

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

124th Legislative Day

4/26/2006

Speaker Hannig: "The hour of 12:30 having arrived, the House will be in order. Members will please be in their seats. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers, and rise for the invocation and the Pledge of Allegiance. We shall be led in prayer today by Colonel Ret. Randy Harrison."

Colonel Harrison: "Lord, hear our thanks. Lord, sooner or later we all reflect on our lives. During this reflection we recognize the goodness and blessings You have so lovingly bestowed upon us, Your humble servants. As we enjoy this beautiful spring day, we can only thank You for providing this world for us to thrive in. Thank You, Lord, for creating us in Your image. You have given us unique gifts. We are humbly grateful for the ability to think, to reason, to laugh, to cry, to have compassion for each other, to love, and to know right from wrong. But most of all, Lord, thank You for giving us the opportunity to be Your children. We will work hard to use Your gifts in a positive manner and to lead our lives so You can be proud of Your children. Thanks, Lord. Amen."

Speaker Hannig: "Representative D'Amico, will you lead us in the Pledge."

D'Amico - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Hannig: "Roll Call for Attendance. Representative Currie."

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Currie: "Thank you, Speaker. Please let the record show that Representatives: Rich Bradley, Colvin, Jefferson, Jones, Patterson, Rita, and Yarborough are excused today."

Speaker Hannig: "And Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Coulson, Daniels, Dunn, Lindner, Osmond, and Pihos are excused today."

Speaker Hannig: "Mr. Clerk, take the record. There are 105 Members answering a... the Roll Call, a quorum is present. Representative Phelps, for what reason do you rise?"

Phelps: "A point of personal privilege."

Speaker Hannig: "State your point."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like for all of you to help me wish happy 26th birthday to one of our Pages, Kyle O'Brien. Happy birthday, Kyle."

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

Black: "Mr. Speaker, I rise to a point of personal privilege, if I might."

Speaker Hannig: "State your point."

Black: "Thank you very much. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, if I could have your attention for a second. I have read in several newspapers the last couple of days, as I'm sure you have, the following statement, and the statement is attributed to our Governor. When he was asked what he would do if the General Assembly would not approve his hundred million dollars that he's requesting over the next few years for stem cell research,

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here's his answer, 'I'm not going to wait for a bunch of politicians in Springfield who won't do the right thing to help cure diseases', Blagojevich said after announcing grants to researchers at a news conference yesterday as he's handing out \$10 million that he put in the budget last year under a phony name. Now, Mr. Speaker and Ladies and Gentlemen of the House, I've served here for a number of years and I never take it for granted. I'm very, very appreciative of the voters who have sent me here 10 times. I'm proud to be a Member of this General Assembly. I don't appreciate the Governor's remarks and you shouldn't either. 'I'm not going to wait for a bunch of politicians in Springfield who won't do the right thing to help cure diseases.' Well, let me tell you something, Governor. I've been fighting a disease since I was 21 and I had 9 hours of surgery and it was life altering surgery, and I've managed it for 43 years. I wouldn't wish it on anyone. So, I know a little bit about disease and I know a little bit about radical surgery to maintain your life. And I don't appreciate that tone of voice when you're talking about the General Assembly of the State of Illinois. You know, that anecdote that he uses that when he went to law school at Pepperdine University in Malibu, California, a beautiful campus right by the Pacific Ocean, and he often laughs and said, 'I didn't even know they had a law school... a law library until my last year.' I used to think that was funny. Now I... now I begin to see he's telling the truth. Governor, let me tell you something. There are three branches of government under the Illinois Constitution and

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the United States Constitution, and you oughta read that. Our job, as we are elected by the people, is to appropriate. Your job is to propose. I would propose to you that if you came down here and worked a little bit and you talked to some of us and you tried to convince us that stem cell research was a valid and viable thing that government should do, you might find several of us who would be willing to vote for it. But when you hide it in the budget and you don't tell the truth, you don't hurt my feelings, Sir, but you are not being honest with the taxpayers who send me here. And I don't appreciate your remark. I don't appreciate you denigrating those good men and women who serve in this General Assembly. If you'd be the Governor for once instead of the press conference maven you'd be surprised what you could get done. Come to Springfield, roll up your sleeves, talk to us, work with us, and maybe you'd get what you want. But by criticizing us and making us look like we're not even a part of the process, Governor, that's not the way to win the hearts and minds of people, and it certainly isn't the way to win the hearts and minds of Legislators. I resent your remark and I would like to have an apology, but I don't think I'll get one unless you know what freezes over."

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

Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hannig: "State your point."

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Feigenholtz: "When we leave today we're going to be missing a big, big event, and that is my seatmate, Robin Kelly, will be turning 50 while we're off this weekend. You wouldn't... you would never know it by looking at her, and she actually just said that 50 is the new 30. But I would like to invite everybody to have a piece of cake and celebrate her 50th year with her."

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

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

Speaker Hannig: "State your point."

McKeon: "I'd like to briefly speak to the Body's decision yesterday with respect to cost-of-living increases. I have consistently voted 'no' on that Resolution and it didn't come up in debate, but I'd like to share my rationale with the Members. You know, I've taught public policy and government at four universities and written a number of arti... journal articles and publications about the democratic process and representative government. A lot of people talked about this as a salary increase, which technically there's a big difference between a salary increase and a cost-of-living increase. But let me tell you what troubles me. There are people... Mr. Speaker, could we have some quiet, please? I'm sure there are many people that would like to be a Member of this august Body, men, women with dependent children or other family members who look at what we make, which now is, for those of us who do this job full-time, at the bottom end of what we might call middle-income. But over the years that we have turned down that cost-of-

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living increase, many of those folks that would like to serve their community and raise their family cannot do it economically. And for every time we turn down that cost-of-living increase we make this more of an elitist institution where if you're... as I told one of my colleagues, if you don't have a thriving law practice or a successful hog farm you can't afford to work here anymore. And I think it's something that we need to keep in mind is that for people to make that sacrifice to be here, that have a family and have no other source of income, this is a very expensive job, 'cause we spend a lot of money out of pocket just to do this job. I don't wanna see this General Assembly turn into an elitist institution where if you don't have big bucks from some other source of income you can't afford to be here and you can't afford to serve. So, that's... that was the rationale for my vote. It's never come up in debate, but it's a principle that particularly the House, which is known as the people's chamber, have representation from all walks of life, all income levels. And we are consistently, year after year, turning this chamber, turning this Assembly into an elitist group by denying the ability of others who would like to serve but have family expenses, dependent children and so forth, who can't make that decision to serve in this General Assembly. Thank you, Mr. Speaker."

Speaker Hannig: "Mr. Clerk, would you read the Committee Reports?"

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures and/or Joint Action

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Motions were referred, action taken on April 26, 2006, reported the same back with the following recommendation/s: 'approved for floor consideration' is Amendment #1 to Senate Bill 585, Amendment #4 to Senate Bill 998, and Amendment #2 to Senate Bill 2796; 'referred to the Order of Second Reading' is Senate Bill 611 and Senate Bill 613. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 26, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is House Floor Amendment #3 to Senate Bill 2328; 'recommends be adopted as amended' is House Resolution 1151. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on April 26, 2006, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 2654; 'do pass as amended Short Debate' Senate Bill 2049. Representative John Bradley, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on April 26, 2006, reported the same back with the following recommendation/s: 'recommends be adopted' is a Motion to Concur in Senate Amendments 1 and 2 to House Bill 4676."

Speaker Hannig: "On... on page 12 of the Calendar, under Agreed Resolutions, we have House Resolution 1165. Mr. Clerk, would you read that Resolution."

Clerk Mahoney: "House Resolution 1165."

WHEREAS, This Illinois House of Representatives has learned that veteran television newsman Dick Kay has announced his

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plans to retire from WMAQ-TV after a 46-year career in broadcasting; and

WHEREAS, This legendary career began where so many other good Illinois activities occur - in Peoria, Illinois; and

WHEREAS, As a native of Delrose, Tennessee, Dick Kay made a stop in Green Bay before settling in at Chicago's NBC affiliate in 1968, and as a first assignment, he was sent as a writer/producer to cover a gathering of national Democratic Party leaders on the city's Southwest Side; and

WHEREAS, During his distinguished career, he was the recipient of 11 Emmys, the Jacob Scher Award, the National Headliner Award, and honors from the Associated Press Chicago Headline Club, the Society of Professional Journalists, and the Joint Civic Committee of Italian Americans; and

WHEREAS, Dick Kay's academic career was highlighted by being named a Distinguished Alumnus by Bradley University, but included dropping out of high school and earning a GED certificate while serving in the U.S. Navy; and

WHEREAS, Many members of the legislature and the other branches of State government enjoyed being part of Dick Kay's long running "City Desk" to discuss public issues and politics; and

WHEREAS, Dick Kay may be best remembered by lawmakers for his examination of the study commissions, the elimination of more than two dozen panels, and the awarding of the prestigious George Foster Peabody Medallion, the highest national broadcasting award in 1985; and

WHEREAS, Dick Kay's career has also included extensive service as the president of the American Federation of Television

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Artists and at least one legislative battle that led to an outlawing of non-compete clauses in talent contracts over a gubernatorial veto; and

WHEREAS, Dick Kay, who answers to the nickname "Doogie" and found time to develop a number of hobbies, including a passion for sailing, now insists he wants to stop and smell roses; so taking him at his word; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that Dick Kay be saluted for his distinguished career and for his efforts to help the people of Illinois become better informed about public policy and the role of government in our lives; and be it further

RESOLVED, That a suitable copy of this resolution be presented to him as an expression of our respect and esteem."

Speaker Hannig: "And on the Resolution, the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I'm delighted to share in this Resolution commending our good friend, legendary broadcaster and labor leader Dick Kay. I can't believe that Dick, who's with us this afternoon, has actually been in broadcast journalism for 46 years. He certainly doesn't look as if he's ready to retire, but I'll take him at his word. I think it's amazing that this is a man who won 11 Emmys and the George Foster Peabody Distinguished Service Medal in 1985. He's someone who certainly showed the broadcast people in Chicago the way to go about their business. And his hosting of City Desk for all those many years helped many in the Chicago area better

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understand the real world... world of lawmaking, not just the sound bites that are featured on the evening news. So, I know that all the Members of the House would like to join in sponsoring this Resolution as we send Dick Kay... I had no idea until reading the Resolution that he's commonly known as 'Doogie'... send him on his way sailing off into the sunset, enjoying the opportunity to smell the roses and spend time with this family. So, Speaker, I move that all Members of the House be added to House Resolution 1165 and join in congratulating Dick Kay on his legendary career and his retirement."

Speaker Hannig: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I had the opportunity a couple years ago to be the House Sponsor of a Bill that made open competition with broadcast industry, and I was working very closely with Dick Kay and former Senator Walter Dudycz. And it was an honor and privilege to be able to pass a Bill that Dick Kay worked so hard for, for many, many years and it was good to see good bipartisan support in both the House and Senate. So, congratulations, Dick. We'll surely miss you."

Speaker Hannig: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I am truly honored to be able to salute Mr. Dick Kay and I have already asked him who I will now watch on Sunday morning who has all of the political inside information. I was very much impressed when he interviewed our Senator Barack Obama and I find that Dick Kay's knowledge of our past history in Illinois helps lead him to provide additional, very valuable information in

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this year. So, we're gonna miss him tremendously and I hope he does enjoy his retirement with his family. And I certainly don't know who they could replace him with for the Sunday morning political talk show. Thank you."

Speaker Hannig: "Representative Graham."

Graham: "Thank you, Mr. Speaker. Mr. Kay, I know that we've had short working relationships, but my encounters with you have always been brief and you've been so very kind to me. And I... I know that I'm somewhat... not as green as I was when I first started, but I wanna thank you for all of your kindness and politeness. Thank you."

Speaker Hannig: "Representative Currie has asked that all Members be added to the Resolution, so that will be so ordered, Mr. Clerk. And Representative Currie now moves for the adoption of House Resolution 1165. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is... is adopted. On page 17 of the Calendar is House Joint Resolution 74. Representative Mathias. Yes, Senate, Mr. Clerk. That's Senate Joint Resolution 74. It's on page 17 of the Calendar. Representative Mathias."

Mathias: "Thank you, Mr. Speaker. I just came back from a very moving ceremony at the Old State Capitol. Today is Holocaust Remembrance Day and there were some very moving remarks by the speakers there, including one of the survivors of the Holocaust... daughter of a survivor and talked about her family's experiences and she was very fortunate to be able to... that her parents were able to escape and actually brought back memories from my own family. My father, who came from Germany, while he was

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there was arrested and put into a camp at Buchenwald and he never would tell me how he... how he escaped or how he got out of Buchenwald, but he was able to come to America, otherwise I wouldn't be here today making this presentation. And you know the old story when you're a little boy and you learn about sticks and stones can hurt your bones, but words can't hurt you. That's not always true. If you remember back maybe 78... 70 or 80 years ago, there was a gentleman by the name of Adolph Hitler who wrote a book, and in his book he stated what he was going to do if he and his gang of thugs ever came into power. And everybody kind of laughed, ignored it, tried to, when he did come into power, appease him. But as you know, history tells us, and for those who did live through it, millions and millions of people died as a result of the world ignoring him and ignoring his words. Because he said what he was going to do and when he was able to do it, he did it. And today, I present a Resolution by another person who also is the President of his country, just like Adolph Hitler was in Germany in the '30s, except he is today the President of the Republic of Iran. And he also has made some statements recently denying the Holocaust, which we fittingly are honoring today, and saying it never happened. Well, I don't know where he was during that period of time, but I can tell you firsthand, if the Holocaust didn't happen, I'd like to know what happened to my... my father's parents, my mother's sister, my father's three sisters, and many other relatives of mine who perished in camps in Europe. And so, I think we cannot ignore the statements or attribute them to a madman, as they did in

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Germany. We need to act upon them. And the statements today are statements from the President of Iran who stated that, again, the Holocaust didn't happen and that if he had the nuclear capability he would wipe Israel off the face of the map. And if we don't, here and throughout the world, condemn those statements then we need to go back and think of what happened in Germany with Adolph Hitler. We can't afford to say, 'Oh, it's the words of a madman. He won't be able to do it.' I think if history taught us anything it teaches us that if people have the capability and they say what they're going to do, they are going to try and do it. So, I urge this House today to pass Senate Joint Resolution 74 condemning the recent statements by the President of Iran that denied the occurrence of the Holocaust and supporting his other vicious statements, because if we don't do it today then I'm afraid those things can happen if the world again ignores someone in power who has and may have in the future the capability to carry out his threats. So, I urge an 'aye' vote on Senate Joint Resolution 74."

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

Miller: "Thank you. To the Gentleman's Resolution. Ladies and Gentlemen of the House, this is a very important Resolution. I'd just like your attention. Last summer, I had the opportunity to go overseas to visit Israel and went to the Holocaust Museum. And my party who I was with there, it was impossible for me to walk out of that museum and not shed a tear for all the victims of the Holocaust. For those who ever have an opportunity to go, you should go and visit it."

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It's very moving and very spiritual for me. To deny that such a tragic event had happened is just simply ludicrous and impossible, and it shows insen... insensitivity to a people and to a culture. By us taking a step today helps address what can be viewed as maybe just some words from a madman, but actually these words can har... do harm by negating a history that is very rich and very cultureful. I urge everybody to sign on to this Resolution and support it."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I thank Representative Mathias for bringing this Resolution. I think many of you know that today was the day that we set aside every year to meet at the Old State Capitol to commemorate the Holocaust, and so this is a perfect day for this Resolution. You know, there are many Holocaust deniers. There's a crackpot professor at Northwestern University and there are others who try to tell us that the Holocaust never occurred, but I think we know better. But there's a big difference, Ladies and Gentlemen, between a goofy professor who spends a lot of time trying to raise money trying to convince the world that the Holocaust never happened and the elected head of a... of a sovereign nation, the Nation of Iran. Here's a public leader who not only denies the Holocaust, who not only brings people into his country to talk about the fact that the Holocaust never happened, but then wants to go further and he refers to obliterating the State of Israel. We must stand in this Body... all elected officials all over this nation must stand

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for truth, we must stand for what's right. And therefore, Mr. Speaker, I would move that all Members be added as cosponsors to this Resolution and ask for a swift passage of it."

Speaker Hannig: "So, Mr. Clerk, there's been a request that all Members be added to the Resolution. Are there any objections? There being none, then it will be so ordered. Any further discussion? Then... then the question is, 'Shall Senate... shall Senate Joint Resolution 74 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. On page 17 of the Calendar, we also have Senate Joint Resolution 82. Representative Giles. Representative Giles, would you like to speak to this Resolution? Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Joint Resolution 82 once again is dealing with the waiver request that the various school districts petition this Body every year. The State Board of Education make recommendations to the General Assembly and we, as Legislator, have the ability to accept or not accept those recommendation. This particular year, there's... there's two approvals that... that that recommendation was made on. One was for Aurora West School District 129 for the approval of 2 years only for waiver requests a statement of affairs requirement. One was a 1-year approval of Warren Township High School District 129 request to raise student fees for driver education. There were a denial that was requested for... to waive statements of affair requirement. Also, there were a couple other requests that was made and there were 1

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year and a couple of renewals. I ask for the adoption of this Senate Joint Resolution and I'm here... stand to answer any question."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Joint Resolution 82. And on that question, the Gentleman from Jackson, Representative Bost."

Bost: "Yes, Mr. Speaker, will the Sponsor yield?"

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

Bost: "Now, this is the waiver Resolution that... that... as the waivers are requested by the school districts that we do every year. And I think it's important for the Body to remember and understand when this legislation was first put together in 1995, the way this is set up, a 'yes' vote is denying the waivers that... that the state board has put in and a 'no' vote would... if we do not pass this they would be granted to them. Is that correct?"

Giles: "That's correct in this context. But let me clarify a little bit. The state board makes recommendations on various requests from the various school districts. Now, within some of those requests there are some approvals, there are some extension, there are some modifications made to those waiver request, and some are flat out denied. So, what we're asking... because the participation from the Senate sort of dictates, once again, what happens in this chamber, what we're asking is to support this particular measure and then once we support this particular measure, whatever the recommendations that are made that... within Senate Joint Resolution 82 will go forth."

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Bost: "So... but a 'yes' vote... and that's what I... what I feel is so important is is that they understand that..."

Giles: "Yes. A 'yes' vote..."

Bost: "...if they... if anybody has a waiver in their district that, according to this Resolution... according to this Resolution, would not be granted if we pass this Resolution."

Giles: "That's correct."

Bost: "So, if... if they have one that they wanna support then they should vote 'no'."

Giles: "That's correct."

Bost: "Okay. Thank you very much."

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

Washington: "Will the Sponsor yield?"

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

Washington: "Representative, I wanna thank you for the effort that you're putting forth and I wanna say that, for the record, that I think ISBE does a wonderful job. They do a good job. But I think that they are using some of the standard formula that has been applied years ago. And you know with our growing immigration problem and other problems related to the schools in the year 2000, in my district, District 60 of Waukegan, alone has a unique situation. We have a lot of people who are possibly illegal and possibly legal. But the fact is we have students that we have to educate by law, and I'm glad that my school system does that willingly and does a good job of that. But because the increase is so great now that we're not able to keep up with the needs of the students so... in the uniqueness of the way

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but with Waukegan, we would just ask in an extension of 55 days more to utilize the substitute teachers until we can craft a way to keep pace with the growing population. And if I'm not mistaken, this Senate Joint Resolution would give some flexibility to the uniqueness of districts such as mine. Is that correct?"

Giles: "That is correct. There's a possibility of that, Representative. However, let me just... for the record and... and be truthful with you. Your particular request from Waukegan School... Community Unit School District 60 was denied of their request. Now, once again and the problem that we have had in the past, as you just stated, is that the Senate sort of dictates to the House as to which waivers... whether their pleasure for those waivers to be approved or not approved. So, the Senate Joint Chair worked with the Senator that represent your school district to... to make sure that that request was... was made or took the state board recommendation to deny."

Washington: "Well, Representative, you know, this... I think you and I casually spoke about it and I resubmitted on behalf of my school district in Waukegan, District 60, a expanded very well grounded and rounded explanation of the realities that we are facing in communities such as Waukegan, as it relates to substitute teachers. And in the analysis, as anyone can read, you can see that the normal standard is a hundred and twenty days for teachers with certificate and 90 days for those holding only a substitute teacher certificate. The system, in which I represent, District 60 is asking for an allowance for substitute teachers to teach for a period not

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to exceed a hundred and seventy-five paid school days in one school district in any one school term as long as employment does not exceed 90 days of consecutive teaching employment in any one classroom within the district. That is not an unreasonable... and I know you have not stated it, that that's not an unreasonable request to ask for an extension of 55 days, because not only are we caught in a... in a struggle with the actual physical site being too small for the number of high schoolers and other people that we're teaching, we're finding we're busting out at the seam. That's why we once qualified for the additional fund because we were considered a super district that's growing at such a rapid pace and we don't have the camaraderie of the teachers coming in the system that can actually offset the substitute. So, I'm hoping that this would give some flexibility and reevaluation that I understand is the precedent that we don't want to set. And I understand the reason, but it shouldn't be one size fit all."

Giles: "Representative Washington, I wholeheartedly agree with you and that's the reason why a month ago we introduced a Resolution to give both chambers the opportunity to... to have a real impact as to which waivers are approved or disapproved. And so, I am very sensitive to your issue. Your particular school district issue came up before a committee yesterday. It was talked about and, I agree, you do have a unique situation. But nevertheless, we have to work with the Senate on... on this particular Resolution. And so, if we don't adopt this Resolution today then all the other waiver requests will be approved. So, there are some

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requests that need to be denied, and... and I understand your position."

Washington: "But my last comments to you, Representative, where it says in my analysis, it says the following requests, which includes my district, will be... would be approved if Senate Joint Resolution 82 passes the Senate and the House, despite the recommendation that they be denied only temporarily, or only temporarily approved. So, I guess what we sayin' is that I'm beating on a dead horse and even though we're only asking... my district is only asking for consideration for the remainder of 2006, which you know we at the closing of the school year, and then possibly 2007. So, basically, are you saying that there is no room to even consider such a short needed, reasonable request as that?"

Giles: "Representative, I believe the adjustment was made in the Senate, so I think you would have that flexibility."

Washington: "Thank you."

Speaker Hannig: "Representative Franks."

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

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

Franks: "Representative, I'm a bit confused. One of the previous speakers was saying if you want to have the things happen you vote 'no' or... I'm not sure what's happening here. So, I'm looking at our synopsis and maybe you can educate me. The first one is it's a denial of the Huntley Community School District 158."

Giles: "That's correct."

Franks: "And that's a request to waive statement of affairs requirement. I agree that that should be denied. So, if I

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agree with that, how do I vote 'no'? I mean, how do I vote... how do I vote if I agree with that statement?"

Giles: "Representative Franks, once again, every... every year the State Board of Education make recommendations for us to approve or disapprove certain various waiver requests from the school district. And so, let's look it... at from a ballgame perspective. These are the waiver requests that made the cut, whether they are denied or approved. And so, what we're doing here as a Body today, because this has been worked not just in the House but moreover in the Senate, both chambers have come together and said these are the actual requests that we can live with whether they are approved or disapproved. And so, what we're doing here today is saying that if we put a 'yes' vote on this that we will approve or disapprove the various waiver requests that's on... that's within this Senate Joint Resolution. So... so, today I am asking that we vote 'yes', and if we vote 'yes' then the various requests that's in this Resolution will be... will be approved or denied within the package."

Franks: "Okay."

Giles: "Within the package. Now, if we vote 'no' and we do not pass this out, then every request on here will be approved."

Franks: "Every request."

Giles: "Every... every one. Whether it's bad..."

Franks: "Or good."

Giles: "It will be approved if we do not vote this out of this chamber."

Franks: "Okay. 'Cause, for instance, number one, the denial with Huntley I agree with. Number three, allowing Warren

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Township High School to raise student fees for driver's education I disagree with."

Giles: "Okay. Initially, they had a 5-year request. There was some negotiation. Once again, there was a negotiation in the Senate and it came out to be a 1-year request. And once again, we introduce a Resolution so that both chambers can have some final say as to what... which Resolutions... which waiver request is granted or disapproved. So, I hope that particular Resolution come forth, is moved to Third Reading, and voted out of the Senate. If not, then we still have a situation in which the Senate is still heavy handed, and the Senate has the last say."

Franks: "Thank you very much."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Will the Sponsor yield?"

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

Fritchey: "Representative, I appreciate your patience with this. And I was... as I was just telling one of our colleagues, figure after 10 years I'd figure out how this legislation works. And..."

Giles: "Representative, it's taken me 10 years."

Fritchey: "No, you do an excellent job with it. I think the understanding gap is on my part. With respect to the one for Warren Township High School, this is a waiver seeking to raise the statutorily allowed driver's education charge from \$50 potentially up to \$700. And... and by... and if we vote 'yes' we will deny their ability to do that, correct?"

Giles: "If we vote 'yes' what we're doing is simply giving this particular school district the ability to approve their

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actions for only 1 year, for only 1 year. Initially, they wanted 5 years, but we're saying only 1 year."

Fritchey: "So for this... for the 1 year... I'm just trying to read this. 'Cause when you see a fee potentially going from \$50 to \$700 it catches your attention even if it's not your school district. So what they're talking about doing is having the ability to raise the fee for 1 year, but do we know up to what amount?"

Giles: "I'm sorry, I didn't hear the last..."

Fritchey: "Do we know what they can raise that fee up to?"

Giles: "I believe they can raise the fees up to... I don't have it in my notes."

Fritchey: "Okay. And then the... then the last comment was there was..."

Giles: "Yes, I believe it's 250 without a waiver, that's what I was gonna say. But... but nevertheless, on an average these various fees have not went past \$50, a hundred dollars in extreme cases."

Fritchey: "Okay. And then there was... there was one other provision that caught my attention. Just real briefly, I just wanna make sure. And that... that was one of the schools that is seeking to allow students to opt-out of physical education if they're in driver education. Will we be denying that request or approving that request?"

Giles: "We will be... which school district are you exactly talking about? Do you know?"

Fritchey: "I'm... I'm trying... I'm trying to find it myself now 'cause I read through all of these, which may've been the first mistake I made. Hold on one second, Representative."

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I apologize. It's for Mendon Community Unit School District, Representative, and it would excuse students in high school from daily physical education if they're enrolled in driver's education."

Giles: "Let me clarify. And the reason why I don't have 'em on my list that's before me right now because some of those... you gotta understand, there were various requests from the various school districts and so, most of those requests were approved. And so, that's the reason why I don't have it here right before me."

Fritchey: "No, and I apologize in..."

Giles: "And so, the State Board of... the State Board of Education made a recommendation to approve because of their unique situations."

Fritchey: "Okay. And let... let me just say that I and a lot of us appreciate all the work you've done on this. It's very troubling though, a 'yes' vote on this legislation would approve a request to excuse students from physical education if they're involved in driver's education classes. And at a time that we are reading more and more information about childhood obesity and raising a lazy group of adolescents and the health problems that come with that, the thought that we would allow kids to get out of physical education because they're attending driver's education classes is truly problematic policy. Now, I'm sure it's driven by economic concerns of the school, which takes us to a much bigger question that we've been trying to address for some time. But when are forcing our schools to have kids choose between driver's ed and PE, that is a choice we should not

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be putting on these schools and I don't believe that's a waiver we should be approving. Obviously, that's in no reflection on you whatsoever. But what is happening are there are some of these provisions which I believe we should approve and there are some which I believe we shouldn't. Unfortunately, the way this legislation's crafted we have a kind of a take it or leave it scenario, which is problematic, but I do believe Members should pay attention to what it is they're voting on. I appreciate your attention and your time. Thank you, Calvin."

Giles: "Thank you. And Representative Fritchey, and I think you..."

Speaker Hannig: "Your... your time has run out, Representative. So, Representative Bellock."

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

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

Bellock: "I wanted to ask if this included in the waivers are 23 waivers to no longer have physical education at their schools?"

Giles: "Yes, there were some for... form of the request, and I believe it will be 23. I think it is."

Bellock: "Okay. I..."

Giles: "And some schools... I think... I think what we have to look at, there were some schools that came with requests more than 1 year or 2 year they wanted extension. Some of these schools have historically have had those waiver requests approved due to dire situation, they do not have proper facilities, there were some other situations economically,

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some situations with those various school districts. But nevertheless, the State Board of Education made a recommendations to approve those various school districts."

Bellock: "Is this the same State Board of Education that put in all the stringent rules on the junk food? They weren't even going to allow anything except for 2 percent milk, and yet they would allow 23 schools not to have physical education, the number one issue that we should promote?"

Giles: "Representative Bellock, ya know, it is that same State Board of Education. Is it that same board. I've always been a champion of physical education and I've introduced legislation to prevent school districts from making those requests. However, once again in this process, we don't... oftentimes in the House of Representatives, we don't get the final say on the actual waiver that are approved or disapproved. The Senate plays a major part in that process. And so, those Senate who represent those school districts, if they agree with the State Board of Education or if they would like to see a particular waiver granted or disapproved, then unfortunately from our perspective they have the weighted vote on that matter."

Bellock: "Well, thank you very much. I... I accept your feeling on it, Representative, but I can't support it. I think Illinois is the only state left, I think, in the United States that still requires physical education, and I think that that is something that we should protect and not allow other schools to have waivers for that. Because I think the more and more we allow that, the more schools are going to want to do that. Thank you."

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Giles: "Thank you."

Speaker Hannig: "Representative Tryon."

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

Speaker Hannig: "Indicates he'll yield."

Tryon: "Representative Giles, I noticed here that... that Huntley 158 put in a request to... for a waiver to exempt them from having to publish for 5 years their statement of affairs in the local media. Is that correct?"

Giles: "That's correct."

Tryon: "And they were denied. But... but Aurora School District 129, they asked for a waiver to be exempt from publishing their statement of affairs for 2 years and they were approved. Is that correct?"

Giles: "I believe that is correct."

Tryon: "Why would the State Board of Education deny one but approve the other one?"

Giles: "Rep... Representative, that is a good question. I'm sure there's some history there that the school board... the State Board of Education have dealt with that particular school district. But nevertheless, once again, this chamber do not... in a sense, do not have the weighted vote. We have a chamber across the halls from us, and those Senators hold a lot of weight in this process. Previously, I've introduced a Resolution so that on... on odd years and even years a particular chamber has the... the ability to introduce a waiver request or... or to disapprove a waiver request and once that request comes back to this particular chamber then that... that chamber that introduced that waiver request have the presiding vote. And so, right now, that piece... that

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Resolution is on Second Reading in the Senate. And so, that... that particular Resolution will give equal powers to both chambers. And so, the request that you're... the case that you're making now is probably... and I can't give you facts at this particular time, but most likely that is a request that's made by that State Senator."

Tryon: "Okay. Thank you, Representative. To the Bill."

Speaker Hannig: "To the Bill."

Tryon: "I happen to represent School District 158 in Huntley, as does Representative Franks and Representative Schmitz, and I don't agree with the waiver request. I think the public has a right to know what's going on in the statement of affairs of each school districts, and the publications that have to be made in the newspaper is just the cost of doing business. It's kinda like taxpayers who have to pay their tax bill. School districts and other units of government have to be open, honest, and prudent about their finances with their public. Likewise, I don't believe that Aurora should be entitled to a waiver from publishing their statement of affairs for even 2 years. I don't think this is a habit we wanna get in. I also don't believe that physical education is something that some schools should teach and some schools shouldn't. So, I'll tell ya how I'm gonna vote. I agree with the denial of Huntley. I think that Aurora should also be denied and I agree that... that Warren Township should be denied under driver's education requests. So, I'm voting 'no', Representative, on the entire Bill and I hope that sends a message that we need to get behind education so we

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don't have to provide waivers for important programs like... like physical education. Thank you."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Representative Giles, I... I think we need to go through the explanation one more time. We know what the process is and you and I have agreed that it needs changed and has for quite some time. But folks, right now, the Bill you're looking at, these are the... these are the waivers that the state board has sent us and we have denied these waivers many, many times, and some school districts just keep coming back and asking for them. If you have a school district here that is on the list and you don't want them to be denied that waiver then you should have a 'no' vote, because this is a vote to deny and 'yes' means 'no'. Okay? If you vote 'yes' for the Bill that means the waiver is denied. If you vote 'no' that means that the waiver will be approved. Now, it seems kinda backwards, but the way the Bill is written is these waivers will be denied with a positive vote from the House of Representatives. So you had to vote 'yes' to deny 'em. If you vote... if you vote 'no' that means those waivers are also granted, and some of these are bad. It puts you in a tough spot because if you have a school district that's contacted you about one particular waiver and it's on this list and you want to vote 'no' to allow them that waiver, you can't do it. You have to vote for the entire Bill. So, a 'yes' vote means they're denied. If you vote 'no' you're allowing all those waivers to go through. Now, if... if that's not

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clear, come and see me and we'll have a private consultation. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Fritchey. Okay. Representative Giles to close."

Giles: "Thank you, Mr. Speaker. Once again... and I think my colleague, Representative Mitchell, he hit the nail on the head. If we vote 'yes' then we will deny some extreme bad waivers requests in this legislation. If we vote 'no' then everything will be approved, and... and we do not want to do that in this Body. Once again, I hope that in the future we can continue to push that both chambers will have equal powers when it comes to what waivers or... or requests are approved or disapproved, and I hope we continue to move forward in that direction. But at this particular time, we must vote 'yes' on this particular Resolution and move forward. Thank you."

Speaker Hannig: "The question is, 'Shall Senate Joint Resolution 82 be approved?' All in favor vote 'aye'; opposed 'nay'. The voting is open. This requires 60 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Franks, do you wish to be recorded? Representative McKeon, did you wish to be recorded? Representative Sullivan, did you wish to be recorded? Okay. Mr. Clerk, take the record. On this question, there are 99 voting 'yes' and 5 voting 'no'. And the Resolution is adopted. On page 17 of the Calendar is also Senate Joint Resolution 66. Excuse me. Representative Currie, for what reason do you rise?"

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Currie: "Thank you, Speaker. I rise... I rise with an introduction. We're joined in the gallery behind me by a distinguished group of visitors from Russia. They are all officials from the St. Petersburg University's Ministry of Internal Affairs and they're in Springfield on a study exchange with our department, the Police Training Board, the Illinois Sheriffs' Association, and the Fraternal Order of Police. I hope you will join me in welcoming these delegates. Their leader is Major General Edward Suslin. So, let's give them a strong Springfield welcome."

Speaker Hannig: "On page 17 of the Calendar is Senate Joint Resolution 66. Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Senate Joint Resolution 66 is a Resolution that urges the Illinois Congressional Delegation to review and amend the No Child Left Behind Act and it encourages the United States Department of Education to implement the following regulations: Number one, to permit appropriate consideration of students with special education needs with respect to adequate yearly progress. Number two, it asks them to... for regulations that are sensitive to the needs of teachers in schools that are considered rural, hard to staff, isolated, or heavily concentrated with special education students. It... we ask that they reduce bureaucratic restrictions that stand in the way of the goals of the Leave No Child Behind Act. We also ask that they allow flexibility to the states in meeting the goals of Leave No Child Behind. This Resolution further encourages Bush... President Bush to fully fund the No Child Left Behind Act and it calls for a copy of this Resolution

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to be delivered to our President, the United States Secretary of State of Education, and each of the Members of the Illinois Congressional... Congressional Delegation. And I would just ask for an 'aye' vote."

Speaker Hannig: "The Lady has moved for the adoption of Senate Joint Resolution 66. Is there any discussion? Then the question is, 'Shall the Resolution be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. On page 18 of the Calendar we have Senate Joint Resolution 83. Representative Hoffman. Representative Hoffman, would you like to say a few words on this Resolution?"

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution 83 simply congratulates the Chicago Motor Club on the yearlong celebration of its centennial anniversary and of serving motorists in the State of Illinois and we designate August 2006 as AAA Chicago Motorist Safety Month."

Speaker Hannig: "The Gentleman moves for the adoption of Senate Joint Resolution 83. And on that question, the Gentleman from Kendall, Representative Cross."

Cross: "Mr. Speaker, thank you very much. I... I think we've kinda kept this a secret for the Session, but it's clear today that this is an announcement of the coalition being back together again. Madigan, Cross, and now with Jay Hoffman onboard, I feel like we can get a lot of good things done. And Jay, thank you for joining the coalition. We're gonna miss Frank, but I think you will be an addition that

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will serve us well and all the people of Illinois. So, thank you for joining, Jay."

Speaker Hannig: "Representative Black. Representative Black."

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

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

Black: "Yes, Representative Hoffman, where do you live?"

Hoffman: "Collinsville."

Black: "Collinsville. Been there many times. Used to have great basketball. You're a downstater, right?"

Hoffman: "I'm a downstater, yes."

Black: "Then why are you on the Resolution of the..."

Hoffman: "And proud of it, just like you."

Black: "...on the Chicago Motor Club? Do they give services statewide or only in Chicago?"

Hoffman: "'Cause I'm very proud of the chairman of the... the Transportation Committee to represent all of the State of Illinois."

Black: "Oh, so this re... this does... in other words, this is kinda like the American Automobile Association. So, it represents all of Illinois. In fact, I'm a member. But I've asked 'em several times if they couldn't become the Illinois Motor Club. But, ya know, it's a minor point. But since you and I get service from it, I guess the only thing to do is to pass it with great enthusiasm."

Hoffman: "Thank you."

Black: "Thank you."

Speaker Hannig: "Is there any further discussion? Then all in favor of the Resolution say 'aye'; opposed 'nay'. The

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'ayes' have it. And the Resolution is adopted.
Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. Could you clarify for the chamber what the schedule will be for next week? Because we've heard rumors that we may be in not only Monday, Tuesday, Wednesday, and Thursday, but now Friday, Saturday, and Sunday. So, we would really like to have clarification so as a courtesy to our Members that we can make sure we have accommodations to stay overnight Friday and Saturday and Sunday night. So, if we could have an answer on that before we adjourn, we would like to have that information."

Speaker Hannig: "I think we'll have an answer momentarily. I think..."

Parke: "It says here that Friday, Saturday, and Sunday are tentative. So as far as you're concerned, they're still tentative. Okay, so we know we're in Monday, Tuesday, Wednesday, and Thursday. Friday, Saturday, and Sunday are still tentative. Okay. Thank you."

Speaker Hannig: "That's correct, Representative. On page 3 of the Calendar, under the Order of Senate Bills-Third Reading, is Senate Bill 279. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 279, a Bill for an Act concerning regulation. Third Reading of this Senate Bill."

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

Fritchey: "Thank you, Speaker, Members of this Body. Senate Bill 279, as I stated briefly yesterday, represents the work product of the Illinois State Dental Society. The department... the chairman, Representative Saviano, whose help

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we sincerely appreciate. And it provides for survivorship interest when a practicing dentist should pass away, what happens to that practice, how would that practice continue. And what this does is provide a mechanism for that spouse to appoint... or the executor to appoint people in place to keep that practice up and running for a period of time. It would notify the clients that there has been a change and to ensure that there is a quality of care continuum that is provided to those patients as well as allowing the spouses the ability to wrap up the affairs for that practice. We know of no opposition to the Bill. It has been, as I said, the product of a lot of work and agreement. We believe that the work will result in a blueprint for future practice groups to go within the same area. I'd be happy to answer any questions."

Speaker Hannig: "Okay. The Gentleman has moved for the passage of Senate Bill 279. And on that question, the Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. This Bill represents a boilerplate piece of legislation, as the Sponsor alluded to, which would offer continuity in different professions when the principal, whether being a doctor or a dentist or any other licensed professional, to continue on with their practice either by their spouse or by their executor. We fully support this. It's a good piece of legislation and we would ask for your approval."

Speaker Hannig: "Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. First, I'd like announce a potential

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conflict of interest. This is a great piece of legislation. Essentially, a dental practice, as any health care practice or business, is valued based on the person who provides the service. Everything else is just really a prosthesis and things that'd be applied. But people come to my dental practice, as many oth... as you go to your dentist, based on that individual's availability and like and so on and so forth. And so, when somebody passes away or is incapacitated, the value of that practice goes with it. I've been in three situations as a practicing dentist where the individual who ha... who owned the dental practice died. And with that practice, other dentists have come in to try to finish those cases that are still out there and to try to help just kind of provide a finishing closing of this... of their practice. What this legislation does is it provide a mechanism for that individual estate to still retain the value that that practice of they working for years. It's a great piece of legislation. In that time, that the person cannot raise fee, in that time the person cannot practice dentistry. Currently, right now, when you call a dental office usually there's a manager of some sort that'll make the appointment for you. So, none of that can change. And so, that allows the survivor of the estate to really come up with a fair price of equity towards that practice and for that ability for the dentist to be able to at least know that their family had some sense of value for their years of service. I urge all Members of the General Assembly to support this legislation. I will be voting 'present'."

Speaker Hannig: "Representative Kosel."

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

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

Kosel: "I'd like to thank him for the work that he's done on this. This is a piece of legislation that's been needed for a long time. I also need to announce a conflict of interest as a dental spouse. I have seen other dental spouses go through the kind of situations that Dr. Miller talked about. We need this piece of legislation. I strongly urge every Member in the General Assembly to vote for this and I will be voting 'present'."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunkin, do you wish to be recorded? Representative Turner, did you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 103 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 4 of the Calendar, under the Order of Senate Bills-Third Reading, is Senate Bill 859. Representative Dugan, do you wish us to read this Bill? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 859, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Dugan."

Dugan: "Thank you, Mr. Chairman, Members of the House. Senate Bill 859 clarifies and corrects a problem with a piece of legislation that I passed last year. And there's an

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Amendment that was adopted to this which then changes the Senate Bill and deletes an area of concern of the IFT and the IEA. So, now the Bill addresses clarifying sex offenses and what is considered unprofessional conduct. It is now supported by the IFT, the IEA, School Management Alliance. We have been working together for the last year to try to make sure that the language is agreeable to everyone. So, at this time I would just like for an 'aye' vote to go ahead and pass this Bill, and I'll answer any questions."

Speaker Hannig: "The Lady has moved for the passage of Senate Bill 859. 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 105 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 946."

Clerk Mahoney: "Senate Bill 946, a Bill for an Act concerning liquor. Third Reading of this Senate Bill."

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

Fritchey: "Thank you, Speaker, Members of the Body. Ladies and Gentlemen, 34 states have legislation that allow consumers who purchase a bottle of wine to... in a restaurant to take that wine home with them when they're finished. What this legislation would do is put Illinois in the ranks of the majority of the rest of the country. It provides that if a bottle of wine is purchased with a meal, partially consumed

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at the restaurant, and the patron wants to take it home, that the restaurant would be able to put the bottle of wine in a tamper-proof sealed bag and give that patron a receipt that they can take with them. And if that patron was in fact stopped by law enforcement authorities on their way home and the wine was in a sealed bag, that they would not be in violation of open liquor in the vehicle. There is no objections to this. We know of no objections from law enforcement, from any of the alcohol groups, from any fund. We believe that it is something that is both pro consumer as well as pro restaurant industry. I'd be happy to answer any questions you may have. Thank you."

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

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

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

Bost: "John, when you were talking... you say that it's gonna be put... you've obviously got one of the bags there. Now, exactly how does that seal up so that... well, there ya go."

Fritchey: "There ya go."

Bost: "I... I'm... is... is there a way..."

Fritchey: "No, it's a legitimate question."

Bost: "...to kind of bypass that? You know, I'm just... I'm just thinking that, ya know, open containers are a pretty serious issue to all of us here in the state. We don't want open containers in the vehicles, but if you got the cork out of the bottle or... now, it's my understanding the cork is... is going by the wayside and it'll be a twist cap, which is more appropriate to a lot of guys I ran around with in high

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school. It was a lot more twist caps. That being said, so the twist cap's off, the seal's broken, or the cork's out. Now you... you've placed it..."

Fritchey: "Now the bottle... the bottle is resealed, either with a cork or a top, however it may be. It's placed in this bag. This bag has an adhesive seal across the top. Once that seal is shut, were it to be opened again it would show that it's been opened. But if you were stopped and that bag has not been opened, then you would not be in violation. So, we've taken safeguards that the wine has to be consumed... or is partially consumed with the meal, taken with the rest... from the restaurant, placed in the tamper-proof bag, they will give you a receipt as to the date and time that it was purchased, and if you comply with all of those then you will be exempted out from the open liquor... However, were you to be pulled over and the bag had been opened, then the law would be as it is today and you will be subject to open liquor laws."

Bost: "Okay. But it doesn't require anything like, for instance, that it needs to be put in a compartment away from the driver or..."

Fritchey: "No, because they thought that the adequate safeguard was that it would be closed and it would be in the tamper-proof bag. So even if it's in the seat next to you, you could tell that it hasn't been opened up."

Bost: "How many other states do you say uses this procedure?"

Fritchey: "Thir... thirty-four states have some version of this right now. I would submit that the proposal we have before

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us is at least as stringent, if not more stringent, than the majority of the laws on the books right now."

Bost: "Okay. Thank you."

Fritchey: "Thank you."

Speaker Hannig: "Representative Franks."

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

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

Franks: "Representative, is this a big problem in your district?"

Fritchey: "My district happens to be small enough you can usually walk to most of the restaurants, so it's not that big an issue."

Franks: "I was wondering if it was a crisis that we're facing here on this. Have... I'm gonna ask you, have you ever left a bottle of wine at a restaurant unfinished? You're under oath."

Fritchey: "I'm not a wine drinker so I can't really.. I can't really attest to this one."

Franks: "Have you ever had wine from a bottle that has a cork?"

Fritchey: "Do... do the boxes count or no?"

Franks: "That was my... that was my next question. What happens... I've seen how you drink, Representative, and usually it's in a... it's in a box or a twist-off top. And I'm wondering if... how this Bill would affect the boxes of wine that you may drink or their... or the Boone's Farm Apple that you're so famous for."

Fritchey: "Well, I know up in Woodstock I think most of you guys make your own."

Franks: "We do. We do."

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Fritchey: "But for the people that have to go to... and actually purchase it in restaurants, this is actually a good alternative."

Franks: "Well, that's my next question. Because I don't... ya know, I got a big family. And when we go out to dinner we don't order those puny bottles of wine. We get the huge ones. Ya know? The two gallon bottles of wine. The jug, exactly. The jug. And you can use it as an instrument later. Now, what happens if it doesn't fit into that bag?"

Fritchey: "Representative, following a Franks' family dinner, I don't know that unused wine would be an issue."

Franks: "You're correct. Well, thank you. I appreciate your answer."

Speaker Hannig: "Representative Fritchey to close."

Fritchey: "All kidding aside, Ladies and Gentlemen, this was an idea that brought to me by my Senator, Senator Cullerton. I had not heard of it at the time. I did not realize the majority of the states have laws like this and it is pro consumer. The restaurant industry likes it because it allows them to better cater to their customers. We know of no opposition, as I said, from law enforcement or any groups that would tend to be vocal on alcohol related issues. I request an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 88 voting 'yes' and 17 voting 'no'. And

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this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 2795."

Clerk Mahoney: "Senate Bill 2795, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Bill that has been in works... in the works for a long time, the concept certainly has, and one that I have tried to address in the past. I'm very pleased that I can bring before the Body today a major comprehensive reform of our school district consolidation laws. Currently, in the State of Illinois we have 875 school districts. That makes us second only to the State of Texas. Out of those 875 school districts, 200 of them are one school only districts. This Bill will improve and streamline the process by which our school districts can reorganize. I wanna stress that everything in this legislation allows for voluntary consolidation, not forced consolidation. This legislation will delete the current four articles that pertain to school district reorganization. It'll create one new article in the School Code. Consolidation will bring about efficiency, cost savings, alignment of curriculum, and hopefully, better results in student achievement for our kids. This legislation creates new options for consolidation, addresses some of those instances that we have talked about in the past. It will allow dual districts, where you have elementary districts feeding into a high school district. It will allow new combinations of those districts. It will particularly allow the situation that I have tried to

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address in the last two General Assemblies where some elementary districts will be able to consolidate with a high school district and form a new unit district and not all elementaries will have to join in that. Currently, even the smallest of the elementary districts can prevent that from happening. This will allow those who want to consolidate to go ahead and do that and it will not punish those who do not want to consolidate. They can continue to exist on their own and they will be covered, for high school purposes, by the new unit district. This doesn't change the make up of school boards, the election of school boards. Doesn't change taxing rates. Doesn't change teacher contracts. It doesn't change provisions that are already in the law pertaining to School Codes... or to school districts and their formation. It is supported by a number of educational organizations. And if I could, for the record, read those. In addition to the State Board of Education and the Governor's Office, supported by: Voices for Illinois Children, the Illinois Association of Regional Superintendents of Schools, the Metropolitan Planning Council, the Illinois Business Roundtable, the Illinois Association of Realtors, ED-RED, A+ Illinois, the Illinois Association of Rural and Small Schools. The only opposition is from the High School District Organization and they are not certain about the effects it may have on one or two of their members. With that, Mr. Speaker, I would be happy to answer any questions. This is major legislation. It's... sometimes can be confusing topics, but the important thing to remember is that we're streamlining and improving the

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consolidation process that we currently have in the State of Illinois."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2795. And on that question, the Gentleman from Vermilion, Representative Black, is recognized."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, are there any changes in the underlying law, the law of today, that says a consolidation must pass in each of the affected districts?"

Smith: "Under the new options that we create, Representative Black, there would be... let's take the instance of dual districts forming a new district. Currently, all of the feeder elementary districts have to approve that. Under one of the new options in this legislation, if one of them does not choose to or if... if several of them do not choose to, the consolidation will... will be allowed to take place with those who do approve. Now, for those that don't approve it, they would not be part of the new created unit district. It's an optional..."

Black: "Okay. So..."

Smith: "...elementary district."

Black: "In other words... I've seen some of these votes. If you get a rather large unit district and necessary petitions are signed... and one of the weaknesses of the old law before we changed it years ago was that if a large unit district wanted to consolidate with two small unit districts, the old system was majority rules, and the two small districts were

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often gobbled up or consolidated even though they voted overwhelmingly in opposition. Now, we changed that law some years ago so that if you're combining four unit districts it must still pass in each of the four unit districts, correct?"

Smith: "It does not change that. That's correct."

Black: "Okay. Fine. So... and in the case that you just gave, if a... if a district chooses not to join a consolidation then they are not forced to. They just are not included, correct?"

Smith: "That is correct. They..."

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

Smith: "They can opt-out and they do have the opportunity..."

Black: "Yeah."

Smith: "...to opt-in in the future."

Black: "Okay. So, in other words, nothing really has changed. Each district still has due process and the voters of that district make the decision for their district."

Smith: "Absolutely."

Black: "Okay. Thank you."

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

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in support of the Gentleman's Bill. The issue of school consolidation is an important one. For many school districts this will just simply form the basis of group discussion. Without an easy way or a... or certainly a systemized way of going about this, many communities that would like to consolidate their school districts don't have

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the opportunity. I know in the Village of Skokie where I live we have six or seven different school districts for a population of about 65 thousand people. There are many of my constituents who would like to talk about school consolidation but don't know how to go about it. So, this Bill will create the opportunity for people to sit down and figure out if they want to consolidate, how to go about it. I applaud Representative Smith and the advocates for putting together a Bill that lays it out for us the way it ought to be laid out and I would suggest your support."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Hello. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Mitchell, J.: "Representative Smith, one question that... that did come up with one of my superintendents is if we have the situation where... and I have in Rock Falls five elementary districts that feed into one high school district... if there is such a thing as... as a unification of one of those elementary districts with the high school to form a unit district, it would leave four feeder school districts out there as elementaries. Now, are they still a part of that high school to the point where they won't have to pay tuition to get into that high school or will they have to pay a tuition fee?"

Smith: "No, their... they would still be covered by that high school. Actually, they would be... the residents would still participate in school board elections because they will

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still be served by that high school. There'll be no tuition required."

Mitchell, J.: "Okay. If... if they so choose... if that district so choose to go to a neighboring high school, since they're not a part of that unit district, would that be allowed?"

Smith: "There... there's no change. Just wanted to make sure that was correct. There's no change in that, Representative Mitchell, other than... than what's in current law. They can do that, but there's a process to that."

Mitchell, J.: "Okay. We... and we had a Bill a few years ago that... that created that situation where they became non high school districts and had to pay tuition to a high school, which raises the question then could they raise more money or have a separate tax for that tuition portion? But if that's not a question then it shouldn't be a problem. That, as far as I know, would have been the only negative. To the Bill, Mr. Speaker. Ladies and Gentlemen, I know that consolidation is one that makes everybody a little bit queasy, especially downstaters, but this is a purely positive Bill. There are no negatives to this Bill. There is nothing that can happen without the vote of the people involved. They will always have the final say. But it certainly opens up a lot of options. It gives them a lot more choices. It doesn't lock 'em into the situation where the smallest district can stop consolidation of larger elementary districts that want to form a unit district. It lowers the tax rate for the taxpayers when they move from dual districts to a unit district. I can't see anything negative in this Bill. Nothing will change unless the

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voters change it, but it certainly adds some incentives that ought to make it a whole lot more palatable to everyone involved. And I think we will see some consolidations from a positive standpoint because of this Bill. Representative Smith, I commend you for your work. Thank you."

Speaker Hannig: "So we've had three in favor and one in response. Representative Miller, would you like to speak in response? Not in response? We've had three speak in favor of the Bill and one in response, so... Representative Eddy in response? Or perhaps, Mr. Smith, would you like Representative Eddy to close?"

Smith: "Yes, Mr. Speaker. If I could, though, just say that I'd like to thank the advocate groups who participated in this, and I'd particularly like to acknowledge Elliot Regenstein who is standing behind me from the Governor's Office because he has led the efforts behind this legislation and has been working on this for over a year. And I certainly wanna commend him for his efforts. I'd be happy to have Representative Eddy close on this if he would like."

Speaker Hannig: "Okay. So Representative Eddy is a hyphenated cosponsor and we'll recognize him to close."

Eddy: "Thank you very much, Mr. Speaker. Representative Smith, I, too, wanna commend you on your hard work on this issue. Ya know, whenever you mention what I call the 'C' word in rural areas, people are concerned because the... the school district and especially schools are the part of their community that they associate with the vitality and the life of that community. And so, when... when legislation is considered that might affect whether or not a school

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district will continue to exist, and indeed a school in a rural area, they're considering that as to whether or not their very lifeblood will continue to exist. So, the approach to any legislation that includes consolidation or reorganization is important. The approach in this case, I believe, was the one that has... that has led us here today to an agreed Bill, one that has not caused the kind of consternation, the concern that most of the time takes place in these situations. Because from the very beginning, the goal was to allow for creativity, flexibility, and efficiency in a process so that when schools and when districts and communities decided it was in the best interests of students and taxpayers to look for ways to reorganize, that they would have options available to them that might not already exist and might allow the creativity, but would not require them to do so. Representative Black brought up an important point. Under this proposal, any individual school district's voters who wish to remain solvent as the district they currently are can do so simply by voting down the... the reorganization question in their district. In that... in their district only. The rest can go on. And the legislation concerned itself with other details. For example, in the opt-in situation. What if, while that district is waiting to opt-in, they accumulate debt? What if they... they accumulate either bonded or... or operating debt? That debt stays with the people who... who accumulate the debt. I can't think of anything that wasn't thought of in this Bill, and it was because of the approach. So, I congratulate you on that. I think this is the type of

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legislation that would result in more reorganizations than actually a mandate would've or could've, and I congratulate you on that. And I urge my colleagues to vote 'yes' on this and I think over the next few years we will see positive results for the children of this state based on the day that we allowed this creativity for our districts."

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 104 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 2 of the Calendar, under the Order of House Bills-Second Reading, is House Bill 1918. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "House Bill 1918 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Molaro, has been approved for consideration."

Speaker Hannig: "Representative Molaro."

Molaro: "Thank you, Ladies and Gentlemen. This Amendment... the Body has heard this issue a couple of times. What this Amendment does basically is... when we were on... we were previously on Postponed Consideration. There was an open question as to whether or not I could amend the Bill on Postponed Consideration and there was a thought that I could not amend the Bill that's on Postponed Consideration. The Amendment I wanted to put on was that... what this Bill does, the boats that are in the southern part of Southern

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Illinois, they made a case to me and the other Sponsors of the Bill, that down there when they're making 4 or 5 million dollars a month that there wouldn't be enough to go around and do the capital improvements they were to make. So, we adhered to those boats in those communities that made sense not to be part of this Bill. What it does do is, however, it keeps the 3 percent with the four northern boats who, we're pleased to announce, made anywhere from 20 to 40 million per month, so we keep the four northern boats. So all the Amendment does and the only change from the Bill before is that it takes out the southern boats where the towns are in big need of capital improvements. And that's exactly what this Amendment does, it takes that out. The rest of the Bill is the same. If there are any questions on what the Bill was I certainly will answer any of those questions."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, I... I've known and worked with a lot of people who... who own horses, thoroughbreds, Arabians. A gentleman in my district was a renowned trainer of standardbreds. Would often go up to Balmoral and watch him race. He was an attorney, very active in that association, passed away a few years ago. So, I... I tend to side with the horse people on this issue, but let me ask you a question.

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I have voted on this twice, and the last time I voted on it I heard you tell the Body you would not bring it back. Now, here we are again. Now, what transpired from the last time we voted on it to this most recent attempt?"

Molaro: "Well, I'll... I'll say it again. There was too much noise to hear it. Basically, what happened was when we voted on the first time it was put on Postponed Consideration. There was a open Rules question of whether or not you could amend the Bill on Postponed Consideration. It was my intention to call a Bill that exempted out the Southern Illinois boats because they're only making anywhere from 3 to 6 million a month, 2 million a month the one in Rock Island, and just have it on the northern boats that are... have adjusted gross revenues of anywhere from 25 to 40 million a month. Because it was on Postponed, I was unable to do that. And the only... the only statement I made, Representative Black, that I would not call the Bill unamended, and this Bill... this Bill is not the same Bill. There's a major change in taking out the Southern Illinois boats."

Black: "Well, Representative, I appreciate that. I guess the problem is, you know, you get so many false starts in racing, and I thought we'd had ours and that we'd have to come back either in the Veto Session or next year and try this again. And I... I don't rise necessarily in opposition to the Bill because I have voted for it twice. As I said, I knew a lot of people and am close to some people that were in the breeding and training business of horses, but I... I don't know. I'm trying to wrestle with this that I... I

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thought I heard that this Bill was not going to be called again and we were making plans for what we would do over the summer or what we would do next fall, and now here comes the Bill again. I... I'm not going to criticize you for the decision that you've made, but I... I think sometimes we get ourselves in trouble inadvertently when we say we've had our bite of the apple, we'll come back later, when there are many people in the chamber who haven't even had the first bite of... of an apple on their Bill. They either can't get it out of Rules... I have a Bill I'm very interested in on a concurrence Motion and can't even get the concurrence Motion out of Rules. And so, here I go getting a third bite of the apple on a Bill that I understood we had had our chance and we'd have to wait until later. And I think there's a lot of people like me on the floor that say, well, wait a minute. If we can get three shots at this Bill, then why can't a Bill that a constituent of mine came over and testified eloquently on, passed the House, was amended in the Senate, came back from the Senate, and on a simple Motion to Concur we can't even get the concurrence Motion out of Rules? I think that puts many of us in a... in an uncomfortable position. But I... I appreciate the explanation that you gave."

Speaker Hannig: "So, on the Amendment, the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I think everyone knows how I feel about this Amendment because we've already debated the... the core of this Bill twice, and I... if the Amendment is adopted I'll save my comments for Third Reading. But I will

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ask you to vote 'no' on this Floor Amendment for the reasons I had previously given: bad public policy. This one, on top of bad public policy, is unconstitutional because it sets out one group over another group. If you voted 'no' previously you definitely oughta be voting 'no' on this one. But more important for now, Mr. Speaker, let me ask for a Roll Call vote on this Amendment."

Speaker Hannig: "So we've had one speak in favor, two speak in opposition. The rules provide that two can speak on each side. Representative Stephens, are you a proponent? We're looking for one additional proponent."

Stephens: "Well, Mr. Speaker, the..."

Speaker Hannig: "Okay, reset the clock. Go ahead. Representative Stephens."

Stephens: "I've been for it. I've been against it. I'm like a couple of other Members here on the House Floor. And with all due respect, Representative, not saying that you made a deal because I don't... I'm not aware that you did, but a lot of us feel... I feel... after having been convinced that this legislation has merit, I believe that you should take the Bill out of the record. I think we should talk about it over the summer and I think that we will... that you'll have more success in the... in the fall after the election. So I'm one who tried to help you pass this legislation, but I'm going to change my vote to 'present' in deference to the process."

Speaker Hannig: "So we... we're going to move to a Roll Call. Representative Molaro to close."

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Molaro: "Quick... real quickly. I don't know what anybody thought I said or didn't say. Let me say this to the previous speaker. I... there's no deal. I mean, the point is this Bill has changed and it's changed significantly. Okay? The only thing I will say is this. For those of you who are caught up with it being a third time, the Bill itself is a difficult Bill. I know there's people in the middle. It's a difficult Bill. But let me say two things. There's no guarantee we're gonna have a big expansion Bill next year. Every... all this Bill does is allow our state's horsemen and tracks to compete with other states' horsemen and tracks. That's all this does. It allows that to happen. Every state that has brought in casino gaming has done some form of this to their tracks and their horsemen to save their 30 thousand jobs. It's not the fault... and Representative Stephens, it's not really the fault of the 30 thousand people that we're trying to help that Bob Molaro called the Bill three times. I would certainly don't want it to be that those people are gonna get hurt because of maneuvering on my part. That wouldn't be fair to them. So I'm asking these pe... and everybody else. It's not fun for anybody to vote on certain Bills even once or twice, but it is a significant change and that's why we bring the Bill. I'd ask that we adopt this Amendment and that whatever problems there are on the floor we can debate on the Bill. And I'd ask for an 'aye' vote on the Amendment."

Speaker Hannig: "So there's been a re... request for a Roll Call vote on this Amendment. So the question is, 'Shall the Amendment be adopted?' 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? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 70 voting 'yes' and 30 voting 'no'. And the Amendment is adopted. Any further Amendments?"

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

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

Clerk Mahoney: "House Bill 1918, a Bill for an Act concerning gaming. Third Reading of this House Bill."

Speaker Hannig: "Representative... They've all been filed, Representative. Representative Molaro."

Molaro: "Yes. Thank you, as I said, it's a Bill we previously debated. Save the 30 thousand jobs. And what it does is it takes out the small boats where Representatives and Senators from their area called and made sense that the smaller areas would be affected by this when really the impacts on the tracks and the horseracing have been from the Chicago area and that the major boats makin' the major money from the Chicago areas is where this should be. Every other state that has this has done this for horseracing and I would certainly like to reserve the right to close or answer any questions that people may have. Thank you, Mr. Speaker."

Speaker Hannig: "So, the Gentleman has moved for the passage of House Bill 1918. So, we'll have three speak in favor and three speak in opposition. Representative Tryon, which side would you wish to speak on?"

Tryon: "Mr. Speaker, I rise to support the Gentleman's Bill."

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Speaker Hannig: "Okay. So, let me reset the clock. Proceed, Representative."

Tryon: "To the Bill. I... I represent a suburban county in this state and in that county there are 45 horseracing farms and 16 breeding farms. The tenants of the horseracing industry reach far throughout the state and provide a variety of jobs to the agricultural industry, good jobs, not the need for more police and the need for more counselors for gambling but real jobs in Illinois in the agricultural community. I can't imagine being in an agricultural community and not voting in support of this. You see what's happening to the horseracing industry in this state is exactly what the horseracing industry told us would happen when the gambling industry came here. When they proposed riverboats, the horseracing industry opposed it and we were told that... they were told then that they would be supported by the state somehow. In 1999, when we voted to allow dockside gaming, we told the horseracing industry then that we would allow for a tax to be put in place when the tenth licene... license was issued, but the license was never issued. And once again, the casino business in this state flourishes at the expense of the horseracing industry. This industry, the horseracing industry in the State of Illinois, was once one of the premier horseracing industries in the country. In every single state that had horseracing in their state and allowed the casino riverboats to come into their state saw the same decline in the horseracing industry that we're seeing in Illinois, but other states have taken measures to improve the horseracing industry. Just recently, in

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Pennsylvania they allowed slot machines at the racetracks. We have to do something to keep this a viable industry in Illinois. We need to support our horseracing industry. It's not enough to keep making empty promises every time they come down here. This industry is failing. If you go to the races, you'll see that the spectator attendance is down. We've seen the purses fall from third in the nation to second to last in this country and when you don't have the proper amount of purses, you can't attract the trainers, the trainers can't make money by... by training the horses, we can't attract the riders. The time to do something is now. This is a reasonable approach. This isn't another tax on an industry to give to a separate industry. There's only one gambling industry and it's taxing one industry within that gambling industry to keep the whole market healthy. We do that in other things. Just recently, in Crain's Chicago Business it says that the gaming industry in this state in March had its record profits, record profits. And it... and it, once again, is at the expense of the horseracing industry. This is a time for us to do something. I hope we do something because this is a great industry to Illinois. It needs to stay that way. And we need to take measures to protect it. And I urge an 'aye' vote."

Speaker Hannig: "So, we now... we've now had two speak in favor. Representative Lang, I... you're recognized in, I would guess, opposition. Okay."

Lang: "That would be correct, Mr. Speaker."

Speaker Hannig: "Proceed."

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Lang: "And before I proceed, I would like to ask for a verification, if it should receive the requisite number."

Speaker Hannig: "Okay. And it will be granted. Proceed."

Lang: "Could we have it a little more quiet in here, Mr. Speaker. Thank you. I appreciate it. Ladies and Gentlemen, I think everyone in this Body knows how I feel about this issue. We've debated it already twice thoroughly and many of you heeded my comments. I'm a strong proponent of helping the horseracing industry. It's an industry that employs almost 40 thousand people in our state. And I have proposed legislation to help the horseracing industry, but it's a comprehensive piece of gaming legislation. This Bill is worse, I'm gonna say this again, this Bill is worse than the Bill we defeated twice already. Not only is it bad public policy because it taxes one industry to subsidize another in the same way that we would tax General Electric because the candlemakers are out of business, but it does it in an unconstitutional way. It picks out some riverboats to tax at the expense of those riverboats but other riverboats are not taxed. So, not only do we have bad public policy where we tax one industry to help another, but we have an unconstitutional taking. Many of you were very worried over the last months about eminent domain. Let's not take private property and give it to the public. Let's not take private property. Let's not take private property. What does this Bill do? It takes private property. But it takes the private property of some people in one industry and not all the people in that industry, that would be bad enough. I argued against that public policy when we twice debated

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this Bill, previously, but this Bill is worse. So, for those of you that care at all about the Constitution of the State of Illinois, take a good look at what this Bill does. And let's take one more look at the public policy. We're taking one industry and taxing it in an arbitrary fashion to give the money to another industry. Yes, it's still gaming, but these are not the same industry, if they were, we wouldn't be having any problems with gaming in the State of Illinois. We have a separate racing board and a separate gaming board. Everywhere you look these industries are separate industries, owned by separate people, run by separate people, regulated by separate people and here, Representative Molaro, for the third time, the third time, is asking us to believe that it's okay, it's okay to tax one industry to help another. Why don't we tax teachers to help accountants? Why don't we do those things, because it doesn't make any sense, because it's not fair, because it's not right, because it's not good public policy. We need to pass a Bill in this chamber, don't get me wrong, and Representative Molaro knows how I feel about this, we need to pass a Bill to help the horseracing industry, but we need to pass it in a fair way. We need to pass it in a way that doesn't disadvantage one industry to help another. Now, next spring I will advance the Bill I advanced previously to help all forms of the gaming industry, to help the riverboat industry, to help the horserace industry. In fact, that Bill would make Illinois the number 1 horseracing state in America. Instead of going for 40 thousand jobs down, we'd probably go to 80 thousand jobs because it would bring

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trainers in, we would bring the best horses in, the best jockeys in, the best breeders in, we would help the agricultural industry, but make no mistake about it, doing this through bad public policy does not make sense for the State of Illinois. So, I urge you, as I did before, to please recognize that we have a responsibility here to pass legislation that is constitutional and legislation that provides good public policy. You all know that this is not good public policy. Please vote 'no'."

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

Black: "Thank you, Mr. Speaker. A parliamentary inquiry."

Speaker Hannig: "State your point."

Black: "Yes, Sir. Under House Rule 52(c), I move to change the debate status of... of House Bill 1918 from Standard Debate to unlimited debate. According to that Rule, while a legislative measure is being debated by the House, its debate status may be changed. I think that this should be unlimited debate."

Speaker Hannig: "Representative, it's... it's actually, I believe, at the discretion of the Chair, but if that's what you wish to do, we can change this to unlimited debate. Okay."

Black: "I... I would appreciate that. I... I think everyone has a right to be heard on this issue."

Speaker Hannig: "Again and again..."

Black: "Ah, yes. Well, I think..."

Speaker Hannig: "...and again."

Black: "...some things have changed, yes. I think some things have changed."

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Speaker Hannig: "Okay. Representative Black."

Black: "Thank you very much, Mr. Speaker and I appreciate your indulgence. Ladies and Gentlemen of the House, I'm not going to question the motives of the Sponsor. I have voted for this Bill. I told you earlier of my background, an association with people who raise and breed and train horses, but I've been here a long time and I know when something doesn't smell right. Now, Mr. Speaker and Ladies and Gentlemen of the House, you don't get 12 or 14 people to change their vote on an issue like this, after two bites of the apple, unless something's going on and I know something goings on... and if something is going on, why do I know that. The Democrat staff is positioned at each door of this chamber and have been for about an hour with a seating chart and if any Democrat leaves the chamber, they're asked where they're going, where will they be. So, obviously, they're anticipating a challenge to the vote and they wanna make sure those who have changed their vote will be here for a verification. And I... and I bring this up 'cause this makes me very uncomfortable. And I didn't overhear anything, I wasn't eavesdropping, but when a Democrat Legislator is standing at my desk and when one of your staffers comes up in an excited voice and says, 'Representative, the Governor and the Speaker want you to come down to the Governor's Office right now.' Well, I'm sure she didn't go down there to be told what a wonderful job the House of Representatives is doing. You know the love that the Governor has for all of us. I know why she went down there, ya get the Roll Call and ya look at 14, 15, 16 people that changed from 'no' to

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'yes' on the Amendment. It might be interesting in the unlimited debate if somebody will tell us, what's the deal. What's the deal? Don't we ever learn anything around here? Didn't you read the verdict on a previous Governor? Haven't ya heard the U.S. Attorney saying there should be no quid pro quo in Illinois politics? Then what's going on? Why are some of you called down to the Governor's Office, then you come back up and you change your vote? You voted 'no' twice on this Bill. You're gonna tell me this has changed so dramatically that all of a sudden you're gonna vote 'yes'? Well, Mr. U.S. Attorney in Chicago, get your subpoenas out because I guess we're never gonna learn anything in the State of Illinois. You wanna change your vote because you've suddenly grown fond of horses, that's fine, but I don't think that's the reason some of you changed your vote. I can remember when the horseracing tax supported the agricultural premiums for the county fairs in this state, it hasn't been able to do so for a number of years. I like horses, but I don't like what I smell here. I don't like it at all. And some of you oughta stop and consider what you're doing because I have a reasonable suspicion that some of you have been, I don't wanna use that word, some of you have been talked to and perhaps convinced that this suddenly is a good idea, but you didn't think it was a good idea the two previous times it was brought up. It'll be good to get the Roll Call and make sure that other people can see the Roll Call and then maybe you can answer questions from some people that you may not want to answer questions from."

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Speaker Hannig: "Representative Sacia."

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

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

Sacia: "Ladies and Gentlemen of the House, there are two professions that are considered to be the oldest professions, horseracing is one of them, the other one you can discuss. The previous speaker smelled something afoul. I haven't been in this Legislative Body near as long as him and... but I have worked a lot with the U.S. Attorney's Office and with subpoenas. I'm not concerned about any subpoenas, I'm concerned about the 200 thousand-plus horses in the State of Illinois, I'm concerned of the thousand and thousand of horse owners and trainers in the State of Illinois, I'm concerned to the fact that what we have before us and I don't know if any manipulations are going on or not, I've supported this Bill every time and I'll support it again because it's good for the horse industry. Ladies and Gentlemen, never lose sight of the fact that the horse industry is a profitable industry for the State of Illinois. Not only horseracing but horse showing, horse training, horses in general generate a lot of profit for the State of Illinois. Many in this very Body raise, train, and show horses. Have nothing to do with racing but are very involved in an industry that desperately needs this vote. I think it's imperative that we stand with Representative Molaro. I think it's imperative that we support an industry that is struggling and in my mind the reason it's here for a third time is because the horseracing industry has convinced Representative Molaro that we must get this Bill passed. We

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must talk to whoever we must, we must revisit whoever we must revisit and we must do what we can to bring this Bill forward to get it passed and to get it signed into law. I strongly encourage your 'aye' vote. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Beiser."

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

Speaker Hannig: "To the Bill."

Beiser: "I spoke to this just a couple of weeks ago and I'm not gonna reiterate the same... same lengthy reasons why I'm in opposition to this, but I wanna point out a couple of flaws as I see 'em in this legislation. And it's unfortunate that it's kinda pitted the riverboats versus the horseracing industry because I am... I'm in favor of and a proponent of the horseracing industry and all the jobs and the profit and the benefits that go along with that. However, in this Bill I don't think it really helps the horseracing industry. I think it gives them a... a boost, temporary boost, but I don't think it will cure the ills that have been upon this industry for so many years. I cited, two weeks ago, that from 1973 to 1998 one study suggests that attendance had declined by 65 percent. That being the case, that was when purses were up but the crowds kept declining. This Bill, and this is one of the flaws, the purse for races will go up will not equate to crowds coming to the track and that is the biggest problem with the horseracing industry now. We need to get people back to the tracks and I'm prepared, as previous speaker Representative Lang is, to help the

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horseracing industry in other ways but not in this. The other flaw and I commend the Sponsor of the Bill for taking what he deems the southern boats out so they won't be penalized in this Bill by an increased tax. However, in my instance and other instances with those that have riverboats, there are owners that have more than one boat. They, obviously, won't have to pay the tax on the profits at that particular boat, but they can make a corporate decision to equally take out whatever the increased tax is over their number of boats. So, that in my case, yes, it still will have a negative impact on the amount of dollars that can go into capital improvements with the Alton riverfront and with the entire area of the 111th District's. So, in conclusion, just keep this in mind. Yes, the purses will go up, but no, the crowds will not come there over a long period of time is which... in which we need to get tracks to be more viable. Purses will go up for certain days, when the races are great, like the Kentucky Derby, but over the long haul, as proven in 1973 to 1998 when the purses were up, the crowds kept declining. That's what my fear in this is that it won't do the long-term benefits that the Sponsor and other supporters feel that it was. So, for those reasons, I ask for everyone to very seriously consider this bad public policy and to vote 'no' on this Bill and wait for a time in the near future when we can help the horseracing industry in the long term. Thank you."

Speaker Hannig: "Representative Hassert."

Hassert: "Will the Sponsor yield?"

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Speaker Hannig: "Indicates he'll yield. Representative Molaro, the Gentleman wishes to ask a question."

Molaro: "I'm sorry. I was talking... I... I apologize, Representative."

Hassert: "Repres... Representative, are you trying to line up the MOUs there you're trying to sign right now for the votes on these Bills?"

Molaro: "No."

Hassert: "Okay. Representative, my understanding is that the Governor has weighed in on this hea... heavily in the last night or so, calling and asking people to vote for this. In my understanding from some of the and actually hearing from somebody from your aisle that there's promises have been made to support this Bill. Do you have that understanding? There's been a lot of switchin'..."

Molaro: "Well..."

Hassert: "...votes here recently..."

Molaro: "...here... here..."

Hassert: "...and your Amendment really..."

Molaro: "Well, I..."

Hassert: "...doesn't change anything."

Molaro: "Well, I... and let me... let me just say this. Ya know, I don't get it. And, ya know, I took very offensive to the previous speaker. For the past three, four weeks, I've been workin' this Bill and if there are any Member in this chamber works their Bill and they get somebody to change their vote, then nobody goes after it, they look at it as hard work. There are Members in this chamber that you could talk to that I worked very hard. I talked to every Member

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who had boats down in Southern Illinois who told me, try to get an Amendment that takes my boat off. So, there are about 10, 15 Members that have boats in Southern Illinois that weren't for the Bill that may be for the Bill now and that's why you're seeing six or seven or eight changes. There's also people who voted 'yes' the first time, 'no' the second time because, obviously, there are opponents out there who are givin' out misinformation. But I worked very hard for this Bill. There are people who spoke and worked very hard for this Bill and all of a sudden if someone changes for a 'yes' than 'no', all of a sudden there's a ulterior motive. I've never questioned anybody's motives in this chamber in my life and I'm not gonna let someone question my motive. I've been for horseracing for the minute I walked into this chamber. I've been for the 30 thousand people who've worked for horseracing. We, in Illinois, are getting a raw deal. Every other state is helping horseracing and I'm not gonna let someone question my motive as why people are changing. I worked hard and I've changed some votes and I should be commended for it, not looked at as though I did something wrong. And if you have a Bill and you try to change votes, I would hope that you would work hard and would try to change votes and I would never question your motive. So, has the Governor called..."

Hassert: "Rep... Rep..."

Molaro: "...ask the Governor."

Hassert: "Representative, I... I guess I'm question... I didn't question your motivation. I know you worked very hard for

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this Bill. I'm not questioning your motivation. I'm asking you, did the Governor actively get on the phone and lobby this Bill? That's my question."

Molaro: "I... I..."

Hassert: "Did I ask you that... I'm assuming you did lobby your Bill."

Molaro: "I know this..."

Hassert: "Did I... I'm questioning you."

Molaro: "Yes."

Hassert: "Please let me..."

Molaro: "Okay."

Hassert: "...did the Governor actively get on this Bill and start changing minds on this Bill? I'm just asking you that question."

Molaro: "I don't personally know that, but I've been hearing the same thing you have. So, I will..."

Hassert: "Have you had the discussion with the Governor?"

Molaro: "...I will say to you, I have heard that either the Governor or some of his people have talked to a couple of Members, but I gotta say this, his people talk to Members about Bills all the time and I have elicited the Governor's help, I've elicited the Speaker's help, I tried to get President Jones's help. So, if you're asking me if I've talked to the Governor's Office, yes I have. If you're asking me if I've helped... asked the Governor for help, yes I have and I'm hoping he's giving it, if that answers your question."

Hassert: "Thank you, Representative. I have no further questions."

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Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Speaker, I move the previous question."

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

Molaro: "Well, just... I'll be as briefly as I can. 'Cause a couple of speakers made points that just aren't factual. Let me make this clear, right now in the law today, it exists, the Horse Equity Fund and it's funded by 15 percent of the tenth license. So, to say this is something new, just isn't true. All we're changing is the funding mechanism then, instead of 15 percent of the tenth license, it's 3 percent of the four major riverboats that have the biggest impact on horseracing. The state actually saves money because we're not taking the... this... the state's money. Also, one of the reasons we're calling it today is so the Senate has the three days to call the Bill. I've talked to Senate Leadership. Rickey Hendon assures me they will call the Bill, if we get it over there, but we gotta get it over there today. We cannot wait. There's no assurances. Every state has helped their horseracing. All this Bill does is put us on even keel with the other states so our horse guys can compete with other states. This isn't the boats versus them. We said in '99 when boats got dockside we said, 15 percent is coming from the boat. We've already discu... that would be 60 million. This is only 32 to 36 millions, it's much less. I worked very hard to get votes just like every Representative works very hard. As we're speakin' on this

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Bill, I got Representatives asking me about their Bills that I voted 'no' on that I would vote 'yes' on. And you've been asked by Representatives, that's a good thing. And anybody who has a Bill that they believe in should be allowed to work hard and work as hard as they can and that's all we've done. You're saving 30 thousand jobs. This isn't us versus them. This is Illinois versus other states. This is a great Bill. It'll save our horseracing industry and the 30 thousand jobs until see... until we see where we're headed next year on whoever the Governor's gonna be. So, I would appreciate an 'aye' vote."

Speaker Hannig: "So, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. There's been a request for a verification by Representative Lang. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Joyce, do you wish to be recorded? Representative Stephens. Mr. Clerk, take the record. There's been a request for a verification. So, I'd ask that all the staff from both sides of the aisle retire to the rear of the chamber and that the Members would please be in their seats. Mr. Clerk, would you read the names of those voting in the affirmative."

Clerk Mahoney: "The following Members voting in the affirmative: Representatives Acevedo; Bassi; Beaubien; Bellock; Biggins; Black; Boland; Bost; Brady; Brauer; Burke; Chavez; Churchill; Cross; Cultra; D'Amico; Davis, M.; Davis, W.; Delgado; Dunkin; Howard; Joyce; Kelly; Krause; Leitch; Mathias; Mautino; May; McKeon; Mendoza; Meyer; Miller;

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Mitchell, J.; Moffitt; Molaro; Mulligan; Myers; Parke; Poe; Ramey; Reis; Reitz; Rose; Ryg; Sacia; Saviano; Schock; Scully; Smith; Sommer; Soto; Stephens; Tenhouse; Tryon; Turner; Verschoore; Wait; Washington; Watson; Younge, and Mr. Speaker."

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

Lang: "I'll withdraw my request, Mr. Speaker."

Speaker Hannig: "Okay. So, on this question, there are 70 voting 'yes' and 32 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you rise?"

Black: "Thank you, Mr. Speaker. I just wanted to thank you for the unlimited debate. Ya know, I know I can't stop somebody from getting up and moving the previous question, but when we're on unlimited debate that's ridiculous."

Speaker Hannig: "On Supplemental Calendar #1 we have... Senate Bills-Second Reading, we have Senate Bill 2049. Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 2049, 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: "Out of... just read it? Okay. Out of the record. We're gonna hold that on Second at the request of the Sponsor. Mr. Clerk, read Senate Bill 2654."

Clerk Mahoney: "Senate Bill 2654, a Bill for an Act concerning special districts. Second Reading of this Senate Bill."

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Committee Amendment #1 was tabled. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. On page 4 of the Calendar, under the Order of Senate Bills-Third Reading, is Senate Bill 2871. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2871, a Bill for an Act concerning local government. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2871 amends the Chicago Park District... Park District Working Cash Fund Act to provide that the commissioners of the Chicago Park District may abolish the Working Cash Fund by Resolution and transfer any balance remaining in the General Corporate Fund of the Chicago... of the Chicago Park District. This Working Cash Fund was first established in 1935 and in recent years has become obsolete with funds... currently all are in the Corporate Fund. The goal is to enable the commissioners to abolish this Working Cash Fund and consolidate their accounts, similar to the park districts around the state that had this current ability. This is supported by the Illinois Association of Park Districts and I would ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 2871. 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 Chapa LaVia, do you wish to be

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recorded? And Representative Wyvetter Younge, do you wish to be recorded? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 91 voting 'yes' and 13 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 6 of the Calendar, under the Order of Senate Bills-Second Reading, is Senate Bill 482. Out of the record. Senate Bill 585. Representative Flider, do you wish us to read that Bill? I'm advised the Amendment is on the floor. So, Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 585 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Flider, has been approved for consideration."

Speaker Hannig: "Representative Flider."

Flider: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 585 is a Bill that is very, very similar to a Bill that passed out of here unanimously last year. It updates and amends the Open Meetings Act. This legislation came over to us from the Senate. Passed out of there unanimously. Passed out of committee unanimously. House Amendment #1 attempts to... is really a technical change but it attempts to resolve some locational issues with regard to where open meetings could occur. And the main intent of the legislation remains, which is that it updates the Open Meetings Act to deal with the updates in telecommunications and it requires a quorum on-site. And this Amendment just simply is a technical change to that law."

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

Speaker Hannig: "Third Reading. Representative Bradley, you have Senate Bill 619. Out of the record. Representative Kelly, you have Senate Bill 622. Out of the record. Representative Bradley on Senate Bill 835. Okay. There's been requests for notes on that one, so we'll hold that one. Representative Parke, you have Senate Bill 861. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 861 has been read a second time, previously. Amendment #1 was approved in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Parke, do you wish us to call this on Third? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 861, a Bill for an Act concerning education. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is a... from a private business vocational school in Chicago to allow them to secure a CD for a temporary amount of time while attempting to obtain a bond. They are in the process of recertification. They need to have this because it can be done quicker than the... than the bond can be, so therefore they're asking for a temporary CD until they can secure it. They've asked for an effective date on this as January 1, 2007. If they can't secure it by

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then, well, they're gonna be in trouble. And we need to authorize this 'cause this is the only way they can do it."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 861. 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 Younge, do you wish to be recorded? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 102 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 7 of the Calendar is Senate Bill 998. Representative Reitz, do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 998 has been read a second time, previously. Amendment #1 was approved in committee. Three Amendments have been approved for consideration. The first one is Floor Amendment #2, offered by Representative Reitz."

Speaker Hannig: "Representative Reitz on Amendment #2."

Reitz: "Thank you, Mr. Speaker. Amendment #2 and 3 actually set up language so that we can make our mental health centers safer for employees and consumers throughout the state. It... this was referred from committee and it... and it deals with just trying to make our mental health facilities safer."

Speaker Hannig: "Is there any discussion?"

Reitz: "Oh. Oh, sorry. Excu..."

Speaker Hannig: "Representative Reitz."

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Reitz: "I wanted to... yeah, sorry. I wanna withdraw #2. Excuse me."

Speaker Hannig: "Okay. So the Gentleman withdraws Amendment #2. Are there any further Amendments?"

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

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you. Apologize for the confusion. Floor Amendment #3 strikes everything and does what I said previously, tries to make... implements language so that we can make our mental health safers for consumers and for the workers."

Speaker Hannig: "So, Representative, there's an Amendment 3 and 4."

Reitz: "Correct."

Speaker Hannig: "So you wish them both adopted?"

Reitz: "Yes."

Speaker Hannig: "So we'll go with Amendment #3 now. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And Amendment #3 is adopted. Any further Amendments?"

Clerk Mahoney: "Floor Amendment #4, offered by Representative Reitz, has been approved for consideration."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you. Amendment #4 makes changes that the department recommended in committee. This has... Amendment #3 and 4 combined set these parameters forth. The Mental Health Association and AFSCME were proponents of this Bill and both are in support of the... Amendment #3 and 4."

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

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

Speaker Hannig: "Third Reading. On page 7 of the Calendar is Senate Bill 1279. Representative Turner, do you wish us to read this Bill? So there's... there's notes on that Bill, so we'll take it out of the record. On page 8 of the Calendar is Senate... under Senate Bills-Second Reading, is Senate Bill 1863. Representative Hamos. The Lady wish us to read this Bill? Out of the record. On page 8 of the Calendar is Senate Bill 2277. So I'm advised the Amendment's still in Rules, Representative. So, we'll have to come back to that one. Okay. Representative Delgado, you have Senate Bill 2328. Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2328, offered by... has been read a second time, previously. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Delgado, has been approved for consideration."

Speaker Hannig: "Representative Delgado, you're recognized on Floor Amendment #3."

Delgado: "Thank you, Mr. Speaker and Members of the House. Amendment #3 adds an Amendment from the Department of Human Services Act to implement another new initiative related to a federal grant program. The department seek in statutory authority to implement and administer the Illinois Steps for Attaining Higher Education through Academic Development fund program, Illinois Steps AHEAD, to provide educational

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services and post-secondary educational scholarships for low-income and middle high school students. And I would ask for your approval of this Amendment."

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. Representative Delgado, you also have Senate Bill 2339. Do you wish us to read that? Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2339 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Delgado, has been approved for consideration."

Speaker Hannig: "Representative Delgado."

Delgado: "Yes, thank you, Mr. Speaker and Members of the House. Amendment #1 is a technical Amendment that clarifies a person may not be awarded damages twice for the same violation. This Amendment does not change the intent of the Bill but is purely technical. And I would ask for your approval."

Speaker Hannig: "So, on the Amendment, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, prior to this Amendment you had.. my understanding, this was an agreed Bill between business and labor, correct?"

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Delgado: "That is correct, Sir."

Black: "All right. Can you give me reasonable assurance that the Floor Amendment will be accepted by the Senate?"

Delgado: "Yes, Sir. I can give you..."

Black: "They will concur."

Delgado: "I can give you reasonable..."

Black: "All right."

Delgado: "...suggestion that it would be because we believe it's tech..."

Black: "Okay. Well, I..."

Delgado: "...it's only purely technical in terms of this change."

Black: "Give me your assurance that this Amendment is not being used for the purpose of putting this Bill in a Conference Committee."

Delgado: "Oh, no. Absolutely not, Representative Black. My intent... that is the first I would even hear about that."

Black: "All right."

Delgado: "This was an initiative with myself as chair of Human Services with the Department of Human Services in trying to add more dollars... getting some federal dollars out of this that will help all our school districts, starting in seventh grade. This is very substantive. I would blow a gasket if that occurred and I would be the first one to run over there. But I have no intention of doing that. My language is substantive and I intend to see it all the way through."

Black: "All right. I... I appreciate that and I certainly take you at your word because the Bill, to the best of my knowledge, is an agreed Bill. And if it comes back in the

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Conference Committee then that may not be the case. So, thank you for your assurance."

Delgado: "Thank you, Sir."

Speaker Hannig: "Representative Parke."

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

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

Parke: "Representative, it's my understanding the Bill, before it was amended, was supported by the Department of Labor, the AFL-CIO, AFSCME, the Coalition of Homeless, and the office of the Attorney General. Is this Bill still supported by all of these groups with your Amendment?"

Delgado: "That is correct, Sir. The Amendment... the Amendment, that I know of... yes, Sir. Nothing has changed. The Amendment was purely technical and I believe it was pointed out in committee and that's where the change came from."

Parke: "Is it your intention to pass this Bill if it comes back with what would be considered a... Amendments that would not be favorable to you? Would you be still... are you still planning on supporting this Bill with those Amendments on there or will you... is it in the form you want it to pass? And what if it's amended in the Senate? What will you do then?"

Delgado: "Right. My coll... my Senator, del Valle, has it in the Senate. It is my intention... answering your question, Representative Parke, I had planned to see this thing come back in its original form. I'd be very... I'd be interested to see what Amendments would come on it. I will have that discussion with Senator del Valle. I do not plan on voting on anything else other than what the... what the issue of 2339

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is as I've sponsored it here in the House of Representatives, unless of course the State Senator in my district can help me understand any Amendments. This is his proposal from the Senate and I would make the Body aware of that, but I do not have any intention other than running it as is."

Parke: "Okay. So your presumption is that it will not be further amended in the Senate, that it's in the form of which you want it to pass."

Delgado: "Yes, Sir."

Parke: "And... all right."

Delgado: "That is correct."

Parke: "I will support your legislation on that basis."

Delgado: "And I appreciate that."

Parke: "But we will probably have a war if it comes back with some of the Amendments that've been talked about before."

Delgado: "If they do come back with those Amendments we'd have to concur or nonconcur. And at that point, that's exactly what I'll have to do and... even if we intend to move it any further than that if we lose the genesis of what this Bill is about."

Parke: "Thank you."

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

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

Speaker Hannig: "Third Reading. Representative Brosnahan, you have Senate Bill 2437. Out of the record. Representative Saviano, you have Senate Bill 2556. Out of the record."

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Representative Parke, you have Senate Bill 2626. Okay. I guess there's request for notes, Representative Parke. So that would have to stay on Second. Representative Scully on Senate Bill... excuse me. Representative Parke."

Parke: "Thank you. I just have a question. There are still notes on this Bill, right?"

Speaker Hannig: "There's request for notes, yes."

Parke: "And... all right. Then I'll check to find out how many are..."

Speaker Hannig: "I was just goin' down the list."

Parke: "...how many are still left."

Speaker Hannig: "Mr. Clerk, could you give us an update on 2626, those notes that have been requested and not yet filed."

Clerk Mahoney: "On Senate Bill 2626 a fiscal note has been requested, a state mandates note has been requested, a balanced budget note has been requested, a correctional note has been requested, a Home Rule note has been requested, housing affordability impact note has been requested, and a pension note has been requested, none of which have been received."

Parke: "None of 'em have been filed? Now those notes were requested almost a week ago and I'm very disappointed with the... with the responses that come from these agencies. Could the Clerk's Office inquire as to why we have not gotten them in a timely manner? 'Cause it certainly is not a timely manner and I'm disappointed that it's taking so long. I hate to think that it was being done on purpose. Thank you."

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Speaker Hannig: "Thank you, Representative Parke. Representative Scully on Senate Bill 2664. Do you wish us to read that? Okay. Mr. Clerk, read the Bill."

Clerk Mahoney: "Senate Bill 2664 has been read a second time, previously. Floor Amendments 1 and 2 were tabled. There's two Amendments that have been approved for consideration. The first is Floor Amendment #3, offered by Representative Scully."

Speaker Hannig: "Representative Scully on Amendment #3."

Scully: "Yes, thank you, Mr. Speaker. If I could, I'd like to refer to Representative Flider to present this Amendment to the Bill."

Speaker Hannig: "Repre... did you say Representative Flider?"

Scully: "Yes."

Speaker Hannig: "Representative Flider on the Amendment."

Flider: "Mr. Speaker, could you give us just a moment? I think there's... we need to discuss which Amendment we need to be presenting here. If you'd call this in just one second."

Speaker Hannig: "Let's take it out of the record and you can kind of... we can come back to it. On page 10 of the Calendar we have... Senate Bills-Second Reading, we have Senate Bill 2684. Representative Acevedo. Out of the record. Representative Giles, you have Senate Bill 2796. Okay. Out of the record. Representative Currie, do you wish us to read Senate Bill 2872? Out of the record. Representative Chapa LaVia, do you wish us to read Senate Bill 3018? Mr. Clerk, would you read the Bill."

Clerk Mahoney: "Senate Bill 3018 has been read a second time, previously. No Committee Amendments. Floor Amendment #2,

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offered by Representative Chapa LaVia, has been approved for consideration."

Speaker Hannig: "Representative Chapa LaVia."

Chapa LaVia: "Yes, thank you, Speaker and Members of the House. I'd like to table House Amendment 1 and run with House Amendment 2, for the record."

Speaker Hannig: "Okay. So, Mr. Clerk, let's go... let's go back to House Amendment #1. Oh, excuse me, Representative. I'm advised that Floor Amendment 1 is in Rules."

Chapa LaVia: "That's fine."

Speaker Hannig: "Yeah. So Amendment #1 is in Rules, Representative Chapa LaVia."

Chapa LaVia: "Right. And that's fine. Okay."

Speaker Hannig: "Okay. So now, Mr. Clerk..."

Chapa LaVia: "So we wanna go with House... right."

Speaker Hannig: "We'll move to Amendment #2. So... Representative Chapa LaVia on Floor Amendment #2."

Chapa LaVia: "Thank you very much, Members of the House. This Bill has taken some time to get to fruition, but what House Amendment 2 does is it cleans up the language to ensure that the Bill does not apply to people with only physical and no mental disabilities. It also is to ensure that it is only applied to people in supervised residential living situations. And I would urge an 'aye' vote. Thank you."

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

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

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Speaker Hannig: "Third Reading. Representative Scully, have you... Not yet? Okay. Representative Scully. Are you ready on the Amendments? The Clerk's read the Bill. Is that correct, Mr. Clerk? And we have a Floor Amendment #3, so what's your pleasure on that one?"

Scully: "Mr. Speaker, I... I'd like to table Floor Amendment #3 and proceed with Floor Amendment #5."

Speaker Hannig: "Okay. So, this Amendment will be withdrawn. Are there any further Amendments?"

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

Speaker Hannig: "And Representative Flider on Amendment #5."

Flider: "Okay. Thank you, Mr. Chairman, Ladies and Gentlemen of the House. Amendment #5 incorporates the Amendment #3, which Representative Scully had passed out of committee and he can explain that. But the rationale behind my Amendment was to incorporate a provision that will enable a community in my district, Oreana, to move forward with constructing a sewer line in coordination with the Decatur Sanitary District. The statutes were not very clear on the authority that the stat... the city and the sanitary district had to enter into this agreement. Therefore, we had developed this language and Representative Scully graciously allowed us to work with him on this... this legislation."

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."

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Speaker Hannig: "Third Reading. Mr. Clerk, would you read the Adjournment Resolution."

Clerk Mahoney: "House Joint Resolution 126.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Wednesday, April 26, 2006, it stands adjourned until Monday, May 01, 2006 at 4:00 p.m.; and when the Senate adjourned on Thursday, April 13, 2006, it stands adjourned until Tuesday, May 02, 2006 at 12:00 noon."

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

Clerk Mahoney: "Agreed Resolutions. House Resolution 1237, offered by Representative Bellock. House Resolution 1238, offered by Representative Bellock. House Resolution 1239, offered by Representative Sommer. House Resolution 1240, offered by Representative Mathias. House Resolution 1241, offered by Representative Osterman. House Resolution 1242, offered by Representative William Davis. And House Resolution 1243, offered by Representative Durkin."

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. So I would just remind the Members of the Revenue Committee... the Members of the Revenue Committee that there will be a meeting immediately after Session. And, Mr. Clerk, would you read the committee schedule for next week."

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Clerk Mahoney: "Committee schedule for Monday, May 1, 2006. At 3 p.m., the Executive Committee will meet in Room 118. Judiciary-Civil Law will meet at 3 p.m. in Room D-1 and Judiciary-Criminal Law will meet in Room C-1. On Tuesday, May 2 at 9 a.m., the Executive Committee is scheduled for Room 118 at 9 a.m. The Labor Committee at 9 a.m. in Room D-1. Revenue at 9 a.m. on Tuesday in 114. And State Government Administration in C-1 at 9 a.m. At 2 p.m. or immediately following Session is the Higher Education Committee in D-1. Registration & Regulation will meet 2 p.m. or immediately following Session in Room 118. Elementary & Secondary Education will meet at 2 p.m. or immediately following Session in Room 114. And Human Services will meet in Room C-1 at 2 p.m. or immediately following Session. At 3 p.m. on Tuesday, May 2, the International Trade & Commerce Committee will meet in Room C-1. And Agriculture & Conservation will meet in Room D-1 at 3 p.m. on Tuesday, May 2."

Speaker Hannig: "Are there any announcements? Then again, I would just remind the Members of the Revenue Committee that we're going to meet immediately after Session. At this time, Representative Currie moves that, allowing perfunctory time for the Clerk, that the House stand adjourned until Monday, May the 1st, at the hour of 4 p.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House stands adjourned."

Clerk Mahoney: "House Perfunctory Session will come to order. Committee Reports. Representative Reitz, Chairperson from the Committee on Revenue, to which the following measure/s

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was/were referred, action taken on April 26, 2006, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' Senate Bill 2350. Second Reading of Senate Bills. Senate Bill 2350, offered by Representative Lang, a Bill for an Act concerning property tax. Second Reading of this Senate Bill. Introduction of House Bills-First Reading. House Bill 5785, offered by Representative Black, a Bill for an Act concerning revenue. There being no further business, the House Perfunctory Session will stand adjourned."