

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

131st Legislative Day

5/20/2004

Speaker Hannig: "The hour of 10:30 having arrived the House will be in order. Will the Members please be in their chairs. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. We'll be led in prayer today by Sister Catherine Wellinghoff of Saint Paul's Catholic Church in Johnston City, Illinois. Sister Catherine is the guest of Representative John Bradley."

Sister Wellinghoff: "Creator God, as we gather together on this beautiful day of May, I give You thanks and praise for having called these Representatives to serve the people of this great State of Illinois. You, God, are the great law giver.... But You have entrusted to these men and women the job of continuing part of Your work of creation. Help them to work for the good of all, especially infants, so they have sufficient food and loving care, children and youth, that they receive a basic education, adults, that they have adequate housing and employment and the elderly, that they receive basic health care. Soon this hallowed hall will be empty, but loving God may the work done today by these Representatives be deeply rooted in You so that their work may bear fruits of justice, mercy, love and especially peace, peace not only for us in Illinois but also for our country and our world. Gracious God, I ask that You bless these Representatives with Your wisdom and courage today and always. Amen."

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Speaker Hannig: "Representative Bradley will lead us in the Pledge of Allegiance."

Bradley - 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 Hannig: "Roll Call for Attendance. Representative Currie."

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

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that there's no excused absences on the Republican side of the aisle."

Speaker Hannig: "Mr. Clerk, take the record. There are 118 Members answering the Roll Call, a quorum is present. Mr. Clerk, would you... Representative Cultra, for what reason do you rise?"

Cultra: "A point of personal privilege."

Speaker Hannig: "State your point."

Cultra: "My wife is visiting with me today. We've been married for 29 years. She's the mother of my four children. I'd just like to welcome her to Springfield."

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

Parke: "Thank you, Mr. Speaker. As I traditionally do, I have Memorial Day speeches for those people who have asked for them and I will be passing them out..."

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Speaker Hannig: "Thank you, Representative."

Parke: "...for those who wish to have..."

Speaker Hannig: "Thank you, Representative Parke. And Mr. Clerk, do you have any Committee Reports?"

Clerk Mahoney: "Committee Reports. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'do pass as amended Standard Debate' Senate Bill 2208, Senate Bill 2209, Senate Bill 2210 and Senate Bill 2211. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 492, House Resolution 596, House Resolution 772, House Resolution 832 and House Joint Resolution 49; a Motion to Concur with Senate Amendment #2 to House Bill 686; 'recommends be adopted as amended' House Resolution 415 and House Resolution 771. Representative Delgado, Chairperson from the Committee on Judiciary-Criminal Law, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 2244. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Wednesday, May

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19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 86; a Motion to Concur with Senate Amendments 1, 2 and 3 to House Bill 752; and a Motion to Concur with Senate Committee Amendment #1 to House Bill 6906. Representative Brosnahan, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendments #1 and 2 to House Bill 4450. Representative Currie, Chairperson from the Committee on Fee-For-Service Initiatives, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Fee-For-Service Initiatives Committee Resolution. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 4108. Representative McKeon, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendments #1 and 2 to Senate Bill 797. Representative Franks, Chairperson from the

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Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' House Resolution 711 and House Joint Resolution 86; a Motion to Concur with Senate Amendments 1 and 2 to House Bill 956. Representative Monique Davis, Chairperson from the Committee on Appropriations-General Services, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'do pass Standard Debate' Senate Bill 3340, Senate Bill 3343, Senate Bill 3350, Senate Bill 3356, Senate Bill 3359, Senate Bill 3361, Senate Bill 3362, Senate Bill 3367 and Senate Bill 3368. Representative Fritchey, Chairperson from the Committee on Judiciary-Civil Law, to which the following measure/s was/were referred, action taken on Wednesday, May 19, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 2572. Representative Currie, Chairperson from the Committee on..."

Speaker Hannig: "On page 2 of the Calendar is House Bill 5252. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 5252 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Granberg, has been approved for consideration."

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Speaker Hannig: "And on the Amendment, Representative Lang is recognized."

Lang: "Thank you, Mr. Speaker. Representative Granberg asked me to handle this for him. Amendment 1 deals with the Freedom of Information Act and it exempts from FOIAs inspection and copying requirements venture capital and private equity portfolio information of privately held companies possessed by a public body. Bottom line here is that in the process of a public body doing its work sometimes it needs to get proprietary information from these venture capital companies, but this is proprietary information and should not be released to the general public. I know of no known opposition. At one point the press association was opposed, but they have reviewed their position and are now neutral on this. And we would ask for your support."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. On page 25 of the Calendar is House Bill 4099, on the Order of Concurrence. Representative Hamos. Is the Lady in the chamber? Representative Hamos is recognized on House Bill 4099."

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Hamos: "Thank you, Speaker, Ladies and Gentlemen. I move to concur with Senate Amendment #1 to 4099. This is a very minor technical Amendment that was added in the Senate. And I move to concur."

Speaker Hannig: "The Lady has moved to concur in Senate Amendment #1 to House Bill 4099. And on that question, the Gentleman from Cook, Representative Terry Parke."

Parke: "Thank you, Mr. Speaker. Could I have a ruling from the... is... it shows here it preempts Home Rule. Have you taken a ruling on this yet? Have we already made a ruling on this Bill?"

Speaker Hannig: "Representative Parke, we will... we will make a ruling before we vote on the Bill."

Parke: "All right."

Speaker Hannig: "The parliamentarian will take a look at it."

Parke: "All right. And on the concurrence, would the Sponsor yield?"

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

Parke: "Representative, it is shown here in our analysis that a significant amount of the business community, as well as municipal governments, as well as the City of Chicago is in opposition. Is that still in place and still... are they still opposed?"

Hamos: "I don't know, Representative, they haven't talked to me at all. And really the concurrence on this Senate Amendment #1 is over really a one word typo that was inadvertently put in by LRB. So, we fought that out on the floor. And I don't... they haven't talked to me since then."

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Parke: "Okay. How about Amendment #2. Has that been placed on the Bill? I mean, is that your intent to concur with Amen... Senate Amendment 2? Well, it was adopted. I'm sorry. It was... was it adopted by the House or the Senate?"

Speaker Hannig: "Mr. Clerk, why don't you clarify for Representative Parke as to what Amendments the Senate sent us?"

Clerk Mahoney: "On the Order of Concurrence for House Bill 4099 is Senate Amendment #1."

Hamos: "Just yeah... only... only one Senate Amendment #1, Representative Parke. And it's really this very small typo. That's all this is."

Parke: "Okay. La... Thank you, Ma'am... Representative Hamos. To the Bill. Ladies and Gentlemen, there's still a strong opposition to this Bill. There were 11 Senators that opposed it. The City of Chicago is in opposition to this, as well as the Municipal League and the business community, the manufacturers and the Illinois Association of Realtors, Metro counties, the County Board of Commissioners of Cook County and the overall Illinois Municipal League. Though the Amendment is only one, it effects the overall Bill. They're still in strong opposition. I would ask that the Body vote against this because it barely passed the House by 2 votes last time. Very little... She has said the Amendment doesn't change it much at all, so we still are in strong opposition to this legislation."

Speaker Hannig: "So, is there any further discussion? Okay. So, we're still looking for a ruling on the number of

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votes, Representative Hamos, but why don't you close on the Bill and then we'll defer to the parliamentarian."

Hamos: "Thank you. Ladies and Gentlemen, again, this is a very small technical Amendment. It did pass... the Bill did pass the Senate by a vote of 45 to 11. They did consider this at great length in the Senate. And I urge an 'aye' vote."

Parliamentarian Uhe: "Representative Parke, on behalf of the Speaker and in response to your inquiry. When House Bill 4099 passed the House, the Chair ruled that it required 60 votes and the Senate Amendment does not change that."

Speaker Hannig: "Okay. Representative Parke."

Parke: "Thank you for that ruling. I wanted to make sure that, in fact, that had not changed. So, it still takes 60 votes?"

Speaker Hannig: "Sixty votes."

Parke: "Okay. Well, we would hope that we don't get 60 votes. Thank you."

Speaker Hannig: "Okay. So, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4099?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This is final passage. 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 70 voting 'yes', 48 voting 'no', and 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 4099. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 13 of the Calendar, under the

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Order of Senate Bills-Third Reading, is Senate Bill 132.

Representative Brady. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 132, a Bill for an Act in relation to county government. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 132 is simply a piece of legislation that cleans up some language within the existing statutes pertaining to coroners and medical examiners in the state. It does three things. The first is, change from a six hour mandated timeframe to a reasonable timeframe of blood draw from an individual fatally injured in a motor vehicle accident. Number two, it allows the physician, as well as the coroners and deputy coroners, to make those draws. And three, it allows that the State Police forensics labs, which provide services to the Illinois coroners and medical examiners and other state certified labs, be used instead of the Department of Public Health which no longer provides those services. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 132. Is there any discussion? The Gentleman from Cook, Representative Parke."

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

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

Parke: "Just one thing, Representative. The title says that there are fees involved and some of our Members would like to know, is there fees increases in this legislation?"

Brady: "No."

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Parke: "Thank you."

Speaker Hannig: "Is there any further 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? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no', and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Grunloh, would you like us to read Senate Bill 827? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 827, a Bill for an Act in relation to insurance. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Effingham, Representative Grunloh."

Grunloh: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yesterday we heard about Senate Bill 827 and what Senate Bill 827 does. I'm gonna summarize a little bit from yesterday and if somebody wants me to read the whole thing again, I will. But basically, let me talk about what it doesn't do. Senate Bill 827 does not gut House Bill 211. It provides for insurance coverage for religious organizations and other people would have an objection to it to opt out of it. There are currently about 7 thousand employees in the State of Illinois right now that are being insured by Blue Cross Blue Shield that would no longer be able to buy that insurance. Blue Cross Blue Shield will no longer be able to provide it that insurance, they cannot

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opt out of that. The four insurance companies that have been named as insurance companies that can... can provide this coverage we have found that one of them is no longer in business. One of them is based in Peoria and is limited by that geographic area. The other two are probably not big enough to take care of the Chicago diocese and the Belleville diocese. So, we think that this is a fix to an unintended consequence of a Bill that passed last year. Clearly, the testimony that was given in the Bill last year indicated that this was not the intent and the Department of Insurance has clarified that over the summer. And we're just trying to make a correction to the Bill. And I would be open to any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 827. And on that question, the Majority Leader, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in opposition to passage of Senate Bill 827. The measure that provided contraceptive equity contained a clear provision that would enable a religious organization to avoid the requirement of complying with that Act. All that organization has to do is work through a religious-based insurance company. There are such entities in the State of Illinois and that would've been a far preferable way for an employer who seeks to assert a religious or moral concern with this issue to go than to ask us to change the law. In addition, the way this Bill is drafted the definitions of religious and moral are missing, so it's not at all clear

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who can take advantage of this... of this measure should it become law to avoid a responsibility to provide contraceptive coverage to employees. Third, in California there's been a court ruling that says that the 'right of conscience', which is a right that we already have in Illinois Law, can be applied but it can't be applied if the employer is not primarily engaged in religious activity in religious instruction. So, for example, a social service agency that hires people who are not necessarily of the same religion as the title of the organization, who do not share that view, should be entitled to the kinds of coverage that was... that was proposed when we adopted the Equity Act in the first place. I think this is poorly drafted. I think it's constitutionally flawed. I think we will find ourselves subject to lawsuits if Senate Bill 827 is adopted. And finally, a religious organization that wants to hire a religious insurance company can avoid the requirement of compliance with the Equity Act and that option is available today in the State of Illinois."

Speaker Hannig: "The Lady from Cook, Representative Rosemary Mulligan."

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

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

Mulligan: "Representative, were you led to believe that the original Bill did not adequately address this problem?"

Grunloh: "Excuse me?"

Mulligan: "Were you led to believe that the original Bill did not adequately address the problem?"

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Grunloh: "Yes."

Mulligan: "Has it not been pointed out to you repeatedly that it did?"

Mulligan: "It has not been pointed out to me repeatedly. I... I've looked at the testimony that was given during last year's version of the House Bill... of 211 and it clearly stated in there that these... these religious organizations would be able to opt out. And that has not been the case."

Mulligan: "My understanding is that several times people have come to you with alternative language or to point out to you the fact that the original legislation would've given them several options if they could not purchase health insurance. And that this actually is special legislation for an individual group because they find that it's too inexpensive to either be self-insured or eliminate what they wanna eliminate."

Grunloh: "It specifically deals with employers that deal with religious objections to it. And ya know, the reference to the people that they can buy it from, the other organizations they can buy insurance from, there are only three of them out there. One of them does not sell outside of the Peoria geographic area and the other two..."

Mulligan: "I'm sorry, I cannot understand what you're saying. Either I can't hear or it's garbled. Could you...?"

Grunloh: "Please ask your question again."

Mulligan: "I'm saying, is this not special legislation that is for one group because they cannot get a better rate from someone else and in order to continue to have the provider

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that they have they will have a problem eliminating this coverage. So, therefore, it makes it 'special legislation'."

Grunloh: "It affects more than this one group, but what the intent is, the intent was supposed to be is not to exclude this group out, but that's exactly what has happened. This group can no longer buy the insurance from Blue Cross Blue Shield. This... the Department of Insurance has determined this summer that they cannot do that and it is going to cause them a great hardship and probably maybe cause them to drop some of their insurance coverage."

Mulligan: "Do you not believe there's a separation between church and state and that our legislation should not necessarily be impacted when we've bent over backwards in the original legislation to give them options that now you're introducing special legislation that does imp... put religious ideas into what we're voting on the House Floor?"

Grunloh: "I believe that we should not legislate a... an... a single group out to make them pay more for insurance coverage than anyone else."

Mulligan: "Well, I think that they could have insurance coverage and leave it up to the people that they employ to have a 'right of conscience' on whether they use birth control or not since many of their employees are not of a religion that would be worried whether they use birth control or not. So, what they're doing is they're denying women who work for them the opportunity to have coverage which the state passed. And so by your legislation you are

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doing special legislation for certain groups and you're denying women that work for them, who may not have the same beliefs, coverage of something the State of Illinois has already passed and said that they could have. So, I think it's a very bad piece of legislation. To the Bill. Quite frankly, I think what you're doing is you're believing people that come to you, particularly from hospitals, and saying, we just won't have any insurance, which means they won't have any employees. Which is baloney. I think every hospital that's looking for nurses that's nondenominational or of a denomination that can offer this insurance should immediately put an ad in the paper that says, you're nurses, you're employees, if you wanna be covered under our insurance policy for contraceptives come and work for us. That would be a very smart thing to do because we have a nurse shortage. So, if you wanna play special favorites with certain people, you wanna impose your beliefs on all people that work for you whether they're of the same belief or not and you wanna go against a Bill that was overwhelming passed in this Body and another and deny women this basic coverage, then continue to vote 'yes' on this Bill because it is a very bad vote. What you are doing is you are denying women basic... basic health coverage that allows them to have some control over their life in a very small amount of money. If I were you, I would vote 'no' against this Bill, which guts a Bill that we spent a lot of time to pass last year which shows nothing but a combining of church and state and gives special privileges to special

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groups. Vote 'no' on this Bill so you can continue to have women get adequate health care coverage, which is to get payment for contraceptives."

Speaker Hannig: "The Lady from Cook, Representative Graham."

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

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

Graham: "Representative Grunloh, are you aware that women are sometimes prescribed a contraceptive birth control to control other illnesses that they may have?"

Grunloh: "Yes, I am."

Graham: "Okay. Under this piece of legislation would that prohibit a doctor from prescribing birth control pills to control endometriosis or some other illnesses that doctors prescribe birth control pills to control it?"

Grunloh: "I believe that it would pro... it would... it would prohibit contra...."

Graham: "I didn't hear that."

Grunloh: "I believe that it would prohibit contraceptive care for these organizations that opt out of it."

Graham: "Okay. So, you're saying, yes. You're saying, yes..."

Grunloh: "Yes."

Graham: "...you cannot prescribe birth control pills for a woman who is suffering from endometriosis, which is a backup of blood making cysts in her uterus area. So, you're saying that she can no longer get that simple therapy to correct a major health problem in her body? She can no longer receive that through the form of simple... she would have to

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opt out and get the surgery or some other major treatment for a si... for an illness?"

Grunloh: "If the doctor prescribed the medication for that purpose she would be able to get it, she would have to be... she would have to pay for it on her own. It would not be covered under the policy."

Graham: "So, you're... I know you're saying it's not, but under the Bill that we passed before, a woman would be able to receive the birth control pills to control that illness, but you're taking that option away which is a minor way... which is at least... least cost effective way to manage a major illness. So, now you're telling a woman she has to go under the knife or some other major treatment that could cause other problems when she can treat her illness with birth control pills?"

Grunloh: "Under this new Bill, if the insurance company is claims conscience or the policyholder is claims conscience, she's not gonna get that coverage anyway."

Graham: "I... I... wait, I didn't hear what you said. You're... you're... I can't hear you."

Grunloh: "Under this Bill, if the insurance company would not provide that coverage, I mean, ya know, if they claim it conscience... under the 'right of conscience' clause they would not receive it anyway."

Graham: "I don't understand where conscience..."

Grunloh: "So now... so now this gives the employer the ability to do that."

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Graham: "Under the Bill that was passed, Representative Grunloh, we... the women could receive contraceptive treatment for that sort of illness, but under your Bill it would block the women from receiving that simple treatment for major illness. That would. That is the case with your Bill."

Grunloh: "Yes."

Graham: "I stand in strong opposition to this Bill. We fought so hard before to get contraceptives covered for women. Insurance plans currently cover Viagra and other things that help stimulate men and give them the kind of satisfaction and protection that they need, but women are asking for that same consideration. Why is it such a big deal for a woman to take of her choosing, if she chooses to, to take birth control pills. This is such a one-sided issue. Mr. Speaker, if this Bill should receive the required number of votes, I ask for a verification."

Speaker Hannig: "Okay, and it will be granted, Representative. Representative Eileen Lyons."

Lyons, E.: "Thank you, Mr. Speaker. To the Bill. I would like to clarify some of the questions that were raised by previous speakers. One of them was, why does the Bill not define religious organizations and the threat that we will use religious organization found in California law. The language used in this Bill is already found in Illinois Statute. The In Vitro Fertilization Act has this exact language in it exempting religious organizations. This exact language has been in Illinois law for over ten years

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and it has not been abused. There is no reason to believe anything would change now. The definition of religious organization in California law is so limited Mother Teresa's groups or religious sisters would not qualify as a religious entity. Another question that was raised is, why can't we lose... we use religious organizations that are existing, the four existing religious care health plans. The Catholic HMO in Chicago is defunct, it does not exist. The Catholic HMO in Peoria is geographically limited and does not provide coverage outside of the Peoria area. There may be a Jewish HMO which could not meet all the need out there. And we are unable to find this fourth religious HMO. There is no cult to restrict religious organizations in this fashion. I'd like to point out how many employees would be affected. If Senate Bill 182... 827 does not pass, approximately 7 thousand to 8 thousand employees of religious organizations around the state will lose their HMO coverage. This Bill does not, as some have implied, impose anyone's beliefs on anyone else. We simply wish to correct a problem that was never intended. And I would urge your 'aye' vote."

Speaker Hannig: "The Gentleman from Cook, Representative Lang."

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

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

Lang: "Representative, I know this is important to you, but I'm trying to find out why you think we really need this. So, correct me if I'm wrong, but do we not have several insurance companies today in Illinois that sell policies

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without contraceptive coverage because they have invoked the right to conscience?"

Grunloh: "We have, I think, three in the state and one of those is based in Peoria and they do not go outside of that geographical area. The other two are not large enough companies to... to take care of the needs of the archdiocese of Chicago or the arc... or the diocese of Belleville, the 7 thousand people that are currently being affected by this."

Lang: "Well, are you telling us that there are insurance companies in Illinois who are rejecting business because they don't think they're big enough to handle the business?"

Grunloh: I'm telling you that the companies that now provide this would not be big enough to do that, yes."

Lang: "Do we have any statements from them? Did they testify? Do we have any affidavits to that effect from them?"

Grunloh: "No, I'm not aware of any."

Lang: "Did you... did you personally talk to the..."

Grunloh: "That was a point made by the Department of Insurance."

Lang: "So, you have... you have not personally investigated whether these insurance companies can or cannot deal with the needs of the archdiocese?"

Grunloh: "I have not."

Lang: "Has there been any effort to bring other insurers into Illinois to deal with this situation?"

Grunloh: "Not that I'm aware of. Right now, Blue Cross Blue Shield is... is the carrier for, ya know, the archdiocese and

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that's why we're trying to remedy this with this Bill. And that was the intent of 211 a year ago, so..."

Lang: "Well, let me ask another question then, in a different direction. I understand that there are folks in Illinois who aren't for abortion; I understand there are folks in Illinois who are not pro-choice; I understand there are folks in Illinois who wouldn't necessarily want this coverage in their insurance. But there's a lot of coverage in your insurance, my insurance, all of our insurances we never use. What really is the difference whether it's in the policy, if you don't use the coverage? So, I may have mental health coverage in my policy, so whether I use it or not is my business. What is the difference whether it's in the policy or not?"

Grunloh: "This is an employer's choice and not a individual's choice. If a... if an employer has a moral conscience objection to providing this coverage, that's what this is dealing with."

Lang: "So, this Bill would provide that an employer could say to an insurance company, who is currently required to provide contraceptive coverage under the Act, that we don't want that coverage, don't put it in our policy 'cause we're not paying for it?"

Grunloh: "Only if they have religious bylaws or are a religious organization, yes."

Lang: "Well, how is a religious organization defined in your Bill?"

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Grunloh: "It's... it's not closely defined, but it is defined as religious organizations or..."

Lang: "Well, if it... if it... if it isn't closely defined then how are we, how are insurance companies, how are courts supposed to determine what that means? Would it be any organization with a religious word in it? Would it be any organization that has the word 'God' in their title or Jewish or Catholic or Baptist? Would it be any organization that purports to be involved in any religion in any way, shape or form?"

Grunloh: "Well, Representative, last year during the debate on 211 it was... it was said that... that these opt... these religious organizations would have the opportunity to opt out of this. So, I guess, ya know, now it's the same definition. Ya know, the Department of Insurance has come and said these people can no longer... these insurance companies cannot opt out of this insurance. So, ya know, I think the definition has been defined by the Department of Insurance."

Lang: "Well, let me... I'm not quite sure I'm understanding the... the real need for this. Isn't it... wouldn't part of the real need for this just simply be that there are those who are so opposed to contraception, so opposed to abortion that they simply don't wanna be dealing with it, they don't wanna actually read the words whether they use this coverage or not and/or isn't this simply a cost saving device?"

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Grunloh: "Well, I think the reality of this is, is that most people that work for a Catholic diocese, for instance, would work for that organization knowing that they're, ya know, they're not interested in this coverage to start with and they're morally opposed to it and now they are being forced... it is being forced upon them. Ya know, I've had somebody come in my office and tell me that they were going to drop their insurance coverage because they were paying for this coverage. They didn't want to pay for it, so they dropped their insurance. They no longer have health insurance, they were so opposed to being mandated to pay for this."

Lang: "If there was a sect of people, call it a religious sect or other, who is morally opposed to mental health coverage, morally opposed to coverage for cancer treatment, morally opposed to coverage for a broken leg, morally opposed to x-rays, morally opposed to anything that's in a standard health insurance policy that most of us have, would you think it would be appropriate then to... to allow policies... to allow employers to opt out of the law of the State of Illinois?"

Grunloh: "Well, I think all of the things that you just mentioned do not deal with religious objection and that's not what we're talking about anyway, we're talking about..."

Lang: "But what if one did?"

Grunloh: "Well, I guess that..."

Lang: "What if the Catholic Church got up tomorrow morning and decided that they're against mental health coverage."

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Grunloh: "If you decide..."

Lang: "Should we then have a Bill that deals with that?"

Grunloh: "If you decided you wanted to introduce that Bill, ya know, I guess you would stand up and introduce it the same way I'm introducing this one. So, I... I think we're talking about apples and oranges, but..."

Lang: "Thank you. Mr. Speaker, Ladies and Gentlemen, to the Bill. I... there are so many things wrong with this legislation that it... I'm not quite sure where to start. If... it seems to me that we're going really back here to the same old debate we wanna have here in the Illinois House from time to time about choice, about contraception. It can be cloaked, my good friend, Mr. Grunloh, who is my good friend who I disagree with on this Bill, we're gonna cloak it in religious objection when it really is well beyond religious objection. It's just that some people don't wanna read these words in their insurance policies. There is much opportunity if there are so many hordes of people and employers that wanna do away with this coverage they can be self-insured, they can start their own insurance pool, they can do all sorts of things. They can find ways to convince the current insurance companies in Illinois, who offer the kind of policies they're looking for, to broaden their horizons. There's been no showing that any of that has been done. But perhaps most critically it seems to me is that there's really no good definition in this Bill of what a religious institution is. We could find all sorts of organizations with a religious sounding

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word in the title of their organization to then say they are the kind of religious institution that Mr. Grunloh's referring to and we could have people opting out of this coverage all over the place. If the goal is to go back and debate whether there should be contraceptive coverage, then let's not cloak it in this kind of Bill. Let somebody propose the kind of legislation that would have a straightforward debate on the floor of the House regarding whether we should have contraceptive coverage in the State of Illinois. We've been through that debate, however, very recently. And in that debate, this Body, the Body across the rotunda and with the Governor's signature we decided that we should have this coverage in Illinois insurance policies. What we're doing here today is an attempt with a very vague piece of legislation because none of us really know who it applies to except the specific notion that it applies to the Catholic Church but without any discussion of who else might be interested in it and who else it applies to. We're in the process today of undercutting a law we passed a year ago. I don't think that's what we ought to be all about here, especially when there's been no showing whatsoever by the proponents that they've dotted all the i's and crossed all the t's in an effort to use the current law and the Right of Conscience Act to accomplish their goals. I would recommend 'no' votes."

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

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support the Gentleman's Motion. I am not Catholic, but there is one simple reason why his Bill must, in my opinion, pass. Let me quote from last year's transcript. I won't use names, but I'll give you the names later if you want them. The Sponsor of the Bill in response to a question, the Sponsor on the Democrat side of the aisle, a female, 'Illinois has one of the best and broadest 'right of conscience' Bills in this country and the Catholic Conference should know that because it was the Catholic Conference who actually helped write that Bill. Right now House Bill 211 does not change any of the provisions in the Health Care Right of Conscience Act and the Health Care Right of Conscience Act will apply to the provisions of House Bill 211.' That was the contraceptive mandate Bill. To further explain it... 'the Health Care Right of Conscience Act allows medical personnel, health care facilities and health care payers to refuse to receive, obtain, accept, perform, assist, counsel, suggest, recommend or refer or participate in any way in any particular form of health care service contrary to his and her conscience. Under the Health Care Right of Conscience Act, a health care payer such as a health maintenance organization, insurance company, management service or any other entity that pays or arranges for the prepayment of any health care or medical service procedure.' This Act, everyone in this room should know, the Health Care Right of Conscience Act supercedes all Acts. So, the Right of

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Conscience Act basically takes care of anyone's concerns. And a Member on my side of the aisle responded, 'so, we are in no way changing the right of a patient or person not to request birth control pills or contraceptives.' 'That is correct. We have exempted anyone who does not want them.' Well, Ladies and Gentlemen, that debate is all well and good and I'm sure they were sincere in what they said and they believed in what they said. Unfortunately, the Illinois Department of Insurance does not agree. Does not agree and has issued a ruling that the Health Care Right of Conscience Act does not apply to health... managed health care plans in the State of Illinois and anyone covered under them can receive and will receive contraceptives. So, if the Department of Insurance interpretation ignores that the Health Care Right of Conscience Act and requires that any organization contracting with an HMO include the mandated contraceptive coverage, we have a fundamental problem. The Catholic Conference has said, therefore, that under the mandate of House Bill 211, which is now a Public Act, religious organizations will not be able to provide employees with health insurance through an HMO. Therefore, throwing many families across Illinois out of the insurance coverage they currently enjoy unless this problem is addressed. When all is said and done, the Gentleman on the other side of the aisle is attempting to address that concern. It isn't a concern he raised and it is in abject difference to what was said on this House Floor a year ago. The Department of Insurance of the State of Illinois has

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ruled the health care... the right... the Health Care Right of Conscience Act does not apply in this case to anyone who is covered by an HMO. That's all the Gentleman is trying to do. Nothing about x-rays, nothing about broken legs, nothing about all the other stuff that's been said. It is the right under the right of health care conscience Act to refuse contraceptive coverage and the Department of Insurance of Illinois says, I don't care what Bill you passed, that is not correct and we will not follow the Right of Conscience Act under this Public Act. The Gentleman is trying to address a real problem, not an imaginary problem, addressing a rule made by a department in this state. What else can he do? And what else, in light of the ruling, can you do except to vote 'yes' if you believe in the Right of Conscience Act and I happen to be one of those who believes in that Act. Had what was said last year been fact, we wouldn't be here today with this Bill. I intend to vote 'aye'."

Speaker Hannig: "The Gentleman from Fulton, Representative Smith."

Smith: "Thank you, Mr. Speaker. I move the previous question."

Speaker Hannig: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The main question is put. Representative Grunloh to close."

Grunloh: "Mr. Speaker, I would just ask for an 'aye' vote. I think the... the unintended cause of 211 is corrected by this

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Bill. And again, I would ask for your 'aye' vote. Thank you."

Speaker Hannig: "So, the question is, 'Shall Senate Bill 827 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? There's been a request for a verification, so please vote your own switch. Have all voted who witch... wish? Mr. Clerk, take the record. On this question, there are 63 voting 'yes', and 53 voting 'no'. Representative Graham has asked for a verification. Would the Clerk poll those Members voting in the affirmative."

Clerk Mahoney: "A poll of those voting in the affirmative. Representatives: Acevedo; Aguilar; Bellock; Biggins; Black; Bost; Bradley, R.; Brady; Brauer; Brosnahan; Capparelli; Churchill; Cultra; Daniels; Dugan; Dunn; Eddy; Flider; Flowers; Franks; Froehlich; Gordon; Granberg; Grunloh; Hannig; Holbrook; Hultgren; Joyce; Kosel; Krause; Leitch; Lyons, J.; Mautino; McAuliffe; McCarthy; McGuire; Meyer; Millner; Mitchell, B.; Mitchell, J.; Moffitt; Myers; Osmond; Pankau; Parke; Phelps; Poe; Pritchard; Reitz; Rose; Sacia; Schmitz; Sommer; Stephens; Sullivan; Tenhouse; Verschoore; Wait; Jim Watson; Winters and Mr. Speaker."

Speaker Hannig: "Representative Graham, do you have any questions of those voting in the affirmative?"

Graham: "Mike McAuliffe."

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Speaker Hannig: "Representative McAuliffe. Representative McAuliffe. Is the Gentleman in the chamber? Mr. Clerk, how is he recorded?"

Clerk Mahoney: "Representative McAuliffe is voting in the affirmative."

Speaker Hannig: "Have him removed. Representative... Representative Black is asking leave to be verified. Representative Graham, would you acknowledge his presence?"

Graham: "Yes, if he's here."

Speaker Hannig: "Okay. Representative Black. Do you have any further?"

Graham: "Representative Brauer."

Speaker Hannig: "Representative Brauer is in his seat."

Graham: "Representative Meyer."

Speaker Hannig: "Which Representative Meyer?"

Graham: "Jim Meyer."

Speaker Hannig: "It appears they're both there."

Graham: "Jim Meyer."

Speaker Hannig: "It appears both Representative Meyers (sic- Meyer and Myers) are there."

Graham: "Okay. Churchill. Representative Churchill."

Speaker Hannig: "Representative Churchill is in his seat."

Graham: "Okay. Representative Flowers."

Speaker Hannig: "Did you say Representative Flowers? Okay. She's... she's over near..."

Graham: "Oh, okay. All right. I'm not done yet. Okay."

Speaker Hannig: "Representative McAuliffe has returned to the chamber. Mr. Clerk, reinstate him... his vote."

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Graham: "That's it, Mr. Speaker. Thank you."

Speaker Hannig: "Okay. And so, on this question, there are 63 voting 'yes', 53 voting 'no', and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Colvin, for what reason do you rise?"

Colvin: "Thank you, Mr. Speaker. This morning the Illinois Legislative Black Caucus had a meeting with individuals from a new organization, it's been in existence for a little over a year, the Illinois State Black Chamber of Commerce and we had a very good and productive conversation and discussion about the state of minority business opportunities in the State of Illinois. And we're joined today by the president of that organization, Mr. Larry Ivory, and several members representing chambers from around the state. They're in the gallery. Would you please help me welcome them to Springfield?"

Speaker Hannig: "Welcome to Springfield. And Representative Young is recognized for an announcement."

Younge: "Thank you, Mr. Speaker. There'll be a Democratic Caucus in Room 114 immediately. There will be a Democratic Caucus in Room 114 immediately."

Speaker Hannig: "And Representative Brady."

Brady: "Thank you, Mr. Speaker. Also, there'll be a Republican Caucus immediately in Room 118. A Republican Caucus in Room 118. Thank you."

Speaker Hannig: "So, the House will stand at ease while the respective parties have their caucuses."

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Clerk Mahoney: "Purpose of an announcement. Reminder: the Members that you're to return to the floor immediately following caucus, to return to the floor immediately following the completion of the caucuses. The House will recess until the hour of 1 p.m. The House will recess until the hour of 1 p.m. The House will convene in five minutes. The House will convene in five minutes."

Speaker Hannig: "Okay, so the... the House will be in order. We're ready to reconvene and the first Order of Business is House Resolution 855. Mr. Clerk, would you read the Resolution?"

Clerk Bolin: "House Resolution 855, offered by Representative Poe.

WHEREAS, The members of the Illinois House of Representatives wish to welcome home the members of the 233rd Illinois Army National Guard unit after a year of service in Operation Iraqi Freedom; and

WHEREAS, The 233rd Illinois Army National Guard, based out of Camp Lincoln in Springfield, was activated in February 2003 and began its tour of duty in Wisconsin and Kuwait before arriving in Iraq; and

WHEREAS, The 233rd Military Police Company was one of the first units into Baghdad, Iraq in April 2003 when the soldiers began their mission patrolling the streets of Baghdad, training and supervising Iraqi police, and conducting raids; and

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WHEREAS, Members of the 233rd unit were awarded nineteen bronze stars, a Purple Heart, and four noncombat Soldiers Medals; and

WHEREAS, On April 25, 2004 family and friends welcomed members of this company as they arrived at their home base at Camp Lincoln following fourteen months of deployment; and

WHEREAS, Twenty-eight soldiers from the original 233rd unit continue to serve in Iraq after being transferred to other units; and

WHEREAS, The members of this company serve our nation with honor and pride and are owed an immense measure of gratitude; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we welcome home the courageous men and women of the 233rd Military Police from their duty in Iraq; and be it further

RESOLVED, That we salute the 233rd National Guard unit for its dedication to this State and to the United States of America; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the 233rd Military Police Company of the Illinois National Guard as an expression of our gratitude."

Speaker Hannig: "And on the Resolution, the Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker, Ladies and Gentlemen of the House. First the... something in all of us got a little touch here personally in the chamber is Amy Fritzsche that stands in the well every day. Her husband was a member of the 233rd.

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Another thing I would like for the Members to understand that this group is based in Springfield, but they have members that travel in from all over the State of Illinois, so this group is represented all the way from Chicago to St. Louis and so these are guys that have touched all of our lives. But just for the group on behalf of the House of Representatives, I want to thank for you for the return of the Illinois National Guard Unit fighting overseas in Operation Iraq Freedom. The 233rd Military Police Company is one of the first units in Baghdad in April 2003, (sic-2003) and the members distinguished themselves with honor and dedication for 14 months of deployment. In fighting for the freedom, the freedom of Iraq citizens, the 233rd members were recognized with 19 bronze stars, a purple heart, and four noncombat sol... soldier medals. So we can really be proud of this group. We wanna thank and support all the soldiers for their outstanding and selfless service to our nation. Let us pray that the safe return for all those soldiers that are still in Iraq and let us thank them not only today, but every day. Remember then that the price they paid physically and emotionally to keep the nation safe, we can stand and praise these soldiers, but there aren't words to express the thanks we owe them and for the freedom that we have and the way of life we enjoy every day. So remember these soldiers when you enjoy the everyday freedoms of ordinary life. Today we have John... or it's Captain John Royer (sic-Jeff per Amy Fritzsche) who is the head of this whole group and he's here with me on

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the House Floor. I wanna present him with the Resolution that we just read. And we're so proud of him and like I said there's words can't explain how much appreciation we have."

Speaker Hannig: "And on the Resolution, the Gentleman from Cook, Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Normally I wouldn't rise to talk on this type of Resolution, but as appropriation chairman of Public Safety the budget of the military comes through my committee. And I'm honored that we have a Adjutant General, a real General, General Thomas that has uplifted the morale of the Illinois National Guard. You know, past... well, at... I'll be remiss if I did not mention a former Member who was an Adjutant General, David Harris, who began to change the morale at the National Guard because in several years past the National Guard's morale was at a low peak. You know, one... one of the Colonels or Brigadier Generals went to jail because of some misdeeds while he was in... in service of the Illinois National Guard. Morrow... Morale was at its lowest and I'm glad to see that under General Thomas morale has increased and it's an... it's an honor for me to show our concern for these survivors coming back because, you know, it seems like every week in almost of the last year we've had to honor a fallen soldier. So it's an honor to see that we are respecting and honoring those who have fought to... and... and... protected our rights and who were lucky enough to make it back home. It's...

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it's... it's... I am not a veteran. My father served in the Korea War. One of my best friend's father is an original Tuskegee Airman, Colonel Bill Thompson. So, it's... I have one of the largest African-American veteran groups in my district, Montford Point Marines. So, I take pride in the military of this country and it's an honor that my name is on House Resolution 855."

Speaker Hannig: "The Gentleman from Menard, Representative Brauer."

Brauer: "Thank you, Mr. Chairman. I would like to introduce the Captain Royer right here, that's from the 233rd that lives here in Springfield. Captain Royer."

Captain Royer: "Thank you. As the commander of the unit, I usually get this honor to be able to stand and talk to Bodies, but never have I had such an honor to talk to such a group. The only honor that I believe is higher than this, right here, is to have the honor and privilege of serving with these men and women of the 233rd Military Police Company. They truly are heroes and I would fight with them again, anytime. And thank you very much for honoring us in this way."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the Resolution be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Representative... Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. A lot of us are prepared to leave for the weekend and we still have no idea of what the

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schedule is gonna be like and whether or not we need to retain our rooms and how long to retain 'em for. Can the Chair please give us an estimation of what will happen in the next week?"

Speaker Hannig: "Yes, Representative, the House will reconvene next Monday afternoon and we would... we need to be prepared to stay for the rest of the month."

Parke: "So, that'll be through the 31, Monday?"

Speaker Hannig: "Yes, that's correct."

Parke: "And did you have any idea of what time we will be adjourning Monday afternoon... I mean, coming back Monday afternoon?"

Speaker Hannig: "I'm advised that it's 4:00."

Parke: "Thank you very much, Mr. Speaker."

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

McAuliffe: "I'd just like to wish Skip Saviano a happy birthday and we have cake down at the front. So, let's have a hand for his birthday."

Speaker Hannig: "Happy birthday, Representative. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Thursday, May 20, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to Senate Bill 1605."

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Speaker Hannig: "Mr. Clerk, on the... on... on page 13, on the Order of Senate Bills-Third Reading, is Senate Bill 1006. Would you read the Bill, please?"

Clerk Mahoney: "Senate Bill 1006, a Bill for an Act in relation to environmental safety. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1006 basically allows for the construction of a development in the community of Ford Heights. And at the end of the completion of the project then a ski slope will be made. It's an economic development project that is... is wanted in my community. And I ask for favorable votes."

Speaker Hannig: "Gentleman has moved for passage of Senate Bill 1006. And on that question, the birthday boy from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. I stand in support of this... this Bill. Ford Heights, as you know, is a poor town. This is a chance for them to fix some blighted areas and really make some land right now, which is of no use, very useful for the residents of Ford Heights. And I would also ask for your favorable vote."

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

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

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

Black: "Representative, I have never seen a Bill come before this Body dealing with a waste site that is opposed by the IEPA. Can you briefly explain to me why the Illinois Environmental Protection Agency is opposed to this Bill?"

Miller: "Well, I think it... they're opposed because... I have... they have not spoken to me directly about it, but I think it's because it extends the height in which the developer can create the landfill."

Black: "I think it goes deeper than that, wouldn't you agree? I don't think it has anything to do with time."

Miller: "They have... they have not spoken to me directly."

Black: "Well, all right. Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Black: "Ladies and Gentlemen of the House, you can dress up... you can dress a pig in a tuxedo and take it to the prom, but I'll guarantee ya at midnight it's still a pig. This Bill... this Bill, you can dress it up however you wanna dress it up, this Bill is an outrage and a mess. In all due respect to my colleagues, let me just paraphrase why the IEPA is opposed to this Bill. This legislation is nothing more than an attempt by a particular dumpsite operator in Cook County to bypass all of the safe and costly dumpsite operation requirements that everyone else in the State of Illinois has to follow. Now, I don't know what kind of special interest legislation this is and I don't really care, but by god if dump operators in my

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district have to follow the law to the letter of the law then so should this site and where it's located makes no difference. This is a terrible Bill, an absolute violation of public policy. And I urge a 'no' vote."

Speaker Hannig: "Representative Granberg."

Granberg: "Will the a... will the Gentleman yield?"

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

Granberg: "Representative Miller, I understand what you're attempting to do in terms of economic development, but let me see if I understand this correctly. When I looked at the Bill last week, is there a height limitation for the amount of construction waste that can be placed on the ground at this site?"

Miller: "No."

Granberg: "So... And the waste that's going to be put on the site can be REBAR, concrete, plumbing equipment, electrical...?"

Miller: "No, my understanding is that it's clean and construction or demolition debris. So, for instance, when they reconstruct the Dan Ryan Expressway the debris that will be shipped to this area."

Granberg: "Okay. Yeah, when I looked at the Bill though, Representative, I thought I had seen in there that the construction would not... the waste would not necessarily be limited to construction waste but you could also have plumbing eq... in there, as well, and different other types wastes."

Miller: "That's not my understanding."

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Granberg: "Representative, indulge me. I'm gonna get the file 'cause I wanna look at the language 'cause I thought I remembered that. But when you do this site, you would allow this waste to be placed on this site, there would be no height limitation whatsoever. So, they could go five hundred feet, a thousand feet?"

Miller: "Well, the intention of the project is after this is constructed is to build a ski slope for the area. Not only during the... for the placement of the debris is there the city will receive economic dollars, but the end monies will be placed in an escrow so it can be turned into something that can be enjoyable and recreational for the citizens of Ford Heights. I think, where I grew up in Evanston there is a Mount Trashmore that may have been a similar issue similar to this."

Granberg: "But there is no height limitation on how much debris can be put at that site?"

Miller: "I didn't... That is correct, however, the... as far as the leveling off of the... of the material, the construction debris, still it would have to be fulfilled within EPA... Illinois State... Illinois EPA requirements."

Granberg: "Okay. Representative, I'm looking at the Bill and on the fi... on page 1, Section 3.160, subsection (a), 'general construction or demolition debris' means uncontaminated materials resulting from construction, remodeling, repair limited to the following: bricks, concrete, masonry, soil, rock, wood, nonhazardous painted, treated, and coated wood, wood products, wall coverings,

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plaster, drywall, plumbing fixtures, insulation, roofing shingles, reclaimed asphalt pavement, glass, plastics. But... so, it does contain a little bit more than construction debris, I believe."

Miller: "Okay."

Granberg: "Representative, so the plan would be for this construct... or for this site for the materials to be placed on the ground with no height limitation and at some day in the future a ski slope would be built upon that site. Is that correct?"

Miller: "That is correct. That is correct."

Granberg: "And is there a deadline when that ski slope would be... would be completed?"

Miller: "No, there is no deadline for the ski scope to be completed... ski slope to be completed, however, there is the funds in escrow to be able to complete the project once it's... once the... the fill is done."

Granberg: "I did not notice in the Bill where they had a bond placed up front before the debris would be placed on the ground. Can you show... can you just tell me on what page and what paragraph that is and what the amount of the bond is?"

Miller: "Well, the... I don't think there is a bond, but I do have an agreement between the Village of Ford Heights and the developers who wanna do this in my hand."

Granberg: "And what is the amount that the developer has to place in escrow before he is allowed... he or she is allowed to dump on this site?"

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Miller: "The escrow amount is a thousand dollars initial fund. But it's percentages of what is dumped, so within a year that fund could be a hundred thousand dollars. One percent, I believe of the fund of what they collect, part of the fund... one percent of the gross escrow goes to that, so that's between a hundred... maybe a hundred thousand. So, within the time frame this should be... they should have more than enough money to complete the... the..."

Granberg: "Well, what I'm... what I'm trying to address, David, is if they put a thousand dollars up front before they start putting all this material and debris on the ground and there's no height limitation, there's no date limitation, there's no restriction on how large this could be or what could be placed on it. And you're assuming and maybe rightfully so, that there will be funds adequate to address this situation whenever that day comes, it may be ten years, twenty years, thirty years. Because what would happen if that contractor, in fact, does not make it a ski slope, what, in fact, he or she goes bankrupt and doesn't have the monetary means afforded to them to pave or cover the site with the required amount of clay or other materials?"

Miller: "Well, the estimate within one year is... within three years it would... it was well in enough the amount of monies that would create a site. So, even with the monies that would be put aside there is still enough funding available for it, so..."

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Granberg: "Well, how much are they... they charging for the operator to dump this debris on the ground?"

Miller: "Give me one second."

Granberg: "That's all right."

Miller: "What was the question, Kurt?"

Granberg: "Representative..."

Miller: "The agreement... the agreement between the developer issues a two dollar fee for the tractor trailer with additional funds to go aside, so."

Granberg: "Two dollars a tractor trailer load for the debris."

Miller: "A semi-trailer... semi-tractor trailer truckload of material to be brought on site, with an additional dollar per truckload is received by the village under this agreement."

Granberg: "And if your staff could ask... Let me ask this question, see if your staff can assist. What is the normal amount paid for tipping fees for garbage? Is that done by ton or truckload?"

Miller: "I... I don't know."

Granberg: "Well, it's my understanding, Representative, in fact, the... the charge that the village that the contract they've entered into for the two dollars a truckload is substantially less than what is normally charged just for garbage."

Miller: "Well, I don't think... I don't think this legislation precludes any further agreements between that Village of Ford Heights and the developer to increase the fee. I mean, I wasn't a part of that... that discussion on that."

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But according to the estimates that I've received that once again they would have enough funds in order to turn the site into a ski slope."

Granberg: "Okay. Well, thank you, Representative. Mr. Speaker, to the Bill. And with all due respect to my good friend, Representative Miller, I know they're trying to do something for economic development, but I'm just a little hesitant to give anyone, anywhere, whether it's my district or some place else, the ability to dump waste and debris in an unlimited amount, with no height restriction, no date restriction, because the developer, potentially, and I think it happened during Silver Shovel, where they didn't have any money available at the end to actually clean the site or to prepare the site for the environment. So, we're setting a precedent here that there are no restrictions whatsoever on the dumping in terms of height and/or time period. So, I respectfully rise in opposition to the Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, I think the previous speaker was trying to detail some of this, but you... Would you tell us again, rather than a fee of a \$1.27 a ton, which is the normal tipping fee for construction demolition, which when I get truckloads of material in it's about 27... 27 tons is the.. the tare weight, that would equate to over \$30 a truckload. Now, what are you gonna get? Instead of 30 or 35 dollars a truckload, you're gonna accept what, at \$2?"

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Miller: "Yeah, what I'm sayin' is, I wasn't a part of negotiations on the... on the issuance of the fees of... of them putting it here. So, I..."

Winters: "Well, if that's part of the negotiations, you guys got rooked. You got absolutely rooked. You've gotta... you've gotta... some land that you wanna dump concrete on, you wanna dump lumber on it, you wanna dump... and it could be painted lumber, it could be plastic, it could be steel, all kinds of construction debris, you guys got took. You oughta admit that you... that you, in your negotiations, were completely out... hornswoggled on this deal and you're endangering not only your community but the rest of the state because you're creating a precedent for flouting environmental rules. Now, we asked business all across this state, as a privilege of doing business in this state, to follow our environmental rules. And I think... do you have any explanation for why you think that this one company oughta be allowed to ignore all the other rules that every other landfill has to do in this state? How... how can you set them aside as a separate example?"

Miller: "Well, I don't think it's... it's really doing so much for one company and in... I think it's more for economic development in the poorest community in Cook County, arguably one of the poorest communities in the state."

Winters: "Well, all I can say, if you're a poor community, what you're doing is taking a huge liability on with no way to pay it. What happens if they get this thing half full? It's only 50 feet or only 100 feet deep, uncovered, a

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hazard to your community, and you have no money available because you negotiated a rotten deal?"

Miller: "Well, that's why I'm glad you mentioned that because part of the agreement, according to the... the village and also the developers, is the fact that set-aside monies on this would be able to cover the cost of the ski slope... ski slope within one year."

Winters: "Well, the EPA, though, has set those regulations of \$1.27 a ton, in their best estimate, that is what is needed for post-closure of a landfill, construction and demolition debris landfill. Their best guess is that would be an adequate reserve and yet, you're taking approximately 5 percent of that. To me, you're taking an incredible risk and you're opening up this state for future lawsuits saying, hey, they did it for Ford Heights, they did it for communities of less than 15 million EAV, why can't you do it for other communities? You're creating a really poor precedent for our state. And as a... as a Republican who likes to think that there are some good aspects of environmental regulations, you're flouting this completely. I think it is a... a horrible precedent to set for this state and I certainly urge that this House not concur in this Amendment. Thank you, Mr. Speaker."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. To the Bill. Ladies and Gentlemen, part of the reason we're all here is to try to advocate for our district. The Representative has put a

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lot of time and his colleagues from the region have put a lot of time into advocating for their district. Like many of you, I have a strong pro environmental record. But this is a project where they are trying to take lemons and make it into lemonade. They are trying to take a landfill and rather than do something behind closed doors and through backroom deals, as have been done with landfills in the past that we know about, especially in Chicago, they've come through the front door and they've said, 'we've got an idea. We've got a creative solution to an unsightly problem.' Rather than condemn my seatmate here, I commend him and his colleagues who have worked for this. I commend his local officials that have worked for this. Folks, at onetime or another we are all gonna come before this Body and ask for a project that helps our economic development, our districts. It doesn't jeopardize anybody else's district, it doesn't set a precedent, it doesn't harm anybody else. It's something that is good for their locality. That's what he's supposed to be down here doing and that's what he's doing. I hope that you'll support him in that endeavor and the rest of his colleagues. Vote 'aye'. Thank you."

Speaker Hannig: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I speak to the Bill. The Representative is trying to do something for his district but, unfortunately, I can't stand in support of it. And the reason why is because I believe that the plan is just ill-conceived and

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it puts the state in jeopardy of having to possibly go in at a later date and help to pick up the cost of closing this. There are no guarantees, there is... there is no bond. There is no timeline for completion of the project, that all came out as a part of the committee hearing. It didn't pass out of committee without dissenting votes. I believe that it opens up the state to the possibility of an expense in the future if this company would walk away from the city that the Representative's working so hard to... to try and accomplish something for. Without those guarantees and without the bond, I... I believe that it's bad legislation. And I would encourage those of us down there that have to look out for the interest of the state first that we vote against it."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. I move the previous question."

Speaker Hannig: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The main question is put and Representative Miller is recognized to close."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This... this Bill is important to my district and I just want to make a few points very clear. That the Village of Ford Heights is considered one of the poorest communities in... in Cook County, if not the state, will receive additional dollars from each of the times... one of these trucks... relieve... put the debris at the site. This is

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from... dirt from one place, Dan Ryan, Kingery, whatever, to another. The intention is not to put any types of... all... what kind of products on there. So, not in... only in addition to the Village of Ford Heights receiving funds, but also there are monies put aside to do, once this project is complete, that it will be turned into a ski slope. This is economic development. This... this particular Bill is dealt in specific in an enterprise zone in a low-income community. I would ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall Senate Bill 1006 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 70 voting 'yes' and 44 voting 'no', 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, to ask your indulgence. Since I can't explain my vote, I would just like to make a comment on that Bill if I could that relates to my district."

Speaker Hannig: "Proceed, Representative."

Black: "Ladies and Gentlemen of the chamber, there's a small town in my district of 12 hundred people that will be fined by the IEPA for dumping clean construction debris after a disastrous fire that wiped out one full block of the two-block business district. They could not afford to pay

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the \$30 a ton dumping fee. They made an agreement with a farmer who had a ravine he wanted filled and that's where they dumped it. Everybody agreed to it. The IEPA has now come into the Village of Rossville and said, 'you can't do that. Doesn't make any difference if the farmer agreed to it, that's against the law. You'll now have to take the debris out of the ravine and you'll have to haul it to a dump and you'll have to pay the dumping fee.' There is no way this town of 12 hundred people can afford that. I see that what's fair for one community is not necessarily fair for another. I have seen a lot of things in this chamber and I'm gonna call it the way I see it. On that Bill, the 'fix' was in. That's as crooked as anything I've ever seen and shame on those of you who voted for it."

Speaker Hannig: "On page 13 of the Calendar is Senate Bill 1631. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "Senate Bill 1631, a Bill for an Act in relation to the Metropolitan Water Reclamation District. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is a clean up legislation for a Bill that we passed in 1999 that had unintended consequences for property that the Metropolitan Water Reclamation District owns outside of Cook County. This would simply clarify that the provisions we made in 1999 regarding to their property in Cook County being exempt from property taxes does not apply to other property that the district owns. That would be in Dupage,

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Will, and Fulton counties. I know of no opposition. The... the water district is, I believe, neutral on this. It has had quite an impact on my district as well as Representative Hassert's and I would ask for your favorable consideration."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker. Just to the Bill. I strongly urge my colleagues to support this Bill. It's really just basically for three different counties that basically it doesn't harm anybody else's. And miscommunication in the original Bill and this would correct it. Thank you."

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

Smith: "Thank you. I'd just ask for an 'aye' vote."

Speaker Hannig: "Okay. The question is, 'Shall Senate Bill 1631 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 114 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2175?"

Clerk Mahoney: "Senate Bill 2175, a Bill for an Act concerning municipalities. Third Reading of this Senate Bill."

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

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Jakobsson: "Thank you, Mr. Speaker. Please let the record reflect that on the last vote my button just wasn't working and I was pressing 'yes'."

Speaker Hannig: "Okay. And the record will so reflect. And Representative Ryg on Senate Bill 2175."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2175 amends the Municipal Code to provide statutory authority in two areas. First, it allows a property owner of a split residential lot that is platted in zoned residential to petition the court to allow the disconnection of a portion of the lot, so the entire lot is under one jurisdiction. The language for this legislation was negotiated and is now agreed to by all parties who had expressed concerns including the Illinois Municipal League and the Illinois Association of Realtors. The second provision of the legislation provides that a city council, in cities with populations less than 50 thousand, may, by ordinance, provide that the city council shall consist of six instead of four councilmen, and sets out the steps for the election of a larger city council. This legislation is presented to preclude violations of the Open Meetings Act and is supported by the Illinois Municipal League and the Illinois Press Association. This is the product of a major collaborative effort and I appreciate the consider... consideration and cooperation of my colleagues and their staffs from the other side of the aisle."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 2175. Is there any discussion? Then the question is,

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'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 Osterman, would you like to be recorded? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Senate Bill 2215?"

Clerk Mahoney: "Senate Bill 2215, a Bill for an Act in relation to finance. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Gordon."

Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, Senate Bill 2215 amends the State Finance... Finance Act by prohibiting the transfer of any funds from the Road Fund or the State Construction Account Fund. I urge an 'aye' vote."

Speaker Hannig: "The Lady moves for passage of Senate Bill 2215 and on that question, the Gentleman from Cook, Representative Parke."

Parke: "Representative... excuse me. Mr. Speaker, will the Sponsor yield?"

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

Parke: "Could you tell us a little bit more about this Bill than that... what you just said. I'm not sure... It seems like we wanna take... may not transfer any monies from the Road Fund or the State Construction Account into the General Road Fund. Can you explain what you're talking about there?"

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Gordon: "Yes, Representative. It... as amended, the Amendment became the Bill. It eliminates the 5 percent administrative Road Fund diversion that was enacted last spring. This... there's a provision that allows the director of the Governor's Office of Management and Budget... from time to time they direct the State Treasurer and State Comptroller to transfer specified sums from any fund held by the State Treasurer to the GRF in order to help with the state's operating costs for the fiscal year. Last year this... this went through and it took money out of the Road Fund. If this Bill passes, it will restore a hundred and forty million dollars for use in the state's Road Fund program. It will als... if what... with what happened last year, Illinois workers lost more than thirty-eight thousand jobs."

Parke: "Okay, is this... is this something that the current administration is supporting?"

Gordon: "I don't believe so."

Parke: "So, you... you think this is something that perhaps the Governor's Office may be opposed to?"

Gordon: "Yes, Sir."

Parke: "I see. Okay, so we're going to say you can't take any more than 5 percent out of the Road Fund or it's to restore 5 percent?"

Gordon: "It eliminates the 5 perc... the 5 percent administrative Road Fund diversion. So, it... it doesn't take money out of the Road Fund."

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Parke: "So, that's... and this can never... can be never done again? This is permanent."

Gordon: "No, I mean you can always try, you know, do legislation like there was last year I guess, but as of this point, hopefully with an 'aye' vote on this Bill that won't happen."

Parke: "Okay. Thank you Representative. I believe I'm going to be voting for this legislation. I'm very concerned about diversion out of the Road Fund of the State of Illinois and I think that this is a step in the right direction to make sure that we can continue to have money available for road construction to make the roads safer for... hopefully, it'd be used for viaduct repair and viaduct construction. Something that is absolutely necessary not only to make the State of Illinois safer, but to provide more jobs, which is what we're supposed to be about in this state. So, thank you, Representative."

Speaker Hannig: "The Gentleman from Madison, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. To the Bill. Just... for the Members on our side of the aisle and the other side of the aisle. As you know, the Legislative Leaders are currently meeting, I believe, with the Governor to discuss the budget. For years, several years now, we have used Road Funds for thing... things such as State Police, for helping pay Secretary of State Police. We don't like... I don't like, as a downstater and chairman of the Transportation Committee, to divert Road Fund money, but we have to be

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able to balance the budget. We've been able to use a limited amount of Road Fund money, over the years, to balance the budget. If this said that we would be required at some later date and we did divert to pay it back when we have adequate General Revenue Fund, I'd be for that. However, I think simp... since we are trying to balance the budget, trying to move forward and trying to insure that we have a balanced budget, I reluctantly rise and ask for a 'no' vote."

Speaker Hannig: "The gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I thank Representative Gordon for advancing this concept and in all due respect to my friend and colleague and one of the best chairpersons we've had in the House Transportation Committee for many years, Representative Hoffman, this Bill is long overdue. It has been the predilection of all... of the last three administrations, Republican and this current Democrat administration, that whenever you get into trouble you take money out of the Road Fund. And some of those diversions you can explain away as State Police or whatever, but when all is said and done the Road Fund is a user fee. And it should be used for the purpose that the taxpayer has to pay the user fee and that is to maintain roads and bridges and build new roads and bridges in the State of Illinois. It is about time that actual legislation was brought forward to stop this ever more

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popular practice of taking user fees to balance the budget. That's wrong. It's wrong in a Republican administration; it's wrong in a Democrat administration; it's wrong in any administration. I urge an 'aye' vote."

Speaker Hannig: "Representative Davis, Will Davis."

Davis, W.: "Thank you, Mr. Speaker. Sponsor yield?"

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

Davis, W.: "Representative, can you tell me exactly how much money is in the Road Fund?"

Gordon: "I don't have that information."

Davis, W.: "Excuse me?"

Gordon: "I don't have that information."

Davis, W.: "Oh, okay. Well, let me enlighten you then. It's my understanding that the Road Fund has quite a bit of money in it, and you indicated that... that there was a loss of thirty-eight thousand jobs as a result of what, Representative?"

Gordon: "Thirty-eight... Diversions from the Road Fund have cost Illinois workers more than thirty-eight thousand jobs."

Davis, W.: "Does that mean that the money that was taken out of the Road Fund completely depleted the Road Fund, that there were no funds to complete projects with?"

Gordon: "I'm pretty sure that's correct."

Davis, W.: "Okay. So, the Road Fund is zero now?"

Gordon: "No. I don't... I don't... I don't have the exact numbers that are in... that were in the Road Fund, Representative."

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Davis, W.: "Okay. Well, then just let me say, to the Bill, Mr. Speaker. Let me say, it's my understanding that the Road Fund has quite a bit of money in it. And if your statement about having lost thirty-eight thousand jobs because of diversions is correct, that means there is absolutely no money in the Road Fund and I would have to disagree with that statement. And it's not that there is not a lack of road projects that that money could be going to, and I don't understand what the rationale is for road projects being done. I've got a major road project in my district that I would love to see some of that money go toward. And if you're talking about the diversion of monies from the Road Fund and you can't tell me how much money is in the Road Fund, then I... I've got some... got some issues with your ability to carry this piece of legislation. I can't say that I would vote for it right now, but I would love to have the opportunity to take some of the money in that Road Fund and move it into my district. Thank you very much, Mr. Speaker."

Speaker Hannig: "Representative Stephens."

Stephens: "I can't believe what I just heard. The thirty-eight thousand jobs that were lost are because we took money that should have been paid to construction workers, people who build highways and roads and bridges, those thirty-eight thousand jobs are gone because the money that was meant to be spent on those projects got spent on some other service agency. So what happened Representative, is those... that money's gone. We won't get that back. So, if we don't... if

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we continue to take money out of the Road Fund, well, we won't get that project in your district. You'll never get it because there won't be money left. The Representative has brought forth an idea that is long overdue. Diverging money from the Road Fund was wrong in the Republican administrations of Thompson and Edgar and Ryan and it is just as wrong today. I understand my colleague from Madison County's point; well, we... we... we've gotta get through this budget. No better time than now, when we have a tough budget, no better time to quit finagling with the budget. There's a budget that has to do with the Department of Transportation also and that budget that this time when we have all of these challenges ahead of it... before us, now is the perfect time to rectify what has been a terrible practice for oh, too... so... too many years. I rise in support of the Lady's Motion."

Speaker Hannig: "The Gentleman from Cook, Representative Colvin."

Colvin: "Thank you, Mr. Speaker. To the Bill. I certainly agree with my colleague and I have much respect for her in that good roads in Illinois, like good roads in most of America, are essential to our commerce, travel and what have you. The only problem I've had here is the fact that we take one portion of our entire state's budget... our entire state's appropriation and handcuff the Chief Executer of the state, whomever it may be, and say, regardless of what we struggle with in the State of Illinois, this is a portion that's off the table. It

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becomes the Holy Grail of the State Government, that it can't be touched for any other purpose but. Now, here we are, 2004, struggling to meet the state's obligations. There are prisons being closed in the State of Illinois. There are Medicaid problems in Illinois, public aid problems and we're trying to find dollars to protect all these vulnerable programs in the State of Illinois, but at the same time in a program that funded fully every year, not spent fully every year, and say that this no longer can be part of the equation in which we attempt to balance the budget. Good roads in America is about interstate commerce and travel and anyone who's even vaguely familiar with the law knows that the law is to protect interstate commerce with respect to our federal highway system are principle. Many laws have been made based on those principles. So, in a year where we continue to struggle, however, dealing with all of the programs that many of us are down here trying to advocate and protect, to say that we can no longer even put this on the table and discuss it in good faith, I think is a little reckless. Because the decision only impacts this year, but your vote on this program will impact years to come and once we go down this road it'll be hard to ever turn around and go back. So, I would respectfully ask those individuals, my colleagues, who understand the problems of trying to face budget deficits, not just in 2004 but maybe in 2014, that you respectively vote 'present' on this Bill. Thank you."

Speaker Hannig: "Representative Jerry Mitchell."

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Mitchell, J.: "Thank you, Mr. Speaker. As my colleague, Representative Stephens, said, he couldn't believe what he just heard, I just can't believe what I just heard. Number one, once the budget is set and the determine is made how much money goes into the Road Fund that's a promise to the people all over the state of Illinois. The raiding of the Road Fund comes afterwards. What the Lady's trying to do is to help people keep their promises. Now, let's say everything is fair and on the table, then the Mass Transit Fund should also be raided. Let's move some of that money into the Road Fund. And if you think that it doesn't affect the whole state, you're mistaken. That kind of a slip is necessary. Bad roads mean... poor jobs means a loss of jobs, it means that people could be hurt or injured, you can't even get to a hospital in an emergency if you can't get through the road construction. If projects have to be stopped before they're finished, it hurts us all. I mean, let's use a little bit of intelligence in this thing, folks. Once the budget is set, the money is promised to go somewhere. You don't come back later and raid it saying, 'oh, I'm sorry, I need this for something else'. We don't go to Mass Transit and say, we need your money, thank you very much, let's put that into the downstate Road Fund for instance. We don't go to the Toll Highway Authority and say, 'I know that you... you take your money for tolls to use it for roads, but we need it for something else'. So, let's move that money in. Fair is fair. Vote for the Lady's Bill. This practice is unconscionable. Thank you."

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Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I rise in support of the Lady's Bill. For some of you Members that are new, I'd like to give you just a little history of what's been going on here for a while. Although the Road Fund doesn't necessarily impact bonding money that covers road projects, a lot of us negotiated road projects from Illinois FIRST. Over the past several years those road projects are gone even though they were on the list. And quite frankly, what they want municipalities in our area to do if they fix a road is to take over the road with no guarantee on how long it's going to be good. Also, the rumor is, if the Illinois Governor keeps raiding the Road Fund, our federal money will be cut. And now, there's a new bonding Bill out to do road projects. Instead of talking about it to the Legislature, they have written letters to individual municipalities telling them they will replace the road projects, which they took off, back on the list and to have your mayor call us and tell us to vote for the new bonding Bill. This is not a responsible way to run a road system. So, quite frankly, I think we need to get the whole system in perspective. This is only one of the beginning points. I rise in strong support of the Lady's Bill because, believe me, the roads and the construction of the roads are all out there for game playing at this point and I object to that strongly."

Speaker Hannig: "Representative Gordon to close."

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Gordon: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill is good law. This Bill puts the decision of how the Road Funds are used in the hands of the Legislature once again, not to the Office of Management and Budget. If the General Assembly wants to divert the Road Funds, then the General Assembly can vote on it. That's not the case right now. Let me tell you, I have the honor and privilege of standing in this Body and representing Grundy County. It is my home county. I have lived there my entire life, except for when I went to college and law school. That also gives me the county with the highest unemployment rate in the State of Illinois. Over half of that is due to... over half of those unemployed are labor. I meet with my labor advisory committee, I say, 'tell me about jobs, let's talk about this', and they say, 'stop raiding the Road Fund'. I stand here representing my district, with this Bill, and I urge an 'aye' vote."

Speaker Hannig: "The question is, 'Shall Senate Bill 2215 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 79... 78 voting 'yes', 28 voting 'no' and 9 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills-Second Reading, on page 15 of the Calendar, is Senate Bill 86. Mr. Clerk, can you read the Bill?"

Clerk Mahoney: "Senate Bill..."

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Speaker Hannig: "Mr. Clerk, let's just take that out of the record. It doesn't appear that the Sponsor is on the floor. And call Senate Bill 984."

Clerk Mahoney: "...senate Bill 984 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Molaro, has been approved for consideration."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you. Mr. Chairman, this is an Amendment brought by the Illinois FOP and the Chicago FOP and it has to do with the anonymous complaints. And this Bill says that if someone's gonna complain against a police officer, that would be a sworn affidavit. We passed that Bill and we put it in the Uniform Disciplinary for Police Officers Act last year. It was a court case that said it should be in a different place and that's where we're putting it now. That's what the Amendment does."

Speaker Hannig: "Is there any discussion? Then... The Gentleman from McHenry, Representative Franks."

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

Speaker Hannig: "The Sponsor indicates he'll yield."

Franks: "Representative, I'm looking at my analysis and it indicates that there are two opponents: the Illinois Sheriff's Association and the City of Chicago. Can you tell us... can you tell us why they're opposed?"

Molaro: "City of... the City of Chicago has taken the position that it should be collectively bargained."

Franks: "So, that should be done wha... how?"

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Molaro: "Collectively bargained."

Franks: "Okay. And why are the Sheriff's Association against this?"

Molaro: "Same... same position."

Franks: "Okay. Thank you."

Speaker Hannig: "Further discussion on the Amendment? The Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, our staff analysis shows that there's opposition to this legislation. Can you explain why there's... why the Sheriff's Department and the City of Chicago's opposed?"

Molaro: "I don't know if your serious, that's the same exact question Jack just asked me."

Parke: "Well..."

Molaro: "You couldn't hear it, I know, it's not your fault. As I said before, last year we passed this almost exact same Bill and we put it in the Uniform Disciplinary Police whatever that... whatever it's called. There was a judge up at Cook County that says, that basically 'cause you have collectively a bargaining agreement you should have put it in the Labor Act instead because the Labor Act trumps UDOP. So, that's what we're doing right here. The City of Chicago and the Sheriff's Association think that this type of item should be collectively bargained. That's what they think. They were in opposition for it last year when we passed it out and they're in opposition again this year."

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Parke: "So... so, is this an ongoing lawsuit with the City of Chicago?"

Molaro: "This... Well, there's a lawsuit. It's not on this... not on this particular issue. The lawsuit just says... When they filed the lawsuit, all they said is that the judge says you have the collective bargaining statute. The judge says you have to coll..."

Parke: "Thank you, Mr... Thank you, Mr. Sponsor."

Speaker Hannig: "Any further 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. No Motions filed."

Speaker Hannig: "Third Reading. On page 17 of the Calendar is House... excuse me, Senate Bill 2222. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "Senate Bill 2222 has been read a second time, previously. No Committee Amendments. Floor #... Amendment #1 has been adopted to the Bill. No Motions filed."

Speaker Hannig: "Representative Younge, do you wish us to move that to Third?"

Younge: "No, Take it out of the record."

Speaker Hannig: "Okay. Out of the record. Mr. Clerk, would you read Senate Bill 2251, Representative Saviano's."

Clerk Mahoney: "Senate Bill 2251, a Bill for an Act concerning professional regulation. Second Reading of this Senate Bill. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. And Mr. Clerk, would you read Senate Bill 2257?"

Clerk Mahoney: "Senate Bill 2257, a Bill for an Act in relation to public bodies. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to Senate Bill 2257 is the identical language that we passed last year on to the Senate. What it does, it gives the Water Reclamation Commissioners of Cook County a pay raise. The raises range from, I think, five thousand to sixty-five hundred depending what officers... whatever their titles are. And I would ask that Floor Amendment #1 be adopted."

Speaker Hannig: "Is there 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. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2270?"

Clerk Mahoney: "Senate Bill 2270 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 was adopted to the Bill. No Motions filed."

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Speaker Hannig: "Representative Mendoza, do you want this to move to Third? Okay. Third Reading. Mr. Clerk, would you read Senate Bill 2299?"

Clerk Mahoney: "Senate Bill 2299, a Bill for an Act in relation to fireworks. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Representative Saviano, do you want this to move to Third? Okay. Out of the record at the request of the Sponsor. Mr. Clerk, would you read Senate Bill 2349?"

Clerk Mahoney: "Senate Bill 2349, a Bill for an Act regarding schools. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2367?"

Clerk Mahoney: "Senate Bill 2367 has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Representative Coulson, do you wish this to move to Third? No. Okay. Out of the record at the request of the Sponsor. And Senate Bill 2382. Mr. Clerk, would you read that Bill?"

Clerk Mahoney: "Senate Bill 2382 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano."

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Saviano: "Thank you, Mr. Speaker. Floor Amendment #1 to Senate Bill 2382 is a collaboration of the Illinois State Medical Society and the Illinois Physical Therapists Association. I commend both groups for getting together and putting this Amendment together. And I'd ask that Floor Amendment #1 be adopted."

Speaker Hannig: "Is there 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. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 2496?"

Clerk Mahoney: "Senate Bill 2496, a Bill for an Act concerning adoption. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Let's take this out of the record until we get some direction from the Sponsor. Mr. Clerk, would you read Senate Bill 2536 for Representative Jefferson?"

Clerk Mahoney: "Senate Bill 2536, a Bill for an Act concerning the exercise of police powers by state employees. Second Reading of this Senate Bill. No..."

Speaker Hannig: "Okay. Out of the record, Mr. Clerk. Mr. Clerk, would you read Senate Bill 2878?"

Clerk Mahoney: "Senate Bill 2878, has been read a second time, previously. Amendment #1 was adopted in committee. Floor

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Amendment #2, offered by Representative Turner, has been approved for consideration."

Speaker Hannig: "Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It's indeed an honor to stand here to present this Amendment on behalf of Attorney General Lisa Madigan. Amendment #2 is an agreed Bill between the Illinois Attorney General's Office and the Department of Human Rights as well as the Illinois Chamber of Commerce. This Amendment, which makes the following significant changes, become the Bill. That is, the Amendment requires the Attorney General to conduct a preliminary investigation to determine reasonable care prior to initiating any civil actions. This Amendment also provides for an assurance of voluntary compliance, an agreement that parties can enter into resolving the matter, without litigation. The Amendment also provides that the AG can also seek injunctive relief and punitive damages. If an agreed party is seeking damages, they must file a charge first with the Illinois Department of Human Rights. And there is a section in this Amendment imposing civil penalties for repeat offenders and that is limited to prior offenses within a five-year time limit period. And I move for the adoption of Amendment #2 to Senate Bill 2878."

Speaker Hannig: "Is there 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?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 3064?"

Clerk Mahoney: "Senate Bill 3064, a Bill for an Act concerning elections. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read Senate Bill 3069? Out of the record, Mr. Clerk. Mr. Clerk, would you read Senate Bill 3077?"

Clerk Mahoney: "Senate Bill 3077, a Bill for an Act concerning mortgages. Second Reading of this Senate Bill. No Comm... Committee Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. And let's return back to Senate Bill... let's do Senate Bill 30... 86. Let's do Senate Bill 86, Mr. Clerk. Eighty-six, Mr. Clerk."

Clerk Mahoney: "Senate Bill 86, a Bill for an Act concerning schools. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative John Bradley, has been approved for consideration."

Speaker Hannig: "Representative Bradley on the Amendment."

Bradley: "Can you hold on just a second? Yes. This is the poverty grant language that came out of committee yesterday. It provides a hold harmless for districts that may have lost money under the poverty grant this year."

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

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

Speaker Hannig: "Mr. Clerk, read Senate Bill 31. Thirty-one. Senate Bill. Excuse me, Mr. Clerk. Let's move Senate Bill 86 to Third Reading. I think I failed to do that. And now let's read Senate Bill 31."

Clerk Mahoney: "Senate Bill 31, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 833."

Clerk Mahoney: "Senate Bill 833, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2205."

Clerk Mahoney: "Senate Bill 2205, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. Amendments #1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2206."

Clerk Mahoney: "Senate Bill 2206, a Bill for an Act in relation to budget implementation. Second Reading of this Senate

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Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2207."

Clerk Mahoney: "Senate Bill 2207, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 3013 on page 20 of the Calendar."

Clerk Mahoney: "Senate Bill 3013 has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted to the Bill. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read... On page 17 of the Calendar there's... appears Senate Bill 2244. Would you read the Bill?"

Clerk Mahoney: "Senate Bill 2244 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative John Bradley, has been approved for consideration."

Speaker Hannig: "Representative Bradley."

Bradley: "Thank you, Speaker. This is the methamphetamine Bill. It limits the amount of pseudophedrine ephedrine that can be purchased. It's a Bill that has been proposed and sponsored by the Attorney General's Office. I know of no opposition to it."

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Speaker Hannig: "On the Amendment. Is there any discussion? All in favor 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 Senate Bill 2830."

Clerk Mahoney: "Senate Bill 2830, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. Okay. On page 12 of the Calendar, under the Order of House Bills-Third Reading, appears House Bill 6415. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 6415, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Millner."

Millner: "Thank you, Mr. Speaker. House Bill 6415 amends the Child Curfew Act to comply with the judicial ruling by the U.S. Seventh Circa on the constitutionality of curfew laws. And I know of no known opposition and request an 'aye' vote."

Speaker Hannig: "The Gentleman moves for the passage of House Bill 6415. 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? Last call. Have all voted who wish? Mr. Clerk, take the record. On

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this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Concurrences, on page 26 of the Calendar, is House Bill 4566. Representative Lou Jones. Representative, we can... we can come back to that Bill if you're... if you're having trouble finding it. So, why don't we move... we'll stay on the Order of Concurrence and go to House Bill 4558. Representative Pihos on this measure. You ready? Okay. Proceed, Representative. Representative Pihos is recognized on the Motion to Concur."

Pihos: "Thank you, Mr. Speaker and Members of the House. I concur with Senate Amendment #1 which provides some clarifying language and brings the Department of Public Health onboard. It provides for a public awareness campaign instead of a public media campaign and increased training opportunities instead of suicide and... suicide and depression screening. I would entertain any questions at this time and ask for your 'yes' vote."

Speaker Hannig: "The Lady moves that the House concur in Senate Amendment #1 on House Bill 4558. 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? This is final action. Representative Granberg, would you like to record yourself? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill,

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having... and the Senate... the House does concur in Senate Amendment #1 to House Bill 4558. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Turner, would you like us to move forward on House Bill 4481 on the Order of Concurrence? Okay. Representative Turner, the Gentleman from Cook, is recognized."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I move that we concur with Senate Amendment 1 to House Bill 4481. The Senate Amendment... Take it out of the record."

Speaker Hannig: "Okay. The Gentleman asks that this be taken out of the record for the moment. Representative Jones, can we get back to your Bill? Okay. The Lady from Cook, Representative Jones, is recognized on the Motion to Concur on House Bill 4566. Representative Jones."

Jones: "Thank you, Mr. Speaker. I do concur with Senate Amendment 1. And basically what it says is the failure of the judge to inform the delinquent minor of his or her rights to petition for expungement, as provided by law, does not create a substance right nor is it the failure... failure grounds for the reversal of adjudication of a delinquent or a new trial or an appeal. Basically, what it says is that if... there's several things the judge is supposed to do in conjunction with the expungement. And if he fails to do one of these things, it does not give the right... the delinquent the right to... to appeal because of

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that one issue nor ask for a new trial. I ask for a favorable vote."

Speaker Hannig: "The Lady asks that the House concur in Senate Amendment #1. Is there any discussion? Then the question is, 'Shall the House concur in the Senate Amendment?' All in favor... And 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 63 voting 'yes' and 49 voting 'no'. And this Bill... and the House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Graham, for what reason do you rise?"

Graham: "I, on House Bill 4566, I had in... inadvertently pressed 'no', but I should have pressed 'yes'. I had done that by mistake. So, I wanna be recorded as a 'yes' on this Bill."

Speaker Hannig: "Okay. The record will show reflect your... will reflect your intentions. Representative Ba... Bassi, for what reason do you rise?"

Bassi: "Thank you, Mr. Speaker. My switch misfan... functioned, I would... wanted to be recorded as a 'no' on the previous Bill."

Speaker Hannig: "Okay. The record will..."

Bassi: "Thank you."

Speaker Hannig: "...reflect your intentions. And now Representative Turner, you're recognized on House Bill 4481."

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Turner: "Thank you, Mr. Speaker. And I apologize that I was not prepared when you called me earlier, I thought we were about to leave and I did not have the file in front of me. But Senate Amendment... the Senate Amendment 1 basically says that this Bill will take a fact... take effect upon becoming law. And so, we just changed the effective date of the legislation. And I move for the adoption of Amendment #1 to House Bill 4481."

Speaker Hannig: "So, the... So, Representative Turner moves that the House concur in Senate Amendment #1. 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? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And this Bill... and the House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Aguilar on House Bill 4788. The Gentleman from Cook is recognized on the Motion to concur."

Aguilar: "Thank you, Mr. Speaker. I move to concur Amendment 1 on House Bill 4788. It expands the definition of 'school grounds' and... it expands to protect the areas include lands adjacent to school ground. It allows for the protection from gang recruitment immediately for near schools as well as actual school grounds. I move an 'aye'... I urge a favorable vote."

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Speaker Hannig: "The Gentleman has moved that the House concur in Senate Amendment #1. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "The Senate Amendment expands the definition of 'school grounds'. How... how far does it expand that definition?"

Aguilar: "Just in the premises and around the school build... a few blocks away."

Black: "Public property adjacent to the school grounds. Is that... that... is that the expansion?"

Aguilar: "Usually where the school bus... where the school buses drop off the kids in the parking lot, park grounds."

Black: "Representative, it would only be public property adjacent, correct? Not private property?"

Aguilar: "Yes."

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

Speaker Hannig: "The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

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

Giles: "Representative, I apologize, I did not get a chance to ask a question on the original language, but I know the ammem... the Amendment that you're adding on is... is adding on the language dealing with the school grounds, but you... could you, just for a se... a minute for me, explain to me

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because I think in the original legislation it dealt... it deals with recruiting."

Aguilar: "Correct."

Giles: "In... in... in your own words, can you, I mean how can we tell an individual is being recruited and... and... and I guess, to what extent can we, and I just want to know for my own purposes, maybe I should have just come up to you and asked, but how can we tell an individual is being recruited?"

Aguilar: "Well, that when the student, you know, there's intimidation process in recruiting gangs inside the school and children are being intimidated to join the gangs. And sometimes they go unreported... to go unreported and when they report it to the principals and their parents and that's normally how they're aware of it."

Giles: "You know, Representative, I apologize, but I didn't hear one word you... you said, but I don't know if maybe it was noisy. I... I really want to know the answer. I really do."

Aguilar: "Usually... usually the kids are being intimidated to join street gangs while they're in school and sometimes they're reported to principals and parents. And that's normally how the process begins inside school ground."

Giles: "Okay. And so you're saying normally the kids may report this information to a principal..."

Aguilar: "Correct."

Giles: "...or... or..."

Aguilar: "Or parents. Or their parents."

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Giles: "...or a parent or a teacher and that's how we can prove that an individual... some individuals may be recruiting certain individuals."

Aguilar: "Correct. That gets the process going."

Giles: "I'll go with that, but you know, I think in the real world, I think if you know these situations like I know I do, oftentimes these students are too afraid to maybe say anything and this is sort of like a hush-hush society in which they do these things and that's... I just simply wanted to know how we can tell someone can be recruited. Thank you. Thank you, Representative."

Speaker Hannig: "Is there any further..."

Aguilar: "Thank you, Representative, you had a good question to ask."

Speaker Hannig: "...is there any further discussion? Then Representative Aguilar is recognized to close."

Aguilar: "Thank you very much. I ask for an 'aye' vote. This is a legislation to protect our children while they are going to school and it's really gonna limit the intimidation of street gangs and the danger in it to our school children... are imposed when they're on a school ground. And I ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4788? 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 110 voting 'yes', 1 voting 'no' and 1 voting 'present'."

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And the House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, would you like to concur on House Bill 4247? On the Order of Concurrence, page 25 of the Calendar."

Black: "Mr. Speaker, I believe I filed a Motion to Nonconcur. The Senate Amendment destroys the original intent..."

Speaker Hannig: "Okay."

Black: "...of the Bill and there's no way I'll accept that and there's no way the Majority Leader will accept that. So, given that fact, I filed a Motion to Nonconcur."

Speaker Hannig: "So we're... you're recognized to nonconcur, Rep...?"

Black: "Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, the Senate Amendment changes... goes far beyond what we wanted to technically address in the verbatim Open Meetings Act. All the original Bill did when it left here was to change the word 'may' to 'shall' and I think everybody that was involved in that Bill agreed with that change. When it came back from the Senate with an Amendment, it added certain judicial proceedings that would be able to access the... a tape of the closed meeting. I... I move that we nonconcur with that Senate Amendment."

Speaker Hannig: "The Gentleman moves that the House not concur in Senate Amendment #1 to House Bill 4247. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House nonconcur in the Senate Amendment. Representative Jefferson, would you like to concur in House Bill 4403?"

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Mr... You're recognized Mr. Jefferson. The Gentleman from Winnebago."

Jefferson: "Thank you, Mr. Speaker, Members of the House. I concur with Senate Bill... Senate Amendment #1. And basically what it does is provides that the clerk of the circuit court may notify the Secretary of State if there's any violations in relation to paying the fines. It also sets the age for who can have a driver's license. It also sets the times that you can not be penalized if, in fact, you're in violation of not paying your Vehicle Codes. I would urge passage of this Senate Amendment."

Speaker Hannig: "The Gentleman moves to concur in Senate Amendment #1. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. We owe the Sponsor of this Bill an apology. We read into the record yesterday a fiscal note that we had when this Bill left the House. And there is a procedural problem that I think we need to address, Mr. Speaker and perhaps legal counsel and your chief of staff could look at this. When things are changed in the Senate and we ask for a fiscal note, as amended, the Clerk is under the direction not to except that fiscal note, so we... all we had to go on was the old fiscal note that said it would cost two hundred and fifty thousand dollars the first year and a hundred and fifty thousand dollars thereafter. The Secretary of State filed a fiscal note when this Bill was in the Senate, as amended with Senate Amendment #1, and

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as amended by Senate Amendment #1, this Bill has little or no fiscal impact on the office of the Secretary of State. My apologies, Representative and I appreciate you talking with me about that. I wanted to make sure that that's on the record. Having said that, Mr. Speaker, I still have some serious concerns about the Bill, but I think there are others who are eminently more qualified than I to address some of the potential concerns with the Bill. But I do appreciate the opportunity to correct the fiscal note that we had that was outdated because all we had was the fiscal note as filed, when the Bill was in the House."

Speaker Hannig: "Is there any further discussion? Then Representative Jefferson would you like to... excuse me, Representative Winters."

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

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

Winters: "I'm just reading our analysis. This looks like this is the language of House Bill 4539 that was added on in the Senate. This Amendment adds that language. Our analysis says that that Bill failed in the House with 37 'yes' and 73 'no' votes. Is that a correct analysis of the Bill?"

Jefferson: "I'm not sure if that's the case or not. I'm not familiar with that Bill, Representative."

Winters: "Can you then... well, can you explain Senate Amendment 1 to us a little better, so we can see if, in fact, it is one that we might jog our memory and realize that we all voted against."

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Jefferson: "Sure. Senate Amendment #1 provides that the clerk of the circuit court may notify the Secretary of State if any resident of the state makes only a partial payment of any traffic fine, penalty or cost imposed for a violation of the Illinois Vehicle Code after the effective date of the new Act and does not pay the remainder of the outstanding fine, penalty or cost within the time limits set by the court. The Secretary of State is then required to prohibit the renewal, the reissuance, or the reinstatement of such resident's driving privileges until the outstanding fine, penalties or cost have been paid in full. That is the Amendment."

Winters: "Is this... I'm trying to understand this. Is... is this... of... the Cook County Clerks Bill it. If you don't pay the full fine, that they would have the authority then to pull your license?"

Jefferson: "That's exactly right until you made full payment. This is only a traffic violation, anything of that nature. You cannot make partial payments. What this is saying is that you have to make the full payment before your license is given back to you or reinstated."

Winters: "So you're using the Secretary of State's Office as a collection agency then?"

Jefferson: "The Secretary of State is the one that required this language in the Bill."

Winters: "Okay. Is this applicable only to those fines in Cook County or is this statewide?"

Jefferson: "This is statewide."

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Winters: "Okay. No further questions? Thank you."

Speaker Hannig: "Representative Jefferson to close."

Jefferson: "Thank you, Mr. Speaker. I would urge and encourage my colleagues to support this Bill. It's a good Bill. I would urge a 'yes' vote."

Speaker Hannig: "The Gentleman moves that the House concur in Senate Amendment #1. And 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 68 voting 'yes' and 43 voting 'no'. And the House does concur in Senate Amendment #1. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 31 of the Calendar, under the Order of Resolutions, is House Joint Resolution 64. Representative Steve Davis is recognized."

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Joint Resolution 64 creates a study committee to investigate and hold public hearings about the effects of U.S. trade policy on Illinois jobs and farms. This initiative was brought to me by the United Steel Workers of America and the AFL-CIO. And there are provisions in here that outlines the number of members to be appointed to this committee. And it has the support of the Illinois Manufacturers' Association; they are included in this... in this committee. And I would be glad to answer any questions on the... on the Joint Resolution."

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Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Resolution be adopted?' All in favor vote 'aye'; opposed vote '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 112 voting 'yes', and 0 voting 'no'. And the Resolution is adopted. Rep... Representative Mathias, for what reason do you rise?"

Mathias: "Yes. Thank you, Mr. Speaker. On House Bill 4403, I had voted 'no' and then accidentally pressed the 'yes' button when I meant to vote 'no'. Would the record reflect that?"

Speaker Hannig: "The record will so reflect that. And on page 32 of the Calendar, under the Order of Resolutions, is House Joint Resolution 79. Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. House Joint Resolution 79 requests that the United States Congress increase appropriations to the State of Illinois for sexual assault prevention and counseling services. The Federal Government has recently begun to decrease funding for such services. The Resolution also recognizes the 33 rape crisis centers in the State of Illinois for their hard work and dedication serving victims of sexual assault. This is an initiative of the Illinois Coalition Against Sexual Assault. There's no known opposition. It would not have any neg... negative fiscal impact to the state and on the contrary, if the Federal Government would acknowledge it, it would increase federal funds for the state for such services."

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Speaker Hannig: "The Lady has moved for the adoption of House Joint Resolution 79. Is there any discussion? Then all in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. We're going to advance the Bills on Supplemental Calendar #2. So, Mr. Clerk, would you read Senate Bill 2208?"

Clerk Mahoney: "Senate Bill 2208, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2209."

Clerk Mahoney: "Senate Bill 2209, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2210."

Clerk Mahoney: "Senate Bill 2210, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 2211."

Clerk Mahoney: "Senate Bill 2211, a Bill for an Act in relation to budget implementation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. And now on the Order of Supplemental Calendar #1, under Senate Bills-Second Reading. Mr. Clerk, read Senate Bill 3340."

Clerk Mahoney: "Senate Bill 3340, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Let's hold that on the Order of Second Reading, and read Senate Bill 3343."

Clerk Mahoney: "Senate Bill 3343, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Hold that on the Order of Second, and read Senate Bill 3350."

Clerk Mahoney: "Senate Bill 3350, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Hold that on Second, and read 30... Senate Bill 3356."

Clerk Mahoney: "Senate Bill 3356, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Hold that on Second Reading, and read Senate Bill 3359."

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Clerk Mahoney: "Senate Bill 3359, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Let's hold that on Second Reading, and read Senate Bill 3361."

Clerk Mahoney: "Senate Bill 3361, a Bill for an Act making appropriations. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Let's hold that on Second, and read Senate Bill 3362."

Clerk Mahoney: "Senate Bill 3362, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Let's hold that on Second Reading, and read Senate Bill 3367."

Clerk Mahoney: "Senate Bill 3367, a Bill for an Act making appropriations. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Let's hold that on Second, and read Senate Bill 3368."

Clerk Mahoney: "Senate Bill 3368, a Bill for an Act making appropriations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Okay. Let's hold that on the Order of Second Reading. Repre... Representative Moffitt is recognized."

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Moffitt: "Thank you, Mr. Speaker. I rise to a point of personal privilege."

Speaker Hannig: "State your point."

Moffitt: "Ladies and Gentlemen of the House, next week on Tuesday morning Representative Smith and I would like to invite everyone, we're gonna have a meeting of the Fire Caucus at 7:30 a.m. There are two 7:30s and this is the a.m. one. We'll be in Room 115, make it as brief as possible. We would like to consider bylaws. Monday I will have copies of bylaws available to anyone that would like to look at the proposed bylaws for the Fire Caucus. Meeting tentatively Tuesday, 7:30, we think it will stand, but Tuesday, 7:30, Room 115, Fire Caucus. I don't know if Representative Smith had anything he wanted to add, but the Senate Members will be joining us too. So, those interested, we hope you can come. Thank you."

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

Froehlich: "For a point of personal privilege."

Speaker Hannig: "State your point."

Froehlich: "I'd just like to recognize the proprietor of Pat's Pizza, who is still out in the hallway, still cooking pizza. It's Nick Pianetto. He makes the finest thin crust pizza in Chicago."

Speaker Hannig: "And we thank you. Mr. Clerk, would you read the... Excuse me. Representative Turner, for what reason do you rise?"

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Turner: "I heard Representative Moffitt speak about the Fire Caucus. Could he briefly describe what is the Fire Caucus? Do they smoke? Put out fires or start fires? What does that mean? Or do you have to be a fireman? He said fight or fire?"

Speaker Hannig: "Representative Moffitt."

Turner: "Hot stuff?"

Moffitt: "Representative, I assure you that you qualify to be a member of the Fire Caucus even if you don't smoke or fight fires."

Turner: "Okay."

Moffitt: "No, that's anyone that's interested in working to advance legislation for the fire service. And we passed a lot of Bills that the Fire Task Force that held hearings, 22 hearings, around the state two years ago and continue to work with the fire service."

Turner: "Okay."

Moffitt: "Just like the Sportsman's Caucus advance interest of sportsmen in the State of Illinois."

Turner: "Okay."

Moffitt: "So, we'd invite you to be at the Fire Caucus too."

Turner: "And this is... I... I think, and I would assume this is in teaching them about prevention as well as looking out for the safety of the firemen themselves, but we're not learning how to start fires though, right? There's nothing that I can take home to my local Boy Scout troop in terms of camping tips? Thank you, Representative."

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Speaker Hannig: "Mr. Clerk, would you read the Agreed Resolutions?"

Clerk Mahoney: "On the Order of Agreed Resolutions. House
Resolution 942, offered by Representative Dunkin. House
Resolution 944, offered by Representative Munson. House
Resolution 945, offered by Representative Pritchard. House
Resolution 946, offered by Representative Dugan. House
Resolution 947, offered by Representative Reitz. House
Resolution 948, offered by Representative Reitz. House
Resolution 949, offered by Representative Krause. House
Resolution 950, offered by Representative Boland. House
Resolution 951, offered by Representative Stephens. House
Resolution 952, offered by Representative Howard. House
Resolution 953, offered by Representative Rose. House
Resolution 954, offered by Representative Lindner. House
Resolution 956, offered by Representative McAuliffe. House
Resolution 957, offered by Representative Osterman. House
Resolution 958, offered by Representative Osterman. House
Resolution 959, offered by Representative Mathias. House
Resolution 961, offered by Representative Brosnahan. House
Resolution 963, offered by Representative Granberg. House
Resolution 964, offered by Representative Bost. House
Resolution 965, offered by Representative McGuire. House
Resolution 966, offered by Representative Jefferson. House
Resolution 968, offered by Representative Giles. House
Resolution 969, offered by Representative Churchill. House
Resolution 972, offered by Representative Dugan."

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Speaker Hannig: "Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Agreed Resolutions are adopted. Mr. Clerk, read the Adjournment Resolution."

Clerk Mahoney: "House Joint Resolution 88.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the two Houses adjourn on Thursday, May 20, 2004, the House of Representatives stands adjourned until Monday, May 24, 2004 at 4:00 p.m.; and the Senate stands adjourned until Monday, May 24, 2004, at 3:00 p.m."

Speaker Hannig: "Representative Currie moves for the adoption of the Adjournment Resolution. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Adjournment Resolution is adopted. Representative Rose, for what reason do you rise?"

Rose: "There'll be a meeting of the Third Row Caucus immediately after Session. The Third Row Caucus immediately after Session. Thank you."

Speaker Hannig: "Okay. Now, Representative Currie moves, that allowing perfunctory time for the Clerk, that the House stand adjourned until Monday, May 24 at the hour of 4 p.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House stands adjourned."

Clerk Mahoney: "The House Perfunctory Session will now come to order. On the order of introduction to Senate Bills. Senate Bill 2791, a Bill for an Act concerning mobile

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homes, offered by Representative Kel... Kelly. Senate Bill 2800, a Bill for an Act concerning criminal law. Referred to House Committee on Rules: House Resolution 955, offered by Representative Brauer. House Resolution 960, offered by Representative Krause. House Resolution 962, offered by Representative Colvin. House Resolution 970, offered by Representative Dunn. House Resolution 971, offered by Representative Leitch. House Joint Resolution 67, offered by Representative Millner. There being no further business, the House Perfunctory Session will stand adjourned."