And so I would stand in opposition to the Lady's Bill."

Speaker Madigan: "Representative Lindner."

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

Speaker Madigan: "Sponsor yields."

Lindner: "Representative, whose duty is it to notify the landlord?"

Collins: "To notify the management of what?"

Lindner: "To notify the landlord that the utilities have gone off."

Collins: "It's the responsibility of the landlord to pay the utilities. The tenant will let the landlord know that, you know, the lights are out. And actually, Commonwealth Edison or People's Energy will send the landlord because they're the one's who will get... who will get the utility

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bills. So they'll get the notice saying that, you know, we're about to shut your services off because... and it's 24 hours. The tenants have 24 hours after that to get the services... the landlord has 24 hours after the... after it's shut off to get their services shut back on. Because they're the ones who are getting the utility bills... it's in their names, the tenant can't do it. The tenant... the utilities aren't in the landlord...aren't in the tenant's name. The utilities are in the landlord's name. So, they can't pay it, they can't even go down and question. Right."

Lindner: "Well, you're giving 'em 24 hours and, you know, sometimes there's a screwup in the mail or something..."

Collins: "No, they would've already have gotten... before your utilities are cut off Commonwealth Edison and People's Gas, they send you a letter saying that we're gonna shut your services off if you don't pay the bill. So the landlord knows way in advance that they should've paid the bill."

Lindner: "Well, that's what I wanna make sure of. Is there any, ya know good faith notice, good faith effort to notify the landlord that the utilities have not been paid, if he or she doesn't know for some reason?"

Collins: "No. No. Utilities let them know well in advance. And we've worked with the real... the spons... the girl that wanted the Bill to come forward worked with the realtors and People's Utilities and all of them, and we came to an agreement with everybody but the realtors. The realtors had a problem with making 'em criminal. But our thought is

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people should not pay rent to a tenant... I mean to a landlord and then get their services shut off for the whole winter."

Lindner: "And you have... what groups have you worked with? I know there are a lot of Amendments on this Bill and Amendment #4 is the Bill, now?"

Collins: "Yes. Amendment #4 is the Bill."

Lindner: "What groups have you worked with to get to Amendment #4?"

Collins: "The utilities... We... we spoke with the utilities, we spoke to the realtors. But the realtors still had a problem because they didn't want to make it criminal. But we felt that it should be criminal because if you're paying your rent... because it cause harm. And you know, you don't want to live in a place without gas or electricity or water. And it's their responsibility to pay, so the tenant... you know, they feel that this is... this is harm. This is doing harm to them."

Lindner: "All right. Thank you."

Speaker Madigan: "All right, Ladies and Gentlemen, the Bill is on the Order of Standard Debate. One person has spoken for the Bill, two in response. And there are three people seeking recognition. Mr. Delgado. Briefly."

Delgado: "Thank you, Mr. Speaker. I stand in strong support of House Bill 4650. As we know, we have... we have buildings in our district we just finished, just now, where senior citizens have paid all their utilities through their rent. And the week before Memorial Day of last year their hot

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water... their water bill... their water was cut off. And we were very fortunate an agent of People's Gas came out and turned that water back on at the request of this Legislator. Now, that slum lord was dealt with. He owed over \$57 thousand in back water bills, but yet he was collecting rent every month. And those tenants, that particular one had glaucoma and she had paid her bill. She paid every... through her... through her rents. And there is already on the statute criminal housing management and there's no reason why that this Bill should not go forward. And I would ask for your 'aye' vote. If you've paid your Bill, you've paid your rent with the understanding of a contract, be month-to-month or lease, that you should expect light, gas and your hot water, then that's what it should be, and the tenants should not have the burden. I strag... I stand in strong support and would ask for all 'green lights' on House Bill 4650."

Speaker Hannig: "Representative Hannig is in the Chair. This Bill is on the Order of Standard Debate. We've now had the two speak in favor, two speak in opposition. Representative Graham is recognized. She's next on the board. Do you speak in favor or in opp..."

Graham: "Favor."

Speaker Hannig: "In favor. Proceed."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to say that I've received several complaints in my district as well. The... the tenants were in a huge... in this huge building and the person owed about

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\$20 thousand in... in gas bills and didn't pay it and had every excuse in the world as to why he didn't pay it. But he was constantly rehabbing and purchasing other... purchasing other properties, and these people in this building was no concern of his. I stand in strong support of this piece of legislation. And it's bad that we have to come to this point to legislate people to take care of the needs and safety of other people. There should be a standard, safe, decent and sanitary. And it should meet the standards that a person should live in an adequate living arrangements. The heat, everything should be... should be accommodated. If it's included in... in the rent people shouldn't have to suffer the consequences of a negligent landlord. I stand in strong support of this Bill and I urge all 'aye' votes."

Speaker Hannig: "We've now had three speak in favor, two in opposition. One more may speak in opposition. Representative Meyer, are you in opposition? Okay. So, Representative Meyer is recognized and then we'll close."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield?"

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

Meyer: "Representative, ya know, the underlying intent of the Bill I... that you have here, I don't have a problem with it. I think if somebody's scamming people out of money, they oughta be held accountable for it. The part that I... Representative..."

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Speaker Hannig: "Representative Collins, I... I don't know if he wants to ask you a question, but he indicates that he wants you to..."

Meyer: "I can't ask you a question unless you and I have some contact here. I... My point is, I don't have a prob... I don't have a problem with the underlying intent of your Bill. I think anyone that scams money from people oughta be held accountable. But I do feel somewhat concerned about the time frame that you're... you're giving, in terms of the 24 hours. Now, I've never had my electricity or my gas shut off, so I can't speak from experience. And I need for you to convince me that the 24 hours is a reasonable amount of time. That's... that's my main concern with this Bill as it is today. I don't know that if once the... the utility is shut off, if in all cases, even if it's the landlord's intent that it be turned on within that 24 hours, if that in fact should take place. And my concern is if in fact it can't, even though it was fully intended that it do... that... that it be turned on, then you have a... then you have a trigger in your Bill that triggers an event to take place against the landlord. Now, can you speak to that?"

Collins: "Okay. This is what happens. When you get a utility Bill and if you don't pay a utility Bill, you get another notice in the mail. The landlord, because that's the person who's getting the utility Bill. What it says is that your utilities will be shut off within 30 days after this notice if we don't receive this amount... this amount. So, then you get a final notice that says on this day your

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utilities will be shut off. So the landlord knows well in advance that the services are goin... is gonna to be shut off. So therefore, we're saying that if your utilities are shut off and it's not an emergency like the power went out with the whole city, ya know, something that the landlord controls, not nothing that the landlord can't control, we're saying that you have 24 hours after that to get the services back on. Now, we're also saying that in order for the landlord to be charged criminally, that it would've had to endanger the lives of the tenant at that immediate time. So... so, no heat in the winter. So, if you're living and it's... it's 30 below or it's really, really cold outside, ya know, and you have no heat, then you endangered that tenant, then we can charge you criminally. So, we're not just saying that if... if you just... if something happened by mistake or something you couldn't control, but if you just failed to pay the utilities. And then if you can show proof that you went down and paid the utilities once the bill... once the services were shut off, you paid that bill on that day and you can prove that... and then sometimes like with People's Gas, they may say, well, it's gonna take a week to come... for us to come back out and turn your services on, but the electric and the water... the water may say that. But if you can prove that you did that, then still criminal charges will not be brought forward."

Meyer: "Mr. Speaker, it's very hard for us to have this conversation with the noise level in the chamber."

Speaker Hannig: "Okay."

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Meyer: "The last couple of sentences that you had, that you gave me, could you repeat them?"

Collins: "I'm sorry, Representative Meyer, could you repeat the question?"

Speaker Hannig: "Here. Can we have some order in the chamber? Representative Meyer and Representative Collins are trying to have a discussion and ask questions on this Bill. Could we respect them and give them some order?"

Meyer: "I... I was able to understand most of what you said, the last couple sentences that you were saying, I completely lost with all the noise."

Collins: "I think I said that if you were in danger, if... if your services were shut off and your life was in danger, like it was in the winter time and you had no running water or no heat, then you can be charged. Then the landlord could be charged. But it's the intent to keep... keep the services off. If you can show proof that you also paid the bill within 24 hours... within 24 hours of the services being shut off, then you still won't be charged criminally. Sometimes it takes a little longer, it may take a day or two to get the services back... back shut off... shut off. But if you showed that you paid the bill and they're gonna come back out and restore services, then you don't meet the requirements."

Meyer: "Does your Bill say that? Because I'm reading the actual wording of the Bill and it just says the 24 hours. I didn't hear the exception that you just gave as a part of the Bill."

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Collins: "Well, because that's how the criminal law works. You have to show intent in the statute, that's how the criminal statute... the specific intent. And right here it says you have to endanger the lives."

Meyer: "Well, my concern is even though you say there's no intent in the statutes, what you're doing here is outlining intent."

Collins: "Well, we're saying that if the intent is to endanger... if your services were shut off in the winter, you have no running water and no heat, it is intent and you endangered the lives of the tenant. So, that's the intent. By refusing to pay... pay the bill, you've endangered the lives of the tenant, therefore the intent is there."

Meyer: "Well, Ladies and Gentlemen of the House, to the Bill. I think the... the Representative has some basis for her concern in her Bill, because I don't believe that we should allow landlords to... to scam their... their residents that live in their units. But at the same, time I feel somewhat concerned about this section of it. In the 24 hour period it looks to me, and I'm not a lawyer I'd have to admit it, but it looks to me like it's pretty well laid out there that 24 hours and then you have a problem. And I... I think this part has to be corrected and I... I feel uncomfortable supporting it until that part is."

Speaker Hannig: "Representative Collins to close."

Collins: "Thank you. I would just like to say that the intent for this Bill is that when you pay your service... your utilities... your... your rent to a landlord, they have an

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obligation to pay the utilities if that's in your contract. And as we... as most of us know, that the utility companies give us 90 days. They give us a 90 day notice, then they give us a 30 day notice. So, the 24 hour notice is sufficient because you've already had three months... the landlord has to know that the services were not paid. So therefore, your utilities are gonna be shut off. The tenant, on the other hand, is unaware of that because the services is not in her name. The also... it's intent when we're talking about you went out and you... and you intentionally not pay the utilities and endanger the safety of your tenants. And I ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 4650 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 45 voting 'yes', 69 voting 'no' and 3 voting 'present'. And the Bill fails. Representative Bost, for what reason do you rise?"

Bost: "Yeah, for a point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Bost: "Today, even though this is not the actual birthday, we have one colleague that over this next two-week period is going to have a birthday on April 10. And there's gonna be cake down front. I don't think he even knows that we're doing this for him, but let me just say, let's everybody wish the wonderful Bob Churchill a happy birthday."

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Speaker Hannig: "On page 11 of the Calendar, Mr. Clerk, is House Bill 6769. Would you read that Bill, please?"

Clerk Mahoney: "House Bill 6769, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Speaker Hannig: "Representative Graham."

Graham: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6769 came about because a change of ownership happened in my community where a hospital took over another hospital. And there is some concerns in my community about the way the public was made aware of the change of ownership. All of a sudden there was an outpour of people being unaware. So we went in and made the certificate of exemption a little more adherent to the community, posting notices in the... in the local newspapers, as well as one major newspaper, and it would run three consecutive days and people would have an opportunity to ask for a hearing if they were interested in getting details about it. And there was a issue regarding charity care. If a hospital was gonna be... ownership was gonna be changing, the charity care couldn't change within... the charity care level couldn't change within two years of change of ownership. I'll take any questions at this time."

Speaker Hannig: "This Bill is on the Order of Short Debate. Does anyone stand in opposition or in response? Representative Parke."

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

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

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Graham: "Yes?"

Parke: "Representative..."

Parke: "I... is this an initiative of... you say it's to take care of a problem in your district?"

Graham: "Yes."

Parke: "Right. And our records say that the hospitals are a proponent with Amendment 1. And is that attached?"

Graham: "I'm sorry, say that again."

Parke: "Is Floor Amendment 1 on your Bill?"

Graham: "It's an Amendment... yes, Amendment #1 is on the Bill."

Parke: "It's on the Bill?"

Graham: "Yes."

Parke: "Okay. And they're in support of it now with that Amendment on?"

Graham: "Yes, they are. Yes."

Parke: "Do you know if anybody is in opposition now?"

Graham: "No, no one is... well, no. No. There are some other issues that we need to address, but it's not going to be addressed in this Bill."

Parke: "Okay. Thank you, Representative."

Speaker Hannig: "So now the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr.

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Clerk, on page 8 of the Calendar is House Bill 3850.
Representative Bill Mitchell."

Clerk Mahoney: "House Bill 3850, a Bill for an Act in relation
to vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

Mitchell, B.: "Thank you... thank you, Mr. Speaker, Ladies and
Gentlemen of the House. House Bill 3850 is quite simply
can be summed up as a jobs Bill. This is a Bill that would
bring Illinois license plates back to be manufactured here
in Illinois. At present we have 43 percent of our license
plates being manufactured in Nova Scotia, Canada. This
Bill would simply bring them... it'd require all license
plates after January 1, 2005 to be manufactured here in...
here in Illinois. Recently, there was House Bill 3850
which required license plates that were veterans' license
plates to be manufactured here, that was relatively a small
fraction of the plates that we're manufacturing in Canada.
What we need to do, we talk about jobs, we talk about
exporting work, and this would... something that we can do
concretely, tangibly to bring back manufacturing jobs to
Illinois. I might add, since the year 2000 we've lost
about a hundred and fifty thousand manufacturing jobs.
This is a good step to bring them all back or bring more
jobs back, rather, to Illinois."

Speaker Hannig: "So the Gentleman moves for passage of House
Bill 3850. This Bill's on the Order of Short Debate. Does
anyone stand in opposition? Representative Fritchey."

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

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

Fritchey: "Representative, obviously, all of us would like to have as many jobs in Illinois as we can, but I'm just wondering if this may in fact be a jobs Bill that's gonna cost us money rather than save us money in the long run. When I'm looking at our analysis... well, here let me ask you. From your... is there an effective price tag on this Bill?"

Mitchell, B.: "The Secretary of State's Office, there was a fiscal note filed the other day and I believe the fiscal note is between 3 and 7 million dollars. But I think to answer that question is what's the cost of bringing jobs back to Illinois? We can run all the campaign commercials we want and talk about we're for jobs for Illinois, but this is something that we can do here at the State Capital to bring jobs back. By the way, Representative, this also... the people that... the 57 percent of the license plates that are presently being manufactured in Illinois are being manufactured by people with disabilities."

Fritchey: "I... I..."

Mitchell, B.: "So this not only helps jobs in Illinois, it helps people with disability."

Fritchey: "I... I understand that, and it's an awkward situation to be questioning legislation that will promote both jobs in Illinois, especially jobs that are being people... performed by disabled. But once again, I have seen a number of my colleagues on this side of the aisle try to move forward very well-intentioned and good pieces of

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legislation which have been derailed by the other side of the aisle because of a price tag. The reality is that there is a price tag of several million dollars on this legislation and there's no way for us to pay that additional money. We are always looking at things that are gonna blow holes in the budget, things that are gonna cost the state money. We try to do things on this side for economic development, to help communities around this state, to help our communities. And I understand that this is something that can help your community, it's a noble cause. But there is a price tag on this. There's no way for us to pay this price tag and I just think that we need to look at this in a situated... fair is fair. And I just hope that there would be a recognition... I'm sure this Bill's gonna fly out of here, but there will be a recognition that not everything that has a price tag is inherently bad and there are times where it's worth spending the extra millions of dollars. This is something, as I said..."

Mitchell, B.: "What... I appreciate your... your..."

Fritchey: "Go ahead."

Mitchell, B.: "...your comments, Representative. One thing that we have been good at in Illinois is exporting good-paying jobs. And that's something that we have to stop. And this is a good... we always talk about we need to bring jobs back to Illinois. This is something that we can control. I think this is very important. I think we can find the money. When we want to spend money for wildflowers, there a

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million dollars for our wildflowers on Illinois highways. We can find the money if we want a book-of-the-month club, but we need to find and invest in the workers of Illinois and that's what this job... this... this Bill does."

Fritchey: "Let me ask you a question. What... what are the people that make these license plates earn in Illinois?"

Mitchell, B.: "I beg your pardon, Sir?"

Fritchey: "You're talking about good paying jobs. What are the people that make these license plates earn in Illinois?"

Mitchell, B.: "It's good paying for a person with disabilities. I think you average about \$10 an hour."

Fritchey: "About... about \$10 an hour."

Mitchell, B.: "I believe that's correct."

Fritchey: "Representative, how many companies do we have in Illinois that make these license..."

Mitchell, B.: "I beg your pardon, Representative, I can't hear you."

Fritchey: "How many companies do we have in Illinois that make license plates?"

Mitchell, B.: "There's one."

Fritchey: "There's one in the entire state?"

Mitchell, B.: "There's... there's one that presently does this. What this legislation does is doesn't say you have to bring those license plates back to... by the way, this was... the place that manufactures them isn't in my district, it's in Representative Flider's district. So this Bill doesn't say you have to bring them back to Macon County, Illinois. It says that you have to bring those license plates back to

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Illinois. Just a little background, Representative Fritchey, on this legislation was that when we were... the re-plating issue came about the Secretary of State's Office said that the re-plating will only go to Nova Scotia, Canada for one year to handle the re-plating. Unfortunately, that hasn't been the case in that we have 43 percent of our license plates manufactured in Canada. I don't think you can tell anybody that that's a good thing to do."

Fritchey: "Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Fritchey: "Ladies and Gentlemen, we all try to do things that are pro-job in Illinois. This is a Bill... the speaker was very candid. This is a Bill that is going to cost us millions of dollars. Those are millions of dollars that are going to have to come from other programs that you all care about. It's millions of dollars that are going to have to come from our communities from our state. We are looking to bring these plates back to one company in Illinois that is not gonna have competition. We are not that far away from having a massive re-plating program in this state again for us who go out of our way to find a way to spend tens of millions of extra dollars."

Speaker Hannig: "Representative Fritchey, your time has expired. Could you bring your remarks to a close, please?"

Fritchey: "I request a 'no' or 'present' vote. Thank you."

Speaker Hannig: "This Bill is on the Order of Short Debate. Representative Lang, is it your intention to remove it from

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Short Debate? Okay, so the Bill is now on the Order of Standard Debate. We have one that has spoken in favor, one that has spoken in opposition. Representative Lang."

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

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

Lang: "Representative, didn't we just complete a re-plating program?"

Mitchell, B.: "My understanding is 'yes'."

Lang: "So why do we need another re-plating program?"

Mitchell, B.: "This Bill has nothing to do with re-plating, this has... this Bill has everything to do with the present manufacture of plates."

Lang: "Well, explain the difference to me."

Mitchell, B.: "Well, any plates that are new, it's my understanding, you'll have to ask the Secretary of State's Office, about 43 percent of Illinois license plates last year were manufactured in Canada rather than Illinois. This Bill says that's not right, we need to do it here in Illinois."

Lang: "Well, so do we regularly manufacture plates without a re-plating program? I mean, doesn't everybody keep their license plate until there's a re-plating program?"

Mitchell, B.: "There's always... I... and I'm not an expert on the plating program here in Illinois. What I... it's the new plates, if someone needs a new plate or something, they would require a manufactured plate."

Lang: "What's the Secretary of State's position on your Bill?"

Mitchell, B.: "They're neutral."

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Lang: "Who's gonna pay the money? Is it gonna come out of the Secretary of State's budget?"

Mitchell, B.: "First of all, let's talk about the cost of this legislation. How can you... how can you estimate the cost of a job to a citizen of Illinois, particularly a person with disabilities? And that's one thing. The second thing, when the fiscal note says 3 to 7 million, dollars, it's very hard to determine the cost of it because it's dependent on who bids on it in Illinois. Now, this... this situation now in Macon Resources they could be a possible bidder, but there could be someone in your district or any other district in the State of Illinois. So the cost would be hard to determine."

Lang: "But whatever the cost is... excuse me, Mr. Hoffman. Mr. Hoffman, Sir. Thank you. But whatever the cost, whether it's a buck... a buck eighty or eighty million dollars, who's to... where is it coming from and what budget is it coming from?"

Mitchell, B.: "Certainly, it would come from the Secretary of State's budget."

Lang: "All right. Let me ask you this. Several times over the last couple of weeks you've asked this question of our side, so I have to ask you the question."

Mitchell, B.: "I'm sure it'll be a fair question, Representative."

Lang: "Do you have a Senate Sponsor?"

Mitchell, B.: "No."

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Lang: "Do you have assurance from the Senate President that this Bill is going to pass the Senate without changes?"

Mitchell, B.: "I'm hopeful. Senator Jones has said he's concerned about jobs in Illinois, so if you're really concerned about jobs, this is a darn good way to start."

Lang: "Do you have assurances from the Governor's Office that he will sign the Bill if the Bill gets to his desk?"

Mitchell, B.: "Again, the Governor has traveled around the State of Illinois and said he's concerned about Illinois jobs. This is an awful good way to start."

Lang: "Seems to me the Governor also suggested that we have a budget crisis in Illinois and he's cutting, cutting, cutting. He's even cutting important programs. So, do you really want to add to the state budget in this way, Sir?"

Mitchell, B.: "I think that we should invest in the workers in Illinois. And I think everyone, including the Governor, the Secretary of State would agree that we should invest in Illinois' workers rather than Canadian workers."

Lang: "Well, to the Bill."

Speaker Hannig: "To the Bill."

Lang: "Thank you. And I appreciate the candid answers of the Sponsor. I agree with him that we need to expand our manufacturing base in Illinois and I agree that on the surface it's a good idea to say that Illinois license plates oughta be manufactured in Illinois, but this Bill at this time will cost us a significant sum of money. We just had a re-plating program, we have new license plates for virtually every person in the State of Illinois. And it

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seems to me that this is the wrong time for this Bill. So, I'm gonna suggest that Members strongly consider not supporting this Bill at this time. And perhaps we could reconsider it another time when it won't cost the State of Illinois a significant sum of money."

Speaker Hannig: "Representative Flider. Five minutes."

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

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

Flider: "Representative Mitchell, what prompted this Bill to be introduced?"

Mitchell, B.: "The very fact that they are being manufactured in Canada prompted this legislation."

Flider: "Well, as you may recall, back last summer I had introduced a Bill, House Bill 3835, which specifically stated that license plates that were manufactured on behalf of veterans and veterans' organizations should be manufactured here in Illinois, specifically because they were being manufactured in Canada. And so, I just want to ask you if, you know, your perspective here is to expand that further? Because that Bill did eventually pass out of the House."

Mitchell, B.: "Yeah, and I think it passed, Representative, unanimously, including with Representative Lang and Representative Fritchey's vote."

Flider: "Okay. And so I guess one of the things that I have to ask you with regards to this legislation is, have you talked to Jesse White, Secretary of State, about this?"

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Mitchell, B.: "Certainly, we've had a conversation in... in the... when the re-plating program came about, Representative. You weren't a Member of the House, but the legislative delegation for Macon County was then Senator Noland, Representative Curry and myself. We were assured that the re-plating program that manufactured in Canada would only be for the re-plating program and would cease after that. It's only when I realized that that wasn't the case, that license plates were continuing to be manufactured year in and year out by Canadian workers and not Illinois workers, that I objected and filed this legislation."

Flider: "I appreciate that. One of the conversations that I had with Secretary of State White in Decatur, Illinois prior to my introducing the... the other Bill that we passed out of here had to do with the reason that the plates are being manufactured in Canada and not in Illinois. And one of the reasons was that he felt that several years ago he and his staff were scrutinized significantly over in the Senate by the Senate Republicans for not having a second source or second bidder to make sure that we were competitive in Illinois. And subsequently, a lot of those plates ended up going over to... to... Canada to be manufactured. And I guess my question is do you have any kind of assurance from the Senate Republicans that they will support this legislation?"

Mitchell, B.: "Well, I know Senator Frank Watson, by the way this would be in his district, right now Macon Resources,

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and I can assure you that Senator Watson is going to fight for Illinois jobs."

Flider: "Thank you. I am confident that he will too, and I'm...

I'm pleased to hear that. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Flider: "This legislation, while it has a price tag of between three... first I also want to suggest that I have made a commitment to the Sponsor, and it's one that I did not have to make, I would have made anyway. I had planned to introduce this legislation myself, but I have made a commitment that I would support this Bill and I support it fully. This legislation, while it seems to have a price tag, we can not define exactly what that price tag is. But I believe... my full belief is that if this legislation, in fact, would cost \$3 million, that that would benefit the state to a much larger degree than \$3 million, and here is why. The license plates that will be manufactured in Illinois would be manufactured at Macon Resources in Decatur, Illinois, and that is in my district. Now, this is not special legislation to support a firm in my district, but what Macon Resources is special about is that it... it employs people with disabilities. Those people with disabilities are now taxpayers instead of tax users. So, that puts them on the books as being taxpayers. And if you believe the Chamber of Commerce ripple effect of each new job created, it creates 3.2 new jobs. So those dollars being spent in Illinois, whether they're in my district, your district, any other district in Illinois, creates new

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jobs and new prosperity for Illinois. So I think we, here in the General Assembly, certainly respect the importance of getting the most bang for our buck in terms of the products that we buy. We respect the purchasing practices of the Secretary of State, we rec... respect the direction he was given several years ago under the Senate. However, I think today it's changed. Those dollars should be spent in Illinois. Those dollars should be spent on Illinois workers. We should peop... put our Illinois workers back to work. And if you have a location in your district where you can manufacture these plates, then certainly they ought to be considered as well, but we need to bring this business back to Illinois. And I urge your approval of this legislation. Thank you very much."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black. Five minutes, Representative Black."

Black: "Five minutes."

Speaker Hannig: "We're running the clock."

Black: "I can't say good morning in five minutes, Mr. Speaker, but I'll abide by your wishes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I thank the Gentleman from Macon for his comments from the other side of the aisle, I think they were on target. If... if my colleagues and good friends on the other side of the aisle don't want to vote for this, that's fine. It's surprising that you all voted for a Bill when it was sponsored by a Democrat that simply said about the same thing, and that is that any of the veteran specialty plates will be made in

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Illinois. That passed the House 115 to 0. Of course it had a Democrat Sponsor, maybe that makes a difference. I believe a Democrat will bring a Bill forward today that says anything we buy, the Procurement Code will be amended so that anything the State of Illinois buys must have a majority of American domestic content or assembled in the United States, a variation of the Buy American Bill that was a... annual affair here for 15 years, usually sponsored by a Democrat who drove a Mercedes Benz, but that's a another issue. When all is said and done, and I... I've... I've never have figured out why some Bills seem to attract opposition or... or impassioned debate. The early... the early speaker said it right, this Bill will fly out of here. I watched a television ad last night, not of my party, and your standard bearer was saying he was gonna put an end... he was gonna stop the outsourcing of jobs. He was gonna do that. I'm not sure how he was gonna do it, but if he can, more power to him. So, here's your first step to line up with your standard bearer and say to the Secretary of State, who has license plate re-plating money in his budget, that you believe, as do many of us, that Illinois license plates should be made in Illinois. Now, if we can't make them in Illinois, could we at least please make them in the United States? Or will we sit back and say, selectively, it's all right to outsource? Now we're either all gonna start to figure out how we can keep and retain employment opportunities in our country or we're not. So, if you're not concerned about it vote 'no'. I think the

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vast majority of you are concerned about it, it makes eminent good sense. Vote 'yes'. And I think that will be what most of you will do, is to vote 'aye'."

Speaker Hannig: "So now we've had three speak in favor, two in opposition. We can have one more speaker in opposition. Representative Franks, are you in opposition?"

Franks: "I'd like to ask a question. I'm not sure."

Speaker Hannig: "Okay. We'll put you down as a... in response."

Franks: "Okay."

Speaker Hannig: "Representative Franks, five minutes."

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

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

Franks: "Representative, I... I remember when this Bill came to State Government Administration, it's a committee which I chair. At that time I recall that there were some questions on the fiscal impact. And I believe at that time you thought that the amount would cost the state approximately \$25 thousand. Do you remember that?"

Mitchell, B.: "25... my... I believe my response, Representative, was 25 or 30 thousand dollars. That was in our analysis."

Franks: "Right, and... and as a result... we all want to protect Illinois jobs and we knew that that was a de minus... a de minimus amount, 25 thousand or 30 thousand dollars to protect Illinois jobs. We knew we'd get that back many times over in keeping people employed and with the tax revenues. But now I'm looking at the fiscal note that the Secretary of State's Office has put out and it indicates,

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instead of this costing 25 or 30 thousand dollars, that this could cost in excess of \$7 million per year."

Mitchell, B.: "I... I think the fiscal note says 3 to 7 million, but... and I will respond to it, Representative Franks."

Franks: "Okay. Well, I'm just... it says... how they got to the 7 million was that right now the Illinois manufacturer had done a bid of four point... per set of plates and where we're buying it now, I guess where their made, we're being charged a dollar eighty-one for the same set. Is that... does that seem plausible from what you're hearing?"

Mitchell, B.: "That's possible."

Franks: "Okay. And apparently the Illinois manufacturer negotiated down to about three dollars a set. So it'd still be about a dollar nineteen different per set. Does that sound right? Best case scenario."

Mitchell, B.: "I... I... I'll let you continue and I'll answer your question."

Franks: "Okay. Now knowing what you know, when you came to us and you thought it would cost 25 or 30 thousand dollars and now you're learning that it's gonna cost between 3 million and 7 million dollars on an annual basis, what is the real return for the State of Illinois? Have we done any analysis there? Does it still make economic sense?"

Mitchell, B.: "Well, you know... Are you done? Can I respond? May I spe..."

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

Mitchell, B.: "First of all, how can we put a cost figure on helping a disabled worker here in Illinois, one. Two,

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competition's a wonderful thing. Yeah, we all believe in capitalism, let's have capitalism here in Illinois. What this legislation says is it's not bringing these plates back to Macon Resources at this price, that's what the fiscal note is based by Secretary White. What this is saying is plates should be brought back and manufactured in Illinois. If someone wants to manufacture plates in Illinois at the same cost or below that they manufacture in Canada, we could be spending less on license plates than we do now. So, I think that the fiscal note is somewhat misleading."

Franks: "Okay. I... I can... I understand that argument, but right now there is only one manufacturer in the state. Would it make more..."

Mitchell, B.: "I... I'm not aware of that. There's only one person manufacturing them, there could be possible other people interested in it."

Franks: "Okay. My point is this, when I've seen other Bills such as this, where to buy American or buy things made in Illinois, there's always been a caveat, with a... with a limit on how much more we should have to pay for that privilege. I... all of us here want to protect American jobs and more importantly we want to protect jobs here in Illinois, but at what cost. Would you be amenable to an Amendment that would say we'll buy here in Illinois if it's not more than 15, or 20, or 25 percent more than what we could buy somewhere else?"

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Mitchell, B.: "I... I would... it would be in the... in the Senate, and you'll have to ask the Senate Sponsor on that. I think the point of it is is when this came out when Representative Flider... his Bill, you supported it. You support jobs in Illinois"

Franks: "I... I... Absolutely."

Mitchell, B.: "Your standard bearer... your probable standard bearer is running television commercials saying we have to have manufacturing jobs in the U.S.A. How can we in this chamber send out our campaign literature saying we're for jobs? But this is something that we can talk about. This is something that we can actually do to help Illinois workers."

Franks: "We're all for..."

Mitchell, B.: "And how can you say, yes, we want to help Illinois workers, maybe?"

Franks: "We're all for jobs but... but I don't want to pay..."

Mitchell, B.: "How... we... we wanna help Illinois workers, possibly."

Franks: "It's sorta... it's sorta like our economic incentives when the State of Illinois gave \$43 million to Motorola to build a plant in Harvard, which is now shuttered. We basically gave a Fortune 500 company \$10 thousand for every job they sent overseas, and that's not the kind of public policy we want to do and that's not how we want to spend..."

Speaker Hannig: "Representative Franks, your time is expired. Would you re... Would you bring your remarks to a close?"

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Franks: "Sorry. We all want to protect the jobs, but we have to be smart about it. We can't throw away the store just to be pandering to people. We wanna be able to protect these jobs, but let's put in a limit on how much extra we're gonna pay to do it. Because I don't wanna pay an extra 3 million or 7 million dollars to protect 10 or 12 jobs. We need to have... we need to have incentives tied to reality. We've seen how the State of Illinois has been ripped off on numerous occasions when we've given money away without strings attached. And I'd like to see an Amendment here and if you would commit to that in the Senate, then I could vote for this Bill. Otherwise, it's very difficult to vote for a Bill where you're just giving away the store."

Speaker Hannig: "Representative Mitchell, you're recognized now to close."

Mitchell, B.: "I'm sorry, Mr. Speaker?"

Speaker Hannig: "You're recognized. Five minutes to close."

Mitchell, B.: "Okay. Thank you, Mr. Speaker. This quite simply... and I appreciate my colleagues' comments and I, by the way, would say this is bipartisan legislation. This is not in my legislative district, it's in Representative Bob Flider's district. I appreciate his support for this very worthy legislation. Let's look at the record in Illinois. We've lost a hundred and fifty thousand manufacturing jobs in the last few years. The unemployment statistics for Illinois are out and the Illinois were higher unemployment than the nationwide average. That... we've passed from this chamber by Illinois, I think we'll be passing...

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Representative May will have a Bill up later today. This is something that we can do to help Illinois workers. We've spend money on other things. We spend money on wildflowers, on the book-of-the-month club, on everything else. How much to invest in the cost... to invest in the workers of Illinois? There is no price tag to help people with disabilities. There is no price tag to help a person who has the... the incentive to go to work every morning. This is something that we've lost more jobs in Illinois than any other state of this nation. We need to do something to put Illinois back to work and I urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Younge, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 99 voting 'yes', 15 voting 'no' and 3 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Stephens, for what reason do you rise?"

Stephens: "Point of personal privilege, Mr. Speaker.

Speaker Hannig: "Yes, state your point.

Stephens: "I want to introduce a group of students from St. Elmo, Illinois. I'd like the General Assembly to notice what they're wearing. They're from Effingham County, St. Elmo High School, along with their teacher, Connie Barns, a

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group of students from St. Elmo High School. I'd like to have them stand up. They're all around the gallery. If you'd stand up guys. Stand up, show us what you're wearing. St. Elmo High School, thank you, Ladies and Gentlemen."

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

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

Speaker Hannig: "State your point."

Lang: "Thank you. I just wanted to thank the dozens and dozens of you that showed up at my event last night. It was very kind of you. We had a little trouble in the parking lot with some of you who were blocking the entrances and exits. And I've been told that the two highlights of the evening were, first where the... five Constitutional officers all sang Kumbaya together, accompanied by Judy Barr Topinka on the accordion. And... but we really had a problem when the sumo wrestlers broke into the hallway. So I do want to thank all of you for being there, I hope you'll return again sometime."

Speaker Hannig: "Mr. Clerk, on page 10 of the Calendar is House Bill 4953. Would you read that Bill, please?"

Clerk Mahoney: "House Bill 4953, a Bill for an Act concerning health care. Third Reading of this House Bill."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Speaker. Ladies and Gentlemen, I have no easy Bills today. This is a Bill that will take the... a law that we passed last year that creates a consumer's guide to

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healthcare where we are collecting important data from hospitals, and this would add outpatient procedures that are performed by ambulatory surgical treatment centers. And that's really what the Bill does. In addition to that, there are... there's some cleanup language that the Illinois Department of Public Health requested. This is also supported by the March of Dimes, the hospital association, various business groups and insurance companies. And I'm available to answer any questions."

Speaker Hannig: "This Bill is on the Order of Short Debate. Does anyone stand in opposition? In opposition? Okay, Representative Phelps in response."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

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

Phelps: "Representative Hamos, can you explain to all of us, is there a fee initiated in this piece of legislation?"

Hamos: "No, there is not. What it does do is it allows the state to recover expenses, reimbursement from companies, research organizations that wish to purchase the data from the state. That was in existence for the 20 years that the Healthcare Cost Containment Council existed, and this just puts back that language. This is a reimbursement for expense... for expenses that the state would otherwise provide for free, and that makes no sense."

Phelps: "Okay, because we've been told that there is a fee and I just wanted to get it from you. So, thank you."

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Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone wish to speak in opposition? Representative Schmitz."

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

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

Schmitz: "Representative, I... I have a couple quick questions, I was reading through this. Didn't we eliminate the cost containment council a couple years ago?"

Hamos: "Yes, we did."

Schmitz: "And now it's... this is coming back?"

Hamos: "Well, Representative Schmitz, in yours and my first year here, because we came in in the same class, it was very apparent that at that time the Illinois Healthcare Cost Containment Council, which had existed since 1985, was collecting only a portion of the data that's really important, which is inpatient data. And the following year there was an attempt made to expand the data that that... that that agency would collect, and we did away with it a year after that. Really, we don't need a separate agency doing that, we now have it in the proper place which is the Illinois Department of Public Health. Last year we passed the Consumer's Guide to Healthcare. This is going to be an Internet-based program made available to all the consumers. That means that the data will be available in a much more readily available way and more modern... more fresh data will be available. So, I think we finally have it right and this would just expand what we did last year."

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Schmitz: "Thank you for that answer, Representative. I... I do have a question at how we're gonna obtain these charges. Because people under managed care... the insurance company sets the rates with the physician. And me as a consumer, I don't know what the charges are. So how are those gonna be collected? And then how am I gonna know what the charges are? In addition to that, I'm supposed to shop around for sav... a facility when I'm dealing with a managed care program where you start with your primary and you've got to stay within network."

Hamos: "Well, Representative Schmitz, this a... the Consumer's Guide to Healthcare is going to include four kinds of quality data. It in... will also include... you mentioned one, charge data, but really that's not the only important thing here. And it's going to include information on the volume of cases. It's going to include information on infection rates and morbidity rates. It's going to include information on morbidity rates. This was also included in the hospital report card that we passed last year. Consumers want to get information about that kind of quality data. Now, as to the charge data you talked about, in fact, all of these healthcare providers are already filling out a universal billing form. They're already sending it into... they're already compiling the charge data. They're already required to provide it for any type... any time that they are doing any Medicare work. So, again, this is information that is readily available and is out there. All we're doing with this Bill is making sure that

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our constituents, the consumers, the patients have some information at hand. Twenty-five percent of procedures are now performed in outpatient settings and that needs to be captured as part of this consumer's guide."

Schmitz: "I... I have... I have an issue with the data that gets collected from a surgical center. They provide it to the department, they compile it and then that agency now has the right to sell that information?"

Hamos: "Well, they have the right to sell it but it will be really under the HIPAA guidelines and all the confidentiality will be protected."

Schmitz: "My problem is, we're requiring... as a government, we're requiring these... these organizations to compile this data, give it to our own government agency, who in turn sells this data. It seems rather silly to me that we're gonna... we're gonna force them to do this so we can sell it and make a... make money off of it."

Hamos: "Well, I don't know who makes money off of it. I think that data is important for public health purposes, it's important for research purposes and it's important for business-related purposes. The Illinois Hospital Association fli... since 1985 has been using the data provided by hospitals in a very meaningful way. They've been getting it from the state, working with it, giving it back to their hospitals and letting their hospitals see the data and... and use it. It... this is... this is a philosophical question, I guess, about whether you believe that data that's out there in the healthcare industry, the healthcare

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world, is important. And it certainly is important for research and other kinds of purposes. And there is use for it and that's how, ya know, it's made available for that reason."

Schmitz: "Representative, what kind of assurances do we have as a Legislative Body that... that this information collected is gonna be comparable that a... what at one surgical center does a knee surgery and they typically like procedure 'A' then another one does it a little bit differently and... and to me, it looks like we may be doing apples to oranges in some of the data."

Hamos: "Actually, Representative Schmitz, what we've built into this Bill, and it's part of the law last year, is that there is a very extensive process by which all of the stakeholders will be sitting around the table with the Department of Public Health and looking at the data first, massaging it, and making sure that it's appropriate. In this Bill, we made sure that the ambulatory surgical treatment centers are also at the table and that's exactly where those kind of decisions will be made. That's an appropriate question, it needs to be resolved, but it will be resolved in a process that we have created under this Bill."

Speaker Hannig: "Representative, your time has expired. This Bill's on the Order of Short Debate. Representative Hamos is recognized to close."

Hamos: "Well, Ladies and Gentlemen, thank you for the excellent questions. Again, this is the Consumer's Guide to

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Healthcare. We know that patients are looking at the Internet more and more to get information to make sure that they're... and to make sure that they're good consumers. This is the information that they will use and we ask for your 'aye' support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Bassi. Graham. Have all voted who wish? Representative... Okay. Mr. Clerk, take the record. On this question, there are 46 voting 'yes', 65 voting 'no'. And the Bill fails. Mr. Clerk, on page 8 of the Calendar is House Bill 4285. Representative Kelly. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4285, a Bill for an Act concerning economic development. Third Reading of this House Bill."

Speaker Hannig: "Representative Kelly."

Kelly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4285 is an expansion of the EDGE Program. The intention of the Bill is to provide an increase in economic development throughout the state by now allowing smaller businesses to take advantage of the EDGE tax credit. And by smaller businesses, I mean technology, light industry, warehouse distribution and things like that. I work with both DCEO and the Illinois Chamber on the Bill. And I can answer any questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 4285. Is there any discussion? There being none, the

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question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Kosel. 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. On page 10 of the Calendar is House Bill 4975. Representative Mulligan. You're up, Representative Mulligan."

Clerk Mahoney: "House Bill 4975, a Bill for an Act concerning minors. Third Reading of this House Bill."

Speaker Hannig: "Out of the record at the request of the Sponsor. On page 11 of the Calendar is House Bill 6983. Representative May. Okay. Let's... let's go... Mr. Clerk, let's go to page 9 in the Calendar. We have House Bill 4837 for Representative McGuire."

Clerk Mahoney: "House Bill 4837, a Bill for an Act concerning the Department of Aging. Third Reading of this House Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have House Bill 4837. We've discussed this Bill quite a bit. This is a Bill that we've had quite a bit of negotiations on with Representative Bassi and myself, Representative Bost and representatives of AARP and every other agency in the world that's concerned with this type of problem. We've come to a complete agreement and I would

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appreciate your vote and I don't believe there is any opposition to the Bill. Thank you."

Speaker Hannig: "The Bill's on the Order of Short Debate. Is there anyone who wishes to speak in opposition? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on page 8 of the Calendar is House Bill 4374. Representative McKeon."

Clerk Mahoney: "House Bill 4374, a Bill for an Act concerning labor relations. Third Reading of this House Bill."

Speaker Hannig: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker, Members of the House. House Bill 4374 is really a fairly straightforward and simple Bill. It merely states where a collective bargaining agreement is terminated, or continues in effect beyond its scheduled date pending the negotiation of the... of a new agreement, that the employer shall continue to collect dues from union members and the deduction for a fair share clause for beneficiaries of the union agreement but non-members. A violation of this provision is a unfair labor practice and a violation of the duty to bargain. Gladly answer any questions."

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Speaker Hannig: "The Gentleman has moved for passage of 4374. The Bill's on the Order of Short Debate. Representative Parke is recognized in response."

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

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

Parke: "Representative, is the Illinois Municipal League still opposed to your legislation?"

McKeon: "I don't have that information in my notes. You... you may have it on your screen, I accept whatever..."

Parke: "We have it on our screen. I was just curious as to why they may be opposed."

McKeon: "I've... I've had no contact with 'em. As you indicated yesterday, Representative Parke, this is an agreed Bill among the... the labor groups."

Parke: "Okay. Well, now it shows that it is... they're neutral, so they have no position on the issue. Okay. Thank you, Representative. This is a... a good Bill."

McKeon: "Thank you, Sir."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Feigenholtz, would you like to be recorded? Okay, Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 8 of the

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Calendar is House Bill 1269. Mr. Clerk, would you read the Bill? Rep... Representative Molaro."

Clerk Mahoney: "House Bill 1269, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you... thank you, Mr. Speaker, Ladies and Gentlemen of the House. There are two issues that'll be... gonna come before us. This one today and one a little later on in the Session. It has to do with health insurance for teachers' retirees. As you well know, there are two systems in the State of Illinois for retired teachers. One, of course, is the Teachers' Retirement System of Illinois and the other one is the Chicago Teachers' Retirement System. Both subsidize health insurance, with the downstate teachers it's the TRIP Program and there's money in there to continue the TRIP Program and we'll negotiate that at the end of the Session. All of us, there'll be 118 votes to continue the TRIP Program for downstate teachers. For Chicago, the way Chicago teachers do it, retired teachers, is they create a special fund. Of their \$10 billion, they have about \$80 million in a retired for... for health insurance. And what they do is for actuaries' sake when they started it, when we started subsidizing health insurance for retiree... retired teachers, the way they do it is they with... along with the City of Chicago, pay about 85 percent. And when they first started, they needed \$10 million. Now, they

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have about 80 million in the fund; they would spend 10 million of it every year. About 9, 10 years ago, we upped it to 20 million. And about 5 years ago, when I was in the Senate, we upped it to about 40 million. Now, they need the autor... authority, this year, they're gonna have to go to \$48 million to keep the same subsidy. This doesn't increase the subsidy. It has nothing to do with asking for more money; they already have \$80 million in that particular fund. This just gives 'em the authority to go from 40 million up to 65, or in this particular fiscal year, spend \$47 million. The reason this Bill is here today as opposed to the end of May, the TRIP Program we have to do by July 1, which we're gonna do, this program ended March 31. So, as we speak today, 8 thousand retirees that retired from Chicago Teachers' System are getting in the mail that their checks in April, there will be a deduction of anywhere from 30 to 50 percent. Some people won't even get a check. Now, there's nothing we can do about that 'til the Governor signs it in July, but we'd like to pass this Bill today to let 'em know that relief is on its way. If theirs sunsetted just like TRIP in July, we wouldn't be doin' this today. But theirs sunsets March 31 and that's why this Bill is here today. And remember one thing, this isn't for Chicago. This is for people who retired from the Chicago Teachers' Retirement System, of which about 70 percent of those people don't live in Chicago. I don't know why they don't stay in the city, but teachers do not have to live in the City of Chicago and

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most of 'em, when they retire, do not live in the City of Chicago. This just gives permission of the people who have \$80 million in their fund to spend up to 65 million. And I would certainly answer any questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in opposition? In opposition, Representative Leitch."

Leitch: "Thank you, Mr... Ladies and Gentlemen of the House. Will the Gentleman yield?"

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

Leitch: "Representative, what is the current funding ratio of the Chicago Teachers' Pension System?"

Molaro: "Fiscal year 2003, last year, was 92 percent and they told me as of today it's 92.3, today."

Leitch: "Does... Is that... What is the rolling average projected to be?"

Molaro: "Well, it's projected... I don't have those figures 'cause their accountant's working on 'em, but there is a possibility because of the last 2 or 3 years of bad stock returns that it will dip to anywhere between 87 and 91."

Leitch: "What happens to the fund and, more importantly, what happens to the demand on state revenues if that fund drops below 90 percent?"

Molaro: "If the funding level of... of CTRS goes below 90 mil... 90 percent, then the City of Chicago may cost them about 108 million and it could cost the state or the state would be obligated to give the CTRS anywhere from \$1 to about \$8. It would be .544 of payroll; payroll's about a billion and

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a half. So, it could cost the state, if it dips below, anywhere between, like I said, \$10 or up to 8 million."

Leitch: "And as I pointed out in committee, that is one of the great concerns that we have on our side because it potentially could backdoor the state into additional millions of dollars in funding for the Chicago Teachers' Pension System. Are you willing to amend the Bill to relieve that concern?"

Molaro: "Well, okay. I don't know if anybody's listenin', but I'll try to take a minute. The provision you're talking about has absolutely, positively, 100 percent, nothing to do with this Bill. As you and your office know and your staff has indicated, if we pass this Bill and they use the entire 25 million of money they already have, it would affect the fund by one one-thousandth of a percent of their funding level. If the funding level of TRS, CTRS, SURS, SERS goes up or down, has nothing to do with retirees' health insurance, nothing whatsoever. Now, to your question, which has nothing to do with the Bill, but since you asked it I will answer it. To change a 1999 statute, that has nothing to do with this, I would have to sit down, talk to the Governor, talk to the Chicago Teachers union, talk to IFT, talk to IEA, talk to the board. Me, personally, I have no problem amending a Bill when it comes to the Senate. I certainly don't have any problem to talking in the Senate and let them consider that in debate. So, if you're asking me personally, no, I have no problem."

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Leitch: "'Cause see, I think that... since it, in your view, is deminimus to the overall picture, I don't understand why it can't be simply amended out to relieve the concerns that we have for the system. On a second issue of great concern on... on behalf of many of us, especially those who are downstate... and I'm not gonna demagogue this issue because I understand that the Chicago teachers are receiving the notice today and that there will be great concern on their behalf by virtue of facing potentially higher health insurance premiums and that you do, in good faith, want to be able to demonstrate to those Chicago teachers that help is on the way, and that is a perfectly responsible and a perfectly humane thing to do. But the thing that becomes a such tremendous concern to those of us downstate is what about the retired teachers downstate? What assurances do we have? For many, many months now we've been attempting to pass the early retirement program to simply renew that program that's been held up. There's been no action there. We've had no action on the solution for the reti... downstate retired teachers. So, the question becomes, Representative, how do we go back to our districts, go back next week and say, yes, we took care of the Chicago retired teachers? We gave them assurances that, yes, the Chicago retired teachers will be able to have some assurances about their health..."

Speaker Hannig: "Representative Leitch, your time has expired. Would you bring your remarks to a close, please?"

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Leitch: "...but the downstate teachers don't. And so, I would think that we should stop this Bill until we get into the... We have plenty of time. We can do it in the Senate. You can still provide the insurance, but I think there's a real fairness issue here and one that should be addressed now and not later. Thank you, Mr. Speaker."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. Representative Molaro has spoken in favor, Representative Leitch in opposition, and now Representative Molaro to close."

Molaro: "Well, thank you, Mr. Speaker. Just to what the last speaker said, both myself and Representative Leitch served on the Pension Laws Commission for many, many years. Both him and I share many things and I certainly understand, ya know, the political problem here, but let me make this clear. Everybody in this building knows we're not gonna let retired teachers down, everybody knows that. Retired teachers get a subsidy for their health insurance at the end of this Session. They will all get the subsidy at the same level. The only problem we have is that the downstate teachers, or TRS, sunsets July 1, the CTRS sunsets March 31, that's why we're doing this today. We're all in agreement. We're all gonna do the right thing for the retired teachers, so I would certainly ask this to be a... a 'yes' vote. And let me point out, it's a misnomer when we say Chicago teachers. Once again, let me explain. Eighty perce... all they are are teachers, just like all teachers in the state retire from one system or the other. Seventy to

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eighty percent of teachers who retire from the Chicago system live downstate, so this isn't a Chicago no... This is a retired teachers' issue. They are taking the money from their checks this month. We have to send them something so they can sleep at night and know that the State of Illinois, as a whole, are behind our teachers. We will not let our teachers down. This is just a first step. All of the Bills will be signed at the same time in June or July by the Governor. We're hoping May 24, but definitely by June 1, all at the same time. All teachers... all retired teachers will get their relief. And I ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1269. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McGuire, do you wish to be recorded? Mr. Clerk, take the record. On this question, there are 77 voting 'yes', 39 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 11 of the Calendar is House Bill 6983. Mr. Clerk, would you read that Bill? And Representative Poe, for what reason do you rise?"

Poe: "Yeah, Mr. Speaker, an inquiry of the Chair."

Speaker Hannig: "Yes. State your inquiry."

Poe: "That last Bill we debated, my light was on and that had 4 negative votes in committee. Does that automatically go to

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Short Debate or should that have went to Standard Debate?

I had my light on and wasn't recognized."

Speaker Hannig: "Representative, on... on the House Calendar on page 8, which is what I'm working off of, it clearly..."

Poe: "Is there any rules that I... I guess I assumed that since it did not pass out of the committee that... that it was not unanimous and it had 4 negative votes, that it'd be on Standard Debate."

Speaker Hannig: "Representative, we'll have the parliamentarian come down and walk you through that. Clearly, we want to make sure that all the rules are followed, Representative, and I appreciate you bringing that to our attention. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 6983, a Bill for an Act concerning procurement. Third Reading of this House Bill."

Speaker Hannig: "Representative May."

May: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6983 amends the Procurement Code. As you are probably well aware, the state is faced with a loss of a hundred and fifty thousand manufacturing jobs since 2001. It's a national issue and it was brought to my attention as I visited a lot of manufacturing facilities last summer. The state Procurement Code buy... spends \$14.1 billion, most of it in CMS, so this is an attempt to support American manufacturing, American products and American workers. It requires that the state, through its procurement, give preference unless... for exemptions, unless it is reasonably available in quantities that are

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necessary, the price exceeds it by an unnecessary amount, or the quality of the manufactured articles are substantially less than others or it's not in the public interest. It also has a statement to consider the life cycle cost of the product. I thank all of the state agencies: CMS, IDOT and the Capital Development Board for working to craft something that is tight enough to support American manufacturing, but also be fiscally responsible. I am happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of House Bill 6983. The Bill is on the Order of Short Debate. Does anyone speak in opposition? The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, I'm joined by the appropriate number of Members on my side of the aisle under the appropriate rule and move... ask that you take this Bill off Short Debate."

Speaker Hannig: "Okay. This is now on the Order of Standard Debate. Representative Black, do you wish to speak?"

Black: "No. Mr. Speaker, I might later on, but I wanna hear all those who pontificated on the license plate Bill on this one because this'll be... this could be some very interesting legislation. If they didn't like the..."

Speaker Hannig: "Okay. Representative Black reserves his right to speak later. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take

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the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 8 of the Calendar is House Bill 4428. Mr. Clerk, would you read that Bill?"

Clerk Mahoney: "House Bill 4428, a Bill for an Act concerning labor. Third Reading of this House Bill."

Speaker Hannig: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4428 protects the rights of workers to engage in lawful pickets. Under the Federal Laws, which you know, workers have the right to picket and appeal their case to the public. House Bill 4428 sets out basic rules for the activities on the picket line so that all parties involved know what is permissible. It allows for the parking of vehicles and the use of tents or shelters for the health, wealth and safety of picketers. And I urge an 'aye' vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. The Gentleman has moved for passage of House Bill 4428. Does anyone rise in opposition? Then the question is, 'Shall this Bill pass?' All in... Excuse me. The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Yes. State your point."

Black: "On the preemption of Home Rule, does this preempt the constitutional section of Home Rule that would require an

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extraordinary Majority? And if you could, Mr. Speaker, and I don't wanna undo... I don't wanna unduly delay the process, but we'd like an answer to that question before we vote on the Bill because this is not only preempting Home Rule, it may, in fact, put people in harm's way on public right of way. And depending on your answer, I have a question as about who's liable for that."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone rise in opposition? Representative Phelps, while we're trying to pass some Bills today on our last day, could you take this one out of the record? We'll let the parliamentarian review it. We'll move some other Bills and then we'll come back to it. So, this is temporarily out of the record. On page 8 of the Calendar is House Bill 4302. Mr. Clerk, would you read that Bill?"

Clerk Mahoney: "House Bill 4302, a Bill for an Act in relation to tobacco products. Third Reading of this House Bill."

Speaker Hannig: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the House. House Bill 4302 as amended by House Amendment 2, which was prepared by the Illinois Retail Merchants, provides that single packs of cigarettes be sold from behind the counter or in an age-restricted area in which minors under 18 years of age are not permitted access, or in a sealed display case. And all other tobacco products must be in the line of sight of the cashier and other employees of the store. It also provides that persons at least 16 years of age may sell tobacco products, family-owned businesses are exempt.

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And this measure would become effective January 1 of 2005. We've worked on this Bill for about 3 years. We did, in fact, this year come to terms with the Illinois Retail Merchants. And this Bill is an initiative of the Illinois Coalition Against Tobacco and the Cook County Department of Public Health. It's based on multiple public health studies that directly link teenage smoking to retail theft of tobacco products. I'd be happy to answer any questions."

Speaker Hannig: "This Bill is on the Order of Short Debate. Representative Parke rises in response. The Gentleman from Cook, Representative Parke. Representative Parke, you're up, in response. Oh, do you not wish to speak?"

Parke: "I just wanted one... will ask one question. Will the Sponsor yield?"

Speaker Hannig: "Yes, she'll yield."

Parke: "Thank you. There's nobody in opposition any longer on this that you're aware of. Is that correct?"

Yarbrough: "Ummm."

Parke: "They're either neutral or support it."

Yarbrough: "On my analysis, there's the petroleum council and petroleum marketers."

Parke: "Are they neutral or are they in opposition?"

Yarbrough: "I real... I haven't heard from them, so I don't... I really don't know. We worked with the retail merchants and there was some other... smokeless tobacco folks and..."

Parke: "And they're... they're neutral now?"

Yarbrough: "Yes."

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Parke: "Okay. Thank you, Representative."

Yarbrough: "They pu... Okay."

Speaker Hannig: "Okay. Representative Black, would you... do you rise in opposition?"

Black: "Philosophically, yes."

Speaker Hannig: "Proceed."

Black: "Thank you very much. Will the... If that guy cuts my microphone button off one more time, we're gonna be here a long time today. All right?"

Speaker Hannig: "Representative Black, that was probably my fault. I reset the five-minute clock. I reset the five-minute clock and I think that's what happened."

Black: "I checked his card. I know what he is. He's not payin' attention and I'll, later on, Re... Mr. Speaker, I'll tell ya why he's not payin' attention. It's just between you and me. Will the... will the Sponsor yield?"

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

Black: "Representative, I read this morning in Chicago papers... Could you refresh my memory? How much is a... what's the tax on a single pack of cigarettes now in Cook County?"

Yarbrough: "I think it just went up. I'm not sure."

Black: "Oh, it went up. Yes, it did."

Yarbrough: "Yeah. I think it just went up as of this month, as a matter of fact."

Black: "Yes, yes."

Yarbrough: "But I don't... Oh, it's a dollar. Yeah."

Black: "Well, that's just the Cook County tax."

Yarbrough: "Eighty-two cents."

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Black: "You..."

Yarbrough: "Eighty-two cents."

Black: "Eighty-two cents."

Yarbrough: "Yeah. That's what I'm being told."

Black: "The tax, just the tax on a pack of cigarettes in the County of Cook, is \$2.53 a pack. I don't have a problem with that 'cause I don't smoke. I could care less. At what point will you bring forth a Bill to say, the sale of cigarettes in the State of Illinois will be illegal?"

Yarbrough: "Representative, I'm waiting for you to bring that Bill up and I'd be happy to be a cosponsor."

Black: "Well, you see, Representative, I... I come from a family that owns an independent business and it's legal and we try to operate as best we can under all the rules and regulations, but I... I pointed out before to this Body the hypocrisy of a body that tries to tax something out of existence, regulate something out of existence, but can't wait to spend the tax money that the product that offends all of us... ya know, we just can't wait to spend the tax money. Now, Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "I intend to vote for the Bill. I don't care anymore whether you hide the cigarette pack in the safe. I don't care whether you put it under somebody's apron. Let's... let's make sure no 'ma and pa' store sells cigarettes because it'll be better for the Wal-marts and the discount tobacco shops who have the means and the money and the display space to have as many different cigarette brands

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and cartons and packs as they want. So, okay, I give up. That's fine. That's fine. I don't smoke, but I... I'm gonna... I'm gonna continue to pontificate on the floor about the hypocrisy of this Body. I have to take my clothes to the dry cleaners twice a week when we're down here just to get rid of the stench and stink of tobacco smoke. I'm tired of going into the men's restroom and literally having to cut my way through cigarette smoke. I'm tired of going in my office and having a continual headache because every cigarette smoker in the Capitol vicinity comes back in my area of the Capitol and lights up their damn cigarettes. Now, what we oughta do is to enforce our own rules. We're all hypocrites. You're not supposed to smoke in this Capitol, yet it's okay for some of you to violate the law. But God forbid some 18-year-old kid breaks the law, 'cause you'll put him in jail. As a nonsmoker, I again ask my colleagues, take your cigarettes outside. I'm tired of havin' all my clothes smell like cigarettes. I'm tired of my hair smellin' like cigarette smoke and I'm tired of havin' a headache every single day because of tobacco smoke. Those of you who are doing that violate Illinois law, you violate the rules of this State Capitol, you violate the Clean Air Indoor Act and you violate the policy of the House Republican staff. And I'm sick and tired of it."

Speaker Hannig: "Thank you, Representative Black. Representative Yarbrough to close."

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Yarbrough: "Thank you, Mr. Speak... I simply ask for an 'aye' vote for all of the children, hopefully, that will not start smoking cigarettes as a result of not having access to it. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 10 of the Calendar is House Bill 5023. Representative Sacia. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 5023, a Bill for an Act concerning economic development. Third Reading of this House Bill."

Speaker Hannig: "Representative Sacia."

Sacia: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 5023 is a Bill for downtown development. It does have an Amendment, Floor Amendment #1, which deals with the definition of 'downtown' for the purposes of this legislation. For those of you that are reading your analysis, will see that DCEO was initially opposed to this. We are working on an Amendment right now that... that more clearly defines 'downtown' and it is our objective to pass it on out and continue to work to tighten up our language. I would also point out that Representative Scully, the Chairman of the Commerce & Economic Development Committee, is working with me on this legislation and we are very near

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to having excellent language and it's an excellent Bill. All of you that have downtowns, which we obviously all do, it's a very positive for your community. I would be very happy to take questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in opposition? Representative Lang."

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

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

Lang: "Representative, I'm not necessarily opposed to your Bill, but I do have a question. The Amendment that you put on the Bill removed DCEO's opposition to the Bill. Is that correct?"

Sacia: "Yes. Yes, it will. It makes it permissive, Sir. That was their big concern."

Lang: "Right. And so, that's... that's the purpose of my question. So, you've taken the original Bill, which said that they 'shall' do this..."

Sacia: "Yes."

Lang: "...and turned it into 'may'. Is that correct?"

Sacia: "That's correct, Sir."

Lang: "So, what kind of bang for your buck do you get out of a Bill that says that they 'may' do this? Do you have any assurances from them that they're going to do this?"

Sacia: "Do I have any assurances from DCEO? Well, basically, discussing it with Chris Meister, who is our legislative liaison, they see a lot of positives in the Bill. I can't say that they're definitely going to address each and every issue, but their concern was, number one, that we make it

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permissive; number one, it... or secondly, we have to have funding available. They see a tremendous amount of positives in this Bill because it is good for our downtown communities. The big thing we were struggling with, and Representative Scully has addressed this with me, is a more specific definition of 'downtown', so that wouldn't be all over the map."

Lang: "Could they not create this program without this Bill?"

Sacia: "Sure they could."

Lang: "Well, I'm just... I'm gonna vote for your Bill. I... I just don't... I think it took all the teeth out of the Bill and if you tell them 'may', I don't know that you're gonna have a program. But I'm gonna support..."

Sacia: "Sure."

Lang: "...your Bill. I think you oughta consider in the Senate putting a little more teeth in here to get your program happening. I'm not sure you've got a Bill here that's gonna make it happen. Thank you."

Sacia: "Sure."

Speaker Hannig: "So, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 11 of the Calendar is House Bill 6632. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 6632, a Bill for an Act regarding schools. Third Reading of this House Bill."

Speaker Hannig: "Representative Rita."

Rita: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is House Bill 6632, it's a measure that I had last Session. Deals with... No, this ain't the Crestwood Bill. This Bill only applies to tax-capped school districts. It passed out of here 114-4. It's... it was vetoed by the Governor, but we worked through the summer and figured... put a cap on it at 25 million and fixed some dates. Deals with the double whammy in the funding for tax-capped school districts to receive the funding that they were supposed to receive in the first place."

Speaker Hannig: "The Gentleman's moved for passage of House Bill 6632. The Bill's on the Order of Short Debate. Does anyone stand in opposition? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 4 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 10 of the Calendar... on page 10 of the Calendar is House Bill 4929. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 4929, a Bill for an Act concerning municipalities. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

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Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I might start this Bill off by explaining... I think the best way to describe it is to tell you what goes on in my community of North Lawndale. And although this Bill does not directly affect that, there is some similarity in it. Right now, if my son decided he wanted to buy a pair of gym shoes, he'd have to drive approximately 20 miles... about 15 miles to find a Foot Locker. There's probably one a little bit closer, but for the most part, there are no stores or shopping malls in the immediate area of our community and there are a lot of reasons that this is not to take place. And it is with that thought in mind that the genesis of this Bill was created. It was brought to my attention primarily from some people in the East St. Louis-Belleville area and what it does is it helps try to stimulate commerce in a particular community. And the way it does and the way this... what this Bill proposes is that it allows local government to implement a tax, a... a tax to not exceed 1 percent, but that it could be imposed within a .25 increments to help stimulate business development in that area. It would be in what we call a business district that would be designed by the local municipality, they would determine what the boundaries are. The municipality and... would have the ability to issue ob... bonds to help finance the... the particular project, which would be used to entice a business to come to that community. All of this would be done with the direction of the local unit of government and

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they would make that determination. They would determine what the... where the district boundaries are and the amount of the tax. The tax would be collected by the Department of Revenue. There is another Amendment that would be put on in the asen... Senate which deals with the cost of collecting this tax, and it would say that the department would coll... in fact, collect the tax. There has been a proposal which says that, in fact, if there's more money incurred as... as an expense to implement this tax, that we, in fact, can use some funds from the development to help defray those costs. But the genesis is, is that this would be... allow local government the ability to create a tax... to implement a tax in a particular business district to help underwrite the cost of say, improving parking lots or some infrastructure which would encourage a business to come to a community. With that, I'm willin' to answer any questions that any Member may have on the Bill."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. Representative Parke rises in response."

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

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

Parke: "Representative, this affects both Home Rule communities and non-Home Rule communities. Is that correct?"

Turner: "That's correct."

Parke: "And under the non-Home Rule communities, they do not have the authority to tax. Is that correct?"

Turner: "That's correct."

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Parke: "So, now we're gonna tell non-Home Rule groups that you can now tax and you don't have to go to referendum and ask permission from the people that live in that town to do this."

Turner: "You might say that, Representative."

Parke: "Well, I think that's what your Bill says, don't you?"

Turner: "Well, it allows local units of government to determine if they want to impose this tax, that's correct."

Parke: "All right. So, you're... we're affecting non-Home Rule communities. The Illinois Retail Merchants Association says that they are in opposition to this. Is that your understanding also?"

Turner: "That opposition will be lifted when the Amendment is put on in the Senate. Their only concerns was that we initially, in this leg... in the Amendment that we put on it says that the department will collect the tax until they don't have the... the money or the wherewithal to continue, and then they would say local government would do it. We're intent to put an Amendment on in the Senate which says that the department will collect... will, in fact, continue to collect the tax. And that was... the Retail Merchants opposition was that if, in fact, the tax had to be collected at a local level, at any point, then they're opposed to it. Other than that, they don't have a op... that's the only opposition to the Bill."

Parke: "It's my understanding that this is to apply to blighted areas of a municipality. Is that correct?"

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Turner: "That's our concern and that is the intent, is to deal with those blighted communities. It is not our intent to finance shopping centers in areas where people are upwardly mobile or... and they do have the finances to make it happen. This is to try to encourage business development in those areas of the state that it has been almost virtually impossible to make it happen."

Parke: "Okay. I want you to think about this. You're saying this applies to blighted areas. That means they're pretty bad places, pretty rundown."

Turner: "Well, it..."

Parke: "What business... what businesses are there to tax?"

Turner: "What the... the tax is not taxing the business. The tax is the tax that's imposed on the business that's paid by the people, the merchants who would come in and do business in the business. So, we're not taxing the business. We're allowing a sales tax to be imposed and the increments will be from .25 up to 1 percent. So, it's the sales tax that is the tax that's being imposed. And it would be imposed on items bought in a specific business district area that is defined by the local municipality, which would have to be, in terms of defining that business, have to be laid out so that there would be hearings. The community would have a chance to have their input. The businesses in the area, that currently are there, would be able to provide their input as to whether they're for this tax or whether they're for this development. So, it's not a tax on the business, but a sales tax that would pa... be paid by people who shop

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in that area. We currently do that right now. That's how we're subsidizing the McCormick Place and McPier operation. There's a special tax that's been imposed..."

Parke: "Right, Representative... Representative..."

Turner: "...in a certain part of the City of Chicago that pays off the... underwrites the cost of the bonds for McPier..."

Parke: "Yes. But these are not blighted areas. This is..."

Turner: "Well, that's why..."

Parke: "This does not make sense."

Turner: "That's..."

Parke: "You're gonna... the businesses who are struggling to make it happen in your blighted areas, you're now gonna be... put an additional sales tax on 'em."

Turner: "These business..."

Parke: "I think... I think your structure of your Bill is inconsistent with what you're trying to do. And if you're gonna... if this passes and it..."

Turner: "Do you live in a blighted area?"

Parke: "What's that?"

Turner: "Do you live in a blighted area? Do you run a business in a blighted area?"

Parke: "Do I..."

Turner: "I mean, the issue is is that the cost of doing business for that business person with what we're doin' with this tax is helping to relieve some of the additional costs that he already incur as a result of high cost of insurance. This... this blight... or this tax is to help improve that business area. We're talking about where the

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parking lots may not be sufficient, where the roads leading up to the parking lot do nothing to help encourage people to come shop in that area. So as a result of this tax, we hope to take blight and make it a community that would be improved and would encourage people to come and shop there. There's also a, ya know, the local government would determine how long that tax would be in place. But as a buyer or one who lives in a blighted area, I tell you that I would just as soon pay another penny or a half a cent on sales tax versus spending another \$2 in gasoline. And who knows, it may be \$5 by the cost of gasoline..."

Speaker Hannig: "Representative... Representative Parke, your time has expired. Could you bring your remarks to a close, please?"

Parke: "Well, then I will go to the Bill. Ladies and Gentlemen, I think that this Bill is... is not gonna achieve what the Sponsor wants. The Chicagoland Chamber has said that if this Bill is targeted to the Metro East, that that's where it should stay, not statewide. They're asking the Sponsor to redo this Bill so it only applies to Metro East. And I think on top of that that this is misguided, that it's not gonna achieve what the want... what the Sponsor wants. And if it passes here, I hope he sits down with the Senate Sponsor and looks long and hard at what he's trying to do. To tax the very businesses he's tryin' to help in those blighted areas just doesn't make sense. I'm going to oppose this legislation."

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Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. Representative Turner's presented the Bill. Representative Parke has spoke in opposition. And now, Representative Turner to close."

Turner: "Thank you, Mr. Speaker. The previous speaker... and I guess it's a matter of interpretation. As I mentioned, this tax is not a tax on the business, it's a tax... a sales tax that will be imposed on the people who intend to shop in that particular business district. This money... this particular money would be used to help make a nonblighted area look like an area that should not be blighted and try to encourage business development, similar to probably the area where the previous speaker spoke. But I'm not, you know, want to... to get into that as we are trying to encourage improvement in a particular community. And I move for the adoption... I should say for the support of House Bill 4929."

Speaker Hannig: "The Gentleman's moved for passage of House Bill 4929. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 47... 48 voting 'yes', 68 voting 'no'. Would you like this on postponed, Representative? Representative Turner, do you wish this to be on Postponed Consideration?"

Turner: "Postponed, yeah."

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Speaker Hannig: "Okay. Postponed Consideration. On page 9 in the Calendar is House Bill 4635. Mr. Clerk, would you read the Bill? Representative Molaro, for what reason do you rise?"

Molaro: "Yes, I just had a quick question of the Chair."

Speaker Hannig: "State your question."

Molaro: "On Short Debate, when there's one for or one against, the Sponsor is always considered for the Bill?"

Speaker Hannig: "Yes."

Molaro: "And that's the one for."

Speaker Hannig: "That's correct."

Molaro: "So, in other words, all you're talkin' about is one against, 'cause the Sponsor's always for..."

Speaker Hannig: "He opens..."

Molaro: "...presumably."

Speaker Hannig: "...he... but he opens, one in opposition and then he closes. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4635, a Bill for an Act concerning local government. Third Reading of this House Bill."

Younge: "Thank you, Mr. Speaker. House Bill 36... 4635 would establish and create a Mid-America Medical District in the City of East St. Louis. The district would be in and around St. Mary's Hospital. St. Mary's Hospital is now the Kenneth Hall Memorial Hospital. The district would be run by a nine-member commission, four of whom would be appointed by the Governor, two by the mayor of the City of East St. Louis and three by the county chairman. It would have the power to construct hospitals, sanitoriums,

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clinics, laboratories and other institutions that do medical research or in that category. The commission must prepare a comprehensive master plan for the ord... orderly development of the district. At the request of the committee, the quick-take and eminent domain were taken out of the Bill as... and included in the Bill is a statement that the debts of the commission shall not be the debts of the state. And the ability to issue bonds has been taken out of the Bill."

Speaker Hannig: "The Lady's moved for passage of House Bill 4635. The Bill's on the Order of Short Debate. Representative Myers (sic-Meyer) is recognized for five minutes in response."

Meyer: "Thank you, Mr. Speaker. Would the Sponsor yield?"

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

Meyer: "Representative, when we talked about this Bill the last time, and I think you may have touched on this in your opening, I wanted to just verify it. You have introduced a Bill... or excuse me, an Amendment which removes the bonding power of this entity and also places the state at no risk of having to pick up bills that may be unpaid by this entity. Is that correct?"

Younge: "That's correct."

Meyer: "Well, you certainly have made that commitment to me when we talked about it this last time. I wanted to bring that to attention of people in the House Floor that you followed through with that. I appreciate you doing that."

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However, there still could be a debt that is incurred by this authority, correct?"

Younge: "The authority can incur debt on its own, yes."

Meyer: "Okay. And one of my concerns is even though you put it into the Bill that the date shall... or that the state will not be responsible for bond debt, since the state is actually allowing this authority to be formed and they're... and allowing it to incur debt, I still have a concern that there could be some backdoor type of obligation by as part of the state to be forced to pick up the... any debt that's incurred. Will this authority have any assets at all?"

Younge: "It would have the assets of the buildings that it built, the land that it owns, the grants and loan money. It would have assets, yes."

Meyer: "Okay. Thank you very much, Representative. You've been very gracious in replying to my concerns and appreciate that."

Speaker Hannig: "Okay. Representative Younge to close."

Younge: "I would appreciate your 'aye' vote. This is very important to my community."

Speaker Hannig: "Okay. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Okay. Mr. Clerk, take the record. On this question, there are 113 voting 'yes' and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. Mr. Clerk, on page 8 is House Bill 4436 for Representative Saviano. Please read the Bill."

Clerk Mahoney: "House Bill 4436, a Bill for an Act concerning hospital workers. Third Reading of this House Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 4436 represents around 3 years of work involved in creating a better working environment for nurses in the State of Illinois in the hospital setting. Some of you may remember the Patients Safety Act which we... which we passed around a couple years ago, this year we reintroduced that. We were defeated in committee on it, primarily 'cause of the cost factor on it. But during that hearing we realized and the opponents also realized that one of the top causes of the nursing shortage in Illinois and also the reason we have nursing students not going into acute care in hospital setting and opting out for maybe working at an insurance company or a doctor's office is because of the mandatory overtime that is sometimes imposed on nurses who... they have already been working 12 hours and are required to stay longer pretty much against their will, but because of their oath and because of their licensure they must... they must stay there and continue to work. What this Bill does now, it provides a scenario for when mandatory overtime can be used and it gives the protection to Illinois nurses that they so direly deserve in their... in their... in their work setting. I wanna thank the Illinois Nurses Association, AFSCME, SEIU and the Illinois Hospital Association for

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their hard work on this. And I really appreciate the perseverance that everybody showed to give nurses some protection from this practice which has been driving nurses out of the acute care setting. I would ask for your favorable vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone stand in opposition? Representative Flowers. Okay. Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 9... on page 9 in the Calendar is House Bill 4640. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 4640, a Bill for an Act concerning community revitalization. Third Reading of this House Bill."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 4640 permits a municipality or a county with an unincorporated area to pass an ordinance asking the Department of Commerce & Economic Opportunity to designate it a economically distressed community. If it gets that designation and if it... if the municipality sets up a board of economic advisors, the Bill, subject to appropriations, would permit the Department of Commerce & Economic Opportunity to make grants for the operating expenses of the board of economic

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advisors. The definition of 'economically distressed communities' was brought together or written by the Department of Commerce & Community Affairs (sic-Department of Commerce & Economic Opportunity), and it... and with the adoption of Amendment #1 it supports the Bill."

Speaker Hannig: "The Lady has moved for passage of House Bill 4640. The Bill's on the Order of Short Debate. Does anyone stand in opposition? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 10 of the Calendar is House Bill 5130. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5130, a Bill for an Act in relation to courts. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Speaker. We'll try again. This Bill does a few things. Actually, it was brought to me by the clerk of the court for Cook County. It affects only Cook County, Lake County, DuPage and Will and it does a couple things. The first thing it does is it allow a waiver of fees for those people who are filing claims for battered women. Secondly, it deals with the adding a interest penalty for those people whose fees are not paid within 90 days. And that determination is 30 days, it would be 5

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percent for... after 30 days, 10 percent after 60 days and 15 percent after 90 days. The third thing it does is it removes the dollar limit of \$300 in terms of the amount that the clerk can accept for credit cards or debit cards in response to bail bond fees. So, it would raise that limit. And the next thing it does is it... especially in the, say, in the County of Cook, it says that the courts will not order bail bond deposited by a defendant for one case to be used under financial obligations under another case until all other court costs and unpaid child support is paid. And then the last thing it does is it says that... that the clerk cannot turn people who are delinquent in their fines and fees over to a credit reporting agency. And that's what Amendment #1 did to this Bill. And I move for the adoption of House Bill 5130."

Speaker Hannig: "The Gentleman has moved for the... for the passage of House Bill 5130. The Bill's on the Order of Short Debate. Does anyone stand in opposition? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Brosnahan. Okay. Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no' and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 5875 that's on page 5 of the Calendar."

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Clerk Mahoney: "House Bill 5875 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Berrios, has been approved for consideration."

Speaker Hannig: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 2 will just delete the subsection... well, it deletes Amendment 1 and it just deletes the subsection that imposes a cap on health club membership contracts. I'd like it adopted."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5875, a Bill for an Act in relation to business transactions. Third Reading of this House Bill."

Speaker Hannig: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5875 deletes the subsection that imposes a cap on health club membership contracts. Currently, at some physical fitness centers customers pay their membership fee and then have additional charges for amenities that cannot be included in the membership package because it would cost more than the max that was imposed on them in 1981. The reason for this Bill is that the public is demanding more services of the health clubs. They want

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classes like boxing, pilates and yoga. They want services: massages, haircuts, manicures and dry cleaning. If all of this is included in a package, it would cost more than \$2500. Belonging to a health club is not mandatory. All health clubs have multiple locations and are publicly traded companies. It is... it's a competitive industry and there are no opponents to this Bill. I'm open for questions."

Speaker Hannig: "The Bill is on the Order of Short Debate. The Gentleman from Vermilion, Representative Black is recognized in response."

Black: "Thank you very much, Mr. Speaker. I... I simply rise to thank the Sponsor for addressing some concerns that were expressed by Members on both sides of the aisle when this Bill was first presented. I intend to vote for the Bill. The Sponsor and I have had several conversations about it in the last day or two. I... I think the only thing we may want to look at in the Senate is some kind of trigger mechanism that may enable a person who was convinced to sign up for a membership in a fitness club far beyond their ability to pay or their ability to actually get dollar for dollar benefit out of the use of the club might want some recourse of... that could trigger the reversal of that contract. But I don't... I don't think that's a reason to hold it in the House any longer. And again, we appreciate the Sponsor working with everyone to address concerns. I intend to vote 'aye' on the Bill."

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Speaker Hannig: "So, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Wait, would you record yourself? Take the record. On this question, there are 66 voting 'yes', 49 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2633."

Clerk Mahoney: "House Bill 2633 has been read a second time, previously. Amendments #1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Kurtz, has been approved for consideration."

Speaker Hannig: "Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker. The Amendment shells the Bill for further consideration in the Senate. And we do have a Senator that... my own Senator from McHenry County."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments? I think there's some confusion with the Clerk right now, Representative Kurtz. Okay. Representative Kurtz, the Chair was in error. Three... We're advised by the Clerk now that Amendments 3 and 4 lost in committee. So, Mr. Clerk, are there any further Amendments? So, we could not have adopted an Amendment that lost in committee. So, Mr. Clerk, are there any Amendments?"

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Clerk Mahoney: "Floor Amendment #5, offered by Representative Kurtz, has been approved for consideration."

Speaker Hannig: "Okay. Representative Kurtz..."

Kurtz: "Okay."

Speaker Hannig: "...on Amendment #5."

Kurtz: "Okay. Thank you, Mr. Speaker. I would like to have Amendment 5..."

Speaker Hannig: "Adopted."

Kurtz: "...passed, so we can shell the Bill..."

Speaker Hannig: "Okay."

Kurtz: "...and send it to the Senate."

Speaker Hannig: "Okay. All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted."

Kurtz: "Thank... thank you."

Speaker Hannig: "Any further Amendments?"

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

Speaker Hannig: "Third Reading. Represent... Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 2633, a Bill for an Act in relation to municipalities. Third Reading of this House Bill."

Speaker Hannig: "Representative Kurtz."

Kurtz: "Okay. This Bill was brought about because of a lawsuit against 13... 11 school districts in McHenry County. And the suit... the builders wish to... refunds from impact fees that are in... already in bricks and mortar and this was 10 years ago. So, I would like to see this Bill still live and go on to the Senate."

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Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All... Excuse me. Representative Mautino, this Bill's on the Order of Short Debate. Do you... do you wish to rise in opposition or response?"

Mautino: "Just a question."

Speaker Hannig: "Yes. State your question."

Mautino: "Is this a shell now?"

Speaker Hannig: "Representative Kurtz."

Kurtz: "It is a shell."

Mautino: "Thanks."

Speaker Hannig: "Okay. So, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 78... 77 voting 'yes' and 38 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar is House Bill 5056. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5056 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mendoza, has been approved for consideration."

Speaker Hannig: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask that we adopt House Amendment #1 to House Bill 5056. The Bill deals with the TOMA Act. We'd

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be amending the Transfer of Money Act so that the Department of Financial Institutions could have greater regulatory authority over the companies that deal with the business of transferring money via electronically, wire transfers. I would be happy to answer any questions and look forward to debating the Bill on Third."

Speaker Hannig: "Any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Mahoney: "No further Amendments. All notes have been filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5056, a Bill for an Act concerning financial regulation. Third Reading of this House Bill."

Speaker Hannig: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 5056 is a DFI initiated Bill that is a homeland security initiative. I've spoken with many of you in terms of the specifics of this Bill. Hopefully, the rest of you are paying close attention. And currently, the situation is that the Department of Financial Institutions has regulatory and direct oversight over 76 licensed TOMA operators, in other words, the money grams, Western Unions, American Express Companies that provide wire transfer services. Out of these 76 groups that we... are licensed entities that we do have regulatory authority over, they in turn can authorize sellers to provide this wire transfer service like your mom and pop, your Jewel, Dominick, those

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type of entities. So, we have a total of about 9,703 authorized sellers that we, right now, cannot have or we do not have direct regulatory oversight or authority over. So, the homeland security initiative part of this is to bring all of these authorized sellers and licensed entities under one purview so that our department could have greater regulatory authority that given any need to investigate issues of terrorism, like money laundering, we'd be able to do so or more... do so more efficiently. So, the Bill currently is basically a 99.9 percent agreed upon Bill. All parties have agreed to move this Bill into the Senate where the only outstanding issue is a fee increase which is still being negotiated. We had agreed to or had asked to increase a yearly \$10 per location fee to \$100 originally, which we've dropped to 50 and are still negotiating and are willing to work on in the Senate. So, I just... as I... as of now, all parties have agreed to let this Bill move to the Senate and I would also ask for your support."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Wait. Black. Okay. Mr. Clerk, take the record. On this question, there are 75 voting 'yes' and 41 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 2 of the Calendar is House Bill 2380. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 2380 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Morrow, has been approved for consideration."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Move to adopt Amendment #3 to House Bill 2380. And it takes out some concerns that were in committee yesterday on House Amendment #2 that dealt with state-owned boats. Somehow LRB wanted to correct a situation that we... we had passed two Bills last spring dealing on gaming boat fees and there was some confusion about state-controlled boats. They want it corrected in my... in this... in Amendment #2. We felt that this Bill was not the right Bill to try to address that issue. I'll be glad to answer any questions."

Speaker Hannig: "Representative Morrow, I'm advised by the Clerk that this is Amendment #2 that's in front of us. Is that your intention that it be adopted?"

Morrow: "I wanna table Amendment #2."

Speaker Hannig: "Okay. So, the Gentleman withdraws Amendment #2. Mr. Clerk, are there any further Amendments?"

Clerk Mahoney: "Floor Amendment 3, offered by Representative Morrow, has been approved for consideration."

Speaker Hannig: "And Representative Morrow is this the one you just explained?"

Morrow: "Yes."

Speaker Hannig: "All right."

Morrow: "Amendment #3 is the Amendment that I just explained."

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Speaker Hannig: "Thank you, Representative Morrow. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, does this address the concern that you and I've been talking about for the last 3 weeks? And if so, how did we do... how did you solve my concern?"

Morrow: "We did not... well, we... we... we... we kept the language in on... on the hold harmless. We... we... we kept that in. The issue that I was addressing was yesterday was Representative McCarthy. McCarthy, do you remember the issue we had yesterday on this Amendment? The hold harmless language we tried to work something out with your staff over the weekend and nothing came... came about."

Parke: "Okay. I still have my concern. I'll wait 'til you're on Third... Third Reading. Thank you."

Speaker Hannig: "On the Amendment, Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just... I must be looking more like Representative Black nowadays. But I just rise to thank the Sponsor for... he agreed to take out this language and he certainly followed through. And Amendment #3 is basically what Amendment #2 was without the language about the state-owned license. So, I compliment him for following through on his word."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed say 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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Clerk Mahoney: "No further Amendments. Though a physical (sic-fiscal note) has been requested on Amendment #3 and not received."

Speaker Hannig: "Okay. So, Representative Morrow, there's been requests for fiscal notes. So, the Bill will remain for the moment on Second Reading. Mr. Clerk, read House Bill 4703."

Clerk Mahoney: "House Bill 4703 has been read a second time, previously. Floor Amendment... No Committee Amendments. Floor Amendment #3, offered by Representative Churchill, has been approved for consideration."

Speaker Hannig: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Effectively, Floor Amendment #3 shells this Bill. We're in discussions on this Bill with the Attorney General's Office and the Secretary of State's Office. And as late as this morning, the Secretary of State's Office has some language that they'd like to put on the Bill and so we'd like to send it over to the Senate and be able to amend it over there with the Secretary of State's language. I'd ask for you to shell the Bill and pass it over to the Senate. Thank you."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Mahoney: "House Bill 4703, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Churchill."

Churchill: "As I just said, it's now a shell Bill. I'd like to pass it over to the Senate and keep working on it with the Secretary of State's Office."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Parke, would you like to be recorded? Take the record. On this question, there are 83 voting 'yes', 33 voting 'no' and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, let's go back to House Bill 2380. What is the status of that Bill?"

Clerk Mahoney: "House Bill 2380 is on the Order of Second Reading."

Speaker Hannig: "Have the appropriate notes been filed?"

Clerk Mahoney: "All notes have been filed."

Speaker Hannig: "Okay. So, Third Reading. And Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 2380, a Bill for an Act concerning public utilities. Third Reading of this House Bill."

Speaker Hannig: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. Eventually, the... the gist of House Bill 2380, as many of you are aware, as of yesterday public utilities now have the ability to cut

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people off for nonpayment of bills. For many of the Members who are new, as a Member of the Electric Deregulation Committee in 1997, I put in a funding mechanism to increase the state share of LIHEAP up to \$76 million. Unfortunately, \$76 million is not enough. For many un... for many unfortunate people who are unable to pay their bills, House Bill 2380 as amended would take 1 percent of the gross receipts off of the riverboats to help fund the LIHEAP program. We hope that it would generate another 20 to 30 million dollars that will go into LIHEAP to assist low-income people with their public utilities. I'll be glad to answer any questions."

Speaker Hannig: "And on that question, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, to the Bill."

Speaker Hannig: "To the Bill."

Parke: "The Gentleman is trying to solve a problem but, in my opinion, he is creating another problem. This money is gonna come out of the educational fund. Now, the Sponsor's intent is that if this money comes out of the education fund, then it'll be held harmless because it'll be replaced. But it can only be replaced through an appropriation process. And as we know, at the end of this Session when that appropriation process is in the works sometimes they don't fund programs. And I'm afraid that this money will be taken out of that educational fund and not be replaced. So, I'm gonna reluctantly rise in

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opposition and would say that those of us that are counting on every valuable penny in that education fund, none of it should be diverted. And so as far as I'm concerned, the children of this state are gonna have the priority in my vote. So, I'm going to vote 'no' on this legislation."

Speaker Hannig: "Is there any further discussion? Then Representative Morrow to close."

Morrow: "Yes. Thank you, Mr. Speaker. In all due respect to the previous Gentleman, there is language in the statute that would... this... it does not allow the Go... the Governor not to hold harmless the educational fund. This money is being transferred from GRF to the educational fund. It's in the statute. I have to disagree with his comments. I do not wanna divert money from education, but a person without heat and without lights is not gonna get an education 'cause they're not gonna be able do any homework at home. So, I urge 'green' votes on House Bill 2380. This Bill does not divert money from the education fund. It's in the statute that any transfers would be held harmless. I urge 'green' votes on 2380."

Speaker Hannig: "Representative Black. Representative Black, the Sponsor has closed. I'm sorry that your light did not appear on the board until after that. Okay. Is there any other... Okay. So, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62

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voting 'yes', 52 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Turner: "Representative Turner in the Chair. The Lady from McHenry, Representative Kurtz, for what reason do you rise?"

Kurtz: "House Bill 2380, I inadvertently didn't vote or I voted too late. I'd like to be recorded as 'yes'."

Speaker Turner: "The record will so reflect. On page 8 of the Calendar we have House Bill 4428. Representative Phelps. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 4428, a Bill for an Act concerning labor. Third Reading of this House Bill."

Speaker Turner: "The Gentleman from White, Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think we're waiting for a ruling. I think we're waiting for a ruling, so..."

Parliamentarian Uhe: "Representative Black, on behalf of the Speaker and in response to your inquiry, House Bill 4428 provides that the regulation of picketing is an exclusive power and function of the state. Home Rule preemption of this kind may require 60 votes so long as the state is, in fact, regulating in all the areas of preemption. However, the effect of this Bill is that other areas of local regulation, such as parking on public rights of way and the permitting of public demonstrations, will also be preempted so long as a person is engaged in picketing as defined in

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the Bill. In these other areas of local regulation, the state is not regulating. Because this Bill preempts certain other Home Rule powers in areas where there is no state regulation, the Bill will require 71 votes."

Speaker Turner: "The Gentleman from Cook, Representative McKeon, for what reason do you rise?"

McKeon: "Mr. Speaker, I'd like to speak in support of the Bill."

Speaker Turner: "The Sponsor... I was... I don't think the Sponsor has presented the Bill. Am I correct? He took it out of the record earlier. To the Bill, Representative McKeon, go ahead."

McKeon: "I'm confused. Do you take the Bill out of the record or..."

Speaker Turner: "It's back in."

McKeon: "It's back in."

Speaker Turner: "And you're free to speak."

McKeon: "All right. Thank you. Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

McKeon: "To the Bill. This is raised by a particular situation where picketing is going on and often local authorities will not allow a service vehicle to unload signs or pick up personnel, unload coffee and so forth and park within a reasonable, reasonable distance of where the picketing is occurring. In some cases, the police have actually told someone to move to another township. So, all it's attempting to do is to facilitate the right of organized labor to picket and to facilitate getting the support

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materials, equipment and personnel to that location without being harassed or intimidated by local authority. I urge an 'aye' vote on this vote... Bill. I don't think it is honorus... onerous rather, on local governments. It merely gives them an obligation to do what they can to assist those picketing and allow them to do it in a lawful manner. I urge your support."

Speaker Turner: "The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Osterman: "This is a question, Representative. This allows for picketing on public right of way. Is that correct?"

Phelps: "Yes, Sir."

Osterman: "Do they have to ask local municipalities any kind of, you know, permission, get permits, anything like that?"

Phelps: "Not that I'm aware of. I'm sure there are some that do, Representative, but I'm not aware of that. It might be local ordinances that has that."

Osterman: "I can understand where local municipalities may try to prevent someone from organizing and as it goes to the Senate though, there are situations where there are kind of ongoing pickets that can be year round where I think some, whether they're union or nonunion, are having people outside of places picketing kind of 24/7 throughout that. I think, as it goes to the Senate... I'm gonna support it today, but as it goes to the Senate I'd like for you to take a look at that situation to see if there are... are

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those situations where the public right of way, where police cars, emergency ambulances, things like that, public transportation may be slowed down due to that. We can take a look at that when it goes over."

Phelps: "Okay. Thank you, Representative."

Speaker Turner: "Are you... Representative Phelps to close."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There are Federal Laws that protect these picketers. This just keeps them in... out of harm's way. And I just urge an 'aye' vote."

Speaker Turner: "The question is, 'Shall House Bill 4428 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 6 voting 'no' and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed."

Speaker Hannig: "Representative Hannig is in the Chair. On page 9 of the Calendar is House Bill 4481. Mr. Clerk, would you read that Bill?"

Clerk Mahoney: "House Bill 4481, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Speaker. For the record, I'd like Members to never mind all of the other stuff that they read in regards to analysis. This Bill is Amendment #3, which pretty much guts the Bill. And what it does is it allows

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for... there's an 11-member commission that we created last year, with the help of Representative Osterman, to look at studying this issue of lead paint and lead poisoning. I would re... through this Amendment we're requesting that one of those individuals be a representative of the paint council or paint industry, and that is now the Bill in the form that we'd like for it to be in. And I move of... for the passage of House Bill 4481."

Speaker Hannig: "This Bill's on the Order of Short Debate. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Kelly. Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Turner: "Representative Turner in the Chair again. We're going to the Order of Supplemental Calendar #1 where we intend to move Bills from Second to Third. I would hope that the Members are prepared at this time to move their legislation. On Supplemental Calendar #1 we have House Bill 6496. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 6496 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 6490... 6499. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "House Bill 6499 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. House Bill 7169. Read the Bill, Mr. Clerk."

Clerk Mahoney: "House Bill 7169 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, what's the status of House Bill 6496?"

Clerk Mahoney: "House Bill 6496 is on the Order of Third Reading."

Speaker Turner: "Read the Bill again."

Clerk Mahoney: "House Bill 6496, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Turner: "Hold that Bill. Mr. Clerk, what's the status of 60... House Bill 6499?"

Clerk Mahoney: "House Bill 6499, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Turner: "Read the Bill one more time."

Clerk Mahoney: "House Bill 6499, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Turner: "Hold the Bill. Mr. Clerk, what's the status of House Bill 7169?"

Clerk Mahoney: "House Bill 7169 is on the Order of Third Reading."

Speaker Turner: "Read the Bill again."

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Clerk Mahoney: "House Bill 7169, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Turner: "Hold the Bill on Third. Mr... Mr. Clerk, what's the status of House Bill 7170?"

Clerk Mahoney: "House Bill 7170 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. And Mr. Clerk, could you read that Bill again?"

Clerk Mahoney: "House Bill 7170, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Turner: "Hold the Bill on Third. Mr. Clerk, what's the status of House Bill 7173?"

Clerk Mahoney: "House Bill 7173 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Could you read that Bill again, Mr. Clerk?"

Clerk Mahoney: "House Bill 7173, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Turner: "Hold the Bill on Third. Mr. Clerk, what's the status of House Bill 7174?"

Clerk Mahoney: "House Bill 7174 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, could you read that Bill again?"

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Clerk Mahoney: "House Bill 7174, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Turner: "Hold that Bill on Third. Mr. Clerk, what's the status of House Bill 7177?"

Clerk Mahoney: "House Bill 7177 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, could you read that Bill again?"

Clerk Mahoney: "House Bill 7177, a Bill for an Act in relation to budget implementation. Third Reading of this House Bill."

Speaker Turner: "Hold the Bill on Third. Mr. Clerk, what's the status of House Bill 7178?"

Clerk Mahoney: "House Bill 7178 has been a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Could you read the Bill again, Mr. Clerk?"

Clerk Mahoney: "House Bill 7178, a Bill for an Act in relation to budget implementation. Third Reading of this House Bill."

Speaker Turner: "Hold the Bill on Third. Mr. Clerk, what's the status of House Bill 7179?"

Clerk Mahoney: "House Bill 7179 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Would you read that Bill again, Mr. Clerk?"

Clerk Mahoney: "House Bill 7179, a Bill for an Act in relation to budget implementation. Third Reading of this House Bill."

Speaker Turner: "And hold that Bill on Third. Mr. Clerk, what's the status of House Bill 7180?"

Clerk Mahoney: "House Bill 7180 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Would you read that Bill again, Mr. Clerk?"

Clerk Mahoney: "House Bill 7180, a Bill for an Act in relation to budget implementation. Third Reading of this House Bill."

Speaker Turner: "And hold that Bill on Third. Mr. Clerk, what's the status of House Bill 7181?"

Clerk Mahoney: "House Bill 7181 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, could you read that Bill again?"

Clerk Mahoney: "House Bill 7181, a Bill for an Act in relation to budget implementation. Third Reading of this House Bill."

Speaker Turner: "Hold that Bill on Third. I'd like to advise the Body that we're about to move to an Agreed List on Supplemental Calendar #1. Those Bills are currently on

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Third Reading and these are the Bills necessary for the Budget Implementation Act. They're all shell Bills currently. And with that, I'd like to recognize the Gentleman from Lake, Representative Beaubien."

Beaubien: "Thank you, Mr. Speaker. I agree with your comments. This is the standard process for moving our budget Bills over to the Senate. And I would move that we do all of these in one Roll Call vote."

Speaker Turner: "You've heard the Gentleman's Motion. All those in... Representative Hannig, the Gentleman from Montgomery, what reason do you rise?"

Hannig: "Just to concur with my colleague, Representative Beaubien. These are shell Bills. They're needed to move the process along. And I'd ask for your 'yes' vote."

Speaker Turner: "You've heard the Gentleman's Motion. Seeing no further questions, the question is, 'Shall we vote to agree on the Agreed Bill List to Supplemental Calendar #1?' All those in favor should vote 'aye'; all those opposed... The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "It's been past practice that whenever we do an Agreed Bill List there is a sheet of paper handed out to us and then you check off those that you do not intend to vote for. Now, are we... are we deviating from past practice or

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are you simply taking one Roll Call vote on every Bill that you just read into the record?"

Speaker Turner: "It would be the latter, Representative. One Roll Call vote on every Bill that we've just read into the record on the Supplemental Calendar #1."

Black: "It's a very interesting way to do it. I don't know that it's ever been done before, but whatever."

Speaker Turner: "Now, the question is, 'Shall the House approve or House pass the Agreed Bill List to Supplemental Calendar #1?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there's 60 voting 'aye', 56 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman... These Bills, on the Agreed Li... Agreed List to Supplemental Calendar #1, are... having received the Constitutional Majority, are hereby declared passed. The Gentleman from Cook, Representative Giles, for what reason do you rise?"

Giles: "Yes. Mr... Mr. Speaker, do we have... did we get an actual list of the agreed items?"

Speaker Turner: "The list..."

Giles: "Supplemental Cal..."

Speaker Turner: "...that we just voted on was Supplemental Calendar #1."

Giles: "Okay."

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Speaker Turner: "And this was the list that we just discussed. It was agreed upon by Representative Beaubien and Representative Hannig, the Minority Spokespersons. And..."

Giles: "All right. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Cook, Representative... The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

Biggins: "Well, thank you, Mr. Speaker. I... Just a question of the Chair... or Speaker, if I may?"

Speaker Turner: "State your question."

Biggins: "You called it the Agreed List and there were a lot of people that didn't agree with that. I wonder if there's a modification of that title. Can you say like, mostly agreed list, partially agreed list..."

Speaker Turner: "How about..."

Biggins: "...partially disagreed list, many disagreed list?"

Speaker Turner: "How about, enough to make it pass?"

Biggins: "I like that."

Speaker Turner: "Enough..."

Biggins: "I like that, Mr. Chairman. You're right on. Thank you."

Speaker Turner: "Thank you. The Gentleman from Cook, Representative Scully, for what reason do you rise?"

Scully: "Thank you, Mr. Speaker. I'd like to address a matter of personal privilege."

Speaker Turner: "State your point."

Scully: "I called the other Members of the House, I think we'd wanna compliment each other on a very tough week. We did a

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lot of work, got a lot of good Bills out and got a lot of good debate. I wish you all the best of luck over the next two weeks. Have a nice vacation. Please travel safely. I'm lookin' forward to spending a weekend with my family overseas and please return safely in two weeks. Thank you."

Speaker Turner: "Thank you, Representative Scully. The Gentleman from Cook, Representative Molaro, for what reason do you rise?"

Molaro: "I'd like to speak in response, be the one speaker in response to that. I mean, did we just adjourn? Oh, I thought... I thought maybe... George, can we go home? Can we go home, Geor... Oh, we didn't adjourn. Okay."

Speaker Turner: "Not yet. On page 8 of the Calendar we have House Bill 4197. Read the Bill, Mr. Clerk. Representative Bellock."

Clerk Mahoney: "House Bill 4197, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Turner: "The Lady from DuPage, Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. This is 4197 and Amendment #1 shelled the Bill so that we could move it over to the Senate so that we could have more discussion on trying to come up with a Bill."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 4197 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record.

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On this question, there are 81 voting 'aye', 35 voting 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Agreed Resolutions."

Clerk Mahoney: "On the Order of Agreed Resolutions: House Resolution 781, offered by Representative Black. House Resolution 783, offered by Representative Younge. House Resolution 785, offered by Representative Younge. House Resolution 787, offered by Representative Hoffman. House Resolution 788, offered by Representative Giles. House Resolution 789, offered by Representative Dugan. House Resolution 790, offered by Representative Lyons. And House Resolution 792, offered by Representative Capparelli."

Clerk Mahoney: "Senate Joint Resolution 71.

RESOLVED, BY THE SENATE OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, April 01, 2004, the Senate stands adjourned until Tuesday, April 06, 2004, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Thursday, April 15, 2004, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Tuesday, April 20, 2004, at 12:00 noon; and the House of Representatives stands adjourned until Friday, April 02, 2004, at 10:00 a.m., and when it adjourns on that day, it stands adjourned until Tuesday, April 20, 2004."

Speaker Turner: "Allowing perfunctory time for the Clerk, Representative Currie now moves that the House stands

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adjourned until Tuesday, April 20, at 1:00, Tuesday, April 20, 2004, at 1:00. Have a happy Easter and drive safely."

Clerk Mahoney: "The Rules Committee will meet yet today. The Rules Committee will meet sometime today."

Clerk Mahoney: "The House Perfunctory Session will now come to order. On the Order of First Reading: Senate Bill 2287, offered by Representative Mathias, a Bill for an Act concerning courts. Senate Bill 29... 2924, offered by Representative Reitz, a Bill for an Act concerning municipalities. On the Order of First Reading-House Bills is House Bill 7290, offered by Representative Berrios, an Act concerning the courts. There being no further business, the House Perfunctory Session will stand adjourned."