

STATE OF ILLINOIS  
94th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

110th Legislative Day

3/29/2006

Speaker Turner: "The hour of 11:00 having come and went, the House will be in order. We shall be led in prayer today by Pastor Don Horath with Hillside Bethel Tabernacle in Decatur, Illinois. Pastor Horath is the guest of Representative Flider. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Pastor Horath."

Pastor Horath: "Thank you very much. I want to express my appreciation to Representative Robert Flider and also to all of you distinguished folks that represent us so well in the State of Illinois. Shall we pray. Our Heavenly Father, we come into Your presence this morning acknowledging the greatness of our God, realizing, Lord, from the bottom of our hearts that You are the ultimate one that we must consult when it comes to wisdom and knowledge. And I would pray today that supernaturally that You would give to these folks that represent the citizens of this state in this Legislature wisdom and knowledge, remembering in the scripture that the Bible says if any man lack wisdom, let him ask of God who giveth liberally and upbraideth not. Thank You, again, for these dedicated servants of the citizens of this state. And this state, that's a part of this great Union. We thank You, again, for Your protection even though many devastating things have happened in this city in the last weeks. We pray, God, that as they recuperate that there would be a greatness of Your power manifested in every life. Again, thank You. Today, we pray, God, that You'll be with the deliberation of each one

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of these folks that are part of what's going on in this government operation here in Springfield and this state. Thank You for Your blessings today and Your continued guidance. We ask these things in the precious name of our Lord and Savior, Jesus Christ. Amen."

Speaker Turner: "We'll be led in the Pledge by the Gentleman from Kane, Representative Schmitz."

Schmitz - 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 my seatmate, David Leitch is excused today."

Speaker Turner: "The record will so reflect. The Lady from Cook, Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker. Please let the record reflect that Representatives Jones and Patterson are excused today."

Speaker Turner: "The record will so reflect. 114 Members answering the Roll Call, the House does have a quorum and we shall proceed with business. Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, to which the following measure/s was/were referred, action taken on March 29, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #2 to House Bill 4604. Representative Giles, Chairperson from the Committee on

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Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on March 29, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #2 to House Joint Resolution 87. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on March 29, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 2774 and Senate Bill 3011. Representative Collins, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on March 29, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2159; 'do pass Short Debate' Senate Bill 2921. Representative Yarbrough, Chairperson from the Committee on Housing & Urban Development, to which the following measure/s was/were referred, action taken on March 29, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2290. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on March 29, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1684; 'do pass as amended Short Debate' Senate Bill 2962. Representative John Bradley, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on March 29, 2006, reported

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the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2197. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on March 29, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2348 and Senate Bill 2798. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on March 28, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 2358, Senate Bill 2374, Senate Bill 2613, Senate Bill 2737, Senate Bill 2869, and Senate Bill 3076; 'do pass as amended Short Debate' are Senate Bill 2391, Senate Bill 2680, and Senate Bill 2985. Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on March 28, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 838; 'do pass as amended Short Debate' is Senate Bill 1682 and Senate Bill 3088. Representative Richard Bradley, Chairperson from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on March 28, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is Floor Amendment #1 to House Bill 1814."

Speaker Turner: "Clerk moves for the adoption of the Res... the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes'

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have it. And the Resolutions are adopted. The Gentleman from Macon, Representative Flider, for what reason do you rise?"

Flider: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Flider: "Yes. Mr. Speaker, I wanted to let the chamber know and I would ask them to welcome from Hillside Bethel Talbelnacler... Tabernacle Church, Mr. Duane Yeakel. He is the husband of the head of the... of supervisor of the Hillside Bethel Christian School. Please welcome Mr. Yeakel, on the right side of the chamber."

Speaker Turner: "Welcome to Springfield. The Gentleman from DeKalb, Representative Pritchard, for what reason do you rise?"

Pritchard: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Pritchard: "I would ask the House to welcome today a delegation from DeKalb County: Mike Anderson, from my hometown of Hinckley; Bill and Bonnie Mullins from Shabbona. Bill is a former national president of the National Corn Growers Association. Welcome to Springfield."

Speaker Turner: "Welcome to Springfield. Chapa LaVia, we have Resolution 1062. Read that Resolution, Mr. Clerk. We have a Death Resolution. Mr. Clerk, read the Death Resolution. If the Members could be quiet."

Clerk Mahoney: "House Resolution 1062, offered by Representative Chapa LaVia.

WHEREAS, The members of the House of Representatives of the State of Illinois were saddened to learn of the untimely

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death of Duranthy Evans of Aurora, which occurred on October 31, 2004, when he was killed in a random drive-by shooting in Aurora; and

WHEREAS, He was born on August 16, 1970, to Dorothy Thomas; he graduated from Aurora East High School in 1988; and

WHEREAS, Mr. Evans was an Elder/Reverend at The Greater Mount Olive Church of God in Christ; he was active in ministering to the congregation and in the service of the youth program; he was a Youth Supervisor at IYC-St. Charles for six years, where he was very determined in his efforts to do the Lord's work; he was the officer that had an open ear and an even greater heart for young people that were having trouble coping with the problems that they were experiencing; and

WHEREAS, Mr. Evans' care and diligence for his fellow officers gave many a co-worker peace and laughter; he knew when to offer advice and when to make the stress of the place drop by cracking a smile or a joke; his work ethic and his talent to help other people were the threads holding the seams of the facility together; and

WHEREAS, Duranthy Evans never asked for recognition or praise; if a person was down, he told them to get on his back and he was going to see them through; he is loved and missed by all; and

WHEREAS, His younger brother, Carl Thomas, a famous R&B singer, started The Duranthy Evans Foundation to fight the spread of anger, fear, and violence between people of different races and to stop the spread of 'Urban Terrorism' in the United States; and

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WHEREAS, The passing of Duranthy Evans has been deeply felt by many, especially his mother Dorothy Thomas; his wife Melinda; his two daughters; and his younger brother Carl; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we mourn the untimely passing of Duranthy Evans, and we extend our deepest sympathy to his family, friends, and all who knew and loved him; and be it further

RESOLVED, That a suitable copy of this resolution be presented to his family as an expression of our sincerest condolences."

Speaker Turner: "The Lady from Kane, Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. It's so often that the good people in our communities get taken at such a young age. And it's almost a promise that I do in my community... Dorothy, his mother, is up there in the balcony with us today and family members and other members from IYC that we don't acknowledge the people that we do le... lose in our different perspective areas from gang violence and how it affects the families years after. I was unable to do this sooner because of all the heartbreaks that were felt throughout our community in Kane County because of the passing of Duranthy. And because he was a youth supervisor, he worked with kids that needed that love and that support. And on the eve of us fighting over money to put more money into the youth services in the correctional department, this is what happens, we lose one of our good

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people that is mentoring those children and put 'em on a better path. And I wanna say that his death will not go in vain, Dorothy, we will keep on fighting the good fight here for you. I know a lot of our colleagues here fight for more money so we can have more officers and youth advisors and he still lives on. And I wanna thank you for coming to Springfield and thank you for allowing me to honor your son. Thank you."

Speaker Turner: "Representative asks leave that the House Resolution 1062 pass. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolution does pass. The Gentleman from Cook, Representative Colvin, for what reason do you rise?"

Colvin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, will you please join in welcoming the Clerk of the Circuit Court. She's not only the Clerk of the Circuit Court, but she's in control of the largest court system in the United States of America. The Honorable Dorothy Brown is here in the House in the gallery today. Please welcome her to Springfield."

Speaker Turner: "Welcome to Springfield, Clerk and staff. Welcome to Springfield. Ladies and Gentlemen, we're gonna start on page 3 of the Calendar today, page 3, on the Order of Third Readings. And we're gonna proceed down the Calendar in an orderly fashion. We ask that you be ready with your legislation as your name is called or Bill number is called. Mr. Clerk, go to read House Resolution 1022."



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Clerk Bolin: "House Resolution 1022, offered by Representative Poe and Brauer.

WHEREAS, The Sacred Heart-Griffin Cyclones football team of Springfield won the 2005 IHSA Class 5A State Championship on Saturday, November 26, 2005; and

WHEREAS, The Cyclones had a perfect record, finishing the season with 14 wins and no losses; this is the first time Sacred Heart-Griffin has won the championship; and

WHEREAS, The team defeated Alleman High School of Rock Island in the final game with a score of 28 to 21; and

WHEREAS, Head coach Ken Leonard led the Cyclones during the 2005 season; he was assisted by Tom Fiaush, John Allison, John Sowinski, Jim McMann, Neal Taylor, Bob Brenneisen, Steve Schertz, Jason Killday, Frank Steele, Joe Cimarossa, Ted Wise, Sam Hott, and JR Steele; Pete Stoll was the team trainer; and

WHEREAS, The members of the championship team were Andre Pendergrass, Rob Mosher, Ryan Spearie, Pat Boyer, Mike Guzzardo, Bobby Brenneisen, Stephen Selvaggio, Alex Reavy, Kevin Klemm, Shaughn Reid, Chandler Wescott, Joe Marrin, Bob Rakers, Grant Anderson, Victor Kimberlin, Chris Peterson, Josh Gossard, Bronson Hardnett, Scott Kren, Mike Edwards, Keenan Gilpin, Jack Duncan, Mitch Murphy, Leonard Hubbard, Andrew Collings, Joel Bonnett, Dane Zentgraf, Scott Leavey, Matt Selvaggio, James Davis, Chad Beck, Zach Moore, Matt Sartore, Jason Moore, Shawn Young, Mike Stieren, Kevin Dallavis, Casey Daley, Sean Johnson, Nick Thoele, Joe Ghibaudy, Andrew Bova, Kelby Jasmon, Matt Mast, Anton Katalinich, Tim Stevens, Jeremy Adams, Matt Israel, Chad

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Rushing, Zach Higdon, Brian Rimini, David Kavish, Brian Fitzgerald, Matt Cummins, Brandon Dixon, Alex Kararo, Tanner Sommer, Jeff Sanders, Justin Buscher, Dominic Walton, Stephen Hott, and Tommy Jennings; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Sacred Heart-Griffin Cyclones football team on a successful season and on winning the 2005 IHSA Class 5A State Championship; and be it further

RESOLVED, That a suitable copy of this resolution be presented to each of the Cyclones' coaches and team members as an expression of our esteem."

Speaker Turner: "The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah. Mr. Speaker and Ladies and Gentlemen of the House, if I could have your attention for just a moment. We, in Springfield, feel honored and privileged to have the Sacred Heart-Griffin football team in our presence today. They're in the Speaker's Gallery. Why don't you stand up, guys and we'll give ya a big hand. The Springfield Sacred Heart-Griffin team brings a lot of pleasure to Springfield. They're always in the state playoffs, seems like. This year they went undefeated and they won and we were quite proud of 'em. Coach Ken Leonard does a great job year-in year-out and is one of the big stars in Springfield. We do have another... we got a star on the House Floor. We... her sister Megan's on our staff is Mike Stieren. Where's he at? Wave at your sister. Now, this... that's probably total... yeah, embarrassment there, but anyway. But anyway, so, guys, if

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you didn't know Mike had a sister, here she is and she's on House Republican staff and we appreciate all of her hard work and all year braggin' about ya and all those good things that you're doin'. But again, congratulations. At this time, I'd like to turn it over to Representative Brauer."

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

Brauer: "A point of personal privilege."

Speaker Turner: "State your point."

Brauer: "Again, I wanna have a round of applause for this team, it... they are true winners. They defeated Alleman 28 to 21 to win the state championship in the IHSA Class A state football tournament. So, congratulations to Coach Leonard, the assistant coaches and to the team. Let's give 'em another round of applause and a Springfield welcome."

Speaker Turner: "One more time for Springfield Griffin."

Brauer: "Congratula..."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. A point of personal privilege."

Speaker Turner: "State your point."

Flowers: "I would like for the House to recognize a very dear friend of mine, First Deputy (sic-Superintendent) Dana Starks from the Chicago Police Department. Would you please stand and give him a ovation, please. Thank you."

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Speaker Turner: "Welcome to Springfield. Okay. Page 3 of the Calendar on the Order of Third Readings, Representative Molaro, we have Senate Bill 385. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 385, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Molaro: "Thank you. This... yeah, I bring this Bill... this was... was the last Bill about two weeks ago and I think got about a hundred 'no' votes. It had to do with coin operators and basically, we took out the point that raised it from \$5 to a hundred, that's now gone. The only thing that this Bill does is there's a lot of sheriffs out there when they go to look... when you put your decal that you paid your tax, where exactly you put this, and this defines where everywhere in the State of Illinois they have to permanently affix the decal. And that's all the Bill does. Everything else is out because it was the will of this General Assembly to take it out and that's exactly what we did."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 385?' 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. Representative Joe Lyons on House... on Senate Bill... Out of

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the record. Representative Hamos on Senate Bill 951. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 951, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Hamos."

Hamos: "Thank you, Ladies and Gentlemen. This Bill is brought to us as an initiative of the Inspector General with the Department of Health Care and Family Services. And this has to do with the unique situation in which there is the possibility of fraud in cases of Medicaid payments. And what this Bill provides for and sets out in some detail is the process that would be used by the state in making temporary withholdings of payments so that we stop the bleeding, essentially. So, if there's fraud involved in the billing, then we don't just send the bill and worry about how to get it back later, we can actually do a temporary withholding. This has been worked out with some care to provide for due process for the people, the vendors, for whom temporary withholding would take place. This is modeled on a Federal Law that actually has been in place and has been used and as a result of it, \$12.6 million was saved by the state in not paying out in fraudulent... in fraudulent billings on 39 withholds. The reason we are trying to put it into law is because there is some disagreement in the Attorney General's Office as to whether a state agency needs to be regulated by State Law as opposed to just continuing to use a Federal Law that has been in place for a number of years. I'm happy to answer any questions."

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

Durkin: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Durkin: "Representative, you said that there's some type of process which you have incorporated in this Bill. Could you explain to me the process which you previously have mentioned?"

Hamos: "The... the most important portion of the process is that it begins with evidence that is received from state or federal law enforcement or federal oversight agencies or from the results of a pul... preliminary department audit. So, it begins with a request in most cases. The Federal Government, the U.S. Attorney's Office, comes to the state and says, we are doing an investigation and we need your help in putting a stop on the payment. Then we are going to have the department define by rule what exactly the credible evidence is that needs to be presented to... to initiate the withholding and then we are going to provide that the provider may request a reconsideration of the payment withheld so that due process for... piece is in here. And then we finally provide that the withholding cannot be for more than 3 years."

Durkin: "Well, I..."

Hamos: "Those are the compromises that were worked out as part of the Amendment."

Durkin: "I understand that, but I still don't understand what process is given to the vendor. You said that they were

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given not... I mean, some notice, but what rights do they have to challenge the actions. Now, we're saying..."

Hamos: "I'm sorry, Mr..."

Durkin: "...first of all... hold on. Let me ask this question. Are you saying that..."

Hamos: "I can't..."

Durkin: "...if there is an allegation that there's fraud, now, that they will... the payments will be withheld, correct?"

Hamos: "The payments may be withheld."

Durkin: "May be withheld. Does it require a conviction for that fraudulent act that's related to this specific Bill before there's a withholding?"

Hamos: "It does not require a conviction, no."

Durkin: "So, if there is a determination made that there is an allegation of fraud, the payments, they are just placed on hold, correct, or they... okay. If they're..."

Hamos: "They may be withheld. That's right."

Durkin: "May be withheld."

Hamos: "Yeah."

Durkin: "Now again, I'm just kinda curious of the process. What rights do they have at that point? Is it an administrative proceeding, which they will have a right to have their case heard?"

Hamos: "I believe that... hold on one second, please. I believe that it is an administrative process, but I'm looking up quickly whether there's opportunities also for the vendor or alternate payee to go into court. I... I'm sorry, I don't really know the answer to that."

Durkin: "Well, I... I think all of us..."

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Hamos: "I do say..."

Durkin: "...support the propos..."

Hamos: "I do wanna..."

Durkin: "All of us support the proposition... guess the people who are committing fraud upon or these agencies should have the... they should be withheld. But I think that if they haven't been convicted of offense, 'cause we do say that if they've been convicted of murder or a Class X felony then they... payments are withheld without any... with per se, there's no... no doubt."

Hamos: "Let me... I... I think I misspoke earlier, Representative. The Bill... the Amendment that we worked out says that the provider may request a reconsideration and the department must grant such a request. So, that's the reconsideration. The department is going to deter... to develop a rule and in the rule there will be process and criteria for requesting the release of the payments withheld. So, I think what has been worked out... again, Medical Society played an important role in thinking about this... is that we have... we wanna provide some due process. That's going to be worked out specifically by rule, but what's important here is to stop the bleeding, not continue to pay out precious state dollars at a time when there is an investigation."

Durkin: "Now, in the case where there... there is a question of fraudulent action. Now, the department is going to refer this over to a prosecutorial agency whether it's a U.S. Attorney, the Attorney General, or the local state's attorney. Now, how are they supposed to defend themselves in an administrative hearing when at the... they would be



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subject... everything that they stated at that public hearing is something which... that could be used against them. I mean, I... I... typically, you don't wanna engage in the administrative process when you do have a... and take that kind of sworn testimony when you have a criminal investigation over their head. Now, do we think that's the right thing to do?"

Hamos: "Well, I think you're pointing out possibly the... the practical ramifications of having two proceedings going on at the same time, one criminal and one administrative. But again, I think that there is a compelling public policy for why we would want to have, and again, it's... the concept here is temporary withholding..."

Durkin: "Now..."

Hamos: "...with a date certain. And the other... the other process issue that I neglected to mention, Representative, it's not reflected necessarily in this Bill, but the way that the Office of Inspector General described this to me is that when there is a case of temporary withholding there is a requirement that they be kept apprised on the... typically a monthly basis... of the status of the investigation. So, they don't just let it go off into the netherworld, there is a real feedback mechanism, a loop, to make sure that the withholding isn't any longer than is necessary. But this is... there's a public policy behind this and as I said, there's a federal rule that has allowed for this to happen and it's been used very successfully."

Durkin: "So, if the provider is found... they request a reconsideration and it's found that they have not... it's

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determined that there's no fraudulent conducts, how would that impact an investigation that's going on with the... one of the prosecu... prosecutorial agencies? What... what impact would that have? Would that..."

Hamos: "On the criminal process?"

Durkin: "Yes."

Hamos: "I... I can't believe that the Bill we are working on today would necessarily impact the criminal process."

Durkin: "So, we're saying that they could be found... the administrative ruling could be said that there's no fraudulent action but there's a... another, ya know, peripheral investigation going on by the U.S. Attorney's Office and the department is still gonna... will they be cooperating with the agency saying that, continue with the... your investigation even though we found that there's no evidence of fraud. That's..."

Hamos: "Well, I... I understand what you're asking and I'd... and I'd like to think that since there is an ongoing communication, especially in these cases, I'm sure there's not an ongoing communication without the withholding."

Durkin: "I understand..."

Hamos: "Without the withholding..."

Durkin: "...but I just wanted to make sure that if there is... if there is a determination that there was not a fraudulent act committed by this provider that the department is going to relay that information over to whoever the investigatory agency just to say what... this is what our... our finding is and..."

Hamos: "Well, I... I don't..."

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Durkin: "...take that in due consideration while you're looking at this as a whole."

Hamos: "Again, I think that there's going to be an ongoing communication. However, I think, remember that the process for reconsideration is going to be determined by rule. The definition for creditable evidence is going to be determined by rule. It is possible that the state can de... I would think... I'm just guessing, that it's possible that the state could decide to release the payment because maybe the exposure of the state is not as much or maybe it's for past reimbursement and it's not the subject of the fraudulent activity. But at the same time, the U.S. Attorney's Office or the federal agency or somebody else could be proceeding on an investigation. I think it's possible to have the..."

Durkin: "Right."

Hamos: "...just two concurrent kinds of actions."

Durkin: "Well, thank you for your indulgence and I appreciate it. I will support this Bill and thank you very much."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 951?' 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? Jenisch. Brady. 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 Williamson, Representative Bradley, for what reason do you rise?"

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Bradley, J.: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Bradley, J.: "Up to my right side in the west part of the gallery, if you all would stand up. I got my youth advisory council here today. It's... it's a junior and senior from all the high schools in my district and they're here to learn about the process. So, I'd like to welcome 'em here today and say thank you very much."

Speaker Turner: "Welcome to Springfield. On the Order of Third Readings, we have Representative Osterman on House Bill... on Senate Bill 2195. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2195, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

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

Osterman: "Yeah, Ladies and Gentlemen of the House, Senate Bill 2195 would extend a Department of Human Service grant program for indigent, elderly, and disabled individuals who are working on their permanent United States citizenship. This is legislation that we passed a number of years ago that has benefited senior citizens throughout the State of Illinois. We wanna extend this program until July 1 of 2009. And there currently is funding within the budget to pay for this extension. And I would ask for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2195?' 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

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'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Saviano on Senate Bill 2162. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2162, a Bill for an Act concerning families. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2162 provides that a father of a child convicted of... of certain listed sex offenses and that offense was related to the inception of the child shall not have custody of that child unless the conse... unless he has the consent of the mother. This is my Senator's Bill. It passed the Senate 47 to 0. It passed out of committee 15 to 0. I think it's a commonsense measure. And I would ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2162?' 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? Durkin and Dunkin. Dunkin and Durkin. 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 2223, Representative Berrios. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2223, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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Speaker Turner: "The Lady from Cook, Representative Berrios."

Berrios: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2223 is a clean up Bill. It's at least a provision that requires the former Department of Mental Health and Developmental Disabilities to submit an annual comprehensive status report on compliance with the Omnibus Budget Reconciliation Act of 1987. The department's work to comply with the OBRA plan, which was submitted to the federal authorities, ended in 1994. However, the law still remains in the books and in effect. So, as a result DHS continues to be cited during audits for not submitting the report, which is not something that they look at now. I'd like a favorable vote. Thank you."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2223?' 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 DuPage, Representative Daniels, for what reason do you rise?"

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, every year I have the pleasure of hosting a senior citizen bus trip from my Legislative District and today, I have what I consider to be the best senior citizens in the State of Illinois visiting us. Please greet the District 46 senior citizens that are here today to tour the Capitol."

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Speaker Turner: "Welcome, District 46. Welcome to Springfield. On the Order of Third Readings we have Senate Bill 2191, Representative Yarbrough. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2191, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, Members of the House. Senate Bill 2191 amends the School Code to require the State Board of Education to develop and adopt curricula, materials for high schools to use and incorporating financial literacy into existing consumer education classes. The Bill creates the Financial Literacy Fund, a special treasury fund for state and private cont... contributions to defray the costs of financial literacy training for teachers and to reward schools, teachers, and students. Local schools are also permitted to establish similar funds. The Bill urges the state board to incorporate basic principles of personal insurance and understanding contracts. The language of this Bill is similar to House Bill 2001 that passed out of the House in last Session and was stalled in the Senate. There's no opposition to the Bill. I'd be happy to answer any questions."

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

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

Speaker Turner: "She indicates she will."

Eddy: "Representative, I just have a couple of questions about the way the Bill is worded regarding the 'fund' that is

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created. In this Bill, okay... there is a fund created. Can you describe how that fund will... will be appropriated with money to carry this out?"

Yarbrough: "Well, we're hoping that maybe grants would be written to, ya know, to... to put money in the fund and then the fund would be used to encourage teachers and students alike."

Eddy: "So, you're... you're hope is that there... maybe through bankers, maybe through others who are concerned with the same problem that you are, they will create a nest egg for school districts to... to use to help implement the standards related to financial literacy for children. That's... that's your desire."

Yarbrough: "That's correct. That's correct."

Eddy: "So... so, anyone could donate. If we wanted to donate, we could donate to the fund."

Yarbrough: "That would be encouraged."

Eddy: "Okay. Which... which I might be willing to do if the fund is protected. Is there any language in this Bill that will protect the funds that go into this... the money that goes into this fund from a sweep?"

Yarbrough: "No, there is not."

Eddy: "Representative, that... that concerns me... that concerns me because I am not... I don't have a problem with the idea that we need to teach children financial literacy. I understand the Banker's Association and their desire to try and provide us with the means to help with curriculum. There are already standards that... that really call for a lot of this. My problem is that what we're doing here is we're setting up



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a possible fund sweep and this administration has shown no shame in which funds they'll sweep. I would not be surprised if this fund generates donated money, if that money was swept. Because other funds that have been swept by this administration have also come from donated funds. Within the education... within the education budget there are funds for driver's education, there are funds for technology, there are funds for other well-meaning curricular purposes. But the problem is none of those funds are protected from the kind of sweeps that we see. For that reason and for that reason only... because I'll tell ya honestly, I'd like to see the... the financial literacy that you're proposing in this legislation extended to this current administration. This administration has taken a 7 billion dollar bonded debt and made it \$21 billion. We're using Mastercard to pay Visa with this administration and as a result of that, I think the first place for any of the material to be delivered is the second floor, so that the administrative offices that are doing this budget can learn some of the financial literacy. I understand what you're trying to do. The underlying purpose is good. However, I would urge everyone to vote 'no' for the purpose of sending the administration a message regarding fund sweeps. We should not be setting up funds that can be swept, especially using our K-12 education system as a harbor for those places to hide money to later sweep it. 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?"

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Speaker Turner: "She indicates she will."

Parke: "Representative, in talking to teachers in my area, they shared with me what the biggest problem they have is that we keep interfering with their ability to teach the basic curriculum that they work on at the beginning of the year and to make sure that that curriculum has enough hours in the day to be taught. Now, is this going to be something that's gonna be done in a established program and it's just gonna be part of it and they're gonna be able to take something out of this curriculum or are we going to tell them by virtue of this program that they're going to need to be able to teach more of this rather than something else?"

Yarbrough: "Representative, the... currently, in the schools it's mandated to teach consumer education. So, we're expanding that and with the hopes that we can encourage youth to understand how to use money. I think that you're aware that currently, the amount of money that's being saved today it is at an all-time low. We've got all kinds of concerns with mortgage foreclosures and any number of things and I think that we need to do some work on the front end and that's why I proposed this Bill."

Parke: "Well, I... I think the concept is commendable but my concern is that we're going to lay this on top of other things that are supposed to be in the name of what is good being taught and we're now having teachers that have to decide whether they're gonna do math or science or a program like this and there's only so many hours in the teaching day that our teachers have. So, what I would say to you and to the Body that if you're gonna incorporate this into an

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established program and move something out, I think that then that works. But if you're just gonna continue to add more and more to the... to the curriculum that's stuffed already, I want you and others to think is that really what we should be doing, 'cause I want 'em to learn math and science as much as any other program. So, it's just an observation and a concern that I have and it's a concern that the average classroom teacher is starting to express."

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

Bassi: "For a couple of questions for the... the Lady."

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

Bassi: "Thank you. Representative, did you say that consumer ed is already mandated?"

Yarbrough: "I'm sorry?"

Bassi: "Did you say consumer ed is already mandated?"

Yarbrough: "That's my understanding."

Bassi: "Uh huh."

Yarbrough: "Consumer education."

Bassi: "So, and this is an additional mandate to increase that mandate?"

Yarbrough: "It's not an additional mandate. This is to be included in consumer education."

Bassi: "But it's an additional mandate to make sure that the first mandate wa... works. As we're talking about public schools in America today being expected to build economic awareness; serve hot lunches and breakfast; dispense surplus milk; do job placement; stress bicycle safety and pedestrian safety; promote physical fitness; assist with bilingual

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educational development; counsel delinquents; foster metric education; provide transportation; teach consumer education; counsel students with problems; follow due process procedures; protect student privacy; protect (sic-provide) student computer literacy; teach 'em to like broccoli; unteach the four food groups; teach the pyramid; teach humaneness and individual responsibility; eliminate sex discrimination; assist in bladder control; develop an appreciation of other people and other cultures; promote multi uses of information; develop the ability to reason, build patriotism and loyalty to the ideals of democracy; promote the understanding of the heritage of our country; build respect for the work and dignity of the individual; develop skills for entering their specific field; teach management of money, property, and resources; provide income tax counseling; develop throughout the thirst for learning; develop skills and use of leisure time; teach pride in work; build a feeling of self-worth or self-respect; avoid religion; and teach reading, writing, and reli... arithmetic. That's only half the list. This is a mandate on top of another mandate and to an administration that doesn't use fiscal responsibility anyway, financial responsibility should go to the second floor not to our teachers and not to our kids who are already working with it. I vote 'no'. Thank you."

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

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

Speaker Turner: "2130... She indicates she will."

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Reis: "Okay. Representative, this... this Bill had a lot of lively debate in committee and we had a number of concerns, the fund sweeps, another mandate. With regards to the funds sweeps, we asked if you would amend this Bill so that the funds sweeps would not be allowed to happen. Is that still not a possibility?"

Yarbrough: "You know, I don't wanna dictate to the Executive Branch what they should do or not do. I certainly would encourage the Governor not to..."

Reis: "Is... is... isn't that being fis..."

Yarbrough: "...encourage the Governor not to sweep this account."

Reis: "...isn't that being fiscally irresponsible to create all these funds and then sweep 'em out for not what they've been used for... dedicated to use for?"

Yarbrough: "You know, what I'm hopeful of is that we don't make this a political issue here. What's in it..."

Reis: "It's not political, it's financial."

Yarbrough: "...at issue here is financial literacy being taught in the school systems. Now, I think you would agree with me when you look throughout the communities we've got some issues concerning money. And if we're not teaching students in school, obviously, it's not working very, very well and we'd like to increase it and do more and that's why we're down here to do more to help students and teachers alike. I mean, some of the teachers probably could take this class, as well."

Reis: "Okay, okay. I'll disagree with ya on putting provisions in to keeping this fund from being... from being raided. But you bring up another point and you had some good statistics

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in committee about how credit card debt is increased by 50 percent. Do you know our long-term debt of the State of Illinois has increased by a hundred and sixty-seven percent in the last 3 years? And you voted for that. I mean, is that being fiscally responsible, 'yes' or 'no'?"

Yarbrough: "One does not have anything to do with the other. What's at issue here is financial literacy to be taught in the school system for children so that they can grow up and become responsible adults."

Reis: "Well, they're gonna need to be responsible to pay for all this someday. Pensions, we have the worst funded pension system in America now. Many of you voted for that on that side of the aisle. Is that being fiscally responsible?"

Yarbrough: "We are working down here on... on mortgage fraud legislation, pay day loan reform, and other measures to help people. Financial literacy is needed in the school system."

Reis: "It's needed here, too. One last thing, we have \$2 billion in unpaid Medicaid bills. We couldn't do that in our homes, our businesses, our municipalities. Is that being fiscally responsible, leading by example, to our children that the State of Illinois is... is running their business that way?"

Yarbrough: "Representative, this financial literacy program shall teach an understanding of the basic concepts of financial literacy including the following: basic banking, savings and investing banking, credit scoring, completing a loan application, understanding simple contracts, state and federal income taxes and personal insurance."

Reis: "Okay."

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Yarbrough: "I'm... I'm..."

Reis: "Thank you, Representative. To the Bill. We recommended that some of the changes be made to this with regards to the fund sweeps in preventing the money from being swept out of it. I think that's all this fund's being created for. We encourage the Sponsor to move a Resolution forward that encouraged our schools and our banks to work in collaboration to teach fiscal responsibility to our students. I think we need to do it, but let them do it on their own. But most of all and I... and I mentioned this when I closed in committee, that it is hypocritical, I feel, for this Body to mandate that fiscal responsibility be taught to our students. We should be leading by example and doing the things that we're telling them that they need to be taught right here in the General Assembly. I vote 'no'."

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

Mitchell, J.: "Testing. Ahhh. Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Mitchell, J.: "Representative, I believe I heard you say that... that you don't feel that this is a mandate on schools. Is that correct?"

Yarbrough: "I said that it's consumer education is being taught in the schools and we want them to include financial literacy."

Mitchell, J.: "No... But I know you said that, but you also said that this wasn't a mandate."

Yarbrough: "Not an additional mandate."

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Mitchell, J.: "It's not an additional mandate. I'm... I'm not sure what an additional mandate or a mandate, I... I don't know what the difference is. Any time you tell teachers what they must teach, it's a mandate because it's coming from one Body that does not have local control over the school system so we, by law, say you will teach this, you will include this, you will add this. That's a mandate. Is there any money attached to this..."

Yarbrough: "No, it is not..."

Mitchell, J.: "...except for your... except for your... your..."

Yarbrough: "There's no money attached to this, neither does it have any opposition to it."

Mitchell, J.: "Okay. So, no money attached, that adds another word to mandate, that adds unfunded mandate which means that it's going to cost money, it's going to cost time and that's gonna be the local responsibility, right? It's up to them how to get it taught, when to get it taught, and how to pay for it."

Yarbrough: "They already have to teach consumer education."

Mitchell, J.: "But that's full. There's not..."

Yarbrough: "It's not..."

Mitchell, J.: "...there's not two weeks of consumer ed where kids sit around and do nothing. Something's gonna have to go and it's probably somebody in here that said you'll teach this because this is important, so we've gotta leave something out. That's what happens with mandates. We haven't lengthened the school day, we haven't lengthened the school year. Ya know, quite frankly... to the Bill, Mr. Speaker. Banks and lending institutions would be way ahead if they



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had taken the time and energy and money they're using to push this particular Bill, them and what's the group... National Jumpstart Coalition. If they had simply sat down and prepared a curriculum, a good curriculum, that could've been taught simply by consumer education teachers and then given that to the school districts with the encouragement to teach this, they'd have been way ahead. I know, in my district, teachers are becoming passive aggressive saying, fine, send me something else to teach, there's not enough time now to teach what you've told me I have to teach and what I know best that students should learn. So, send it on, we'll add it for ten minutes on Friday afternoons just before we go home. Instead of having a prepared curriculum that might really do something, we're sending them a mandate. Folks, this is just not the way to work with the education community. I recommend a 'no' vote."

Speaker Turner: "If I can advise the Body, we've got ten Members yet to speak. I think seven have spoken on this Bill already. I'm willing to either go through this ten, but I can say after this Bill, we will be moving to the Order of Standard Debate where we will hear from two proponents and two opponents but because we have... I didn't announce it at the very beginning, we will go through. But I want you to know there's ten, now there's eleven people still wanna speak on this Bill. We will proceed and we will have the timer, but we will move to the Order of Standard Debate after this. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The Sponsor has a Bill that is well intended, but I... and I won't go over plowed ground. But Ladies and Gentlemen of the House, many of you have never taught a class, many of you have never sat in a classroom as I have and my wife has and tried to get through a school day teaching a hundred and eighty to two hundred children. Now, it's a very difficult job and we don't make it any easier when we continue to add curricula mandate upon mandate. This is a copy of the School Code. If you were to look on page 505 of the School Code, there is a mandate called, 'Consumer Education' and it devotes four paragraphs to what shall be taught in that area. There are hundreds of schools in this state that teach financial literacy now under this mandate. They bring in banks, they bring in savings and loan and credit union people, they usually bring in the teaching materials because we don't fully fund education and they're able to do this. Rather than add a mandate to a mandate, why don't we just do a Resolution or tell the State Board of Education to expand the scope of consumer education. We don't need to put another mandate in this Code, it's already in there. There are creative ways that local school districts can address this problem, and it is a real problem, without being told what to do by the General Assembly. There comes a time when we need to back off and let teachers teach reading, writing, arithmetic and then the hundreds of other mandates that we have put on them and it makes it very difficult for them to get through the school day. This can be done without this Bill. Many districts

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already do it and the materials are furnished to them by... by banks, by credit unions, by savings and loans. You're asking me to vote for a Bill that increases educational instruction costs at a time when we are not fully funding education, the veterans' scholarship has no money in it. You talk about fiscal literacy, where's the fiscal literacy of putting no money into the veterans' scholarship tuition waiver. That is an outrage. As someone said earlier, maybe we should take this Bill and make it a part of the curricula to the General Assembly. Ladies and Gentlemen, this can already be done and is being done in hundreds of our schools without the General Assembly further cluttering up the School Code of Illinois that runs... how many pages... 1 thousand-plus pages and you wanna add something else to it when you're not fully funding education. Let's go back to school ourselves, let's learn a little financial literacy on behalf of all of us, leave the School Code alone. I'm gonna drop it on my desk. You don't think there's enough stuff in it. Take a listen. Enough is enough is enough. Let teachers teach and let us get on with the business of the budget. Where is it? Where's the money for ALL KIDS? Where's the money for the veterans' scholarship? Where's the money? Where's the money? Where's the budget? We're scheduled to adjourn... we're scheduled to adjourn in less than one week and we haven't even seen a budget. That's what we should be working on, not a Bill that takes a mandate and expands another mandate into it. Vote 'no'."

Speaker Turner: "I'd like to also in... like to inform this Body that this Bill passed out of the Senate 50 to 0. It passed

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the House committee... it passed the House committee 11 to 0. And the next speaker is the Gentleman from Cook, Representative Giles. For what reason do you rise?"

Giles: "Thank you, Mr... thank you, Mr. Speaker, Ladies and Gentlemen of the House. I did have something to say on this piece of legislation, but at this time I ask that we... ask that we call the question on this piece of legislation at this time."

Speaker Turner: "Gentleman asks leave to move... the Gentleman moves the previous question. All those in favor say... The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, under Robert's Rules of Order, he did not pose the proper parliamentary question and I would ask that the Chair ignore it, it was not phrased correctly, it wasn't even close. Now, if ya just wanna cut off debate, then I guess somebody could get up and burp and you'd close off debate. His Motion was not the proper Motion and it is not in order and it should not be recognized."

Speaker Turner: "The Gentleman from... the Gentleman from Cook, Representative Giles, would you restate your Motion."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I apologize, I did not give the proper language. But I move the previous question, Mr. Speaker."

Speaker Turner: "And that issue is not debatable. This is your third bite. The Gentleman asks... the Gentleman moves the previous question. 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

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voted who wish? The Clerk shall take the record. On this question, there are 62 voting 'aye', 51 voting 'no'. And the previous question is put. Representative Yarbrough to close."

Yarbrough: "Thank you for all the wonderful debate on this Bill."

Speaker Turner: "Representative Yarbrough asks..."

Yarbrough: "That... Let me just say that this Bill passed out of this Body last year with 99 votes and many of you who spoke in opposition to the Bill supported this Bill last year. But the only difference between last year and this year is we don't have a gubernatorial election this year. So, I simply ask for a favorable vote. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 21... Representative Black, for what reason do you rise?"

Black: "That wasn't any close. That was a paid political announcement. All right. Mr. Speaker, Mr. Speaker, I have an inquiry of the Chair."

Speaker Turner: "State your inquiry."

Black: "Where in the House Rules or the parliamentary rules does it say that the winning side shall applaud? What are you applauding for? Hell, you've got more votes than we do. What are you applauding for? No, they'll be no Roll Call. If she's gonna make a political announcement, by God, so am I. I'm gonna tell you something, Representative, that I learned a long time ago from a man you oughta read about, Senator Everett McKinley Dirksen, who Lyndon Johnson said, a Republican, who Lyndon Johnson said... and you can look it up..."

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he couldn't have passed the 1964 Civil Rights Act without the efforts of the Gentleman from Illinois, Republican Senator Everett McKinley Dirksen. And when the press asked Senator Dirksen why he voted for a Civil Rights Bill, when he'd never vote for one in the past, to answer your question about my vote, Representative, Senator Dirksen said, and I quote, 'I'd rather be right than consistent.'"

Speaker Turner: "And the question is, 'Shall the House pass Senate Bill 2191?' 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? Fritchey. The Clerk shall take the record. On this question, there are 63 voting 'aye', 51 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black, one more time."

Black: "Yeah. Mr. Speaker, if it was in or... is it in order for our side to boo? I didn't think so. Ya know, I've said this before, that applause stuff didn't... didn't exist here 20 years ago. When you win, you win and when you lose, you lose. And I don't know why we've gotten into this habit of applauding and cheering, it just simply run... rubs salt in the wounds. It isn't necessary. Win with class and lose with dignity."

Speaker Turner: "Your point is well-taken, Representative. Could we hold the applause. Okay. Now, we're gonna go to work. We're gonna move to the Order of Standard Debate, so we will only hear from those that need to talk. And on that order, we're gonna go back to page 3 of the Calendar.

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Representative Mendoza on Senate Bill 2137. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2137, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Mendoza."

Mendoza: "All right. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Senate Bill 2137 creates the Illinois Public Safety Agency Network Act. The purpose of IPSAN is to continue the areawide law enforcement radio terminal system, the ALERTS system, the areawide law enforcement communication system, ALECS, and police information management system, the PIMS system. The Bill basically mandates that IPSAN be incorporated under the general Not-For-Profit Corporation Act of 1986. It shall be registered incorporated, organized and operated in compliance with the laws of the state. And the Bill specifies that IPSAN shall also not be a state agency but must adopt and adhere to provisions of the Open Meetings Act and the Freedom of Information Act. Basically, what we're trying to do here is bring the operability and the safety of our first responders into compliance under one, general oversight. And so, I would ask for your favorable consideration. Thank you."

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

Holbrook: "Thank you, Speaker. I'd had my light on earlier before this debate ever started. I wanted to announce in the gallery today we're joined by the AARP Metro East chapter from Madison and St. Clair County. They're just up

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to the left here and I wanted to recognize them. So, let's give 'em a welcome. Let's somethin' we can applaud for."

Speaker Turner: "Welcome to Springfield, Ladies. Seeing no questions, the question is, 'Shall the House pass Senate Bill 2137?' 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', 1 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Will Davis, for what reason do you rise?"

Davis, W.: "A point of personal privilege."

Speaker Turner: "State your point."

Davis, W.: "Ladies and Gentlemen of the House, I'd like to take this opportunity to introduce someone who's come down to lobby on behalf of kids today. She's from the Posen-Robbins Elementary School District. She is the principal of Turner School and her name is Tracy Olawumi. Please give her a great round of applause."

Speaker Turner: "Tracy, welcome to Springfield. Did you say the name of that school was Turner Elementary? The Gentleman from Lee, Representative Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As you well know, we have a critical and crucial



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fiasco going on in the State of Illinois with our standardized testing in our elementary and secondary schools. Harcourt Assessments Incorporated has failed miserably in their contract with the State of Illinois to deliver the testing materials on time so that our students can take the standardized tests that will determine whether or not our schools have met adequate yearly progress under the Federal No Child Left Behind Law. I asked my wife, who teaches kindergarten in Rock Falls, if their school had received all of the tests. And she says, well, she's talked to the superintendent, she's pretty sure they have because they have two complete sets. I told her she better not say complete sets until they get 'em open because I understand that some school districts opened their tests and they were blank. It's an absolute mess and we're very concerned as to whether or not the Federal Government will even accept these tests as the determining factor for AYP. The problem that we have is that it's no longer standard. Now, after this test year's fiasco is over, where do we go from here, what's gonna happen next? I'm very concerned with the answers that I'm receiving from both the Governor's Office and from Superintendent Randy Brown (sic-Dunn). At first they said this contract's gonna be terminated. It's a 5-year contract, this is the first year and this is enough. Now, later on, the superintendent said, he may recommend terminating the contract. Lately, his office is saying, it would be irresponsible to terminate the contract until they see what else is out there. Well, we know there are other testing companies out there and they'd be more than happy to

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bid on a new request for proposal. But this is not happening. House Resolution 1005 simply asks Superintendent Randy Dunn to appear before the Elementary & Secondary curric... Committee and the Elementary & Secondary Ed Approp. Committees to answer questions. There are many, many quest... this is not a political issue, folks. This affects all of the children of the State of Illinois. And what are you gonna say to your teacher, to your superintendent, to the frustrated parents when ya go home without answers. All we're asking is that the superintendent come and reassure us of many, many problems we're seeing with this whole testing fiasco. I'm not happy with the answers I'm getting. I'm not happy that that Resolution has not come out of Rules so that we can ask the superintendent to appear before the committees in a timely manner. Ladies and Gentlemen of the House, I wish you would join me in getting that Resolution out of Rules. Thank you, Mr. Speaker."

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

Gordon: "Thank you, Mr. Speaker."

Speaker Turner: "Sorry. Representative, let me do this... the chairperson of the Elementary & Secondary Education Committee, Representative Giles, for what reason do you rise?"

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I do not know the status of... of that particular Resolution that's in Rules, but I can say that the Elementary & Secondary Education Committee will convene a meeting next week concerning this matter. At this

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particular time, we do not have a... a correct time nor a date, but we will entertain a meeting. The superintendent will appear before us and as soon we get that confirmed, we will notify all Members not only on the Elementary & Secondary Committee, but all Members of this full Body that would like to attend. Thank you."

Speaker Turner: "Thank you for your information, Representative. The Lady from Grundy, Representative Gordon, for what reason do you rise, now?"

Gordon: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Gordon: "Ladies and Gentlemen, if I may draw your attention to my right. We have some outstanding members of the LaSalle County Farm Bureau with us today including the manager Jeff Hartman, David Swenson, Monty Whipple, my very close personal friend, Mr. Sherwood Jackson, and Ken Beck. Mr. Speaker, I'd ask that you give them a warm welcome to Springfield."

Speaker Turner: "Welcome to Springfield."

Gordon: "And they're asking us to pass some renewable fuels legislation, Ladies and Gentlemen. Thank you."

Speaker Turner: "Welcome to Springfield. The Gentleman from Jasper, Representative Reis... No. The Lady from Cook, Representative Bassi, for what reason do you rise?"

Bassi: "A point of personal privilege."

Speaker Turner: "State your point."

Bassi: "Mr. Speaker, Harcourt has a 5-year, \$45 million contract. Interestingly enough, we have been asking for

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some information for the last three weeks. Finally, we get word that Dr. Dunn is gonna be coming to speak to us. But given the well-documented problems that Harcourt came up with, delivering in many other states that hired them, we have questions that we wanna ask and you should, too, about how... how they won such a lucrative contract and... such a lucrative long-term deal here in Illinois. Was it because they hired John Wyma, Mr. John Wyma, the Governor's former top aide to lobby for them? Harcourt thinks so, in fact, they said so. They said so in the press. They think that his connections in this administration are... are the way that they could get that... that contract. That's why they hired him. But we don't know and we have questions that need to be answered. So, finally they're gonna come talk to us. But does that contract include performance guarantees or does Harcourt think hiring John Wyma is the... all the guarantee they need? Again, we don't know. But we need our questions answered. Mr. Speaker, when the appearance of pay-to-play politics finds its way into our third grade classrooms, parents need and deserve answers and so do we. Release our Resolution 1005. Thank you."

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

Rose: "Thank you, Mr. Speaker. A point of personal privilege. Thank you. Ladies and Gentlemen, I was very happy to hear Representative Giles say that Superintendent Dunn was gonna be in the committee next week, I believe, he said. Is there any way, Mr. Speaker, that we could open that up to all Members of the General Assembly? I'm intensely interested

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in this. I have 16 rural school districts all of which could be adversely impacted by this failure of Harcourt to deliver on its contract. And I have a number of questions that I'd like to have resolved and if it's not too much to ask, I think many of us on both sides of the aisle... because this is truly an issue that impacts downstate, Chicago, suburban, it impacts every single Member in this chamber's districts and potentially in a negative way and could have a negative financial impact on all those school districts statewide. I... I would like to see this, frankly, as a Committee of a Whole, but... but I'll defer the Chair. But is there any way we could open that up?"

Speaker Turner: "We will take your request under consideration. Representative Giles did say he would inform the entire Membership when that committee is going to be meetin'. It is a public meeting and you certainly are invited to attend, but we will give you more update as with the date is scheduled. The Gentleman from Jasper, Representative Reis, for what reason do you rise?"

Reis: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Reis: "Thank you for your indulgence on this. I think you can see how important this is. This is not a political issue as been said. This is... affects our children and they're not politically related. And regardless of what's been said in the papers, ya know, we brought this issue up last week, we asked on the House Floor what was the status of the Resolution, we brought it up in committee, but the fact of the matter is we should not have even had to bring it up.

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They should have convened a committee hearing so that we could hear what was going on. At stake is our children. At stake is our funding for our schools. And waiting this long to... to convene this hearing, I think, is not showing a good sign that we care about our kids. My wife's giving this test as we speak this week. There are problems. There was problems in delivering the test, delivering the testing materials, the labels. We wanna know what's going on now for this year. We wanna know if the State Board of Education is gonna seek waivers on the testing results that are just sure to be inconclusive and flawed this year, but more importantly, we wanna know what's gonna go on next year. Is Harcourt gonna get the contract for next year? What provisions can be put in place now, because teachers and administrators are planning for next year's tests right now. So, please, if we don't move this committee... or if we don't move this Resolution out of committee, at least get the meeting scheduled. I appreciate Chairman Giles' comments this morning and look forward to hearing from the State Board of Education as to what's going on with this very important matter. Thank you."

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

Black: "Mr. Speaker, the Illinois Standard Achievement Test is important to every school child in the state, from Chicago to Cairo. You... you... for those of you who think this is a political stunt, there's nothing I can say that would dissuade you from that, but this deals with all of our children in every school district of the state. Ladies and

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Gentlemen, this has been a comedy of errors and we can't get any information. Should we seek a waiver? How many of your schools are gonna fail because the tests were missing pages, were missing questions, they couldn't get the test booklets on time, they couldn't get the labels. This is what determines your Title I money. This is what determines whether or not your school will meet adequate standard of progress, whether your school will... your district will have to open up school choice, depending on how many of your schools do not do well on the Illinois Standardized Achievement Test. This fiasco, the Three Stooges would cry if they could read some of the letters you and I have received from school superintendents about the other total incompetence that has been brought to bear on the giving of this standardized test. We need answers and I have great respect for Representative Giles, but I don't know if next week is soon enough to get the information and see if we can pursue a waiver, as some school districts have already requested, to do the testing again. The school's year's about over. Mr. Speaker, I feel so strongly about our Resolution and I don't know why it's been held in Rules, there's no reason to hold it in Rules. Under House Rule 18(g), Mr. Speaker, in all due respect, I move to discharge House Resolution 1005 from the House Rules Committee immediately and that House Resolution 1005 be placed on the Order of Second Reading on the House Calendar. It's that important, Mr. Speaker. And for once, just once in my 20 years, why would anybody object to placing a House Resolution on the Calendar that affects every single Member

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in this chamber. I would ask that... respectfully ask, under the appropriate House Rule, House Resolution 1005 be discharged from the Rules Committee."

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

Currie: "Thank you, Speaker. I object to the Motion."

Speaker Turner: "The Lady objects to the Motion. Unanimous consent is necessary for it to be discharged and therefore... Representative Black."

Black: "Mr. Speaker, having worked with the Majority Leader for 20 years, I am at a loss to understand why she would object on this Resolution. It's not a Bill, it's not a substantive matter and it affects her district as much as mine. But she gives me and you give me no choice but to ask under Rule 57(a), I move to appeal the ruling of the Chair since there's been an objection to our Motion to Discharge, I would move that we attempt to overrule the Chair on the objection to what is, I think, a very reasonable discharge Motion on a most important issue. I would move to override the Chair."

Speaker Turner: "Representative Black moves are... 'Shall the Chair be sustained?' Moves... override the Chair. Representative Black, go ahead."

Black: "Mr. Speaker, we obviously will have a Roll Call on the Motion to... and I think that you will phrase the Motion... to vote to uphold the Chair. I'm asking Members on my side to vote 'no' to overrule the Chair and I would ask for a verified Roll Call of the affirmative vote."



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Speaker Turner: "Ladies and Gentlemen, there's been a Motion by Representative Black to overrule the Chair. He's also asked for a verification, so we wanna ask that every Member vote his own switch. If you believe that the Chair should be sustained, you should vote 'aye'; if you want to override the Chair, you should vote 'no'. And with that, the voting is now open. The question is, 'Shall the Chair be sustained?' Every Member should vote his own switch. A verification has been requested. Have all voted who wish? Have all voted who wish? Have all voted who wish? You should vote your own switch. The Clerk shall take the record. There are 62 voting 'aye', 52 voting 'no'. And the Chair is sustained. Verifications, should say... Representative Black, do you persist in the verifications?"

Black: "Mr. Speaker, under normal circumstances I would... I would not, but I think this matter is so important I will proceed with my verification of the affirmative vote. Mr. Speaker."

Speaker Turner: "Yes, Sir, Representative."

Black: "Yes. Is Representative John Bradley in the chamber? He just came in. He just came in. Thank you."

Speaker Turner: "So, Representative, are you starting with the verification..."

Black: "Yes."

Speaker Turner: "...because if that's the case then the Clerk should need to read the affirmative votes..."

Black: "That would be fine. Thank you."

Speaker Turner: "...and we'll go from there. The Gentleman from McHenry, Representative Franks, for what reason do you rise?"

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Franks: "I've got a question on... a parliamentary inquiry."

Speaker Turner: "State your inquiry."

Franks: "Now, it's my understanding that there was a question on whether the Chair should be sustained, correct?"

Speaker Turner: "That's correct."

Franks: "But originally, there was... we have a rule where you have to have unanimity on whether something can be discharged and one Member objected, correct?"

Speaker Turner: "That's correct."

Franks: "So, when that Member objected, the Rule had already been held up. How can we then question the Chair when the Rule was... was being fulfilled? I'm wondering whether the... whether the Gentleman's Motion can even be heard and whether the vote that we just had is even valid. I... 'cause I believe it's moot. And that's my question, parliamentary."

Speaker Turner: "Robert Uhe, the parliamentarian, will explain."

Parliamentarian Uhe: "Representative Franks, on the behalf of the Speaker in response to your inquiry, the... the request... the Motion to overrule the Chair is in order following the Chair's ruling that unanimous consent is required. However, on a request for verification, the Chair's... the vote stands unless 71 Members vote 'no'. In this case, to request verification of the affirmative vote is out of order."

Speaker Turner: "So, based on that ruling, the Chair will rule that there are 62 voting 'aye', 52 voting 'no'. And the Chair shall be sustained. The Gentleman from DeKalb, Representative Pritchard, for what reason do you rise?"

Pritchard: "I don't, Mr. Speaker. Thank you."

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

Nekritz: "Thank you, Mr. Speaker. I'd just like to let the Members of the House know that Mr. David Hughes who is the acting CEO of Amtrak is going to be available for visits in Room 122B at 1:20 to 2:00. So, we'd encourage you to go by. I know we have a lot of support in this chamber for the expansion for Amtrak service. This would be an opportunity to talk to the CEO about it. Thank you."

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

Black: "Mr. Speaker, I appreciate your indulgence. We're certainly in agreement with the decision by the parliamentarian and he was very kind in his decision, but let me just leave you with this thought. The issue of 1005 isn't gonna go away and it's gonna impact everyone of you in your district and don't you find it ironic... will some of you, perhaps, agree with me that it's so ironic that we can find time in our day to meet and greet and talk with the chairman of Amtrak, but we can't take 15 minutes to discuss a House Resolution that impacts every school child that has to take the Illinois Standard Achievement Test in the State of Illinois. And how dare some of you go home and say education is your number one priority. Shame on you. Some of you will go to the Amtrak meeting, but you don't have time to discuss the fiasco of the Illinois Standard Achievement Test. Don't ever tell me again that education is all of your number one priority. You showed what your priority was today."

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

Eddy: "A point of personal privilege."

Speaker Turner: "State your point."

Eddy: "Mr. Speaker, as I... as I listen to the debate regarding House Resolution 1005, I wanna remind everyone that it's been almost three weeks... it's been three weeks since the time our third through eighth graders were supposed to have taken these tests and we still have some problems. The fact of the matter is that the state superintendent of schools is the person that can answer the questions we have regarding validity of the test, reliability of the test, contract issues resulting... that there are in great question around the test. We need the force of that Resolution in order to get those questions answered. I appreciate the fact that Superintendent Dunn will come over, but that Resolution specifically states the questions that need to be answered and I can't understand for the life of me why we're afraid to shed daylight on this issue by having a hearing. It makes no sense at all to me. We should have that Resolution hearing and it should be done as quick as possible on behalf of the kids of the state and that's who we should be worried about here."

Speaker Turner: "Now, does Representative Pritchard wanna speak now that you've got him started?"

Pritchard: "Yes, Mr. Speaker. I rise for a point of personal privilege."

Speaker Turner: "State your point."

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Pritchard: "I wasn't going to state this, but I will. Ya know, today we have a number of groups lobbying us here in Springfield. I have a number of child care providers from the DeKalb area here seeking funding in the budget and supporting what the Governor has proposed. But it's interesting that they have a lot of games for their young people to test their logic and to help develop their logic. Games that suggest things like black and white. What's... what follows in a logical sequence. Ya know, day versus night. I think as adults though, we should see trends a little bit more clearly. And clearly, we should see the trend that when a company that has contracted with the state to deliver test results, as they have with ISAT, hasn't been able to deliver them that perhaps there's going to be a problem with delivering accurate results. And are als... all of our schools across the state are threatened with meeting the No Child Left Behind standard, risking millions of dollars, with the test results that may or may not be accurate. Mr. Chairman, I think waiting another week to hear what our Board of Education and our state superintendent plan to do to deal with this crisis is waiting too long. We need to act now. We need to act and ask what their plans are to assure us of accurate test results, assure us that the \$45 million we're investing in this company over 5 years is gonna be spent wisely. What is the future of our children's standards? Are they meeting the average yearly requirements? Mr. Speaker, we can't wait. We need to have this hearing this week. I urge for faster action by our Education Committee."

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Speaker Turner: "On the Order of Third Readings, page 4 of the Calendar, we have Senate Bill 2230. Representative Lang. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2230, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

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

Lang: "Thank you, Mr. Speaker. This is a Bill of the Secretary of State. It's a cleanup Bill. I know of no opposition."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2230?' 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? Feigenholtz. 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. Representative Brosnahan on Senate Bill 2254. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2254, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2254 amends the Mental Health and Developmental Disabilities Administrative Act. This requires that each person participate in a home- and community-based waiver for persons with developmental disabilities who exhibits behavioral challenges must have an individualized behavioral support plan. This plan must be

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designed to meet the individual needs, it must be immediate and the long-term best interest of the individual, it must be nonaversive, must teach the individual new skills, offer opportunities for choice and social integration, and allow for environmental modifications. I know of no opposition to this Bill. And I'd be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2254?' 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. On the Order of Third Readings, we have Senate Bill 2303. Representative Myers. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2303, a Bill for an Act concerning civil liability. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from McDonough, Representative Myers."

Myers: "Thank you, Mr. Speaker. Senate Bill 2303 amends the Good Samaritan Act to state that a person who is certified in first aid by the American Red Cross or the American Heart Association and in good faith provides care for free shall not be liable for civil damages. This person is liable if the care was willful or... and wanton misconduct. The immunity does not apply to any health care facility or to any practitioner providing services in a hospital or health care facility. It is supported by the Illinois State

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Medical Society, the Illinois State Police, the American Red Cross, the American Heart Association. I respectfully ask ya for an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2303?' 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? Kevin. 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 2312. Representative Joyce. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2312, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Joyce: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2312 adds an additional member to the Board of Higher Education. This member shall be a nontraditional undergraduate student who is at least 24 years of age and is either employed or is a parent. I know of no opposition. I'd be happy to answer any questions."

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: "Indicates he will."

Parke: "The idea is commendable, but why are we gonna do that? Doesn't it cost us more money in per diems and food and all



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the other expenses that go along with it? What's the underlying purpose for this?"

Joyce: "I think the cost would be very minimal, Representative, and there was no fiscal note filed on this Bill. There was no request from either the Board of Higher Education or any of the universities. I believe they're all onboard."

Parke: "Why are you doing this? What... why is this necessary? What it enhances? What do we improve by doing this?"

Joyce: "Well, as you're very well aware, Representative, the typical college student is no longer the recent high school grad. And I think there's a greater population growing of nontraditional students and we just feel that they should be represented on the Board of Higher Education."

Parke: "And do they have a vote?"

Joyce: "Yes, they would have a vote."

Parke: "And how many board members now with your additional member are on it?"

Joyce: "There would be 16."

Parke: "Sixteen?"

Joyce: "Yes."

Parke: "So, now we have an even number. So, what happens if there's a tie, 8-8?"

Joyce: "Well, then I would imagine that there would be a tie and whatever the measure would... would fail."

Parke: "Okay."

Joyce: "I think."

Parke: "And whose idea was this?"

Joyce: "This came out of the Senate."

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Parke: "That in itself is not a good reason. Is it... did it come from the... the universities themselves or one university or do you not know?"

Joyce: "Well, there are some groups out there, the Board of Higher Ed has been in support of it, Ounce of Prevention, Women Employed of Illinois. Those were all proponents of the Bill."

Parke: "Okay. Thank you, Representative."

Joyce: "Um hmm."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2312?' 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. Representative Ryg on House (sic-Senate) Bill 2326. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 2326, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Abuse Prevention Review Team Act was enacted by the 93rd General Assembly to establish Residential Health Care Facility Resident Sexual Assault and Death Review Teams. The law was never implemented by the Department of Public Health for fiscal reasons and is scheduled to be repealed on July 1 of this year. Senate Bill 2326 remedies the funding

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issue by providing that Public Health may use fines paid by nursing homes for violating minimum standards of care to fund the staffing and expenses for abuse prevention review teams. The sunset is removed and technical changes are made including adding deaths referred by local coroners or law enforcement for review. Rather than having a review team in each public health region, there will be two teams until either the department or the teams think that more are needed. If and when four teams are established, an executive council would be established. The Bill also amends the Nursing Home Care Act to implement a federal grant for background checks for health care workers. This legislation is supported by the Attorney General, the Departments of Public Health and Aging, and advocacy groups representing the interests of the elderly, disabled, and victims of sexual assault. There is no opposition and I ask for your support in ensuring the well-being of residents of nursing homes."

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

Durkin: "Will the Sponsor yield? Representative, what is the current sunset date for this?"

Ryg: "I'm sorry?"

Durkin: "What is the current sunset date which you referred to?"

Ryg: "July 1, 2006."

Durkin: "Now, are we reinserting another sunset or is this going to be an Act or... which is going to exist in perpetuity?"

Ryg: "There is no sunset."

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Durkin: "Okay. Now, it says... I'm just looking at our staff notes... that there is a... we're redefining the scope of the review teams. Is that accurate?"

Ryg: "I'm sorry."

Durkin: "Are we redefining the scope of the review teams with this legislation?"

Ryg: "There was some concern that the original Act added some bureaucratic burden to how the review team worked and so there was some streamlining based on the input of all the parties involved."

Durkin: "How was it streamlined?"

Ryg: "There are fewer teams unless there is a demonstrated need for more and they still do not conduct... their investigation is based on a review of the existing records."

Durkin: "Now, they're brought in and the typical situation is when there's an allegation of sexual assault or there is a death in a nursing home or some type of facility. Correct?"

Ryg: "Right."

Durkin: "Now, what... at what stages are the review teams brought in? I mean, in these kind of cases, I would assume that the first thing that the administrators would do would call up the local law enforcement authorities to conduct an investigation. Does the review team come in before or after there's been an investigation by the law enforcement community?"

Ryg: "The review team... the... the opportunities for the review team to be involved were expanded by including the coroners and law enforcement. They were not included in the original legislation."

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Durkin: "So, I guess... I guess the question I wanna know is whether or not they're gonna be running a parallel investigation with law enforcement or the coroners... if there's a coroner's inquest as to the cause of death or if there's a sexual assault that's being investigated by law enforcement. Is their review going to run parallel with the..."

Ryg: "The review team itself does not... not do an investigation as a coroner or law enforcement would. It reviews the results of the investigation."

Durkin: "Okay. And what do they do with these results?"

Ryg: "They will determine if there's any actions that need to be taken in terms of... of what led to the death or the abuse and then they'll make recommendations on prevention methods."

Durkin: "So, theoretically, they can make recommendations to state that there is, under their belief, that there was an assault that was committed and there is a perpetrator which we believe..."

Ryg: "I'm sorry. I can't hear."

Durkin: "I mean, so they do make recommendations to law enforcement, if they... if it's... if they believe it's necessary, correct?"

Ryg: "No. I believe the recommendations will be made to us."

Durkin: "To us. Okay. All right. And is there any... what's the cost there that's going to go along with this implementation of this Act? Do you have an understanding of what the finances are?"

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Ryg: "The cost would be... I don't know a dollar amount, but the cost is being addressed by fines that are being collected for violations in nursing homes."

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

Ryg: "Um hmm."

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

Bassi: "I have a question of the Lady?"

Speaker Turner: "She will yield."

Bassi: "Will the Sponsor yield? She's..."

Ryg: "Yeah."

Bassi: "Yeah. She's saying 'yes'. Thank you. Representative, is there language in this Bill that will prevent the sweeping of the funds that will be used to... to take care of this?"

Ryg: "That is not addressed in the language of the legislation."

Bassi: "There is language that will prevent the sweeping of the fund?"

Ryg: "There is not language."

Bassi: "There is not. Are you aware of the fact that this particular fund was swept in FY06 to the tune of \$427 thousand?"

Ryg: "I... I trust that information."

Bassi: "Okay. And... and that... then why are... if... if that's the case and it's already been swept and there are no monies to... there to do it, and House Bill 2316 will sweep the fund again this year for '07 by a hundred and forty-three thousand dollars, that means you have no money to do anything with this Bill. So, why are we passing the Bill

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since the Governor's already taken the money out to use for general funds?"

Ryg: "My understanding is that that's something that this Body will vote on."

Bassi: "Okay. But... but we already lost the \$427 thousand last year. This year, if House Bill 2316 passes, you're not gonna have dime one to do anything with this Bill?"

Ryg: "That would take different legislative action."

Bassi: "Okay. So... so, if... if you... if... if the budget passes, you'll be voting to sweep the fund that you're setting up right now?"

Ryg: "No. I'm suggesting that to protect the fund we can take additional legislative action."

Bassi: "But there is no additional legislation or not... no additional language right now to keep from... to prevent that from happening for next year?"

Ryg: "Our understanding on the funds is also that excess funds are being swept and I know that's not necessarily the case, but in this particular legislation..."

Bassi: "Four hundred and twenty-seven thousand..."

Ryg: "...the funds are available for use as the teams are needed."

Bassi: "Okay. But so... but excesses... So, you'll be voting 'no' on the budget then?"

Ryg: "I'm sorry? I..."

Bassi: "So..."

Ryg: "...I missed your... I missed your question."

Bassi: "So... so, you'll be voting 'no' on the budget to be sure these funds aren't swept?"

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Ryg: "It's our expectation that these funds will be available for this purpose."

Bassi: "Okay. Thank you."

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

Brady: "Will the Sponsor yield, Mr. Speaker?"

Speaker Turner: "She indicates she will."

Brady: "Representative, just a couple questions. I'm...I'm a little confused from the abuse prevention review teams and the death review teams of which I was part when I served as county coroner. How are these interacting again or can you... can you explain that to me 'cause I'm a little confused as to the abuse and neglect teams versus the death review teams?"

Ryg: "I'm sorry. This legislation is modeled on the DCFS Children's Death Review Team."

Brady: "So, is this modeled off of the those teams for the sole purpose of abuse and neglect. Is that... is that correct?"

Ryg: "Yes."

Brady: "Okay. Thank you very much."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2326?' 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? Pritchard. The Clerk shall take the record. On this question, there are 112 voting 'aye', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed."



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Representative Mendoza on Senate Bill 2336. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2336, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Cook, Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2336 makes some... several minor changes and clarifications regarding the administration of the school breakfast and lunch program. It's basically just some cleanup language. There is no known opposition to the... to the Bill. And a couple other points that it does is that it allows for increased reimbursement for the schools who participate in the breakfast program, if those appropriations happen. And it also requires that ISBE provide, in their report to the General Assembly and the Governor, a list of the schools in districts that have been temporarily exempted from the program in its annual report to us. And it also removes references to an advisory council that no longer exists. And basically, again, a very simple Bill, just cleanup language. And I would ask for your support. Thank you."

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

Eddy: "Thank you ver... thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Eddy: "Representative, just for clarification, I wanted to bring up a couple of issues related to this... to this cleanup legislation. Under the original legislation, school

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districts that were able to show that they were not capable of implementing a school breakfast program without total reimbursement from the State Board of Education, whether it be from federal or state funds, there was a process that they could use to opt out..."

Mendoza: "That's right."

Eddy: "...and that would involve the regional superintendent of schools and ultimately, on appeal, the state superintendent of schools. Nothing in the process is changed by this legislation. Is that correct?"

Mendoza: "Absolutely correct. Nothing has been changed. This is a Bill that we worked very hard on with your Leadership and some of the other Members of the other aisle as well as this side. And all of those provisions remain intact. The only thing this does is clean up some of the confusion that it might have surrounded the Bill in the past, but everything is still as it was before."

Eddy: "Okay. Thank you very much. I appreciate the answer to that. Certainly if... if someone opposed this concept to begin with, they may still be in opposition. However, the legislation that you bring us really only deals with a couple of cleanup and doesn't change the substance or the process of the Bill. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2336?' All those in favor 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

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'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Dugan on Senate Bill 2356. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2356, a Bill for an Act concerning the State Comptroller. Third Reading of this Senate Bill."

Speaker Turner: "The Lady from Kankakee, Representative Dugan."

Dugan: "Thank you, Speaker, Members of the House. Senate Bill 2356 is an initiative of the Comptroller's Office and what it does is change some reporting times to January 31 of each year with Amendment #1. So, it... it really isn't anything other than better reporting system for the Comptroller's Office. And I would like an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2356?' All those in favor 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? Bassi. 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 Champaign, Representative Rose, for what reason do you rise?"

Rose: "Hello? Point of personal..."

Poe: "Yeah, Mr... Mr. Speaker, you've got two of us on."

Rose: "A point of personal privilege."

Speaker Turner: "Ho, ho, ho, ho, ho."

Rose: "A point of personal privilege."

Speaker Turner: "Representative Rose."

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Rose: "A point of personal privilege, Mr. Speaker."

Speaker Turner: "State your point."

Rose: "Ladies and Gentlemen, many of you have met these... and I'm very privileged today... my... my alma mater, the University of Illinois Law School, every year sends a number of law students over here to serve as assistants and legal analysts for our various parts and staffs and today they're all collected up in the balcony here. So, let's just give them a real big hand for the help and work they have... give all of us."

Speaker Turner: "Welcome to Springfield. The Gentleman from Sangamon, Representative Poe, for what reason do you rise?"

Poe: "Yeah, Mr. Speaker, on a point of personal privilege."

Speaker Turner: "State your point."

Poe: "Yeah, Mr. Speaker and Ladies and Gentlemen of the House, I wanna introduce... we have a school visiting here and each year the... Russ brings the eighth grade class from the Trinity Lutheran Church. We wanna give them a big welcome here to the chambers. Thank you."

Speaker Turner: "Welcome to Springfield, Trinity. The Gentleman from Jasper, Representative Reis, for what reason do you rise?"

Reis: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Reis: "Help me welcoming here today the eighth grade class from East Richland High School in Olney, Illinois and their chaperones who are here today as part of the Capitol Showcase, the Illinois Math and Science Partnership. So, welcome to Springfield."

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Speaker Turner: "Welcome to Springfield. On the Order of Third Readings, we have Representative Beiser on Senate Bill 2360. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2360, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Madison, Representative Beiser."

Beiser: "Thank you, Mr. Speaker. Senate Bill 2360 creates the Mississippi River Coordinating Council Act. This Act establishes a council designed to review state and federal activities and programs affecting the Mississippi River, advise the Governor and state agencies on ways to coordinate the expenditure of appropriated funds affecting the river and its tributaries, and to promote responsible agricultural, municipal, and recreational use of the Mississippi River and its tributaries. Be happy to answer any questions. And I'd ask for a favorable vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2360?' 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? Chapa LaVia. 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. Representative Mathias on Senate Bill 2372. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2372, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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Speaker Turner: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 2372 amends the Nursing and Advanced Practice Nursing Act. It waives certain license requirements for foreign-educated nursing students if they've received a certificate from the VisaScreen Program and the reason is because these requirements are already met through that program. And I ask for your 'aye' vote."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2372?' 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. Representative Ryg on House (sic-Senate) Bill 2381. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2381, a Bill for an Act concerning State Government. Third Reading of this Senate Bill."

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

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In the 93rd General Assembly, we also established the Older Adult Services Act. The Act included the provision for a 32-member older adult services advisory committee to study and make recommendations including system restructuring initiatives, which would promote the transfer of services from facility-based to home- and community-based. This

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legislation provides that the advisory committee shall investigate the innovative and promising practices that are currently operating as pilot projects. The Department on Aging shall provide the committee a list of such projects and a system area evaluation for potential expansion throughout the state. The legislation was developed in cooperation with the Department on Aging and AARP. And I ask for your support."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2381?' 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. Representative Saviano on Senate Bill 2395. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2395, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Saviano: "I'd like to move this back to Second for the purposes of an Amendment."

Speaker Turner: "The Gentleman asks leave to bring the Bill back to Second for purposes of an Amendment. All those in favor say 'aye'. The 'ayes' have it. And the Bill will be placed back on Second Reading. Representative Yarbrough on Senate Bill 2400. Out of the record. Representative Feigenholtz

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on Senate Bill... Out of the record. Representative Munson on House (sic-Senate) Bill 2449. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2449, a Bill for an Act concerning employment. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Cook... I mean, the Lady from Cook, Representative Munson."

Munson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2449 provides Illinois's residents with a reliable mechanism to access the centralized fully searchable database of available job openings within state agencies to an easy-to-use website created and maintained by the Department of Employment Security. This database will be incorporated in to the Illinois Skills Match website also maintained by IDES that currently provides access to job openings in the private sector and which will also accommodate job openings posted by local governments. Ultimately, this tool will allow more Illinois's residents to access jobs in our state. I'll take any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall the House pass Senate Bill 2449?' All those in favor 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? Hoffman. 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. Representative Reitz on House Bill 24... Senate Bill 2454. Read the Bill, Mr. Clerk."



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Clerk Mahoney: "Senate Bill 2454, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Turner: "The Gentleman from Randolph, Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 2454 is an initiative of the Illinois Historic Preservation. It would allow the Historic Preservation at... at various... at their sites, to authorize events hosted by corporations and other private parties to serve liquor at these events, especially at the Abraham Lincoln Library. We have a number of weddings and things of that nature that would like to be held there and to serve liquor that presently, they are restricted to only having liquor served by governmental agencies or not-for-profit organizations and this would simply expand that. And I appreciate your support."

Speaker Turner: "Seeing no questions, the question is... The Gentleman from DuPage, Representative Meyer, for what reason do you rise?"

Meyer: "Yes, Mr. Speaker, would the Gentleman yield for a question?"

Reitz: "Yes."

Meyer: "Mr. Speaker, would the Gentleman yield for a question?"

Speaker Turner: "He indicates he will."

Meyer: "Thank you. Representative, currently, is alcohol being served at the... those facilities?"

Reitz: "The only time it can be served now is for governmental agencies or not-for-profit organizations. This would simply allow private individuals and other organizations to... to serve alcohol."

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Meyer: "Well, what is a not-for-profit organization?"

Reitz: "It's an organization that doesn't make a profit."

Meyer: "Well, I... I'm trying to put this together with what I've experienced. Certainly, I've... all of us have been invited to receptions, Representative."

Reitz: "I was there last night, too, so..."

Meyer: "Okay. Well, who provides the alcohol for those?"

Reitz: "I don't know."

Meyer: "Well, my... I... I guess then that would lead me to the question, is it not already available under..."

Reitz: "It's... it is not... currently, the statute is... it reads that it is... it just permits them to use... to have governmental agencies or not-for-profit organizations to serve alcohol. So, I'm not sure and I think there are events that they've held at various state parks and that where there has been alcohol served. This will simply clarify it to make sure that... that we can use that and I think a lot of it comes from the multipurpose facility that we have with the Abraham Lincoln Library right now and the amount of people that want to use that for weddings and things of that nature."

Meyer: "Well, Representative, it seems like you've got a good piece of legislation here. So, I'm happy to support it."

Reitz: "Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Turner: "To the Bill."

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Black: "The Bill has a great Sponsor, no question about the ability and the integrity of the Sponsor. But I want all of you to think... and I know that there are safeguards and I know it's for private parties, but when I took my grandchildren to the Abraham Lincoln Presidential Museum and Library last summer, I couldn't help but sit there and think, what would really make this a world-class museum is the ability to sell beer and whiskey and rum and wine. That's what every good presidential museum and library should have, the ability to sell booze, so that they can spill it on the marble floor, so that they can spill it on the carpet, so that they can throw up in the corner, so that they... so that they can use that beautiful recreation of Abraham Lincoln's cabin in that beautiful museum, they could find a corner of the cabin to perhaps relieve certain bodily pressures. Yes, indeed, Ladies and Gentlemen, this is one you should vote for for Abraham Lincoln because I don't think Lincoln's legacy is safe unless we sell booze in his museum. Yes, Sir, Ladies and Gentlemen, we have trouble right here in the capital city and it starts with 'b' and it ends with 'e' and it stands for booze. Next, you'll want a pool hall in the lobby and dancing girls on Friday night. A world-class museum and we have to sell booze in the museum. I never thought I'd live this long."

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

Dunkin: "To the Bill. Thank you, Ladies and Gentlemen of the House. To the Bill, Mr. Speaker."

Speaker Turner: "To..."

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Dunkin: "This Bill is, first of all, it ties directly into our state's tourism. We have a number of very prominent historical sites here and throughout our state. And oftentimes, they reach out to our Tourism Committee, the state's Bureau of Tourism and they try to talk about a reach... ideas of what it is that they can do that could enhance tourism in their state or in their respective county or their city. What this Bill simply does is it helps add an additional specter, an additional value, to allow our historic sites to be utilized and in an adult manner, that respects what it is that particular historic site represents and is all about. This simply helps take off some of the... the restrictions and it adds another dimension, a positive dimension, at least for the... for someone who plans to do an event, to their respective historical site. And I would ask and encourage my colleagues here to help us promote tourism, to help us promote some of these historic sites where a lot of us are not familiar with, and to give them further tools that will help advance their respective city, town, and area where they're trying to enhance and augment tourism. I would encourage an 'aye' vote. Thank you."

Speaker Turner: "Seeing no further questions, Representative Reitz to close."

Reitz: "Thank you, Mr. Speaker. I appreciated the comments. I'll pass on Representative Black's comments to Marian the librarian, but I'd appreciate an 'aye' vote. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass 20... Senate Bill 2454?' All those in favor should vote 'aye'; all those opposed vote 'no'. The

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voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Lang. Have all voted who wish? The Clerk shall take... Clerk shall take the record. On this question, there are... The Clerk shall take the record. On this question, there are 10 voting 'aye', 103 voting 'no', 1 'present'. And this Bill fails. The Gentleman from Cook, Representative Fritchey, for what reason do you rise?"

Fritchey: "Mr. Speaker, I have an inquiry that something very untoward may have happened here. As they're getting the trophy to present to Representative Reitz, I can't help but wonder whether my colleague from Chicago, Representative Dunkin, knew full well that him speaking in favor of the Bill would doom it thus ridding himself of the trophy. I believe that this was intentional plot by Representative Dunkin and I demand an inquiry into this matter. Thank you."

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

Reitz: "Thank you, Mr. Speaker. I... I spoke with Representative Black and he suggested that I put this on Postponed, but I guess that would be out of order. But I appreciate your help."

Speaker Turner: "Yeah. He may wanna..."

Reitz: "And... and... Dunkin. Yeah. Definitely, thanks to Representative Dunkin. So, I think he's wanting to get rid of the trophy. Thank you."

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

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Bost: "Mr. Speaker, yesterday, on this floor, Bill Black said that someone had taken from his office. Now, another theft has occurred. The trophy has been taken from the back. This needs to be returned so it can be immediately presented to Representative Reitz."

Speaker Turner: "We'll notify security. And back to work. Page 5 of the Calendar, Senate Bill-Third Readings, we have Representative Coulson on Senate Bill 2455. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2455, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Turner: "The Lady..."

Coulson: "Thank you, Mr. Speaker. Senate Bill 2455 requires that comprehensive health education programs advise students about the provisions of the Abandoned Newborn Infant Protection Act, that we passed in 199... in the 92nd General Assembly, to create safe havens for unwanted newborns. And just to congratulate all of the floor, we have saved 21 babies lives with this Bill. We'd like to continue on with this process and teach it in a health education class. So, I'd appreciate an 'aye' vote."

Speaker Turner: "Seeing no questions, the question is... Sorry. The Gentleman from Cook, Representative Miller, for what reason do you rise?"

Miller: "Just one question for the Sponsor."

Speaker Turner: "State your question."

Miller: "Representative Coulson, is that a mandate?"

Coulson: "This is... this req... is a requirement for schools, but I'll let you know that as far as cost to a school, there

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will be no cost. We have a grant for \$50 thousand to write the curriculum. It will be available in April on the Internet. Any school can access the actual curriculum to be taught in the school for free."

Miller: "Ya know, I understand. So, the answer is that... ya know, 'cause in a prior Bill we talked about financial literacy. We talked about how the teacher are burdened with everything they have to teach. We talked about, ya know, I heard in discussion and all the things that... that happened and I know you've been a leader on the abandoned newborn and I think it's a great Bill, I'm gonna support it. But I just need to know, is this one of these unfunded mandates that I've heard so much about?"

Coulson: "I will tell you that I voted for the financial literacy Bill because I believe in it. But also this Bill is a mandate, but I will not call it unfunded. When the curriculum is available for free on the Internet provided by a private corporation."

Miller: "Well, that's why I think you're such an excellent Representative through the bipartisan support on this. That... the fact of the matter is there are some things that are just... go beyond politics, go... just good government. My child doesn't like to get into the car seat every now and then, but it is mandated by the state, I gotta put him in there. And so there are some things and we can just go beyond politics to say, this is the right thing to do. I support your Bill and I hope everyone else does too."

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

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

Speaker Turner: "To the Bill."

Eddy: "Mr. Speaker, to compare this to the... to the financial literacy mandate, this absolutely does not create a fund that can be swept. It does not... it does not enter into the realm where school districts will have to purchase curriculum. This in no way can be made a comparison. This is not an unfunded mandate. This is something that can be simply done and... and I strong... I rise in strong support of the Lady's Bill. This is a type of thing we should look to do to try and improve where we can in school districts, without creating funds that can be swept and without overbearing mandates on school districts, try to do good things. And that's what this Lady di... Lady's Bill does. I urge an 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I congratulate the Sponsor on funding a mandate and there is, as the previous speaker said, quite a difference. This is a curriculum mandate that has the funding attached to it and again, quoting the most brilliant speaker I ever had the privilege of hearing in my career in public service, the late Senator Everett McKinley Dirksen, I, again, say as he did, 'I would rather be right than consistent.' And this Bill, the right vote is a 'yes' vote."



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

Fritchey: "Thank you, Speaker, to the Bill."

Speaker Turner: "To the Bill."

Fritchey: "A tremendous Bill, I'm not surprised. I've supported her on these measures in the past. No problem with the Bill whatsoever and save the previous speaker, the rest of you are all hypocrites 'cause this isn't apples and oranges, it's the same damn thing. When you wanted to play politics with it, and you were all over Representative Yarbrough for a good idea, that you admitted was a good idea, it had no cost to it, then it was a mandate, then it was bad for schools, then it was bad policy, then the School Code was too big. There was every problem you could think of to play politics and talk about everything but the woman's Bill, but the issue. Now, it's different. You wanna have some integrity, vote against this Bill. You won't do it. The difference here is that hypocrisy and then you're playing games with one of our Members and one of her Bills. Her Bill was a good Bill, her Bill was a great Bill. This is a great Bill. Don't play games and don't play politics and don't chide Members and their integrity for bringing these types of Bills. What's good for you is good for us. If it makes sense for the kids, do it, but don't play these damn games and don't smile because when you talk... when you talk about our integrity about it, I take that personally."

Speaker Turner: "Representative Fritchey, you need to be careful of your comments, that you should just watch your wording. We know you're excited, but let's just be careful of what we

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say. The Lady from Cook, Representative Mulligan, for what reason do you rise?"

Mulligan: "Mr. Speaker, I take personal offense of the last comment. If we're talkin' about playing politics here, when we're having appropriation hearings for one hour, two hours, three hours on \$16 billion budgets, people are cut off and we can't really discuss it and then you wanna talk politics about a Bill. I do object to Bills that have fund sweeps in them. I thought Representative Yarbrough's Bill was very good, she should have protected it in there. Would the Governor not sign it with that protection? Probably not, that's not her fault. That's the fault of the Governor of this state. The fact that we're putting out sham budgets and we're not even hearing them and then we have to do things that... like protect Bills or put good Bills down because they have potential funds that can be swept is a really disappointing state for a Legislator to be in... in this state. We have a fiduciary responsibility to go home and protect the people that we represent. We are not doing that any longer in this Body. I would bet both Members on both sides of the aisle to take a look at what's going on here. It has absolutely nothing to do with politics. It has to do with the executive mansion and what's not being done there and how the Speaker is implementing what we hear and what we can't hear in this Body."

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

Eddy: "Mr. Speaker, I just wanna make a quick response to the Gentleman's comments regarding my comments. I am not going

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to... I'm not going to honor some of his criticism of hypocrisy with a statement. What I'm gonna point to is a fact in the Bill. The Bill is substantially different in that there is not a fund created that can be swept. My comments regarding the Representative's Bill on financial literacy were about the fund... the fund creation and the fund sweep. I have no problem with teaching financial literacy. I think... however, I think it's unprofessional and uncalled for to call someone a hypocrite on the House Floor when there's nothing hypocritical about my comments. I've been consistent on this issue. It's the fund sweep and it's only the fund sweep. I have a great deal of respect for Representative Fritchey, however, the words that he used to describe my position on this Bill are inaccurate and I would expect, at some point, an apology for those words."

Speaker Turner: "The Gentleman from Cook, Representative Black, for what reason do you rise? And Representative, while I'm at it, let me tell you that there has been a discovery of the trophy, security and... and all the new security we have around here has found the trophy and Representative Dunkin has the trophy. I understand that they're still lookin' for those Cub tickets and maybe by the time they get there, we'll... we'll find those tickets. Representative... the Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, I can't say much more than was just said by my friend and colleague, Representative Eddy. In the discussion on a previous Bill, I don't recall anybody, anybody on our side of the aisle questioning Representative Yarbrough's integrity. I don't think any of us would ever

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do that. Those of us who know her respect her for her integrity. Some of us had an honest disagreement with the basic outline of her Bill. I would submit to you that her Bill was opposed by the teachers' unions. I would submit to you that Representative Coulson's Bill is supported by those teachers who are in the classroom and deal every day with what we do. I don't think that issue was generated by politics and there was certainly no question that I heard, certainly not on my part, to question Representative Yarbrough's integrity. We all get to... nobody knows better than I that you can get awfully short-tempered as we draw near the Session and so many of our... our needs and wants and hopes and desires are not being met and I won't even go into that. But I would caution my good friend, Representative Fritchey, that the use of four-letter words and the calling of people who have, I think, nothing but goodwill generally on any given discussion a hypocrite is not in the best interest of this chamber and I think does not accurately nor adequately reflect the integrity and the intelligence of that individual. He's a far better man than the comments I heard from him a few minutes ago."

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

Yarbrough: "Thank you, Mr. Speaker. My name was used in debate. I support the Lady's Bill and I ask that she add me on as a cosponsor. There's probably enough politics that have been played here today. Can we get on with the people's business?"

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

Dunkin: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner: "State your point."

Dunkin: "On a lighter note, I simply would like to read off the Members of the Honorary..."

Speaker Turner: "No, not today."

Dunkin: "...Century Club, if that's okay?"

Speaker Turner: "At the end of this Bill. We'll need to finish the debate on the Bill."

Dunkin: "Are... are they makin' personal commentarial or are they debatin' the Bill?"

Speaker Turner: "I don't know, but..."

Dunkin: "I'm hearin' a lot of..."

Speaker Turner: "...you're gonna wait."

Dunkin: "...other conversation other than the merits of this Bill, quite frankly."

Speaker Turner: "You're going to wait until we're through with this Bill."

Dunkin: "All right. Well, can we get back to the Bill?"

Speaker Turner: "We're headed that way right now."

Dunkin: "Thank you, Sir."

Speaker Turner: "Rep... the Lady... the Lady from Cook, Representative Coulson, for what reason do you rise?"

Coulson: "I would like to close, if I may."

Speaker Turner: "You may close."

Coulson: "Thank you. Now, I appreciate the sentiments that have been addressed here. I worked very hard on this Bill to

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make sure that it was not an unfunded mandate, but I will also say that this Bill will help to save more babies' lives. You guys, we've saved 21 babies with the original Bill. This Bill, by teaching that it's an option, will continue to help us save babies' lives. I hope that's the bottom line here. I try not to get into the other pol... pol... fights on the floor. This is a very important Bill. And I'd appreciate your support. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall the House pass Senate Bill 2455?' 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? Joe. Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye', 1 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hannig in the Chair."

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

Lindner: "Mr. Speaker, a point of personal privilege."

Speaker Hannig: "State your point."

Lindner: "Yes. Representative Chapa LaVia and I would like to announce..."

Chapa LaVia: "...that our delegation from Aurora, the second largest city, as well as you guys don't know that, preached all last 3 years, is up in the gallery on the right side which is the wrong side of... I'm jokin'... on the right side of the gallery..."

Lindner: "The right side."

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Chapa LaVia: "Okay, it's the far right side. Mayor Weisner, Mrs. Weisner, the whole delegation from Aurora is here. If we could welcome them. I... I'd like to also personally say happy birthday to Bob Vaughn and Scottie Roscoe who is 40... both of 'em are 40, right? But also, we did hand out an invitation for everybody for Aurora Day reception here in Springfield at the Sangamo Club, it starts at 5:30. And I'd really, really like to... can I say this, buy everybody a round, if ya come. But thanks for comin' to Springfield everybody from Aurora and please join us tonight at 5:30. Thank you."

Speaker Hannig: "And Representative Dunkin, would you like to make a presentation?"

Dunkin: "Thank you, Mr. Speaker, Members of the Assembly here. A point of personal privilege."

Speaker Hannig: "Yeah. State your point."

Dunkin: "I would like to, first of all, say that it's been a great run enjoying the... the Century Club status, but let me... before I hand this off to our distinguished winner... let me read off of some of our distinguished honorary Members. And that would be: Representative Dave Winters here; Representative Lou Lang, right here; Representative Bob Churchill; Representative Patty Lindner; Representative David Miller; our very own George Scully; the renowned and distinguished and very shy Bob Molaro; and a former Member who's no longer here, but he hangs out in the hallway I understand, Steve Davis; and finally, yours tru... truly. So, with that, I would like to pre... present this hat, this... I don't wanna translate what this says in English, quite

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frankly, but you have to be a Member of the Century Club to know what this hat really means. So, I would like... I know he's at a con... in a conference call right about now... I would like to present to Mr. Dan Reitz, the Century Club Member of the Year 2006. Give him a round of applause."

Speaker Hannig: "On page 5 of the Calendar, under Senate Bills- Third Reading, is Senate Bill 2456. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2456, a Bill for an Act concerning transportation. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from DuPage, Representative Pihos."

Pihos: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 2456 provides that a brochure warning people of the dangers of financial identity theft be provided to all people obtaining their driver's license or state ID cards at the Secretary of State's Office. As you know, identity theft is the fastest growing crime in this nation with more than 11 thousand cases occurring in Illinois in 2004. This legislation is another attempt to help protect our Illinois's constituents. I would be happy to answer any questions."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 2456. 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? Representative Hoffman, do you wish to be recorded? 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



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declared passed. On Senate Bill 2469, I'm advised, Mr. Clerk, that the Sponsor wishes to return that to the Order of Second Reading. So, return that to Second Reading. Senate Bill 2483 for Representative Cross. Who wishes to handle that? Okay. Representative Bellock is recognized on House... Senate Bill 2483. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2483, a Bill for an Act concerning health. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. Senate Bill 2483 establishes, within the Department of Human Services, the Illinois State Diabetes Commission which would consist of members that are state residents and shall include an executive committee appointed by the secretary of Human Services, as provided by Rule."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 2483. Is there any discussion? Then 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. Senate Bill 2487. Out of the record. Senate Bill 2491. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2491, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Ladies and Gentleman. This is an initiative of the Mental Health... well, the Department of Human Services

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and it is actually a correction in the current law that set up in 2001, a nurse aide registry for those employees who have substantiated findings of abuse and neglect and find themselves on a public registry. There are two corrections to be made with respect to that law in this Bill. One of those is... has to do with expanding employees who would be covered to owner/operators of community agencies. Currently, those are not technically defined as employees but along the way, the department has learned that, in fact, they're having problems with owner/operators. In addition to that there's a second, very technical, change in this Bill, which has literally to do with the due process rights that are afforded to people before their name goes on the registry, the law itself mentioned the wrong Section of the law as to what kind of appeals process would apply. So, all it does is to make a correction to reference the correct type of appeals process. And I'm available for questions."

Speaker Hannig: "And on that question, the Gentleman from Vermilion, Representative Black."

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

Hamos: "She indicates she'll yield."

Black: "Representative, the Department of Human Services has told our staff that they are not in opposition to your Bill, in fact, they're neutral on the Bill. But let me quote to you what they told our staff. 'The Department of Public Health is neutral on this legislation because existing federal certification regulation governing the portion of state's operated facilities certified under the Medicaid as ICF/MR require the facility to report all allegations of

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abuse to this department. This language addresses the responsibilities of the Inspector General and their reporting timeliness. Pursuant to federal certification regulations, the facility must immediately report allegations of abuse to the department so that the language has no impact on our program because it is already required by Federal Law.' If it's already required by Federal Law and the department says that they already do it because they have to by Federal Law, why do we need to put it in state statute?"

Hamos: "I... I have no idea what you just read or why that applies to this Bill. I'm sorry. You were reading, I thought, something from the Department of Public Health with respect to some facilities or some agencies. As I understand the nurse aide registry that we set up in 2001, the nurse aide registry applies to all mental health and developmental disability services that are licensed, certified operated or funded by the Department of Human Services. So, I think that this Bill has... is lot broader than maybe a specific kind of facility that the Department of Public Health wrote to you about. I really don't understand the connection, I'm sorry."

Black: "The Department of Public Health also has this responsibility. So, what... what you're doing..."

Hamos: "Did Department of Public Health..."

Black: "...what you're doing is taking Federal Law that we already have to follow and is already being followed by your administration's Department of Public Health and replicating it in state statute. And they say... ya know, they say, we

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don't care. They're neutral on the Bill. We already do it.  
We have no choice. It's Federal Law."

Hamos: "And which... which agency wrote that to you?"

Black: "The Department of Public Health..."

Hamos: "Okay."

Black: "...that also licenses the very agencies that you reference  
in your licens... in your Bill."

Hamos: "I... I don't believe that to be the case, Sir. I think  
that the Department of Public Health has responsibility for  
licensing some facilities, such as nursing facilities. We  
know that that's licensed by the Department of Public  
Health, but I just read to you the definition under the  
Department of Human Services nurse aide registry law that is  
all these other programs that are not licensed by the  
Department of Public Health."

Black: "Well, ya know, it's your administration. We either  
don't get any response from your administration or we get a  
response that you say then you don't understand. I would  
suggest you take the Bill out of the record and call the  
Department of Public Health because I again say, 'We're  
neutral because existing federal certification regulations  
governing the portions of state-operated facilities  
certified under Medicaid as ICF/MR require the facility to  
report all these allegations and we are doing so, as  
required by Federal Law.'"

Hamos: "All right. Ya know, I don't... I don't run the Department  
of Human Services so I'm sorry if they did not respond to  
your staff people. This was brought to me by the Department  
of Human Services. They have responsibility for cases of..

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of... of serious abuse and neglect in a whole series of facilities that are actually licensed, certified, funded by the Department of Human Services. I think that it's possible that another agency licensed as a small subset, but this Bill has broader applicability than that. And there is a loophole that we're trying to correct here. This is not Federal Law. We're not putting into state statute Federal Law. We are filling a loophole. The loophole is that owner/operators are not now covered by the law and yet there have been a few problems along the way where they did commit abuse and were appropriate for the nurse aide registry."

Black: "Would you agree with another statement that the Department of Public Health makes and I quote, 'This Bill affects reporting to...'"

Speaker Hannig: "Rep... Representative, your 5 minutes have expired. Representative Parke is gonna give ya another 5 minutes, okay? So, Representative Black."

Black: "I'll just finish the statement."

Speaker Hannig: "Okay."

Black: "'This Bill affects reporting to the Department of Public Health's nurse aide registry and merely clarifies the intent of the enacting legislation and will reflect the current practice.' Now, ya know, if ya can't get the two departments together, then why don't you take the Bill out of the record and get the Department of Public Health and the Department of Human Services on the same page. They'll respond to you, I'm sure, you're in the Majority. But this is what we've been told by the Department of Public Health."

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Hamos: "I'm... And let me, again, respond. The law is very clear on the face of it. I'm a... I am an attorney. I don't know everything about the law, but I can read very clearly that the law itself says that people who are employed are, in fact, the people who are covered by the nurse aide registry. What we're trying to do in this instance is to expand it to... to owner/operators. That is a very different word than 'employed'. This is not already covered. The Department of Public Health was incorrect in their interpretation except as to maybe their own facilities."

Black: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I rest my case. And without trying to be too political, what we have here is just the tip of the iceberg of what has become one of the most dysfunctional, incompetent administrations I've ever seen. One agency tells us one thing, one agency tells her another. Is it too much to ask that the two agencies get together and come up with the same statement on the same Bill? Is that too hard to ask? Whatever. It's your... it's your administration, you fight it out."

Speaker Hannig: "Representative Nekritz."

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

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

Nekritz: "Representative, I... I just was hoping to... for some clarification on this matter. Is there a definition of owner/operator in the legislation?"

Hamos: "Thank you for that question. For purposes of legislative intent let me say that there is an agreement

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between the Department of Human Services and the providers to add a more exact definition to Administrative Rule 50. And until that... until the rule takes effect, there... we are going to be using a definition which would say, 'owner/operator' for... for-profit entities includes: (a) an 'owner' means any person who holds an equity position in the for-profit entity, (b) 'operator' means the owner or any employee of the owner who is charged with the management of the entity. For publicly run or not-for-profit entities 'operator' means any director of the board of directors and any employee who is charged with the management of the not-for-profit entity. This definition will be used by the DHS Office of Inspector General until it is approved by JCAR for inclusion in the rule."

Nekritz: "Thank you."

Speaker Hannig: "Okay. We've had three now speak in response.

Representative Mulligan, do you wish to speak in favor?"

Mulligan: "I just had a question on another part of the Bill."

Speaker Hannig: "Okay. So, the Lady will yield."

Mulligan: "Thank you, Mr. Speaker. Representative Hamos, there's also a part in here that changes reporting of an individual to the Department of Public Health and a nurses aide registry under collective bargaining agreement. Could you explain that to me and what the change is in this Bill?"

Hamos: "Well, if I understand, there is a fairly elaborate due process set of things that happen. Some of them, again, for people who are employees of the state, where collective bargaining is an issue, and others who are working in community agencies or other agencies that are licensed,

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certified, or funded by the state. So, for example, when there is a letter going out that there's a substantiated finding, then there's a first level of appeal which is for reconsideration. So, the OIG at that point they can decide that they can overturn their own finding. The second letter is the denial... if there's a denial, then there's a second letter and at that point there's an additional appeal process and if there's a union... collective bargaining contract in place, then that contract could at that point grant grievance in arbitration or in fact, the state employee may go to the Civil Service Commission. Now, when that happens, the entire process for putting the name on the registry is stayed. Then there is... once there's a final decision by the... the Civil Service Commission or the arbitrator, then there is another certified letter by the OIG and that is the notice to send the name to the registry. What we're trying to correct in this Bill and really the only thing that we're changing with respect to the due process is that that... the notice is sent out, there's an appeal, the appeal is don't send my name to the registry, but the reference to what the appeal is, is incorrectly stated in the law. All we're doing is making sure that the reference is correctly stated as what's called the 50/90 appeal."

Mulligan: "So, there are two separate types of hearings. How long do they have to take and how... and can the person, if there accused of abuse, continue to work and at what point do they exhaust the hearing process?"



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Hamos: "I don't know. I really don't know how long all of this takes. I do know that it's a very serious thing to send a name to the registry because after that the person cannot be employed in these facilities. So, it is taken seriously and therefore, there's opportunities to make sure that the evidence is substantiated. I don't really know how long that takes, but we're not changing any of that in the current law, not at all. This was in the existing law. All we're doing is having the correct number of the 50/90 appeal."

Mulligan: "All right. So, I presume if the employer thinks the abuse is sufficient, the person could be on... put on a leave of absence but their name isn't reported until they exhaust the appeal process."

Hamos: "I think that's correct."

Mulligan: "But they wouldn't be working if the offense was considered serious enough."

Hamos: "I would hope not."

Mulligan: "I would hope not also. Thank you."

Speaker Hannig: "Representative Bellock."

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

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

Bellock: "We had this Bill in our committee and I just wanted to go over something because I worked very hard for 2 years on the original Bill. And in committee I just wanna clarify that when we asked the question that if it would not make it any more lenient for a person to be substantiated or a person of collective bargaining right and you and whoever

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was giving testimony said it would not be a more lenient process. Is that correct?"

Hamos: "That is correct."

Bellock: "Okay. 'Cause that's what we were striving for in the Bill before on the nurses aide registry. And I think the only change that we clarified in the committee was what the loophole was, was that it was... wasn't just employees who we wanted to get out of nursing homes if they were substantiated on abuse, it was also an owner. Is that correct?"

Hamos: "That is correct. And just to clarify, remember, this is a much broader definition than just nursing homes..."

Bellock: "Right."

Hamos: "...which is why it's referenced in the DHS statute. It could be community agencies..."

Bellock: "Yes."

Hamos: "...that work with people with mental illness and DD, even those that are not under Medicaid or Medicare, even those that are not licensed or certified under Public Health. So, it's a broader definition."

Bellock: "Right. Thank you very much. To the Bill. I support the Bill because I think this strengthens even what we had put in place 2 years ago as to get people who are committing a form of abuse, when that abuse is substantiated, that those people be out of the places that they are working in. Thank you."

Speaker Hannig: "Representative Hamos to close."

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Hamos: "Thank you. I think we've had some really excellent debate and clarified some of the intent and purpose of this Bill. And I seek an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? 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. Representative Fritchey, for what reason do you rise?"

Fritchey: "A point of personal privilege, Speaker."

Speaker Hannig: "Yes. State your point."

Fritchey: "I've been sitting for about the last hour thinking about the comments made by Representative Black and Representative Eddy with respect to my comments, previously. What I wanted to say and how I said it may have been two different things. I took personal offense on behalf of my Members with comments that were made to our commitment to education and children and in general. And as Representative Black said, at times, especially this time of year, tempers and emotions can get high and sometimes, unfortunately, our mouths may go a little faster than our brains do. I have a tremendous amount of respect for this Body. I have a tremendous amount of respect for my colleagues here to the extent that my comments and the tone of those comments did not reflect that respect that I have and reflected poorly on myself. I apologize to the Body. I

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think we all deserve better and I hope everybody accepts that apology. Thank you."

Speaker Hannig: "Okay. Thank you, Representative Fritchey. Continuing on the Calendar is Senate Bill 2505. Representative Bellock. Okay. Out of the record. Representative Soto has Senate Bill 2546. Representative Soto, 2546. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2546, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Soto."

Soto: "Thank you, Speaker, Members of the House. Senate Bill 2546 amends the School Code. Okay. And that the State Board of Education has the power and duty to collect and maintain data for each college and university engaged in teacher preparation. They are to keep a check on data on number of individuals taking tests on basic skills, number of individuals passing the tests of basic skills, number of subject matter tests attempted, and total numbers of subject matters tested passed. And I'm open... open for questions and I urge an 'aye' vote."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 2546. 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? Have all... have all voted who wish? Representative Feigenholtz, do you wish to be recorded? Representative Rose, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0

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voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2554, Representative Schock. Do you wish us to read this? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2554, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Schock."

Schock: "Thank you, Mr. Speaker. House (sic-Senate) Bill 2554 is a piece of legislation dealing with identity theft. It is a compilation of several ideas that came about in the Senate from my friend Ira Silverstein and it's also being supported by the Illinois Atenral... Attorney General. Be happy to answer any questions from Members and I'd urge a 'yes' vote."

Speaker Hannig: "The Gentleman moves for the passage of Senate Bill 2554. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Monique Davis, do you wish to be recorded? Wish to be recorded? 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. Representative Dunkin, for what reason do you rise?"

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

Speaker Hannig: "Yes. State your point."

Dunkin: "Ladies and Gentlemen of the House, I would like to, first of all, today is a very exciting day for me. I have

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two schools visiting me from my district. My wonderful stu... sixth-graders from Beethoven Grammar School over at 47th and State Street. Welcome to your State Capitol. And right above my head, we have Carver Military Academy in the House. Thank you for coming to your state's House of Representatives."

Speaker Hannig: "We're going to go to page 3 of the Calendar under the Order of House Bills-Third Reading. Representative Molaro, you have House Bill 1917. Mr. Clerk, read the Bill."

Clerk Mahoney: "House Bill 1917, a Bill for an Act concerning gaming. Third Reading of this House Bill."

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

Molaro: "Thank you, Mr. Speaker. House Bill 1917 was previously put on Postponed Consideration, so I wanna make sure that the Body understands it's the same exact Bill that we called last time. One of the reasons there are no Amendments on it, there's still an open question as to whether or not you can amend the Bill on Third Reading and I didn't want to get into that. But I'll be very brief and then I wanna reserve the right to close. It's the same Bill. I don't know if there's gonna be any debate 'cause I think everybody's been talked to a hundred times by a hundred different people, but I guess if they have to hear it again that's up to whoever wants to speak on the Bill. But, as you well know, all we're doing is transferring and relocating the state's portion of the tenth license and its 3 percent of the AGR of the riverboats. There's a bunch of parts of the Bill, we

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went over this. Again, like I said, we debated it for 45 minutes last time, almost an hour, and every lobbyist in the world has talked to people. So, I'm here to answer any questions and reserve the right to close. Thank you."

Speaker Hannig: "The Gentleman has moved for the passage of House Bill 1917. And on that question, the Gentleman from Cook, Representative Lang."

Lang: "Well, thank you, Mr. Speaker, Ladies and Gentlemen. The Representative is correct that we debated this fairly thoroughly last time, but I think it's important to note that those of us who oppose this Bill haven't changed our point of view, and so I'm gonna restate my point of view. There is no doubt that I have been among the strongest supporters in this Body of the horseracing industry. I have traveled the state suggesting to people that there are 40 thousand people in our state whose families' livelihoods depend on the viability of the horseracing industry, so I'm a strong proponent of helping the horseracing industry. And I've introduced Bills to enhance the ability of the horseracing industry to take care of their own business, to grow their own industry, to enhance themselves without the need for state subsidies. My Bill, that is still in Rules and we're probably not going to see this year, would have given the horseracing industry an opportunity to thrive on its own and to take away the current state subsidies that we have. Well, this Bill goes farther than a state subsidy. This Bill attempts to tax one industry for the benefit of another industry. The fact that they both have something to do with gaming is not relevant, these are two separate

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industries. And these two separate industries have nothing to do with each other, really. It would be as if we taxed restaurants to help the plumbing industry. There is no reasonable public policy that says to us, let's put a tax on one industry to help another industry stay alive. There is no reasonable public policy that says that a viable business in the State of Illinois that's doing very well should be taken to the cleaners to help another industry improve its position. I would like to find ways to help the horseracing industry, as I've said, but we have to craft good public policy in this Body. While I have great respect for Representative Molaro, he and I share a desire to help the horseracing industry, I've indicated to Representative Molaro that this simply is not the way to do it. Why would we say to one industry, 'You go ahead and subsidize this industry?' So we're gonna take \$50 million from the riverboats, an industry that we overtaxed at 70 percent and then we reduced the tax to 50 percent, and now we're gonna take them up to 53 percent to help an industry. But we're gonna take \$50 million from this industry and give it to racetracks. Now, despite the fact that I wanna help the racetracks, we've all had our Party caucuses recently where we've discussed all of the things we cannot fund. We're going to have trouble funding programs for schools, programs for health care, programs to enhance business opportunities in Illinois. And so, we're gonna put \$50 million on the table and whisk it away as a subsidy to another industry. Now, even though we want to help this industry, even though it pains me to be opposed to this because I want to help



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this industry, it is simply not good... good public policy. This is a public policy that would have us go home when we eventually adjourn Session and have to tell our constituents why we gave \$50 million to racetracks instead of to schools, instead of to health care, instead of to needy families, instead of to housing, instead of to a vast array of areas that need our help. And so, Ladies and Gentlemen, my opposition has not changed. I still wanna help the horseracing industry, but this is not a proposal that creates good public policy. This is a proposal that creates a give-away program. And even though there's a good reason behind it, we have a responsibility to craft public policy that helps the horseracing industry without violating our sense of reasonable and responsible public policy. Please vote 'no' on this Bill."

Speaker Hannig: "Representative Beiser. Five minutes."

Beiser: "Thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Beiser: "You know, I too share many of the concerns and... and ideas and thoughts that the previous speaker had. And since we've debated this before, I've had a chance to reflect on it and think about it. And... and I agree, this is bad public policy. What's this Bill attempting to do? It's attempting to aid the horseracing industry. We recognize the economic benefits that the horseracing industry provides to many men and women. We recognize the long history of horseracing in the State of Illinois and throughout the country. But this Bill does not really help the horseracing industry. You know, why are... why are we trying to tax the riverboats even

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more? Well, because I think in a lot of ways they get the blame for the decline in the horsera... racing industry, and that's simply not the case. In a Gaming Association study back in 1999 stated that from the period 1973-1998, overall track attendance at the horseraces throughout the country has declined by 65 percent at that period. That was before the riverboats. The fan base simply has shown a steady decline over a broad period of time. Look at sports that are flourishing now and what are they doing? Look at NASCAR, they... they're building tracks. They're adding fans. They're promoting themselves. And why? Because they're appealing to a broad range of new fans as well as taking care of the fans that have been there year-in, year-out for them. Soccer, another sport. We all know the soccer programs in our local park districts and park departments are the same way. What are they doing? They appeal to the fans. They appeal to the families. Golf. Annika Sorenstam and Tiger Woods have brought a whole new generation of fans to their sport because they've worked at it. They've realized that that's the way you keep your sport viable. They have all appealed to a new generation of fans. What this Bill does, it imposes a tax increase on riverboats. It'll take that money and give it to the horseracing industry as another subsidy, and it'll really... in a lot of ways, you can consider that economic eminent domain. They're con... they're con... taking that money, declaring a blight, and giving it right over there to the industry without asking them to help themselves. This additional subsidy of a tax increase would most certainly do three

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things, in my opinion. The purses would definitely go up. The profits would go up for the tracks. But you know what? At the same time, attendance would still be flat, if not decline. So, does it really help? I'd say, no, it doesn't. And then we're right back where we started. You know, we could do this... we could take this \$50 million and we could take it a... or give it to another industry. Let's say, how about the badminton industry. We could start up a badminton plant or subsidize the one that's already there. We could employ more people. We could have profits go up at that company. We could put a badminton set in every home in Illinois. But would we appeal to a new generation of fans? No, we would not. Everyone remembers that movie Seabiscuit. It's a great movie. Very successful at the box office, very successful on home rental DVD. However, that did not bring a new generation of fans to horseracing. This Bill, by tacking on a tax increase to the boats and giving it to the million... and giving those millions to the horseracing industry, is merely tossing a boat biscuit to that industry. We did it right the first time in Illinois when we created the riverboat industry. Let that industry stand on its own, let the horseracing industry stand on its own. And we should help the horseracing industry to that effect, but not through a Bill like this. This Bill would flunk Economic 101. It's backward economics. It robs Peter to pay Paul. It's economic eminent domain. It's a bad idea, it's bad public policy, and I urge my colleagues to vote 'no' on this Bill. Thank you, Mr. Speaker."

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Speaker Hannig: "Okay. So, we've now had one in favor and two in opposition. Representative Froehlich, you're next. Do you wish to speak in favor or in opposition? Okay, you're... you're the last one then in opposition."

Froehlich: "Thank you, Mr. Speaker. To the Bill. A rose by any other name is still a rose. And a tax hike by any other name is still a tax hike. I realize many of my colleagues are gonna be prepared to vote for this Bill, even though normally the prospect of a tax hike is one... is something they'd... they'd totally oppose and that's fine. But let's not pretend this is something other than what it is, namely a tax increase on an industry that already pays higher taxes in this state than in any other state. When the state takes 3 percent more revenue than it did before, it's an increase in taxes. Clever euphemisms can't disguise reality. Let's not be in denial. Call the Bill what it is, and then if you're willing to vote for a tax hike, go ahead. But at least we'll know... we'll call a rose a rose. Thank you."

Speaker Hannig: "So, does anyone wish to speak in support? Representative Tryon is recognized in support."

Tryon: "Thank you, Mr. Speaker. I rise in support of the Bill. Will the Sponsor yield?"

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

Tryon: "I wish to speak directly to the Bill. I don't think this is a taxing of one industry to give dollars to an entirely different industry. I think the comparison of taxing the restaurant industry so we could give a tax to an entirely different industry is wrong. The gaming industry is one industry. And what happened years ago when we

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decided this issue to allow riverboat gaming to come to this state, the racing industry stood up and said what was gonna happen, it was gonna put them out of business. And that's just about to happen today. All right. Everything they told us would happen would happen today. In states where they had a viable horseracing industry and the Legislature (sic-Legislature) provided for that industry, it is flourishing today. So, it's time for Illinois to stand up and support the horseracing industry. It's... it was, at one time, a model for the entire country. It was the premiere state. Our purses were some of the highest in the country. Now our purses are some of the lowest in the country. And yes, there are 40 thousand families throughout Illinois that depend on the horseracing industry. And it's more like taxing the restaurant industry to support the restaurant industry. This would be like taxing the gaming industry to support the gaming industry. So, I rise in support. I hope this Body will recognize what we've done to the horseracing industry in this state and I would urge your support. Thank you."

Speaker Hannig: "So we've now had two in... in favor of the Bill and three in opposition. The rules would provide one additional speaker in favor. Representative Bost."

Bost: "Thank you, Mr..."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. I do rise in favor of the Bill, but I do have a few questions of the... of the Sponsor, if I can."

Speaker Hannig: "Indicates he'll yield."

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Bost: "As... as a concerned person with my district, because we do have, like, the DuQuoin Fair which harness racing is very important. The local fairs, how... how does this affect of any of those?"

Molaro: "Well, this... this would obviously increase the purses that are given out there by at least... we figure about 40 or 50 percent would go to the fairs. This would put the Illinois fairs where they were when DuQuoin had the Hambletonian, and this'd put them on the map. At one time, our fairs were right up there with the rest of the country. We were number one in fairs in 1989. But since the advent and the impact of riverboat gaming, we're not even a blip on the radar screen anymore. This would put us back to the glory days that we were in the mid '90s."

Bost: "And... and when you say that was for the DuQuoin... when we're talking about the State Fair... you know, in my district, and I know many of the districts downstate, I have two or three other counties that have county fairs. Does it also feed into that as well?"

Molaro: "Yes. The entire horseracing industry, of course, as you well know, the... all these people that are leaving the State of Illinois to go to Indiana, this would stop that. So when we have the state fairs, we'll go back to 9 and 10 horses, the colorfulness of it, when you walk in and you'd have a great time, as opposed to seeing 5 or 6 horses a race."

Bost: "And... and I know that you're not opposed to the riverboats, per se, in any way."

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Molaro: "No. No. My voting record is absolutely clear. I've supported the riverboats on every single Bill they've ever brought before this General Assembly, and voted 'no' when I thought it would hurt the riverboats."

Bost: "Yeah. And I can't say that I have that record, but I do have a record of being very much in support of horseracing. And... and the horseracing industry... do you know exactly how many dollars we're talking about as far as people that... that are in the industry that... they're the breeders and the stablers?"

Molaro: "Well, about 10 years ago we had about 50 thousand people in and around the industry working. Now we're down to about 35 thousand and if we don't stop this, we'll have none. We're gonna be losing about 35 thousand jobs. And it's well over a billion dollars that's put together by many agencies that came in and said that's the kind of money that's generated by this industry."

Bost: "You know, when... and we have the off-track betting in a lot of locations. How will this... will this affect any... anything that happens in the actual off-track betting or does it just encourage more of the racers to... to have horses in the races?"

Molaro: "Well, what... what the Bill does, and I'm glad you asked that, we made sure the owners of the racetrack get nothing. All of the money that is generated must go into marketing, expansion of... of facilities, backstretch conditions. So, the... the off-track betting parlors will be a... this'll be a boon for them."

Bost: "It will... it will... you do believe it will actually draw..."

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Molaro: "Correct."

Bost: "...more industry into it? Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Bost: "I do believe that this is a positive way to help an industry that... that is an industry in the State of Illinois that has many spinoff jobs. Those people who raise horses and... and those people who work with the horses. And... and this will be a very positive thing. I do ask for the support of the Body. I do intend to vote 'aye'."

Speaker Hannig: "Representative Lang, you've spoken previously in debate. For what reason do you rise?"

Lang: "Simply to ask for a verification, Mr. Speaker."

Speaker Hannig: "Okay. So, ver... verification will be granted. So, we've now had three speak in favor, three speak in opposition. Under the rules of debate, Representative Molaro is recognized to close."

Molaro: "Thank you. It... it's important that we sorta listen to this so we get an idea of what's going on here, and I'll be real quick 'cause I've been accused, even in caucus, of speaking too long by the Speaker himself. So, I'll get right to the point. We wanna make... Yeah, but he loves me. I wanna make one point here. Realize this, and it was said by, I think it was Repre... the Representative to my right, every state that had horseracing when they introduced casino gaming took care of horseracing 'cause they realized what a viable industry that is, every state but Illinois. That's why, so we're clear on this, horseracing is flourishing in the United States. It's not flourishing here because we are killing the industry, because we didn't take care of it like



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every other state. Every other state has their own... own slots, they have a percentage of the gross, or they have a head... a head count when you go in. They get money for their purses. We made promises 10 years ago. The tenth license was supposed to be up and operational, and recapture is in every year but we don't fund it. This is nothing more than a transfer or a re... reallocation. Now, the people against the Bill are saying three things, which are absolutely dead wrong. First of all, it's a reallocation. They're also tellin' people that President Jones isn't gonna call the Bill. That's untrue. I sat with President Jones myself and if this Bill gets lucky enough to go over there, President Jones has some Amendments that I have, that Skip has, that we didn't call because it was on Postponed and there's an open question whether or not you can amend a Bill that's on Postponed. This Bill saves an industry and something we should've done a long, long time ago. It creates jobs, it saves jobs, it's a jobs Bill. I won't go on any further. Everybody knows this Bill. It's a good Bill for Illinois and a good Bill for 30 thousand residents that are working in Illinois. I urge an 'aye' vote."

Speaker Hannig: "And the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 58 voting 'yes' and 52 voting 'no'. And the Bill fails. On page 14... Excuse me, Representative Molaro, for what reason do you rise?"

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Molaro: "Well, and Representative Black knows this, this is about the third or fourth horse Bill that I get like 58 votes. I feel like I'm ripped on Rick Monday, Bobby Murcer, and the Cubs in the seventh. I get to the warning track and I can't get that homer. You force me to go on steroids and next year I will be back here with these Bills and it'll be Molaro on steroids. So, look out."

Speaker Hannig: "Representative Black."

Black: "Mr. Speaker, Mr. Speaker, I would ask that the Chair rule this as a photo finish and let the stewards determine the winner. An inquiry, this is an official inquiry of the... of the win, place, and show."

Speaker Hannig: "We'll examine the photograph."

Black: "Will ya get back to me on that?"

Speaker Hannig: "Yeah. We'll get back to ya..."

Black: "Thank you."

Speaker Hannig: "...after we examine the photographs. Representative Acevedo is recognized on House Resolution 849, under the Order of Resolutions on page 14 of the Calendar. Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 849 declares that the U.S. founded by immigrants who travel from around the world. The U.S. has an undocumented population of 11 million immigrants including half a million here in Illinois. Immigrants in Illinois fill key roles in the state's economy by paying taxes including contributions to Social Security that they cannot receive back. They raise families and contribute to Illinois's schools, churches, and neighborhoods. The

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current immigration system contributes to long backlogs, labor abuses, countless deaths on the border, and vigilant violence and is in dire need to reform and meet the challenges of the 21st century. Comp... comprehensive immigration reform must involve the path to citizenship for those hardworking immigrants as well as reunification of families and a safe and orderly process of enabling willing immigrants... immigrant workers to fill essential jobs in an economy and to ensure full labor rights. Ladies and Gentlemen of the House, if you look... if you turn your TV on and you look at the world news, on any given day of the past month or so you see hundreds and hundreds of thousands of immigrants walking through the streets whether it be the City of Chicago, LA, all the way up to 1 million. And you know, most people might think this is a Hispanic issue. Ya know, I was readin' the USA Today and the mayor of Washington, D.C., just created the... a section for the African-American organization, 400 thousand Africans are located in Washington, D.C., alone. Over half a million undocumented immigrants here in the State of Illinois and it goes on and on and on. These are individuals who contribute to every day to our society. They pay their taxes and they're here raising their families. They cause no harm to anyone. They're here doing jobs that most of us don't wanna do, but yet we deny them the rights. I ask you join with me today and give 'em the rights they does... they direly need. Give 'em the right to fulfill the American dream. And I ask for an 'aye' vote."

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Speaker Hannig: "The Gentleman has moved for the passage of House Resolution 849. Is there any discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Okay. Representative Rose, for what reason do you rise?"

Rose: "A point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Rose: "Ladies and Gentlemen, Lakeland Community College, the president and many of their administrators and two of their student trustees are in the gallery behind me today. They do an absolutely wonderful job in east central Illinois educating the next generation. Would you please welcome them to Springfield."

Speaker Hannig: "Okay. We're gonna return to the Order of Senate Bills-Third Reading. Back... back to page 5 of the Calendar and Bellock we're gonna return to Senate Bill 2505. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2505, a Bill for an Act concerning alcoholic liquor. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Bellock."

Bellock: "Thank you. Thank you very much, Mr. Speaker and Members of the House. Senate Bill 2505 is the same as what House Bill 686 was that it prohibits the sales, purchase and use of AWOL machines which were the machines that mix oxygen with direct spirits such as gin and vodka. And we're asking to ban that in the State of Illinois. I know of no opposition."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 2505. Is there any discussion? Then the question is,

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'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Repre... Okay, 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. Senate Bill 2555, Representative Meyer. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2555, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from DuPage, Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2555 provides that a mosquito abatement district may, by ordinance, annex additional contiguous territory within the city or village if the district contains over 90 percent of the territory of the city or village and the territory is not incorporated with another mosquito abatement district. Provides that no contiguous territory may be annexed by a mosquito abatement district more than 1 year after it's been included in the city or village. Provides that no contiguous territory may be annexed by a mosquito abatement district if it expands the mosquito abatement district boundaries outside of a county unless the district already contains territory in that county. This is similar legislation that is... the library districts have where they follow the city boundaries also."

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Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2555. 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 71 voting 'yes' and 42 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2562. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2562, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Myers."

Myers: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill... or Senate Bill 2562 amends the Sexually Violent Persons Commitment Act to include indecent solicitation of a child and the definition of 'sexually a violent offense'. Right now, the Department of Corrections has the ability to review those committed under the Sexually Violent Commitment Persons Act or Sexually Violent Persons Commitment Act to determine whether or not they need to be committed to the Department of Human Services. All this does is include the indecent solicitation of a child definition in that perspective of the definitions to be included."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2562. Is there any discussion? Then 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 Boland, Stephens, do you

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wish to be recorded? 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 2569."

Clerk Mahoney: "Senate Bill 2569, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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

Bradley, R.: "Thank you, Mr. Speaker and Members of the House. This Bill requires the Cook County Recorder of Deeds must, upon filing of a quitclaim deed on property within Cook County... County, mail a notification postcard to the previous owner of the property. This was initiated to address mortgage fraud in Cook County when false quitclaim deeds are filed. And this notification, again, could allow for the true owner to take action."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2569. 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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2570. Do you wish to have that read now or return to Second Reading? To Second? Okay. Mr. Clerk, return this to the Order of Second Reading at the request of the Sponsor. Senate Bill 2578,

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Representative Howard is going to handle this Bill. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 2578, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Howard: "Thank you very much, Mr. Speaker. Senate Bill 2578 would preclude a pharmacist from substituting an antiepileptic drug or formulation of an antiepileptic drug for the treatment of epilepsy without notification and the documented consent of the prescribing physician and the patient or the patient's parent, legal guardian or spouse. I will answer questions."

Speaker Hannig: "The Lady has moved the passage of Senate Bill 2578. And on that question, the Gentleman from McHenry, Representative Franks."

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

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

Franks: "Representative, I'm looking at our analysis. Can you let me know why the Department of Public Health is listed as an opponent?"

Howard: "I am not sure I remember why they said they were an opponent. I thought that... okay, now I ha... in my... in my analysis they are not opponent."

Franks: "Oh, we have them as a 'no position'. I apologize. Okay. Can I ask why we need this Bill? What's the... what's the necessity?"

Howard: "Well, the person who came to testify is the mother of a child who is the victim of such a practice. The pharmacist made a decision to substitute the medication, her child



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became very, very ill as a result, in fact, she showed us some very, very terrible photographs of this child, how she... how the child had marks all over her as a result of the substitution. So, what we're saying is that if a pharmacist or if a doctor says, this is the kind of medication that the patient must have, we would like there to be some approval on the part of the... the physician and the patient in order for that pharmacist to make a decision or make that kind of choice."

Franks: "Well, thank you for explaining that and I'll... I'll be in support of the Bill."

Howard: "My pleasure."

Franks: "I appreciate that."

Speaker Hannig: "Representative Bellock."

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

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

Bellock: "I support this Bill and I just wanna speak to the Bill and the reasons why Public Health may not have been in support, I'm not sure, is the use of generic drugs versus brand name drugs which comes up a lot. And in the debate in the hearing in our Human Service Committee, it was very evident, in this case, that the use of a brand name drug was extremely important in the cure of... or in dealing with the epilepsy of this child and the substitution of the generic drug almost caused the death of this child. So, I just bring this subject up again because we go round and round about this regarding the use of prior authorization in drugs for serious mental illness also and how important brand name

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drugs can be in certain cases of afflictions for certain people. And in this case, the lady who had the child with epilepsy certainly pointed out that position. Thank you."

Speaker Hannig: "Representative Howard to close. Excuse me. Representative Stephens, no. Representative Howard to close."

Howard: "I would just ask that my colleagues please consider this kind of circumstance and please vote 'yes' for this legislation."

Speaker Hannig: "Okay. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? 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. Senate Bill 2579, Representative Smith. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2579, a Bill for an Act concerning public aid. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This legislation would create a income tax checkoff for the low-income energy assistance program. It also would allow for corporate donations to be received as well into that fund. This is an initiative of the AARP. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 2579. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed

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'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Mitch... Okay. 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. On page 6 of the Calendar, at the top of the page, under Senate Bills-Third Reading is Senate Bill 2582. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2582, a Bill for an Act concerning revenue. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Thank you, Speaker. The Bill amends the Illinois Income Tax Act to provide that a corporate income tax deduction for certain amounts paid or incurred by an interinsurer or reciprocal insurer be attorney-in-fact: (1) applies on or after July 20, 1999 and (2) is exempt from the Act's sunset provision. The language in the Bill was chosen by the Department of Revenue after review by both their legal and audit department but was inadvertently put into the section of the code which sunset on June of '02... '04. The Revenue Department then drafted Senate Bill 316 to restore the law as it exists before the sunset date and permanently eliminated the sunset provision. This Bill, again, it passed Senate with no opposing votes, but was caught in the end of the year confusion in the House. Those issues no longer exist and no problems are anticipated with the passage. And I request an 'aye' vote. Thank you."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 2582. Is there any discussion? Then the question is,

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'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, 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. Representative Mathias, you have Senate Bill 2587. Mr. Clerk, read the Bill. Read the Bill."

Clerk Mahoney: "Senate Bill 2587, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 2587 allows mayors, village presidents, county chairmen who now are the local liquor commissioners to appoint a designee in their place to be the local control commissioner... the liquor control commissioner if... in order to avoid any conflict of interest. The Municipal League and the Liquor Control... I'm sorry. The Municipal League is a supporter of this. The Liquor Control Commission has no position. And I ask for your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2587. 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 114 voting 'yes' and 0 voting 'no'. And this Bill,

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having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2601."

Clerk Mahoney: "Senate Bill 2601, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

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

Hultgren: "Thank you, Mr. Speaker. This is an initiative of the Department of Aging. This is in regards to elder abuse and what it does is it addresses some shortcomings of holders of power of attorney who potentially are committing financial abuse of someone that they are holding power of attorney for. I'd ask if you... happy to answer any questions. I'd ask for support."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2601. 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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2617, Representative Durkin's Bill. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2617, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

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

Durkin: "Thank you, Mr. Speaker. Senate Bill 2617 adds 'currency exchange' to the definition under the... as a

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financial institution under the Illinois Financial Crime Law and also Deceptive Practice Act. I ask for a favorable vote."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2617. 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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lang, you have Senate Bill 2630. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2630, a Bill for an Act concerning education. Third Reading of this Senate Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. The issue of bullying in our schools, particularly our high schools, has become insidious and very serious. When I took this Bill, as it came over from the Senate, I actually thought this was a broad-based Bill dealing with this issue. Turns out it's a narrow Bill dealing with bullying as it relates to sexual violence. Still a good Bill. There was an effort made to amend this Bill to have it be broader so that we can deal with bullying in our schools, but that did not take place. And so the reason that some have told you they might be opposed to it is not that they don't like what's in the Bill but because they would like the Bill to be broader, so would I. We're gonna do that next year. I will be coming

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back to the General Assembly next spring with a Bill that's broader, that deals with this issue in a deeper and more serious way, but for today I would ask your support on this legislation."

Speaker Hannig: "The Gentleman moves for the passage of Senate Bill 2630. And on that question, the Gentleman from Cook, Representative Fritchey is recognized."

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

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

Fritchey: "Representative, I appreciate the explanation, but when I see the Illinois Association of Chiefs of Police are opposed, I can't believe that they would take an opposition point solely 'cause they felt that the Bill wasn't broad enough."

Lang: "That's what I'm told."

Fritchey: "You... you've left me speechless to... to many peoples' delight probably. Thank you."

Lang: "And mine, too, Sir."

Speaker Hannig: "Representative Lang to close. Okay. The question is then... 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 109 voting 'yes' and 4 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 2631, Representative Hassert. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2631, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

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Speaker Hannig: "The Gentleman from Will, Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. This amends the Civic Center Code. Authorizes the Will County Metropolitan Exposition and Auditorium Authority to sell the property located next to a theater. Proceeds from the sale will go back into the theater. Be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2631. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Fritchey, do you wish to be recorded? Representative Mulligan, do you wish to be recorded? 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. Senate Bill 2650. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2650, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. 2650 alters the disbursement of fines stemming from construction zones speeding violations. Currently, the minimum fine for speeding in a construction zone is \$250 and any fine greater than 250 automatically carries an additional hundred and twenty-five dollar fine, which is to be deposited into the



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State Transportation Safety Highway Hire-back Fund regardless of who issued the ticket or where it was issued. And Senate Bill 2650 alters the current disbursement plan by stipulating that if the violation occurred on a highway other than an interstate highway and a county police officer issued the ticket the additional \$125 or in the case of a \$250 subsequent violation... \$250 if it's a subsequent violation, that money is to be deposited in the county's Transportation Safety Highway Hire-back Fund. Each county will be able to create a Transportation Safety Highway Hire-back Fund with the funds only being used for the hire of off-duty county police officers to monitor county construction zones other than those located on an interstate highway."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 2650. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Yes, state your inquiry."

Black: "This Bill as amended clearly preempts Home Rule. In fact, the language of the Amendment says it clearly preempts Home Rule. Would you refresh my memory as to whether the section we are preempting requires 60 votes or 71."

Speaker Hannig: "Representative, we'll have the parliamentarian..."

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

Speaker Hannig: "...get you a ruling. You..."

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Black: "I... I appreciate that. And I... I'm pretty sure I know the answer..."

Speaker Hannig: "Okay."

Black: "...but if you could eliminate that before we go on. Will the Sponsor yield?"

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

Black: "Representative, one of the Amendments to this Bill states that no community, no Home Rule community, no county, can use a... what I call a photocop or cop in a box... that it would prohibit any community from using an automated traffic control system for the purpose of enforcing any law or ordinance regarding a maximum or minimum speed limit. Why... why would that Amendment be in the Bill?"

Jakobsson: "Well, what that Amendment does say is that... you're correct as far as you went, but unless a law enforcement officer is... is present at the scene and witnesses the event."

Black: "My... my question is having seen the tragedy of an IDOT worker killed in my district on... on south Route 1, if I interpret this Amendment correctly and I'll certainly defer to the parliamentarian or an attorney, this eliminates the use of the automated traffic control system in construction zones. We... we've passed that and we have said that if you speed through a construction zone and workers are present and we don't have enough state troopers to be there constantly and the photo takes... the camera clearly takes a picture of your car and the license plate and the driver and you are found to be... the camera's connected to a speedometer and you are clearly in violation of the posted work zone

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limit, you face a rather hefty fine. Now, it would seem that this Amendment would take the automated traffic enforcement procedure that, I think, Representative Froehlich passed a year or two ago, that it would make that null and void."

Jakobsson: "Permitted in this Bill... this... this Bill prohibits the use of those devices outside of the construction zone, but it does permit them inside the construction zone."

Black: "That's not the way I read it, Representative. Let me read you the language. 'Provides that no state or local government entity, including a Home Rule county or municipality, may use an automated traffic control system for purposes of enforcing any law or ordinance regarding a maximum or minimum speed limit.' When... when it just specifically says 'state', my only concern is that having seen the tragedy that resulted from a speeding vehicle who ran over and killed an IDOT worker in my district and we can't have a police sitting at every one of these construction sites, I thought the law we passed... and I don't like the photo enforcement, I... I have some real problems with it... but I voted for that Bill a couple years ago because I... I was out of options. I didn't know what else to do to get people to slow down in a construction zone."

Speaker Hannig: "Representative, your... your time has expired, but please proceed. I know that there's been some silence..."

Black: "I... I'm not... Thank you."

Speaker Hannig: "...there's been some silence here, Representative, so..."

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Black: "Thank you very much, Mr. Speaker. I... I am not rising in opposition to the Bill. I'm just trying to make darn sure that I know what I'm voting for and what I don't wanna vote for is something that now renders the automated traffic enforcement system in a construction zone, where... where IDOT workers or other construction workers are working, would be ruled inadmissible then it destroys everything we've tried to do to increase safety in construction zones. Now, that's the way I interpret Committee Amendment #2. I'm certainly open to a legal, ya know, one of the lawyers on... in the Body or somebody could... could give me direction, I would be willing to vote for the Bill. But that's my only concern and I'm certainly not trying to kill the Lady's Bill, but I am concerned about Committee Amendment #2."

Speaker Hannig: "And Representative Black, Representative Black. Okay. Representative Black, on the question of... of how many votes, the parliamentarian advises me that it takes 60 votes."

Black: "All right. Fine. Thank you very much, Mr. Speaker. And Representative Rose, do you wish to be recognized? Okay. The Gentleman from Champaign, Representative Rose."

Rose: "Thank you, Mr. Speaker."

Speaker Hannig: "Excuse me. Representative Black, before Representative Rose starts his..."

Black: "As... I... I appreciate Representative Fritchey, who is an attorney, Representative Rose, who is an attorney, they've looked at the Amendment and the Amendment specifically exempts the language in the state highway automated system."

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So, that's all I wanted answered. That's fine with me.  
Thank you very much."

Speaker Hannig: "Okay. So, Representative Rose now does not wish to speak. And Representative Jakobsson, there's no one else wishing to speak. Do you wish to close, briefly?"

Jakobsson: "I urge an 'aye' vote."

Speaker Hannig: "Very good. 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 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2676."

Clerk Mahoney: "Senate Bill 2676, a Bill for an Act concerning civil law. Third Reading of this Senate Bill."

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

Nekritz: "Thank you, Mr. Speaker. Senate Bill 26 (sic-2676) is a trust and estates lawyers special. It clarifies the treatment of several types of trust accounts under Illinois law. The question is, under a standard power of attorney, whether these accounts are treated as savings accounts or trusts. The accounts, including Totten Trusts and Payable on Death Accounts, are created when an individual opens a bank account with payable on death instructions. Most banks have a simple form that a depositor can use to create this trust for a bank account by naming a contingent beneficiary. Many times these accounts are overlooked when power of attorney documents are prepared for the grantor and thus the agent under the power of attorney is unable to perform his

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duties with regard to these accounts. This legislation allows these accounts to be treated in the same manner as similar types of savings accounts established at financial institutions. I'm haper... happy to answer any questions."

Speaker Hannig: "The Lady moves for the passage of Senate Bill 2676. And on that question, the Lady from Grundy, Representative Gordon."

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

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

Gordon: "Representative Nekritz, this is a very, very important question. I just wanna know if this Bill has anything to do with the rule against perpetuities or who owns Blackacre?"

Nekritz: "Representative, it's been many, many, many years since I had to deal with those issues, but I do not believe that they are covered under this legislation."

Gordon: "Thank you so much for clarifying that. I... I plan to support your legislation. Thank you."

Nekritz: "I appreciate the question."

Speaker Hannig: "So, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Okay. We're gonna... we're gonna stop on Thirds for a while, actually, for... and move to Second Reading. So, we're gonna move to page 8 of the Calendar, we have Senate Bills-Second Reading, and we'll read those Bills that are ready to advance to Third Reading."

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Okay. So, the first Bill... Okay. Okay. So, Senate Bill 509, Representative D'Amico, do you wish us to read that Bill? Mr. Clerk, read the Bill. Excuse me. Representative Black, did you wish to speak before we started on this or are you wish..."

Black: "Mr. Speaker, so that Representative Phelps can move his Bill. On page 8 appears Senate Bill 1086. He was kind enough to let me put an Amendment on that Bill. The Amendment was a Bill that passed out of the House, but wa... is hung up in the Senate. But I noticed that Amendment is in the Rules. I don't wanna do anything to endanger Senate Bill 1086. I would ask and would be happy to file a Motion in writing if I... if I must to table Floor Amendment #1... it's not adopted so..."

Speaker Hannig: "Yes."

Black: "...if I could just withdraw Floor Amendment #1 and then if you could move Senate Bill 1086 to Third so Representative Phelps can move his Bill."

Speaker Hannig: "Okay."

Black: "I... I promised him I would not do anything to endanger his Bill..."

Speaker Hannig: "When we..."

Black: "...and I would like that to happen."

Speaker Hannig: "Yeah. When we get to that Bill, Representative..."

Black: "All right. Fine. Thank... thank you."

Speaker Hannig: "...we'll just... we'll just move through it. Representative D'Amico now is recognized on Senate Bill 509. Mr. Clerk, would you read the Bill."

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Clerk Mahoney: "Senate Bill 509 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative D'Amico, has been approved for consideration."

Speaker Hannig: "Representative D'Amico."

D'Amico: "Yes. This is just a technical Amendment to make the Bill identical to the House Bill that we previously passed out of here unanimously. I appreciate your support."

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

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

Speaker Hannig: "Third Reading. We have Senate Bill 1086. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1086, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 2170. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2170, a Bill for an Act concerning business. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Do you wish that to go to Third, Representative? Representative Nekritz, do you wish that to move to Third? Okay. Out of the record. Senate Bill 2235, Representative Golar. Do you wish us to read that Bill? Okay. Mr. Clerk, read the Bill."



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Clerk Bolin: "Senate Bill 2235, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hannig: "Okay. Representative Monique Davis is recognized on the Amendment."

Davis, M.: "Thank you, Mr. Speaker. Floor Amendment #1 merely says that those people who are already in a program for Grow Your Own Teachers will continue with the program they're already in and they won't have to stop in the middle of the stream and go with the new rules. That's all. It just said those in a... in an existing cohort would continue in the cohort they're in."

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

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

Speaker Hannig: "Third Reading. Senate Bill 2375, Representative Froehlich. Okay. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2375, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 2437, Representative Brosnahan. Shall we read this Bill? Out of the record. Okay. On page 10 of the Calendar, Representative Delgado, we have Senate Bill 2448. Out of the record. Representative John Bradley on 2475. Out of

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the record. Representative Saviano on Senate Bill 2556. Out of the record. Representative Parke on Senate Bill 2626. Out of the record. Representative Scully on Senate Bill 2664. Representative Scully. Representative Scully, do you wish us to move this? Out of the record. Representative Smith on 2740. Senate Bill 2740. Do you wish us to read this on Second Reading? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2740, a Bill for an Act concerning public employee benefits. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Rita on Senate Bill 2762. Out of the record. Representative Reitz on 2841. Do you wish us to read Senate Bill 2841 on Second Reading? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2841, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Saviano on Senate Bill 2865. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2865, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Mendoza on Senate Bill 2870. Out of the record. Representative

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McGuire on Senate Bill 2986. Representative McGuire, do you wish us to read this Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 2986, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Feigenholtz on Senate Bill 3010. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3010, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Kosel on Senate Bill 3046. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 3046, a Bill for an Act concerning local government. Second Reading of this Senate Bill. Amendments 1, 2, and 3 were adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "Agreed Resolutions. House Resolution 1087, offered by Representative Granberg. House Resolution 1088, offered by Representative Granberg. House Resolution 1089, offered by Representative Beaubien. House Resolution 1090, offered by Representative Flowers. House Resolution 1091, offered by Representative Osmond. House Resolution 1092, offered by Representative Cross. House Resolution 1093, offered by Representative Granberg. House Resolution 1094, offered by Representative Granberg. House Resolution 1095,

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offered by Representative Durkin. House Resolution 1096,  
offered by Representative Munson. House Resolution 1097,  
offered by Representative Munson. House Resolution 1098,  
offered by Representative Munson. House Resolution 1099,  
offered by Representative Cultra. House Resolution 1100,  
offered by Representative Miller. House Resolution 1102,  
offered by Representative Nekritz. And House Resolution  
1103, offered by Representative Jakobsson."

Speaker Hannig: "Representative Currie moves for the adoption of  
the Agreed Resolutions. All in favor say 'aye'; opposed  
'nay'. The 'ayes' have it. And the Agreed Resolutions are  
adopted. Are there any announcements? Representative  
Reitz."

Reitz: "Thank you, Mr. Speaker. The House Revenue Committee  
will meet at 10:00 tomorrow morning, just for purposes of an  
announcement. House Revenue at 10:00."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I just wanted to announce  
again that Dancing With The Stars will be tonight, the COWL  
fundraiser, at the Inn starting at 6:30. It's going to  
really be fun. You'll be really surprised at some of the  
great dancers we have. So, it's gonna be fun to come and  
watch them."

Speaker Hannig: "Any further announcements? Then Representative  
Currie moves that allowing perfunctory time for the Clerk,  
that the House stand adjourned until Thursday, March 30 at  
the hour of 10:30, 10:30. All in favor say 'aye'; opposed  
'nay'. The 'ayes' have it. The House stands adjourned."

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Clerk Bolin: "The House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 1101, offered by Representative McCarthy. And House Joint Resolution 112, offered by Representative Moffitt. These Resolutions are referred to the House Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned."