

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

132nd Legislative Day

5/24/2004

Speaker Turner: "The hour of 4:30 having arrived, the House will be... House will come to order. We shall be led in prayer today by Pastor Ron Ferguson with the Goreville First Baptist Church in Goreville, Illinois. Pastor Ferguson is the guest of Representative Phelps. Members and guests are asked to refrain from starting their laptops, turn off all cell phone and pagers and rise for the invocation and the Pledge of Allegiance. Pastor Ferguson."

Pastor Ferguson: "Thank you. I'd like to read the last paragraph of a prayer from Hannah Leah Mays, May the 16th at a baccalaureate service in Goreville. Hannah wrote this to her classmates. 'Keep all these young men and women safe and in Your arms, Lord. They all have a calling from You and I ask that You show it to them so that they can fulfill it. Lord, once again I ask You to bless them each and every day and help us to keep our eyes and our feet set on You and Your will.' Shall we pray together. Father, help this assembled Body to keep us safe. Let each and every Member, staff and elected officials understand their calling from You and from the citizens of the State of Illinois. Help them to fulfill their calling and help us, each and every one of us, to keep our eye on You and keep our feet set in the path that You would have us trod. In our Savior's name we pray. Amen. Amen, thank you."

Speaker Turner: "We'll be led in the pledge today by the Gentleman from Iroquois, Representative Cultra."

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Cultra - 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 Turner: "Roll Call for Attendance. The Gentleman from Jackson, Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Osmond is excused today."

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

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Gordon, Morrow and Scully are excused today."

Speaker Turner: "The record will so reflect. 114 Members being present, a quorum is... 114 Members being present, a quorum is present. And we shall proceed with business. Mr. Clerk, what's the status of Senate Bill 2617?"

Clerk Mahoney: "Senate Bill 2617 is on the Order of Third Reading."

Speaker Turner: "The Gentleman requests leave to bring it back to Second. Place it on the Order of Second. We're going to move to the Order of Senate Bills-Third Reading. And on that order, page 14 of the Calendar, we have Senate Bill 2244. Representative Bradley. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2244, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Williamson, Representative Bradley."

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Bradley, J.: "Thank you, Mr. Speaker, Members of the chamber.  
I've gotta get my coat on, my dad may be watching."

Speaker Turner: "Check your collar."

Bradley, J.: "Thank you. This is the meth Bill. This is the Bill that has been a subject of negotiation between the Attorney General's Office, various state agencies, local law enforcement, as well as the retail merchants and others. I know of no opposition to the Bill. What we're doing with this Bill in a bipartisan approach is taking the yeast out of the cake. In other words, methamphetamine cannot be made without the key components of ephedrine or pseudoephedrine. And by this Bill, we're limiting the amount of pseudoephedrine and ephedrine that can be purchased and thereby taking the flour or the yeast out of the cake and limiting the ability to make methamphetamine within the State of Illinois. It's a significant piece of legislation. It has the endorsement and support of the Illinois Retail Merchants Association. I want to commend all the parties that have been involved in this effort. And I would ask for an 'aye' vote."

Speaker Turner: "The Gentleman from Hol... from St. Clair, Representative Holbrook, for what reason do you rise?"

Holbrook: "Purpose of a short announcement. There's some cookies down front. Today's a very special day. It's my seatmate, Mike Smith's, birthday. He's a 38 special, 38 today."

Speaker Turner: "Happy birthday, Mike. The Gentleman from Cook, Representative Fritchey, for what reason do you rise?"

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The Gentleman from Champaign, Representative Rose, for what reason do you rise?"

Rose: "To the Bill, Mr. Speaker."

Speaker Turner: "To the Bill."

Rose: "Ladies and Gentlemen of the House, I want to commend the Sponsor and also the Attorney General's Office on this package. I'm proud to be listed as a hyphenated cosponsor. In downstate Illinois, many of you have heard me talk time and time again about what is happening with crystal methamphetamine and the scourge it's become of our... of our counties and our towns in our communities. Coles County, the county I grew up in, on any given day the sheriff down there estimates that anywhere from... approximately a third of the jail population is methamphetamine-related. I really appreciate the Sponsor's willingness to work on this, to include our side of the aisle with this, as well as the Attorney General. As the Sponsor says, if you take methamphetamine off the streets... if you take Sudafed off the streets you limit the amount of methamphetamine that can be produced. This will be a positive Bill that will impact our communities in a positive way by directly limiting the amount of methamphetamine that can be manufactured. I really appreciate your... your support on this, folks, and please vote 'aye'. Thank you."

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

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

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Speaker Turner: "He indicates he will."

Howard: "Yes. Representative Bradley, I had a conversation with someone about four weeks ago who was telling me about how terrible this particular drug was devastating some of the southern parts of the state. But this morning I hear that things are coming to the north and, in fact, that the Chicago... Chicago area might be, at some point, affected negatively by this. Tell me, didn't we have several Bills last term... last year, in fact, that spoke to attempting to get a handle on this problem?"

Bradley, J.: "The people sitting next to me are saying, yes. But, Representative, I wasn't here, so... I believe there were, yes."

Howard: "Well, I'd just like to know if we're passing Bills, I mean, are you saying that they're not being... the Bills don't get off the Governor's desk or... or what... what's happening? If this is so serious and we have... I remember four or five Bills last year. What is the reason that whoever is not been taking them seriously?"

Bradley, J.: "Well, my understanding is that a lot of the Bills... and I... I don't know for sure which... which Bills came out last year. But my understanding is a lot of the Bills focus on the criminal punishments, et cetera. What we're trying to do here is limit the availability of the substances necessary to make the meth. I think there was one Bill last year which was... in dealing with the limitation of anhydrous ammonia, which is another component that's needed in making meth. Certainly, we just keep

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chipping away at this and I think one of the reasons the Attorney General has taken such a strong stance on this and one of the reasons you see such bipartisan repro... approach to this, because it is an epidemic in Southern Illinois and it is coming to the city. And we're trying to stop it before it gets there. And what we've done has been good, but we need to do more. And so we're trying to do more with this."

Howard: "Well, I certainly commend you and I certainly hope that you do, in fact... that we are, in this state, in fact, able to do something about it. We have many, many problems in the city..."

Bradley, J.: "Right."

Howard: "...and we certainly don't need to add this particular drug to... to the problems we already have."

Bradley, J.: "Right."

Howard: "Thank you."

Bradley, J.: "Thank you."

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

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

Speaker Turner: "To the Bill."

Flider: "An earlier speaker had made reference to some legislation last year that was enacted with regard to this problem. And indeed, when you get downstate into the areas like Shelby County and so on, it has become prevalent. It is an epidemic, not only by people who manufacture it, but people who use it. And last year we ended up looking at a

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series of Bills and they were passed, and largely through the initiative of Attorney General Madigan. But they took on the concern regarding cleanup of legis... of meth sites. So, for example, if a... if a person had been convicted of having a meth site, that person who is convicted would have to clean it up. Last year we dealt with the problem where adults would put kids who are in the vicinity of a manufacturing site of meth in harm's way. And they... we would have doubled the penalties. So, we looked at a number of different issues. And this legislation, of course, has to deal with buying or giving people the opportunity to have less... I guess you'd say, have less access to the kinds of prescription drugs or the kinds of medicines that would be used to manufacture meth. And so, we're moving in a certain direction here and I think everything we did last year was all good and... and made a big difference in terms of prosecution of those perpetrators. And this year what we're looking at is more of a preventative kind of a piece of legislation. And so, we just want to make sure that it's less... there are less opportunities to manufacture it through inadvertent opportunities that may occur in retail establishments. And I would just like to take this opportunity to thank the law enforcement community for working with us on this measure, as well as the Attorney General's Office, as well as the retailers who stepped up to the plate and said, 'Ya know, we know that this is a problem and our retailers wanna help stem this epidemic as well.' So, there's sort of a long

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history and who knows we may be back next year if we still have problems. But this is a good step in the right direction in trying to stop this scourge on our society. Thank you."

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

Fritchey: "Thank you, Speaker. To the Bill. Ladies and Gentlemen, this is a truly large issue that we're dealing with. And it was a very substantive piece of legislation for an incoming Representative to take on. A few weeks ago I had an opportunity to go and meet with the gentleman that runs a farm supply store. And to give a sense of the problem, the first issue that this talked to me about had nothing to do with agriculture, had nothing to do with farming. It had to do with the fact that his facility was being broken into on an almost nightly basis by people trying to steal anhydrous ammonia in order to make meth. The problem of meth is a growing one. It is coming our way for those of you in the city, unfortunately. All you need to do is look to New York City and they are facing this now. With respect to my colleague who asked about the previous measures that we had passed, as a problem evolves our understanding of that problem evolves as well. And I think all of us recognize that the solution to any problem isn't simply locking up the offenders, but trying to take the problem on from the front end. What the Sponsor of this legislation has recognized and is doing is that we are going to try to take this on from the front end and try to



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reduce the amount of these offenses that happen, try to reduce the amount of crime that comes from these offenses, try to reduce the amount of lives that are lost from these offenses and the costs to our state that comes from these offenses. He has done a phenomenal job of working with both the interests groups that are involved as well as the people on both sides of the aisle. This is not a downstate issue, it is not a rural issue, a suburban issue. It's going to affect all of us. I think... and I think the vote should show that this Bill is a no-brainer. I commend the Sponsor for doing it and I sugg... recommend an 'aye' vote. Thank you."

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

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

Speaker Turner: "He indicates he will."

Black: "Representative, what is a... what is a tar... give me an example of a targeted package? Is it something like appears on Representative Mulligan's desk? I don't know what that is, but it looks like a targeted package to me."

Bradley, J.: "Like Sudafed and blister packs, yes. I can't see what's on her desk."

Black: "Well, it looks like... looks like something security should have stopped her from bringing in. I'm not sure what it is."

Bradley, J.: "Can we get security down there?"

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Black: "I... I would feel much safer. It looks like a plutonium plunger sitting down there, but whatever. Back to the original matter at hand. It also bothers me that she's working on it a great deal. So, a targeted package would be one box of Sudafed, 12 tablets to a box... a package?"

Bradley, J.: "I'm not sure exactly the exact package, I think it differs. But what we're doing is we're limiting the number of containers or the total amount, which is 3 grams."

Black: "All right. So, if I owned a independent pharmacy in a small town, I have 20... I've got 20 linear feet of... of shelf space for nonprescription items, you're telling me I can only put 2 boxes..."

Bradley, J.: "No."

Black: "...of Sudafed out?"

Bradley, J.: "No, I'm sorry. You can only... a person can only purchase 2 per transaction."

Black: "Okay. So, I..."

Bradley, J.: "An individual."

Black: "I may have a... I may be able to put 24 boxes of Sudafed, but the person buying it would be limited to 2?"

Bradley, J.: "Right. And... and there are... there are safe... safeguards which are placed upon placement which have a... been agreed to by the retail merchants and..."

Black: "Okay."

Bradley, J.: "...was a... was a hot topic in negotiations."

Black: "Well, I'm glad you explained that. That makes imminent good sense, 'cause the first time I read this I thought,

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why don't we just limit the package. I mean, if a guy comes in and wants to buy 100 packages of Sudafed..."

Bradley, J.: "Right."

Black: "Hello, that should send off an alarm."

Bradley, J.: "Right, and that's the whole point. One of the big..."

Black: "Okay."

Bradley, J.: "One of the big..."

Black: "All right."

Bradley, J.: "...parts of this, Representative Black, is education and the retail merchants have agreed to an education as part of this proposal. And that's... I mean, the cashier's are on the front line of this war."

Black: "Okay."

Bradley, J.: "And if they're educated then they can look out for those warning signs."

Black: "Now, well, I... I think I've got the gist of it now. So, it wouldn't be a case where it's a one pharmacy, one-clerk store, somebody comes in and says, 'Oh, they're out a Sudafed.' And they may not ask. And that's all going to be part of this educational process, right?"

Bradley, J.: "It's gonna be part of them educatin' their employees..."

Black: "Okay, fine."

Bradley, J.: "...to look for the warning signs."

Black: "Yeah, that... well that makes eminent sense, and I appreciate it. And before you're through summar... summarizing the Bill, you can have security check whatever

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package this is down here, I'd feel much safer. Thank you."

Bradley, J.: "Thank you."

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

Graham: "Thank you, Mr. Speaker. To the Bill. I want to stand and... and commend the Sponsor of this piece of legislation for working on this issue. And I've heard so many precious comments about epidemics in the various communities where people live. There are a number epi... number of epidemics going on. We are fighting on a regular basis where we live in the City of Chicago, crack cocaine, heroine, the whole nine yards. And I want to thank you guys for some of the precious comments that were said that locking the people up isn't always the answer. That we need to take a frontal approach. So, I want to commend the Sponsor on this piece of legislation and ask this Body that when we continue to try to move forward with taking a frontal approach to some of the other epidemic... epidemics that are in our community, that we can draw some... draw on some of this same strength and the same support that is coming out for this piece of legislation. Thank you."

Speaker Turner: "The Gentleman from Williamson, Representative Bradley, to close."

Bradley, J.: "I wanna thank everyone for all their support. I wanna commend the Attorney General's Office and the Retail Merchants and all law enforcement. I wanna thank you for

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all your kind comments. And I would ask for an 'aye' vote."

Speaker Turner: "The question is, 'Shall the House pass Senate Bill 2244?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, we have... page 15 in the Calendar, we have Senate Bill 22... the Gentleman from Fulton, Representative Smith, for what reason do you rise?"

Smith: "Thank you, Mr. Speaker. For the purpose of an announcement."

Speaker Turner: "State your purpose."

Smith: "The Fire Service Caucus will hold a meeting tomorrow morning at 7:30 a.m. in Room 115. Representative Moffitt announced that last week. This is a reminder. Also, Representative Moffitt has copies of the proposed by-laws on his desk if anyone would like to see them prior to the meeting tomorrow morning. Again, that's the Fire Service Caucus, tomorrow morning, 7:30, Room 115."

Speaker Turner: "On the Order of Third Reading, we have Senate Bill 2270. Representative Mendoza. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 2270, a Bill for an Act concerning the Department of Public Health. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Rep..."

Mendoza: "I'm trying to get it up on my screen. If you can hold it for one moment, please? Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2270 is a Bill that deals with the nursing workforce database. We had spoken a little bit about this earlier in terms of providing a necessary database to address the worker shortage in the nursing field. This Bill would address that. There is no known opposition to this Bill. I'd be happy to answer any questions. I would ask for your support."

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

Black: "Thank you, Mr. Speaker. Sponsor yield?"

Mendoza: "Yes."

Speaker Turner: "She indicates she will."

Black: "Representative, what... the Department of Public Health estimated at one time what this would cost."

Mendoza: "Yes."

Black: "Do you have that in your... on your screen?"

Mendoza: "Yes, Sir. It's approximate cost of 150 thousand to 250 thousand dollars."

Black: "Oh. I wonder... I wonder why they told us it would be \$500 thousand?"

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Mendoza: "Well, I don't know, because we did have a fiscal note on that and it did say 150 thousand to 250."

Black: "Hmm. And so, House Amendment #1 removed the opposition. Can you tell me why House Amendment #1 removed the department's opposition to the Bill?"

Mendoza: "Well, I did speak with the department and they did guarantee me that their opposition would be removed as long as we put 'subject to appropriation'..."

Black: "Ah."

Mendoza: "...which has been done."

Black: "It is subject to appropriation?"

Mendoza: "Yes, Sir."

Black: "Has an appropriation Bill been filed?"

Mendoza: "My understanding is that we will find the money for this project."

Black: "We... we will find money for this project. Can I bring over a few projects to your desk and you help me find money for them, too?"

Mendoza: "I'd be happy to help you any way I can."

Black: "Oh, let's see, I have... I have OSLAD, Golden Apple scholarship, C-FAR. Can you help me with all of those?"

Mendoza: "I can't make ya any promises, but I can try my best."

Black: "No, since you said the magic word, 'no promises'. I... I just wanted to point out why the department withdrew their opposition to this Bill. It sounds like a wonderful idea. And if you can find the money, you should go into the consulting business and help all the rest of us. All right?"

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Mendoza: "Absolutely. Thanks."

Black: "Okay. Thank you."

Speaker Turner: "Seeing no further question, the question is, 'Shall the House pass Senate Bill 2270?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, page 15 of the Calendar, we have Senate Bill 2339. Representative Holbrook. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2339, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Speaker. Senate Bill 2339 is the Cancer Society initiative where it sets up a system to where you cannot discriminate because of people... canceling them out or refusing them insurance if they're part of a cancer trial. I commend both parties that worked on this, the life... of the insurance group, the Med Society, the Cancer Society, the Illinois Association for Health Planning and the Illinois Association of Health Underwriters. They were all very... had significant changes on their positions and I think we have a wonderful agreed Bill here at this point that will help out many of us as we go through life and



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deal with those type of things that were... as cancer in our families. So, I'd move for an 'aye' vote if there are no questions."

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

Parke: "Yeah, Representative... Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Turner: "He indicates he will."

Parke: "Thank you. Representative, is this the Bill that ended up getting all the compromise on with the insurance industry and with some of the other groups that were initially opposed?"

Holbrook: "Yes, it was. Everyone's on board now and they all worked hard at coming up with that compromise that they could live with. It's an agreed Bill."

Parke: "Okay. Well, then you've done a good job to try and get the people together and you've worked on compromises and I... I think then that you have a good Bill. Thank you, Representative."

Holbrook: "Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2339 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The

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Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. This is an inquiry that I have. There is a box here with a unusual apparatus on it and I'm a little concerned. I... I... it may be ticking, I'm not sure. Can somebody tell me what this box does? It's right next to my desk and I'm nervous. So, somebody reassure me on what this is?"

Speaker Turner: "We know about that trick and we're not going to adjourn."

Parke: "No, it's not a trick. It's a... it is says, 'Do Not Touch'."

Speaker Turner: "It's checking the air quality in... in the..."

Parke: "Air quality?"

Speaker Turner: "...chamber. And it's right next to you. So..."

Parke: "It doesn't... it doesn't test the temperature of the heat around here, it just tests the air quality?"

Speaker Turner: "It's ironic that it's between you and Bill Black."

Parke: "We need a dog to sniff this to make sure it's okay. Thank you."

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

Fritchey: "Inquiry of the Chair."

Speaker Turner: "State your inquiry."

Fritchey: "All right. Given the location of the box, some of us over here are just curious if the air over there's a little bit hotter than in the rest of the chamber?"

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Speaker Turner: "We'll know shortly, once they read the data. On the Order of Third Readings, we have Senate Bill 2349. Representative Rita. Out of the record. We have Senate Bill 2251. Representative Saviano. Read the Bill."

Clerk Mahoney: "Senate Bill 2251, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate... Senate Bill 2251, as amended, amends the Professional Boxing Act to outlaw Toughman fighting in the State of Illinois. This is an initiative of the Department of Professional Regulation. We heard extensive testimony in committee regarding the problems across the state that we've had with this Toughman competition. It's almost impossible to regulate and it's somewhat more of an entertainment than it is a... a regulated sport. The department feels strongly that we should outlaw it. And I would ask for your favorable vote."

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

Miller: "Will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Miller: "Representative, there's... I noticed that it's listed under the Dental Practice Act. Is there any reason why?"

Saviano: "We... we used that as a vehicle..."

Miller: "Well..."

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Saviano: "...simply."

Miller: "Okay. So, there's nothing in relationship with be... teeth being knocked out during the Toughman? And I have a conflict of interest in supporting this Bill."

Saviano: "Well... well, I hate to tell you that we probably took some business away from you, but..."

Miller: "Okay. All right."

Saviano: "We thought that would be appropriate."

Miller: "Well, just make sure that those guys in the ring wear mouth guards and properly protect themselves from oral damage to their teeth and surrounding tissues."

Saviano: "We'll make sure they floss."

Miller: "Thank you."

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

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

Speaker Turner: "He indicates he will."

Parke: "Representative, there are... were 24 Senators that voted in opposition to you. Can you tell us what the objection is on this and why there's concern?"

Saviano: "No."

Parke: "Can you tell us what is the determining factor of what is a Toughman competition? Who makes that decision?"

Saviano: "Well, it's pretty much unregulated fighting. They use every means possible to beat each other up and there's no rules to the fight."

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Parke: "Well, would the Department of Professional Regulation determine whether a contest is exempt from the Tough... Toughman prohibition?"

Saviano: "Yes. Our Illinois Boxing Commission, upon application of somebody who wants to hold a fight would review what the parameters of the fight, would entail and determine if it was boxing or wrestling or whatever and make that determination."

Parke: "Do they have to hire someone to... to go out and review these or do they have to come into the department and ask for authorization to do this?"

Saviano: "They come in, apply for their date for their fight, and then the Department of Professional Regulation has people on staff that go out and review the fight and monitor the fight."

Parke: "So, we have enough revenue for them? This is not putting an... an additional burden on them?"

Saviano: "That's correct."

Parke: "Thank you."

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

Leitch: "Thank you, Mr. Speaker. With respect to the Gentleman's question that the Sponsor didn't know the answer to, there actually is a lot of history to this Bill. The issue arose when the Department of Professional Regulation tried to very arbitrarily stop some scheduled Toughman contests in Rockford, Peoria and elsewhere around the state. In JCAR, we did not go along with the proposed

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rule and then... and thereby authorized the Toughman contest which was bringing in significant revenues to the City of Rockford. Doug Scott, whom you may remember, now mayor, had sent us an impassioned letter to try and keep Toughman contests. The department has been just totally misrepresenting what these contests are and how they perform. They are not martial arts, they're not a lot of other issues that would normally be falling under the purview of their regulation. So, now they're here with legislation. They're... I think they have behaved in a very vindictive fashion against the people... very ordinary people who were putting together the Toughman contests and happen to enjoy it. So, I think it's a matter that I don't... this is the law I don't think we need. I think we should just leave the situation alone and not respond to it. So, I'd urge all Members to vote 'no'."

Speaker Turner: "Gentleman from DuPage, Representative Myers (sic-Meyer), for what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Meyer: "Representative, could Toughman fighting... from what I've seen advertised about it, it appears to me that it's quite similar to what we used to call ultimate fighting. And... is that correct?"

Saviano: "That's correct."

Meyer: "Well, several years ago I introduced legislation which passed into law. I'm not sure, based on what the previous speaker who was questioning you, was saying about it. But

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it... it seems like at that point we had the debate and both the House and the Senate passed legislation to ban ultimate fighting or Toughman fighting in the state. It went to the Governor, the Governor signed it. Quite frankly, I think most of us that supported that legislation probably thought it was done. Are you indicating that that legislation had loopholes that they found and now they're continuing on with it?"

Saviano: "They pretty much just renamed it and gave it a different PR spin."

Meyer: "Well, I... I certainly stand in... in support of your legislation. All this is is a barroom brawl without the bar. It's unregulated. People do get hurt. There has been a great deal written and documented in major magazines in the country about the brutality of it. And the fact that it is not a sport like boxing would be, where it's highly regulated and there's protection against injuries. And I would stand in support. And I would encourage those Members here in the chamber to support this legislation, also. It's a law that's already exists except for a loophole. And all this does it close up the loophole."

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

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

Speaker Turner: "He indicates he will."

Winters: "First off on this Bill, as was alluded to, the Mayor of Rockford has encouraged it. We have a... a long-standing history of the Toughman competition at the Metro-Center.

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We really haven't seen any serious injuries. We haven't... certainly have not seen any deaths. It's a very popular local venue with newspapers stories for days ahead and days afterwards of the... the training that people are going through, their past experiences in the Toughman contest. If people were being seriously injured I don't think you'd see people coming back year after year. Now, I have one... one serious point of inquiry. Does this Toughman Bill have anything to do with meetings ongoing on the second floor of the Capitol?"

Saviano: "It may come to that by the end of the week."

Winters: "You're not naming any... any three or five people that might... we might need to restrict their contact over this week?"

Saviano: "No, I'm not even picking a favorite at this time."

Winters: "You're not... you're not taking any bets on who's going to be the ultimate winner of this Toughman contest?"

Saviano: "Not yet, I haven't handicapped it yet."

Winters: "Okay. Thank you, Mr. Speaker."

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

McAuliffe: "To the Bill, Mr. Speaker."

Speaker Turner: "To the Bill."

McAuliffe: "Before I was a Representative I used to work in the Department of Professional Regulations in the Boxing Board. And at that time what we tried to do back then was to outlaw the Toughman fighting. They found a way to outlaw this. I've been at the other Representative's arenas and



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while they are nice places that hold... hold venues, what people are trying to do is circumvent and use this to not say it is boxing, but trying to get around that. And through my experience and in my opinion, if you... if this Bill was not passed you would see county fairs having Toughman fights, you'd have all kinds of people that would get inside any kind of arena or boxing ring that shouldn't be in there. And all they would do is just end up hurting themselves and the state may be liable. So, this is something that we need to do to stay ahead of the curves of some promoters that are trying to be maybe a little... going a little too far and a little too extra. So, hopefully, with the passage of this Bill we won't have to readdress this again. But, we may have to do it again someday if they try and come up with another word. But this is a safety issue and I believe this Bill should be passed. Thank you."

Speaker Turner: "The Gentleman from Cook, Representative Saviano, to close."

Saviano: "Thank you, Mr. Speaker. Just to clarify the one question. The reason all those Senators voted against it, it was a shell Bill when it came over and that's probably the reason why. There was no substance in the Bill at the time. I would ask for your favorable vote. Thank you."

Speaker Turner: "The question is, 'Shall the House pass Senate Bill 2251?' All those in favor say 'aye'; all those opposed say 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? The Clerk shall take the record. On this question, there are 94 voting 'aye', 20 voting 'ye... 94 voting 'aye', 20 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 15 of the Calendar we have Senate Bill 2257. Representative Saviano."

Clerk Mahoney: "Senate Bill 2257, a Bill for an Act in relation to public bodies. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Senate Bill 2257 is no stranger to this chamber. This is the pay raise Bill for the Water Reclamation District Commissioners. I believe we've... we've gone around the floor and talked to the Members. This is the identical Bill which passed last year that went on to the Governor who vetoed it. I believe that that was because of his... wanted to be consistent with others... pay... pay increases. This... this Bill has no burden at all on our state budget. This comes from the county tax rolls. And the pay raises are not that big. They range from between 5 thousand and 6 thousand dollars. The last pay raise they had, I believe, was 1993. Let me make sure that's correct. Actually, it was set in 1990... was the last time they looked at increase. They continue to... would have to continue to come to us for an increase. It's been 14 years, I... I think that they... this is warranted and I would ask for your 'aye' vote on this."

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Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill 2257 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 62 voting 'aye', 50 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have Senate Bill 2382. Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2382, a Bill for an Act concerning professional regulation. Third Reading of this Senate Bill."

Speaker Turner: "Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2382, as amended, is the culmination of an agreement between the Illinois physical therapists, the Illinois State Medical Society regarding the issues of referral. I commend all the groups for their hard work on this. This has been going on for a couple of years and we finally came to an agreement on which would be most protective of the patients in Illinois and streamline the process. I would ask for your favorable vote."

Speaker Turner: "Seeing no question, the question is, 'Shall Senate Bill 2382 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have Senate Bill 2525. Representative Verschoore. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2525, a Bill for an Act concerning public utilities. Third Reading of this Senate Bill."

Verschoore: "Thank you, Mr..."

Speaker Turner: "The Gentleman from Rock Island, Representative Verschoore."

Verschoore: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill clarifies an uncertainty in the current Illinois law by recognizing that a division of a regulated gas utility has always been able to provide competitive gas service in Illinois and continue to do so. This is the same corporate structure allowed for a utility to participate in the competitive electric business under Section 16-116 of the Public Utilities Act. In fact, MidAmerican Energy, the utility which serves my 72nd District, has been providing Illinois customers with competitive gas service for more than a decade, and I should add that the Illinois Commerce Commission has never received a complaint of any competitive gas customer of MidAmerican Energy. So, I was a little surprised last year when some of the members of the ICC staff questioned whether the Public Utility Act permitted MidAmerican to provide this gas service through a division of its

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regulated utility as MidAmerican is required to do so for its competitive electric service. In response, MidAmerican sought a declaratory ruling from the ICC to resolve the uncertainty. On May 11, the ICC entered its order in the declaratory ruling case. Among other conclusions, the ICC interpretation of current law is that MidAmerican could not make competitive gas sales without statutory provision of Senate Bill 2525, and that provides that needed statutory provisions. I urge that your support for this legislation which permits MidAmerican Energy to continue to offer competitive gas service throughout Illinois. MidAmerican is one of the state's largest competitive energy service providers. Many of its a thousand fifty competitive gas customers have written letters of support to me and many other Representatives and Senators. 2525, to many Members of the General Assembly, because the place... it places great value in doing business with MidAmerican. Without this Bill, these customers are fearful that alternative choices will not be available to them, forcing them to pay higher gas costs. Senate Bill 2525 was passed by the Senate on March 25 by a 55-0 vote. The Bill also provides the IC (sic-ICC) with extensive review of MidAmerican's competitive gas service in Illinois and contains numerous consumer protections that were negotiated with the Citizens Utility Board and others. In fact, the ICC will have more authority over MidAmerican's competitive gas business than it has over any other competitive gas provider in the state. In summary, I would ask for a favorable vote in

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support of the thousand and fifty competitive gas customers served by MidAmerican in Illinois. I'd be happy for any questions."

Speaker Turner: "The Gentleman from St. Clair, Representative Holbrook, for what reason do you rise?"

Holbrook: "For a question of the Sponsor."

Speaker Turner: "Indicates he will."

Holbrook: "Representative Verschoore, could MidAmerican appeal an ICC decision under this?"

Verschoore: "I understand that MidAmerican disagreed with the ICC order, but there's some question as to whether the ICC's declaratory order can be appealed. Whether the ICC order can be appealed or not, I do not know. I know MidAmerican is more interested in serving all of my Illinois customers."

Speaker Turner: "The Gentleman from Madison, Representative Davis, Rep... what do you rise for?"

Davis, S.: "Sponsor yield?"

Speaker Turner: "He indicates he will."

Davis, S.: "Yes, Representative, I believe in committee that the Attorney General's Office was in opposition to this Bill. Could you tell us the position of the Il... ICC, Citizens Utility Board and the Attorney General as of today?"

Verschoore: "The CUB... CUB is neutral on this Bill. The ICC has taken no position on the Bill and the Attorney General has also taken no position on the Bill. But let me add that the House Public Utilities Committee meeting on May 6, the

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representative of the Public Utility Bureau of the Attorney General's Office testified in opposition to Senate Bill 2525. One of the concerns expressed was that the ICC had not issued an order in declaratory ruling. Now that that order has been issued in the case by the ICC, we have been told the position of the Attorney General has changed to no position on this Bill."

Davis, S.: "What's the fiscal note on this? I believe that the ICC filed a \$250 thousand fiscal note. Is that correct?"

Verschoore: "They did, but it's difficult for me to determine the validity of the ICC's cost estimate. The ICC already reviews MidAmerican's regulated and competitive gas business now, but the ICC estimates do not identify those costs that is already incurred. I suspect that the ICC's cost estimates is based upon all the costs of regulated MidAmerican's competitive gas business, not just the incremental cost of regulations created by this Bill. If I am correct, the ICC estimate is substantially greater than the actual cost of the Bill. But as you may know, the cost of operation as the ICC are essentially assessed to the utility companies operating in Illinois, not to the General Revenue Fund."

Davis, S.: "Well, at the time that this Bill came before our committee, I believe that there was a case pending in front of the ICC with MidAmerican. Has that case been settled or has the ICC ruled on that case and is this legislation preempting a ruling from the ICC?"

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Verschoore: "No, the ICC gave their declor... declaratory notes on this on the, I think it was the 12th. I gave that in my opening remarks. I think it was the 12th. I'm sorry, May 11. They did give it. It said that they could not give competitive gas."

Davis, S.: "Okay. Well, Mr. Chairman, I rise in support of this legislation. I know that Representative Verschoore worked very hard on... on this Bill. We passed it out of the House under his sponsorship earlier this year. And I would rise in support of the Gentleman's Motion to pass Senate Bill 2525."

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

Hamos: "Thank you, Chairman. Mr. Speaker, it's very noisy in here. Can you... I'm not gonna be able to hear my... I could barely hear him before, the Sponsor. Could you ask people to reduce the level? Okay, thank you. I just wanted to... a question of the Sponsor, please."

Speaker Turner: "The Sponsor indicates he will."

Hamos: "Mr. Verschoore, I didn't hear. I was really trying hard to hear your answers before. There is a current case before the ICC on this subject and this is not intended in any way to void that case or to do an end-run around that case, correct?"

Verschoore: "Correct. That's correct."

Hamos: "So, are the... are... if this Bill passes, Senate Bill 2525, is it intended to be prospective only? In other words, starting from that point forward?"



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Verschoore: "Could you repeat that? I couldn't hear that either."

Hamos: "I'm just trying to make sure that I understand what this Bill does. If this Bill passes, the... the provisions of this Bill would only apply prospectively, in the future, and not going backwards, retroactively, right?"

Verschoore: "It is retroactive, yes."

Hamos: "It is retroactive?"

Verschoore: "Yes."

Hamos: "Well, Mr. Verschoore, that is not what I understood was negotiated between CUB and the Attorney General, and I'm not even sure about the ICC, but certainly CUB and the Attorney General. This was intended, as I understood it, to be prospective, moving forward from this day forward and not undercutting or in any way doing an end-run, as we did with the SBC law, doing an end-run around the ICC. That is not what I thought was intended here."

Verschoore: "We're not doing any end-run on this Bill. Their position, as I stated in my opening remarks, is CUB is neutral and the ICC and the Attorney General have... are stating no position."

Hamos: "Well, they are stating no position because they understand, as I... as I have been told, that the application of this Bill would be prospective only and not going backwards. Can you just validate that, please?"

Verschoore: "That was not part of the agreement. It was a concern of theirs, but it was not a part of the agreement."

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Hamos: "Well, then how do you... how do you... how can you say that this is not doing an end-run around the ICC? There's a current case before the ICC, or there was until a few weeks ago, I think. And that case held, you know, that... you're not trying to undermine that case in any way, right?"

Verschoore: "The concern is... is not to cancel their current contracts, and some of those contracts have been... are coming up at the end of this month. And that's why MidAmerican went to the ICC and asked for this declaratory decision one way or the other so they'd know which way to move. I think the Speaker rev... received some letters this past week from some concerned utilities in our area... some concerned companies in our areas, some large... large companies: Deere and Company, the Moline Forge, which is a large heat treating outfit, and also Trinity Hospital, which has three or four hospitals in our area. It also supplies gas to 64 school districts and they'd like to know where they're at so they can plan for their budgets for next year."

Hamos: "Well, and again, I think that... I... I appreciate what you're saying and I certainly have concerns for the customers in your district, but I just want... I'm going to vote 'no' because I do believe that there was an agreement, I have been told there was, and I'm not really certain whether you are stating it in the way that the agreement was fashioned because I had believed that the intent of that was prospective. So, thank you very much."

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

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, it's my understanding that this legislation will protect MidAmerican's existing competitive gap... gas contracts. Is that correct?"

Verschoore: "Yes, it is."

Black: "One could say that this legislation would reflect the intent of the House that MidAmerican could lawfully make competitive gas sales even before passage of this Bill. Is that correct?"

Verschoore: "Yes, it is. It also clarifies that any contract signed by customers before the enactment of this legislation are subject to consumer protection under this Bill."

Black: "So, it would be subject to all consumer protection laws?"

Verschoore: "Yes, it would."

Black: "Why... why does the Bill only mention a specific utility, in this case, MidAmerican?"

Verschoore: "This Bill only applies to MidAmerican and it was one of many issues raised during extensive negotiations among the representatives of the ICC, the staff, the CUB and the Attorney General's Office. MidAmerican, as you may know, no shoe fits the same... all shoes don't fit the same foot... Bill, so that's why they're picking it out because they were... in order to continue to sell competitively to

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these customers we have to do this change in the legislation."

Black: "All right. Thank you very much, Representative. Mr. Speaker, to the Bill. If this legislation doesn't pass, what will happen is the state will lose one of its largest natural gas competitors. The whole purpose of the utility rewrite years ago was to encourage competition, not discourage it by state legislative action. And what... what some of you don't focus on is that many, many, many public schools throughout the State of Illinois buy natural gas on a competitive basis, it's what we used to call 'wheeling'. They wheel natural gas from another state through the pipelines in Illinois and they generally can lock in a price, and they can lock in a price in the next month or two. What the school district bets is that they'll get a better price now for their cost throughout the winter than they will if they go to their regulated... 'regulated' utility and have to buy natural gas on the spot market. It's why many industries choose to wheel natural gas. It's a hedge against the fluctuation of prices that many of you have seen in your house. We have paid, for the last two years, record high prices for natural gas. I know many of your constituents have called you, as they've called me, about the price of natural gas. If you put public schools and other industries in that position where they have to absorb all of the purchased gas adjustment cost, they simply can't afford it. It's a reasonable solution and this has been going on for years in this state, it's

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nothing new. It's just that the declaratory ruling indicated that this might be necessary in order to avoid a protracted argument, and I think the result will eventually be the same. So, if you're interested in saving public tax dollars, vote 'aye'. If you're interested in something that's been going on for 35 years, that is... or more, the 'wheeling' of natural gas on a predetermined contract, vote 'yes'. It's a good Bill, my compliments to the Sponsor."

Speaker Turner: "The Lady from Lake, Representative May, for what reason do you rise?"

May: "Question of the Sponsor, please."

Speaker Turner: "He indicates he will."

May: "Yes. I just need to clarify because I was talking with someone else. Has the case with the ICC been resolved with the MidAmerican Energy?"

Verschoore: "They gave a declor... declaratory action on May 11."

May: "And... and they said that MidAmerican Energy should not have been doing what it was doing, so they..."

Verschoore: "They said..."

May: "...did something that they didn't approve of."

Verschoore: "They said they could not continue to sell gas as they have in the past, although they had done it for 10 years previous to that."

May: "But that they were doing something that the ICC did not approve of."

Verschoore: "Right. Under the legislation, the way it's written."

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May: "And so this legislation is neutral on the position whether they were right or wrong. Is that correct?"

Verschoore: "They... they took a 'no' position on, I'm assuming that's true. I..."

May: "So... so... okay. Just... I want to clarify that. That it's neutral on that and that at some time we can expect MidAmerican to pay some sort of fines if the ICC should so decide?"

Verschoore: "If they would decide, yeah, I'm cer... yeah, they would."

May: "Okay. For doing what they shouldn't have been doing under the current law. And you... you're setting new law now by giving them the authority to go ahead."

Verschoore: "The... yeah. The authority to go ahead and se... continue to sell competitively to... unregulated gas to these co... these thousand and fifty customers."

May: "I understand, from talking to people in the industry, that... and I am concerned about, certainly, the price of gas and... and... and the people who buy from MidAmerican Energy, but I understand that at any moment people could come in, that this is a bit of a red flag, that these schools would be without gas."

Verschoore: "Well, they... they have been able to come in any time before. It wasn't... it wasn't exclusively an area where you could only get MidAmerican, they had competition. Anybody like... I can't think of a... Northern Illinois Gas could've come in and bid, which I'm assuming these co... companies..."

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May: "Oh."

Verschoore: "...and school districts did."

May: "So, anyone..."

Verschoore: "It's just not... they weren't just..."

May: "Uh huh."

Verschoore: "...exclusively handling all these."

May: "Okay. So, they could come in at any time."

Verschoore: "Right."

May: "So, it's not that we're leaving customers high and dry or anything?"

Verschoore: "No."

May: "Okay. Well, I... I..."

Verschoore: "Absolutely not."

May: "I... I appreciate the clarification. As I stated, I... I felt the way you presented this in... in Public Utilities Committee that... that the Attorney General was testifying against this, that the case was to ask the ICC about the legality of what they're doing. And I have great respect for the Attorney General of this state. I believe she's our lawyer, she's the peoples' lawyer. And so, I think you know that I continue to have my concerns on this."

Verschoore: "I knew you were concerned in committee, but I think we've taken those concerns away now with this..."

May: "Well, the ICC resolved it. They might..."

Verschoore: "Right."

May: "They might have fines, but I... the Attorney General is still opposed to it."

Verschoore: "No, they're taking no position on it."

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May: "Oh, I'm sorry. Then our analysis is wrong."

Verschoore: "No position."

May: "Thank you for correcting that. Thank you."

Verschoore: "Thank you."

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

Granberg: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Turner: "He indicates he will."

Granberg: "Representative Verschoore, you testified in committee with your witness that you're doing this in response to something which may occur in your district with these gas users, which puts them in jeopardy, assuming we adjourn on time and the potential ICC ruling could occur before the Veto Session."

Verschoore: "Exactly."

Granberg: "So, you're trying to take preemptive action to address those very real and serious concerns that they may not be serviced by MidAmerican Energy."

Verschoore: "Um hmm."

Granberg: "Is that... is that correct? Is that still the case?"

Verschoore: "That's correct. I would think..."

Granberg: "So, you're doing this at their request. And Representative May indicated, and I think you said previously, this Bill passed the Senate with no opposition. Is that right?"

Verschoore: "55 to 0."

Granberg: "And that was when the Attorney General was opposed to it. Now, the Attorney General has removed her



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opposition, the Illinois Commerce Commission is neutral, they have no position on it, and this is what you might be impacting. So, I think I rise in support of the Bill. I think it's a good piece of legislation and the Gentleman is just trying to take initial action in the anticipation that something might... detrimental might occur to his constituents, and I applaud him for the Bill."

Verschoore: "Thank you, thank you."

Speaker Turner: "The Gentleman from Roc... Rock Island, Representative Verschoore, to close."

Verschoore: "Thank you, Mr. Speaker. I would ask for your 'aye' vote. Like I said earlier in my presentation, this affects not only business, but 64 school districts in the State of Illinois. And as Mr. Black said, in his questioning there... or in statements, that they need to know what they're gonna be paying so they can do their budgets. So, I... rather than go on here, I would ask for an 'aye' vote. Thank you very much."

Speaker Turner: "The question is, 'Shall Senate Bill 2525 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 voting 'aye', 7 voting 'no', 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Kane, Representative Lindner, for what reason do you rise?"

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Lindner: "Thank you, Mr. Speaker. I just wanted to say that on Senate Bill 2257 I wanted my vote to be recorded as 'no'."

Speaker Turner: "And the record will so reflect. On page 16 of the Calendar we have House (sic-Senate) Bill 2635. Representative McCarthy. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2635, a Bill for an Act concerning taxes. Third Reading of this Senate Bill."

Speaker Turner: "Gentleman from Cook, Representative McCarthy."

McCarthy: "Thank... thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2635 amends the Property Tax Code having to do with notification in special service areas. The... the current notification is thought to be very, very nebulous by the Illinois Association of Realtors. This adds that not only will the parcels have to be in... identified by their permanent tax index number, they'd also have to be... if a street address is available they would add that as well. We also ask for the... the nature of the proposed special services, what they'd be. Most of the time this is for like sewers and curbs, sometimes sidewalks. They want to list a maximum rate and the number of years that this levy would be available. And also the boundaries of the special service area. So, there's four sections of the code that it would change. The last thing is that it also allows them to base the tax only on the land value as opposed to the improved value of the home. And the reason for that is if they have a... the total value of it, the first couple homes in a subdivision pay really much more than their fair share. So, if they do

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it by the land value then we can have a fair share for all of the homes in the new subdivision. I think it's a good measure for taxpayers. I think it'll help them so that things like this don't slip through the cracks when they're doing title searches. And I think it'll especially help some of the problems that were exposed in hearings in McHenry County last year. So, I'd ask for your favorable support."

Speaker Turner: "Seeing no questions, the question is, 'Shall Senate Bill... the Gentleman from Vermilion, Representative Black, for what reason do you rise?'"

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

Speaker Turner: "He indicates he will."

Black: "Representative, regarding the change in current law that the special service tax would apply to the land only, not improved, that is purely a prospective addition. It does not go back and change a current special service district on how that tax is levied, correct?"

McCarthy: "Yes, you're correct."

Black: "Okay. Fine. Thank you."

McCarthy: "Thank you."

Speaker Turner: "Seeing no further question, the question is, 'Shall Senate Bill 2635 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 94 voting 'aye', 18 voting 'no', 0 'presents'. And this Bill, having received the

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Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Representative Munson would like to have your attention on 2635."

Speaker Turner: "The Lady from Cook, Representative Munson, who I see."

Munson: "Yes, I meant..."

Speaker Turner: "For what reason do you rise?"

Munson: "Thank you, Mr. Speaker. I intended to vote 'yes' on House (sic-Senate) Bill 2635."

Speaker Turner: "And the record will so reflect. On the Order of Third Reading we have... we have Senate Bill 2830. Representative Hultgren. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2830, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from DuPage, Representative Hultgren."

Hultgren: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is... has to do with underinsured motorists coverage. And what it does it's a situation that was brought to the attention of my Senator and myself by a local judge in DuPage County and is something that has been discussed extensively by the different parties involved in this issue, trial lawyers, the insurance companies. I just stepped out and spoke with representatives from both of them, they are both in agreement with this, with the understanding there is

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another Bill that's going to clarify the starting date of this. But we are requesting to go ahead with this. It did pass the Senate without any opposition. We did have some significant discussion on this. Really, I can go into further explanation on it, but what it does is it addresses when someone... a person chooses to have underinsured motorists' coverage, right now the law is written in such a way that it subtracts off the liability if there's multiple parties involved in that accident. What this does is it... it allows just the subtraction of the one person who has that coverage to be taken off of that coverage. And again, I'd be happy to go into more detail if you'd have questions. Well, there is no Amendment to this Bill. It's going through like it is. So, there... there were several Amendments that were filed, but they... it's passing without any Amendment on it. There's no opposition on it, with the understanding that we're going to be changing this date in a Bill that's coming tomorrow. So, be happy to answer any questions you might have."

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

Yarbrough: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Turner: "He indicates he will."

Yarbrough: "Representative, you said there's no opposition to this Bill. I don't... I see lots of opposition on my computer. Could you... there's CNA, AIA, the Illinois Insurance Association of Specialty Insurance. What do you mean there's no opposition?"

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Hultgren: "Well, help me... let me explain this a little bit more. There... and I apologize, it is confusing. I just stepped out and talked with Kevin Martin with the insurance agents, I also talked with Ed Peck with the trial lawyers, they are in agreement that there is no opposition. Their members are unopposed to this Bill as it is presented right now. There is one change that's going to be happening in a Bill... 2238 is going to change the effective date of that... this Bill. It's basically a trailer Bill that's gonna follow immediately in the next day or two that's gonna address the one concern that the insurance agents have. There's an agreement among the parties, that's gonna go ahead, but this is going first. So, that removes the opposition. There is... some people on my side have said, well, the Amendment has cleared it up. I want to make sure people understand there has been no Amendment to this Bill. It is unamended. It's going through as it was introduced in the Senate. So, if we pass this Bill then it would go directly to the Governor's Office. And all the parties... I've checked with them they're all in agreement with that, with the understanding that there is going to be another Bill that's going to cleanup the effective date of this. It potentially will affect pricing, and so that's the only issue that still is going to be cleared up. And as we discussed in committee, you might remember, there was Amendments that were talked about dealing with the John Deere issue and some other things that were gonna be put on this. Those are gonna be handled in a different Bill.

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That's still part of the negotiations between the parties, but it's not on this Bill. I wanna make sure that that's very clear. This Bill only has to do with underinsured motorists coverage and addressing that multiple people who are injured in an accident, the other parties would not subtract off of my underinsured motorists coverage or the... the person who has underinsured motorists coverage. So I just want to make sure that's clear. But, I can assure you, again, that I've just spoken with people who had filed slips on this and they do not have any opposition to this Bill. Even though, our analysis says the same thing, it says that there are... there is opposition. But again, I can give you my word that that opposition has been removed with the understanding that there is going to be cleanup language with another Bill that's on Second Reading, moving to Third Reading."

Yarbrough: "Okay. So, then this Bill does not raise the limits in the State of Illinois? Is that... is that correct?"

Hultgren: "Absolutely not. It does not raise the limits, it... the limits remain the same. The only thing that it changes is when one person has... if I chose to purchase underinsured motorists coverage and I'm injured in an accident where there's other people in the car with me and they also have injuries, it used to be that all of us would be subtracted off of my underinsured motorists coverage before I could get the balance of this. What this does is say, no, it just subtracts off my injuries or my recovery from the

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at-fault party before I receive the balance from my own policy of underinsured motorists coverage."

Yarbrough: "Okay."

Hultgren: "But, it does not raise any minimum levels, there is no requirement that someone have... increases... this is a completely optional thing that people can chose to have if they chose to have underinsured motorists coverage."

Yarbrough: "Okay. Thank you."

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

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

Speaker Turner: "He indicates he will."

Franks: "Representative, it could be that our analysis is incorrect. But I'm reading the status here and it's my understanding, listening to debate, that this is now an agreed Bill once House Amendment #1 had been adopted, correct?"

Hultgren: "Well, that was the understanding. What... what has happened is we have not adopted Amendment 1, we are not going to adopt Amendment 1. What's going to happen is the language that was addressed in Amendment 1 is going to be addressed in a separate Bill by agreement by all the parties. They're willing to take the risk that this goes first. They're agreeing to that and it's going to be handled in a separate Bill that will address a starting date for this language. And then also some confusion that's been involved dealing with the Lee v. John Deere case. That's a separate Bill, it's going to be handled in



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a separate Bill. This Bill does not have that. Amendment 1 is not addressed in that. Our analysis says the same thing but I just do want to make it very clear that we did not adopt Amendment 1. By the agreement of all the parties involved in this, all the folks involved have said, let's leave this clean, let's send it as it was sent over from the Senate. Let's address all these other issues... there's really just two other issues, it's the starting date and it's some of the confusion over a John Deere case that was passed in a separate Bill. So, I just want to make sure that there's no misunderstanding here. With the understanding that we are gonna give best efforts for that other Bill, everyone is in agreement in supporting this and has removed their opposition to this Bill, even though we have not adopted Amendment 1. I want to make sure you understand that."

Franks: "Thank you for clarifying that, I was confused. Thank you."

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

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

Speaker Turner: "He indicates he will."

Mulligan: "Representative Hultgren, I'm not quite sure, but what I would like to... to know is if the driver at fault is uninsured or doesn't have enough insurance, does that make you, the driver, not at fault? Your policy liable for collection in any way, shape or form? Or your..."

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Hultgren: "The only... the only thing where that would kick in is if you've chosen on your policy to have underinsured motorists coverage. So, if I would choose to have an additional rider on my own insurance policy to say that if I'm struck by someone who is underinsured and I have injuries that are over what their coverage rate is, that's the only time this comes into play. So, it's an option that someone can choose when they're purchasing insurance. And really where it comes into play is when there's multiple in... people injured by some... when someone else is at fault. What's happening now and what's the confusion in current case law... all this is doing in removing one sentence. And what that sentence does is it accumulates all the people's injuries who have recovered from that at-fault person's coverage and subtracted it off of my underinsured motorists coverage. What this does is say, subtract those other... let's say there's four people in the car, four of us are injured above the maximum of what someone has got coverage for. All this does is say, right now all four of us are accumulated and subtracted off before I receive from my underinsured motorists. What this does is just say subtract off my own injuries that I'm receiving coverage from the at-fault person and then the balance would be paid, again, if I've chosen to have this rider as part of my insurance coverage. So, it's... it's a clarification by removing a sentence from our..."

Mulligan: "All right. So..."

Hultgren: "...our current law."

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Mulligan: "...say your... your insurance then has to pay out."

Hultgren: "Just if I have that rider. They would pay out anyway, but it..."

Mulligan: "All right. But, then no matter..."

Hultgren: "...it... it's a calculation."

Mulligan: "...what... If they pay out on anything doesn't your premium usually go up then?"

Hultgren: "If you choose to have this rider, it's a more expensive option to have. So, your premium only goes up if you choose to have underinsured motorists' coverage. And potentially, what this could do, you know, to be very honest, is it could make underinsured motorists' coverage a little bit more expensive. There's com... some companies that have already calculated it this way. State Farm, it's my understanding, has already calculated it this way. There's other insurance companies that haven't. And what this does is make it uniform. So, that's why this other Bill will clarify and give the insurance companies some time to figure out if this'll be an extra expense for this additional rider for underinsured motorists' coverage."

Mulligan: "So, doesn't this give another deep pockets for trial lawyers to go after if you have this? I mean, I think it's a discouragement to then have uninsured motorists because it then puts you in the mix of being able to pay out on your claim and after... even though you've paid for this coverage, your policy will have paid and then your insurance premium's liable to go up, which doesn't seem right to me in some instances."

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Hultgren: "Yeah, no. I don't... I don't think that's... I see it differently. I really do see it more as protection. It's... if someone feels like... with the cost of medical covera... you know, medical care, if someone feels like the current levels are not enough and they choose to have uninsured or underinsured motorists' coverage. What this does is it says that if I purchase that underinsured motorists' coverage, I expect to get that full coverage. Right now, they're not getting that full coverage because if there's other people in the car they're injuries are being subtracted off before I receive from my own policy. So, it's really seen as more of a fairness issue, I think, by most people out there. It's something that is not required, it's not something that it's a mandatory thing. It's something that people in the State of Illinois can choose to have if they want to."

Mulligan: "So, would this make an insurance company mediate more so that your policy would pay even though you may not be at fault more often?"

Hultgren: "I don't think so. I think instead it's... it... it just clarifies a confusion that's out there right now. I don't think it would increase mediation. I think what it would do is it would say... it clarifies a additional rider that people can chose to have. And it... it gives a better understanding for purchasers here in the State of Illinois. If someone purchases this coverage, then they can really know how much coverage they're going to get. Right now someone might think they have \$50 thousand coverage, but if

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there's other people in the car that could be subtracted off. And in reality, when they thought they had \$50,000 coverage they might only get \$10 thousand reimbursement for their injuries and be out that additional \$30,000 of injury or whatever it might be. So..."

Mulligan: "So, does your Amendment make this Bill better so that that would not happen? Because it's..."

Hultgren: "Well, again, I want to clarify. It's not an Amendment, it's the Bill. So, I... I think the Bill, as it came over from the Senate, will clarify that. And it... it will make a uniform calculation formula. Right now, there's... different companies are... are choosing to reimburse in different ways because of an ambiguity in the law. This takes out the ambiguity and makes it a uniform calculation. And like I said..."

Mulligan: "All right. So, when you purchase this..."

Hultgren: "...everyone's in agreement to this."

Mulligan: "...type of coverage on your insurance policy, is there any rider that has to tell you how it would be applied in case of an accident?"

Hultgren: "I believe there is, but again, it's... what's it's been is it's kind of been in the fine print is my understanding. What this'll do is make a uniform among all the insurance companies here in the State of Illinois that if you choose to have underinsured motorists' coverage that this is how it would be reimbursed to you. And I... I think, again, it would... it's really more of a fairness issue that if you purchase a certain amount of underinsured motorists'

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coverage you actually would be reimbursed for that amount then, rather than what's currently happening is it's being... if you have other people in the car with you who are also injured, their injuries potentially could be subtracted off from your own underinsured motorists. If they've recovered from the at-fault driver, that amount accumulatively would be subtracted off. What this Bill does is it clarifies and says, just you as an individual, your amount that you're receiving from the at-fault driver is subtracted off of your own underinsured motorists' coverage. And then you would receive the balance for injuries up to what your limit would be on that coverage."

Mulligan: "Thank you."

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

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

Speaker Turner: "He indicates he will."

Dunkin: "Representative... it's loud in here, first of all, it's extremely loud and... Thank you. Unfortunately, Representative, I couldn't hear all of the intense detail that you provided. Can you do me a couple things? Could you speak louder and give me... if you could talk slower that would help too. I'm just trying to figure out so that... the rationale for this Bill. Now, I know we talked about it in committee and it went fast and I thought we were gonna connect again. But, I'm... you know, I'm trying to read through the text and trying to be a quick study, but if you could talk slower and louder so we could hear..."

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Speaker Turner: "Could we..."

Dunkin: "...I'd appreciate it."

Speaker Turner: "Members... Members, can we have your attention."

Hultgren: "Thank you, Representative, I will... I'll try and speak louder. And this is a confusing issue and I apologize for that, I... I'm trying to do my best to explain it in very understandable. And... and there were other issues in committee that we were talking about putting on in addition to this original language. We've not done that. All this is is the original language. So, there is not an Amendment to it. This is just the original language. It did pass out of the Senate unanimously. I just did speak with all the representatives of the interested parties. There is no opposition to this Bill as it's going through with the understanding that the parties are going to work to pass another Bill this Session, it's all ready to go, that clarifies this issue and the other issue that was discussed in committee. Again, very simply, Representative... I'll... I'll wait a second. Are you okay? Okay. Can you hear me all right?"

Dunkin: "I can hear you now."

Hultgren: "Okay. Good. All this Bill does is it clarifies really a different interpretations by insurance companies here in the State of Illinois. If I choose on my policy, my driver's policy, to have underinsured motorists coverage. So, I pay a little bit more to have underinsured motorists coverage, so if someone hits me and is not insured enough to cover my costs. What happens is, if I

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have other people in the car with me that are injured and were injured by someone who is underinsured, they don't have enough insurance to cover all of our injuries and I have underinsured motorists' coverage, right now some companies are interpreting that to say that the injuries and the recoveries of the other people in the car should be subtracted off the amount that I would receive from my underinsured motorists' coverage. What this is saying is it clarifies that and says, no, what I receive is... I subtract off the amount that I receive from the at-fault driver from my underinsured motorists' coverage and if I still have extra medical expenses and have coverage on that then my own policy would kick in. So, it would just be my own recovery from the at-fault driver that would be subtracted off. So, I... I don't know, I hope that clarifies it. But it's really... it's... it's taking it as an individual computation of subtracting off from the at-fault driver versus a cumulative of all the injured parties that it's currently happening. And again, there's confusion out there right now. Different companies are interpreting this different ways. This would make it uniform. It would... I... I think it's really a... a truth in coverage because what would happen then is people who are purchasing a certain amount of underinsured motorists' coverage will then know that no matter... if they have other people who get injured in the car as well, it doesn't matter, they know that they can receive the extra coverage if they're injured by



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someone who doesn't have enough insurance to cover their own injury."

Dunkin: "Thank you for the clarification, Representative."

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

Parke: "Thank you, Mr. Speaker. I just want to reiterate what the Sponsor of the legislation has brought to our attention. That there... there is no... one of the concerns last week on a piece of the legislation was that there were... the fees on the motorists being raised on the limits. This Bill does not have that in there at all. This Bill has taken that out. I mean, it was never in there. It's simply a clean Bill. The... again, the Sponsor's agreed that there's no opposition to this. I know some of the Members are concerned. I think the Sponsor's alleviated that. This Bill should pass because there's no opposition to it."

Speaker Turner: "The question is, 'Shall Senate Bill 2830 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Rock Island, Representative Verschoore, for what reason do you rise?"

Verschoore: "Point of personal privilege. Mr..."

Speaker Turner: "State your point."

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Verschoore: "Mr. Speaker, somehow I've misplaced my cell phone. So, if anybody sees a black cell phone, US Cellular flip top, please... they all... no, it's black. Yeah, no it's... it's black. No, it doesn't ring, I got it on vibrate. So..."

Speaker Turner: "Somebody's smiling."

Verschoore: "...if it's... anybody sees it I'd appreciate 'em giving it back to me. Thank you."

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

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

Speaker Turner: "State your inquiry."

Black: "Why was my name used in debate?"

Speaker Turner: "Your name?"

Black: "Yeah, he just said something about black and he vibrates. I do not vibrate. What's going on here? The man... the man has me confused with one of those professions that Representative Burke regulates, a naprapath or something. And I'm sure glad you narrowed it down. God knows we don't see a black cell phone around here very often. That narrows it down. Where did you lose it, Representative? Well, I guess if you knew that answer to that you wouldn't be looking for it. Oh. Get yourself one of those things you wear around your neck, tie that thing around the neck. Mr. Speaker, we're in overtime Session, the hour grows late, if you can't take care of the freshmen on your side of the aisle, send 'em over here."

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Speaker Turner: "Comments are well-taken. Representative Hannig in the Chair."

Speaker Hannig: "On the... on page 13 of the Calendar, on the Order of Senate Bills-Third Reading, is Senate Bill 984. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "Senate Bill 984, a Bill for an Act in relation to labor relations. Third Reading of this Senate Bill."

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

Molaro: "Thank you, Mr. Speaker. Mr. Capparelli had the underlying Bill but the Amendment was one that I presented. So, with all due respect, we'll present the Amendment here. Last year we passed a Bill that amended the Uniformed Police Officers Disciplinary Act. And what it did was... and it flew out of here. What it did was basically say that if you're gonna put a complaint against a police officer you have to have a sworn affidavit. The City of Chicago, on a few anonymous complaints, moved forward and they went to court and a judge basically said that the Labor Relations Act trumps the UDOPA (sic-UPODA) Act. And that what we should have done was put it in the Laborers Act, not UDOPA (sic-UPODA) because of collective bargaining issues. And that's exactly what we're doing today. We're taking the exact language that we passed last year and putting it in a different section of the code. That's what we're doing and I'll answer any questions."

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Speaker Hannig: "The Gentleman from Cook has moved for passage of Senate Bill 984. Is there any discussion? The Lady from Cook, Representative Graham."

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

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

Graham: "Representative Molaro, is the City of Chicago still in opposition of this Bill? Is the City of Chicago still in opposition of this Bill?"

Molaro: "Yes."

Graham: "Can you explain their opposition again?"

Molaro: "When... when we passed the Bill last year... we passed this exact language last year, but what we did was we put it in a section of the code that's called, which I didn't even know we had one, Uniform Police (sic-Peace) Officers Disciplinary Act. That's where this went. That's the... that's what we amended. What happened was the City of Chicago still moved forward on anonymous complaints. The union filed a lawsuit saying that that violated the statute. The City of Chicago argued that the collective bargaining agreement has more authority than the UDPO (sic-UPODA) Act. So, therefore, we came back down here and now we're gonna amend the Labor Relations Act with the same language that we... we put in the UDPOA (UPODA) Act. And that's what we're doing. The city still doesn't like the Act because the city likes the... would rather move on anonymous complaints."

Graham: "Thank you, Representative Molaro."

Speaker Hannig: "The Lady from Kane, Representative Lindner."

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

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

Lindner: "Representative, we haven't had an extensive discussion about this is in Criminal Law and the Illinois Sheriffs' Association is still against this, is that correct?"

Molaro: "Yes. And... and I think they were even opposed to last year's Bill. They're opposed for the same reason the city is. They think it should go... that this Bill is in the wrong place and it should be collectively bargained, not done through the UDOPA (sic-UPODA)."

Lindner: "Correct. And they... they do not see... they see a place for this language under the former statute that UCEDO (sic-UPODA), right?"

Molaro: "Yeah."

Lindner: "But..."

Molaro: "UPODA, right."

Lindner: "UPODA."

Molaro: "Right."

Lindner: "But they don't see a place for it in the Illinois Public Labor Relations Act, and that's what we're voting on right now. Because that is based on bargaining positions and collective bargaining. And they feel that adding this language would inhibit the collecting bar... collective bargaining process under this Act. Is that correct?"

Molaro: "Th... right. They think it should be collectively bargained. The rank and file police officers and rank and file sheriffs' deputies feel this should... this should be

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for all of Illinois, not collectively bargained where you have some units that take anonymous complaints, others that don't. They think it should be uniform standard throughout the state. The rank and file."

Lindner: "Okay. Thank you."

Speaker Hannig: "There any further discussion? The Gentleman from Cook, Representative Molaro, to close."

Molaro: "Thank you. It's been a... this has been explained a couple of times. And like I said, it's the same language we passed last year and the Governor signed. So, it's the same exact Bill. Thank you."

Speaker Hannig: "The question is, 'Shall Senate Bill 984 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative... Okay. Mr. Clerk, take the record. On this question, there are 91 voting 'yes', 22 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bassi, for what reason do you rise? Okay. Mr. Clerk, on page 16 of the Calendar is Senate Bill 2878. Read the Bill, please."

Clerk Mahoney: "Senate Bill 2878, a Bill for an Act concerning human rights. Third Reading of this Senate Bill."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2878 are... currently is the culmination of House Amendment #2. And this is an Amendment that was

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agreed upon between the Illinois Attorney General's Office, the Department of Human Rights and the Illinois Chamber of Commerce. And the Amendment, which is... becomes the Bill, does the following thing. It requires the Attorney General to coll... conduct a preliminary investigation to determine reasonable care prior to initiating a civil action. The Amendment provides for an assurance of voluntary compliance, an agreement that parties can enter into when resolving the matter without litigation. This Amendment also requires that the Attorney General can only seek injunctive relief and punitive damages if an aggrieved party is seeking damages. They must file a charge first though with the Illinois Department of Human Rights. And lastly, it imposes civil penalties for repeat offenders and... that it is limited to prior offenses within a 5-year time limit. And that is the Bill as read and accordingly... according to Senate Amendment #2. And I move for the adoption of Senate Bill 2878."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2878. And on the question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you, Mr. Speaker. The Sponsor yield?"

Speaker Hannig: "He indicates he will."

Black: "No, I'm sorry, excuse me. Inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "Yes, could you ask the Clerk to see if Floor Amendment #2 has been adopted to the Bill?"

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Speaker Hannig: "Mr. Clerk, would you give us the status of Floor Amendment 2?"

Clerk Mahoney: "Floor... Floor Amendment #2 was been adopted to Senate Bill 2878."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, Floor Amendment #2 becomes the Bill, correct?"

Turner: "That's correct."

Black: "And this is agreed language between the Attorney General, the Department of Human Rights and the Illinois Chamber. And the agreement is simply a process to determine reasonable cause before one enters on a civil action."

Turner: "That is correct."

Black: "Outstanding. I... I knew if anybody could work this out, you could."

Turner: "It took awhile."

Black: "It's an excellent Bill."

Turner: "It took awhile."

Black: "I urge everyone to vote 'no'... or vote 'yes'. Thank you."

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

Lang: "Thank you, Mr. Speaker. I rise to support the Gentleman's Bill. Ya know, when this Bill first came before the Judiciary Committee there were many problems with it. I just wanted to commend Representative Turner for listening to the Members of the Judiciary Committee,



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taking our suggestions and coming back with a Bill where... where a business was able to sign on... originally, they weren't so thrilled with this Bill. But, I think it's now a Bill we can all support and I commend the Sponsor for his hard work."

Speaker Hannig: "Representative Turner to close."

Turner: "Thank you, Mr. Speaker. You've heard the comments. The ho... the Bill is the Amendment. And I move for the adoption of Senate Bill 2878."

Speaker Hannig: "The question is, 'Shall Senate Bill 2878 be 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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 3013."

Clerk Mahoney: "Senate Bill 3013, a Bill for an Act concerning water safety. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Lake, Representative Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Last week I presented Senate Bill 3013 and withdrew it from the record so that we could check into a possible Amendment. As you may recall, this legislation amends the statutes regulating water suppliers and provides that if a public water district issues a boil order that the water district must give notice to the local public health department and... as soon as practical and then provide

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follow up notice by a written notification. We attempted to include private water utilities as there were so... some concerns that with the Bill only address public utilities. Private water utilities are only regulated under the Environmental Protection Agency statutes. And the advocates for the private utilities would prefer, under the short timeframe that we have, to have more time to look into a possible Amendment. They're not objecting to being included, they just don't want unintended consequences of rushing this through. So, I would ask for support for moving this through as it currently exists and we will continue to look at an Amendment in the future that could include private water utilities."

Speaker Hannig: "The Lady moves for passage of Senate Bill 3013. 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 101 voting 'yes' and 13 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 12 of the Calendar, under the Order of House Bills-Third Reading, we have House Bill 5252. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 5252, a Bill for an Act in relation to freedom of information. Third Reading of this House Bill."

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Speaker Hannig: "The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5252 provides that there would be a FOIA exemption for proprietary information in regard to venture capital groups. Currently, a venture capital group could have state pension money invested in that group and a competitive group could send a FOIA request and find out that proprietary information from the group during the investment. This is a initiative of the venture capital association. They just merely wanted to protect proprietary information when their clients or their groups invest substantial time and money into determining what companies to invest in and then they could have that information FOIA'd by a competing company. It came... it passed unanimously out of the Hou... out of the committee. And I would ask for your vote."

Speaker Hannig: "The Gentleman moves for passage of House Bill 5252. 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 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 32 of the Calendar, under the Order of Resolutions, is House Joint Resolution 86. Mr. Washington. Representative Washington, you're up on House Joint Resolution 86."

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Washington: "Thank you, Mr. Speaker. Mr. Speaker, this House Joint Resolution #86, it creates the Commission to Study the Transatlantic Slave Trade and its Past and Present Effects on African Americans here in the State of Illinois. And I'm hoping that my colleagues will see fit that this is of importance and pass this Resolution. Thank you."

Speaker Hannig: "The Gentleman moves for passage of House Joint Resolution 86. Is there any discussion? Then the question is, 'Shall the Resolution be adopted?' 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? Rep... Representative Stephens, would you like to record yourself? Representative Dunn. Representative Cultra. 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, having received a Constitutional Majority, this Resolution is adopted. Representative Currie is recognized on a Motion."

Currie: "Thank you, Speaker, Members of the House. I move that we suspend the posting requirements so that the following Senate Bills: 728, 2108, 3188 and 3191, may be heard in the committees to which Rules assigned them earlier today and that the following Resolutions, House Resolutions, also may be heard in appropriate committee without meeting the 6-day posting requirement. House Resolutions 870, 894, 895, 898, 907, 911, 917, 922, 923, 924, 927, 928, 929, 931, 933, 934, 937, 943, 962, 970, 971 and House Joint Resolutions 82, 83

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and 84, Senate Joint Resolutions 53, 58 and 75. I know of no opposition to the Motion."

Speaker Hannig: "You've heard the Lady's Motion. Is there any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. Just a point of reference. Where will they be hear... what committee and what time is the committee?"

Currie: "I believe that the Clerk has given us little orange sheets which tell us the answers to those questions. The Rules Committee earlier assigned the Resolutions and Bills to appropriate committees. But, I do... I don't have that list in front of me. So, my Motion was that..."

Parke: "It'll be State... oh, I see State Government Affairs..."

Currie: "That they..."

Parke: "...for a good number of 'em."

Currie: "And I... I believe, Representative Parke, the Resolution you inquired about last Thursday is on this list."

Parke: "Thank you."

Speaker Hannig: "Any further discussion? Then all in favor of the Lady's Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted and the posting requirements are suspended. Mr. Clerk, would you bring us up to date on the upcoming committee meetings?"

Clerk Mahoney: "Committee announcements. The following committees will meet immediately after Session. The Aging Committee will meet in Room 114; Agriculture & Conservation in 122-B; Environment & Energy in D-1; Financial

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Institutions in 118; Consumer Protection in C-1; Personnel & Pensions in Room 115."

Speaker Hannig: "On page 18 of the Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 222(sic-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 was adopted to the Bill. Floor Amendment #2, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. Floor Amendment #2 changes the appointment power to give three commission members to the Governor to be appointed, three to the Mayor of the City of East St. Louis and three to the St. Clair County Chairman. I move for the adoption of the Amendment."

Speaker Hannig: "The Lady moves for the adoption of Floor Amendment #2. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Yes, Representative, did you say you're going to appoint 32 people to this board?"

Younge: "No, I said that..."

Parke: "What did you... I'm sorry?"

Younge: "...that three appointments would be made by the Governor, three appointments would be made by the mayor..."

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Parke: "No, no, I just asked... did you say 32 people?"

Younge: "No."

Parke: "How many?"

Younge: "Nine."

Parke: "Nine. And are they going to get compensated?"

Younge: "No."

Parke: "Do they get travel expenses?"

Younge: "Yes."

Parke: "Do you have any idea what the fiscal impact will be on that? Is there... do you have a budget or some sort... do you have an appropriation for this?"

Younge: "It would be a nominal fiscal impact."

Parke: "I'm sorry?"

Younge: "It would be nominal."

Parke: "It would be nominal, but it will be some money, but you don't know how much."

Younge: "Some small amount."

Parke: "Thank you."

Speaker Hannig: "Is there any further discussion? The Gentleman from DuPage, Representative Meyer."

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

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

Meyer: "Representative, could we talk a little bit more about the compensation for this board? Where... where does that compensation come from?"

Younge: "From grants, from loans, from borrowing money and... however the commission can raise money. That's not the subject matter of this Amendment, though. This Amendment

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merely changes the appointing... how many people are appointed to the commission. We're... we're... we're dealing with Amendment #2."

Meyer: "Well, if you'd rather us discuss this at the time the Bill comes up."

Younge: "We can discuss it..."

Meyer: "I don't know if... if I disagree with what you're attempting to do on this, but we'll... we'll have the discussion later on then. I guess when the Bill comes up. Thank you."

Younge: "Sure."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the Amendment be adopted?' 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. Okay. Is there any announcements? Then Representative Currie moves that allowing for perfunctory time for the Clerk, that the House stand adjourned until Tuesday, May 25, at the hour of 1 p.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Motion is adopted and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will now come to order. Reading of Senate Bills-First Reading. Senate Bill 3000, a Bill for an Act concerning education, which may be referred to as the Education Reform Accountability Act of 2004, offered by Representative Madigan. Senate Bill 3002,



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offered by Representative Hoffman, a Bill for an Act in relation to public employee benefits. First Reading of these Senate Bills. Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were referred, action taken on May 24, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' Senate Bill 1897, referred to Second Reading-Short Debate; Senate Bill 1904, referred to Second Reading-Short Debate; Senate Bill 1906, referred... Amendment #2 to Senate Bill 1906 approved for consideration; Amendment #2 to House Bill 2222 approved for floor consideration; Senate... Amendment #3 to Senate Bill 2238 is approved for consideration. Approved... referred to the reading of Second... Second Readings-Short Debate is Senate Bill 2241. Further Amendments approved for floor consideration: Amendment #3 to Senate Bill 2247; Amendment #2 to Senate Bill 2253; Amendment #1 to Senate Bill 2375; Amendment #2 to Senate Bill 2411; Amendment #1 to Senate Bill 2547; Amendment #2 to Senate Bill 2844; Amendment #1 to Senate Bill 2944; Amendments 2, 4 and 5 to Senate Bill 3007. Referred to the Order of Concurrence the following Amendments: Senate Amendment #2 to House Bill 622; Senate Amendment #1 to House Bill 3882; Senate Amendment #1 to House Bill 4426; Senate Amendment #1 to House Bill 4960; Senate Amendment #1 to House Bill 5023; Senate Amendment #1 to House Bill 5215; Senate Amendment #1 to House Bill 6567; Senate Amendment #1 to House Bill 6811; Senate Amendment #1

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to House Bill 6983; Senate Amendment #1 to House Bill 7015; and Senate Amendment #1 to House Bill 7029. All referred.. approved a Motion to Concur. Referred to the House Committee on Rules: House Resolution 973, offered by Representative Verschoore; House Resolution 977, offered by Representative Black; House Resolution 979, offered by Representative Grunloh; House Resolution 982, offered by Representative Currie; and House Resolution 985, offered by Representative Jones. There being no further business, the House Perfunctory Session will stand adjourned."