

STATE OF ILLINOIS
88th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

27th Legislative Day

March 17, 1993

Speaker McPike: "The House will come to order. The Chaplain for today is Reverend Richard M. Bundy Jr. of the Minister of Justice New Faith Baptist Church in Madison, Illinois. Reverend Bundy is the guest of Representative Wennlund. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Richard Bundy Jr.: "Let us pray. Almighty God, we thank You, we praise You and we glorify You for this day. Lord we thank You for this moment and its opportunities and, Lord, we just ask that Your Spirit would lead us, that it would guide us and, God, it would lift us up to another realm. Help us to know and help all those here to know that we are Your servants. I ask, in a special way, that You would bring about a spirit of mercy, a spirit of generosity and a spirit of reconciliation. And, Lord, help us to know that the creative tensions which exist here are only to Your Glory. And lastly, Lord, I just ask for Your Grace and that You would give each individual here, men and women, the courage to stand and to confront for the things that they believe in. And lastly, Lord, we just ask Your Blessing, that You would bring about a spirit of generosity. We thank You not only from the bottom of our heart, but we thank You from the base of our brains, which come forth solutions to ideas. Stretch us, Lord, in the...in the matchless mighty name of our God, we pray. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance today by Vickie and Pat Moseley."

Moseley: "- 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."

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Speaker McPike: "Roll Call for Attendance. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Pederson and Pankau are excused today. Bernie Pederson."

Speaker McPike: "Thank you. Representative Currie. Miss Currie. No excused absences on the Democratic side. Mr. Clerk, take the record. One hundred-fifteen Members answering the roll call, a quorum is present. Representative Woolard, for an announcement, an introduction."

Woolard: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to bring to your attention; we have a special guest with us today who is serving as a honorary Page. I'm privileged to have with me, on the House floor, Gabriella Garcia, who is an exchange student from the Nation of Argentina. She resides in the City of San Juan. Her father is a businessman and her mother is a music teacher. I would ask each of you to give her a warm welcome today and give her the opportunity to serve you as an honorary House Page. Thank you."

Speaker McPike: "Committee Reports."

Clerk Rossi: "Representative Woolard, Chairman of the Committee on Conservation, to which the following Bills were referred, action taken March 16, 1993, reported the same back with the following recommendations: 'do pass' House Bills 690, 762, 294, 297, 295, 478, 338. 'do pass as amended' House Bill 666. 'do pass Consent Calendar' House Bill 941. 'do pass as amended Consent Calendar' House Bill 1039. 'do adopt' House Resolution 28, 'short debate'; 'do adopt as amended', House Joint Resolution 3, Consent Calendar. Representative Balanoff, Chairman of the Committee on Cities and Villages, to which the following

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Bills and Resolutions were referred, action taken on March 16, 1993, reported the same back with the following recommendations: 'do pass as amended' House Bill 609. 'do pass short debate' House Bill 343. House Bill 517, House Bill 911, House Bill 979 and House Bill 998. Representative Flinn, Chairman of the Committee on Financial Institutions, to which the following Bills and Resolutions were referred, action taken March 16, 1993, reported the same back with the following recommendations: 'do pass Consent Calendar' House Bill 1215. Representative Hicks, Chairman of the Committee on Insurance, to which the following Bills and Resolutions were referred, action taken March 16, 1993, reported the same back with the following recommendations: 'do pass Short Debate Status' House Bill 1229. Representative Davis, Chairman of the Committee on Labor and Commerce, to which the following Bills and Resolutions were referred, action taken March 16, 1993, reported the same back with the following recommendations: 'do pass' House Bills 737, 798, 973 and 1292; 'do pass Short Debate', House Bill 923, 1040, 1043, 1045, 1047, 1049, 1366 and 1367. 'do pass as amended Consent Calendar' House Bill 980. Representative Shirley Jones, Chairman of the Committee on Public Utilities, to which the following Bills and Resolutions were referred, action taken March 16, 1993, reported the same back with the following recommendations: 'do pass' House Bill 1772, 479, 1084; 'do pass Short Debate Status', House Bill 991, 544, 506 and House Bill 129; 'do pass as amended Short Debate Status', House Bill 496. Representative Lou Jones, Chairman of the Committee on Registration and Regulation, to which the following Bills were referred, action taken March 16, 1993, reported the same back with the following recommendations: 'do pass'

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House Bill 618, 210, 211, 212, 213, 214 and 215. 'Do pass as amended Short Debate Status', House Bill 412, 'do pass Consent Calendar', House Bill 837, 1208 and House Bill 1086. 'Do pass as amended Consent Calendar' House Bill 763 and 988. Representative Hartke, Chairman of the Committee on Transportation of Motor Vehicles, to which the following Bills and Resolutions were referred, action taken March 16, 1993, reported the same back with the following recommendations: 'do pass' House Bill 673, 1224. 'Do pass Short Debate Status', House Bill 115, 1077 and 1360. 'Do pass as amended Short Debate Status', House Bill 74. 'Do pass as amended Consent Calendar', House Bill 1260.

Speaker McPike: "Representative Murphy."

Murphy, H.: "Yes, Mr. Speaker. I rise for a personal privilege. I'd like to introduce the Honorable Irene Brody, the Mayor of Robbins, Illinois. Mayor Brody."

Speaker McPike: "Representative Hartke."

Hartke: "A point of personal privilege."

Speaker McPike: "Yes."

Hartke: "I would like to take the opportunity to introduce the Effingham County Chamber of Commerce Leadership School in the gallery to the...to the rear here."

Speaker McPike: "Page 9 of the Calendar, Consent Calendar, Third Reading, Second Day. Mr. Clerk, read the Bills."

Clerk Rossi: "Consent Calendar, Third Reading. House Bill 3, a Bill for an Act to amend the Housing Authorities Act. House Bill 196, a Bill for an Act to amend the University of Illinois Act. House Bill 287, a Bill for an Act to amend the Township Law. House Bill 411, a Bill for an Act to amend the Code of Civil Procedure. House Bill 417, a Bill for an Act to amend the School Code. House Bill 433, a Bill for an Act to amend the Code of Civil Procedure."

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House Bill 439, a Bill for an Act to amend the School Code.

House Bill 468, a Bill for an Act to amend the Public Funds Investment Act. House Bill 495, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. House Bill 621, a Bill for an Act to amend the Illinois Nursing Act. House Bill 625, a Bill for an Act to amend the Department of Public Health Act. House Bill 644, a Bill for an Act to amend the Carnival and Amusement Rides Safety Act. House Bill 765, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. House Bill 766, a Bill for an Act to amend the Clerks of Courts Act. House Bill 768, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. House Bill 824, a Bill for an Act to amend the Uniform Anatomical Gift Act.

Third Reading of these Bills."

Speaker McPike: "The question is, 'Shall these Bills pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 'ayes' and 0 'nays', and these Bills, having received a Constitutional Majority, are hereby declared passed. Representative Burke."

Burke: "Thank you."

Speaker McPike: "Representative Burke."

Burke: "Thank you, Mr. Speaker. I would ask the Clerk to read the Resolution 260."

Speaker McPike: "Representative Burke asks the Clerk to read the Resolution. Mr. Clerk, read the House Resolution 260."

Clerk Rossi: "House Resolution 260, offered by Representative Burke, Speaker Madigan and Representative Moseley. 'WHEREAS, The Irish are a proud and illustrious people; and WHEREAS, Throughout history, Ireland has contributed its

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most cherished natural resource to the State of Illinois, its people; and WHEREAS, St. Patrick is not only revered as a leader of his church, but held in admiration by Irish Americans as leader of his country and his people; and WHEREAS, The General Assembly is rarely in Session on this eminent day, the 17th of March; therefore be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that this Body commemorate St. Patrick's Day in honour of this courageous leader of the Irish race and proclaim all Members of the General Assembly Irish for the day."

Burke: "Mr. Speaker."

Speaker McPike: "Representative Burke."

Burke: "Thank you, Mr. Speaker and Members of the House, insofar as this Resolution honors the most important Irishman in history and proclaims all Members of the 88th General Assembly, 'Irish for the day', I think this short verse should describe what it is to be Irish: 'What shall I say about the Irish? The utterly impractical, never predictable, sometimes irascible, quite inexplicable, Irish. Strange blend of shyness, pride and conceit and stubborn refusal to bow in defeat. They're spoiling and ready to argue and fight, yet the smile of a child fills their soul with delight. Their eyes are the quickest to well up with tears; yet their strength is the strongest to banish your fears. Their hate is as fierce as their devotion is grand, and there's no middle ground on which they will stand. They're wild, and they're gentle. They're good, and they're bad. They're proud, and they're humble. They're happy and sad. They're in love with the ocean, the earth and the skies. They're enamored with beauty, wherever it lies. They're victor and victim, a

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star in a clod, but mostly they're Irish, in love with their God.' And, Mr. Speaker and Members of the House, on this important day to all we (sic-us) Irish, I'm pleased to deliver greetings from Gary Ansbro, Counsel General of Ireland, to this distinguished Body: 'Ladies and Gentlemen, I'm delighted to hear that you intend to introduce a Resolution on St. Patrick's Day, honoring the contribution of the Irish to the United States. In introducing this Resolution, you recognize not only the Irish, but every other ethnic group which has contributed to the making of this wonderly...wonderfully, diverse land. The Irish have been involved in American history from the beginning. In 1776, there were 350,000 natives of Ireland in the Colonies. Eight signatories of the Declaration of Independence were of Irish origin. Eighteen Presidents have looked to Ireland for their ancestry, and President Clinton also has roots in Ireland. The Irish have helped to build the infra-structure of this country and also its institutions. Some Irish, of course, remain in Ireland. They are intensely proud of the achievements of their American cousins. They are also proud contributors to a modern, vibrant Ireland. (They are) a member, of the European community and willing participant in the United Nations peacekeeping forces in many corners of the globe. They long for peace, prosperity and agreement for all in Ireland - North and South - and are working painstakingly through the negotiation process to achieve these goals. May I, on behalf of the Government of Ireland, send best wishes to the Illinois Legislature on this day of St. Patrick which the Irish of Ireland and their 43 million relatives in the U.S. celebrate in common. Success and blessing, Gary Ansbro, Counsel General, Government of

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Ireland.' Thank you, Mr. Speaker."

Speaker McPike: "Representative Moseley."

Moseley: "Thank you, Mr. Speaker. I'd only like to echo the comments made by Representative Burke. My maiden name is Sullivan. My son's name is Patrick, and I wish for favorable consideration of this Resolution. Thank you."

Speaker McPike: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. A point of personal privilege. In honor of St. Patrick's Day and St. Joseph's Day, we have a band of leprechauns up here with Irish candy and we'd like everyone to come and take a piece. Thank you."

Speaker McPike: "Representative Dunn, from Notre Dame."

Dunn: "Ah, there's only two kinds o' Irish. Them that are and them that wish they were."

Speaker McPike: "Representative Black, from Pennsylvania or Germany or..."

Black: "Yes. Thank you very much, Mr. Speaker. Did we call a state mandates note on this Resolution? If it's so, I'll withdraw."

Speaker McPike: "I think this is Representative Burke's first Bill. I don't think you should..."

Black: "Then perhaps we won't withdraw it."

Speaker McPike: "Representative Burke has moved for the adoption of House Resolution 260. All those in favor of the Resolution, say 'aye'; opposed, 'no'. The 'ayes' have it. The Resolution is adopted. The Chair intends to do special call, special Order of Third Readings. Special Order - Law. Appears House Bill 35, Representative Novak. Read the Bill, Mr. Clerk. Out of the record. House Bill 69, Representative Dart, Tom Dart. Out of the record. House Bill 97, Representative Lang. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 97, a Bill for an Act relating to corporal punishment, Third Reading of the Bill."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. May I have leave to move the Bill back to Second for an Amendment?"

Speaker McPike: "The Gentleman asks leave to return the Bill to Second Reading. Representative Lang moves to return House Bill 97 to Second Reading. The Motion requires 60 votes. All those in favor of the Gentleman's Motion vote 'aye'; opposed vote 'no'. Mr. Lang."

Lang: "Thank you, Mr. Speaker. For the benefit of the Members, this is an Agreed Amendment with the IEA to clean up the Bill and it's...it's not a vote on the issue of corporal punishment or not corporal punishment."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Lang, 59 'ayes', 48 'noes'. Mr. Lang asked for a poll of those not voting. Mr. Clerk."

Clerk Rossi: "Cross. Deuchler. Erwin. Flowers. Shirley Jones. Levin. Persico. Pugh."

Speaker McPike: "Representative Steczo changes from 'no' to 'aye'. On this Motion, there are 60 'ayes' and 48 'noes', and the Motion carries. Mr. Clerk, take the record. On this one there are 60 'ayes' and 47 'noes', and the Motion carries. Representative Lang, the Bill is now...House Bill 97 is now on Second Reading. Mr. Lang. Mr. Clerk, are there any Amendments?"

Clerk Rossi: "Floor Amendment 1, offered by Representative Lang."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This Amendment was suggested by the IEA. On page 2, line 15 of the Bill, it talks about measures that can be taken, if children are to be punished

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in school, and it talks about necessary measures to take care of the safety of pupils or children. This would add other employees to that, so that if a school district needed to use force to protect an employee, they might be able to do that, so this is not a limitation on corporal punishment. This clarifies when...additional circumstances under which, even if we do ban corporal punishment, children can be disciplined in the school. It is to protect teachers and other certified personnel in the school, recommended by the IEA, and I ask for an 'aye' vote."

Speaker McPike: "And, on the Motion, Mr. Black."

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

Speaker McPike: "Yes, he will."

Black: "Thank you. Representative, if I...if I interpret your...Oh, scratch that. If I understand your Amendment, you're allowing the use of force, as is reasonable and necessary to maintain safety for pupils, children or other employees of a school. Is that your understanding of the Amendment?"

Lang: "All the Amendment does is add other people. So the current Bill says that force can be used...for the safety of other children, or pupils, and we...we neglected to put in there, school personnel. So they can use force to protect the adults as well as the children."

Black: "Okay, so, the issue of reasonable force is in the Bill, not the Amendment?"

Lang: "That's correct."

Black: "Thank you. Then I'll...I'll question that at the proper time."

Speaker McPike: "The question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye'; opposed, 'no'. The 'ayes'

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have it, and the Amendment is adopted. Further Amendments."

Clerk Rossi: "No further Amendments but a states mandate note has been requested."

Speaker McPike: "The Bill remains on Second Reading, Mr. Lang. Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to announce that the Irish Caucus is going to host a party tonight at the Top of the Hilton. Danny Burke is going to play the piano, and we've invited the Members from the Senate and any of the secretaries that want to come and any of the staff that wants to come. We'd be more than happy to have you. It starts at 9:00; it will go until God knows when. Probably until they throw us out, but I think I can guarantee you'll have a good time. If you've heard Danny Burke play the piano before, you know how good he is at it. He knows the words to all the songs, so we're looking forward to seeing as many of you that would like to come and I guarantee you'll have a good time. Thank you."

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker. With the consent of the Body, can we tell a few Irish jokes? Do I have leave from the Irish Caucus, to tell a joke?"

Speaker McPike: "That's a...I believe...I believe that's redundant."

Novak: "What do you call an Irish gourmet meal?"

Speaker McPike: "Turn Mr. Novak off, please. Representative Balthis, House Bill 122. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 122, a Bill for an Act amending the Unified Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Mr. Balthis."

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Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 122 amends the Unified Code of Corrections to provide that a commission of an offense while participating in a gang-related activity, shall be accorded weight in favor of imposing a term or imprisonment. The current Code has 14...of aggravation and may be considered by the judge and this would just add to that...and I ask for favorable passage."

Speaker McPike: "Discussion on the Gentleman's Bill. Representative Granberg."

Granberg: "Will the Gentleman yield?"

Balthis: "Yes."

Granberg: "Representative Balthis, did you file a correctional impact note or do you know what the consequences of this Bill are?"

Balthis: "I did not know one was requested."

Granberg: "You did not file a correctional impact note? No one requested one?"

Balthis: "No."

Granberg: "Do you know how much this will cost, in the criminal justice system? What the consequences would be?"

Balthis: "The cost to state government, indicated in our report, is no more than would be normal."

Granberg: "Norm...What's normal, though?"

Balthis: "As we see right now a proliferation of people going into the prisons, we're trying to open more all the time, but I think the issue is, 'Are we trying to protect our residents or are we trying to save our dollars?'"

Granberg: "Okay...the...question, Representative, the question was, 'How much will this cost?'"

Balthis: "I have no estimate of the cost."

Granberg: "Has Corrections indicated, at all, how much this might

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cost?"

Balthis: "There's no...no estimate in my...in the information I have. No."

Granberg: "Have you talked to the Department of Corrections about this Bill?"

Balthis: "I'm sorry... Let me restate something. I was just informed that they have issued and there is no estimate on their part."

Granberg: "They...they issued an estimate that there is no estimate."

Balthis: "One moment.. They have no position on the Bill."

Granberg: "Do a...Representative, you might...do you want to take this out of the record, so we can talk about how much this may or may not cost before you..."

Balthis: "Since they have no estimate, I'm trying to figure out how you and I would figure out an estimate."

Granberg: "I mean... It would have to cost more. Anytime we increase penalties, it has to cost more, I would think."

Balthis: "Um."

Granberg: "And the Department has no position?"

Balthis: "No position."

Granberg: "Thank you."

Speaker McPike: "Representative Deering."

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

Speaker McPike: "Yes, he will."

Deering: "As far as a fiscal impact note, Representative, what kind of... How will this add to the population of the prison system already?"

Balthis: "The department issued a note saying that they were not opposed to the Bill, and they had no estimate of the impact."

Deering: "Okay. In your opinion, if we're...the director

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testified previously that we're at or about 30,000 inmates, when we reach, I believe, 32,000 inmates, we can't take any more. ...In your estimate, how many...people will be sentenced to prison over this Bill?"

Balthis: "I have no estimates since the Department has no estimates, since they are the professionals. I merely am trying to protect the residents of my community and yours. If...in gang activity going on all over the state."

Deering: "I do have some concerns about this Bill, Representative, because I have a prison in my district, that is very overcrowded. It seems that we never can get enough money to hire any more staff, so I'm going to be opposing this Bill."

Speaker McPike: "Representative Johnson. Tom Johnson."

Johnson: "Yes, will the Speaker yield?"

Speaker McPike: "Yes, he will."

Johnson: "I think that it's important to note here that this is not increasing, automatically, sentences, but actually giving more discretion to the judges, in terms of sentencing, to take gang membership into consideration when a judge sentences an individual. So this is not one that automatically increases sentences, but gives more latitude to the judge to, in fact, tailor a sentence to an individual."

Speaker McPike: "Representative Balthis, to close."

Balthis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this merely adds one additional factors (sic-factor) and agra...agravation that a judge may use in considering a penalty to be imposed on an individual. It does not add, as was just pointed out by the previous speaker, additional law. It adds the judge's discretion, on a point of aggravation, and I would ask for favorable adoption."

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Speaker McPike: "The question is, 'Shall House Bill 122 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 96 'ayes' and 12 'noes'. House Bill 122, having received a Constitutional Majority, is hereby declared passed. House Bill 124, Representative Frederick. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 124, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker McPike: "Representative Frederick."

Frederick: "Am I on? Yeah."

Speaker McPike: "Yes."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 124 amends the Juvenile Court Act of 1987 to provide the states attorney..."

Speaker McPike: "Excuse me, I wonder if we could have a little bit of order for the Lady, please? Thank you. Proceed."

Frederick: "Okay. It amends the Juvenile Court Act of 1987 to provide that the state's attorney shall provide a copy of the dispositional order to the principal or chief administrative officer of the school, of a minor adjudicated delinquent for a Class A misdemeanor violation for unlawful use of weapons, unlawful sale of firearms, unlawful possession of firearms and firearm ammunition or defacing identification marks on firearms. I move passage of House Bill 124."

Speaker McPike: "Any discussion? Is there any discussion on the Lady's Motion, 'do pass'? The question is, 'Shall House Bill 124 pass?' All those in favor vote 'aye'; opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk

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will take the record. On this Motion, there are 113 'ayes' and 0 'nays', and House Bill 124, having received a Constitutional Majority, is hereby declared passed. Representative Walsh, House Bill 126. Read the Bill, Mr. Clerk. Representative Steczko, in the Chair."

Clerk Rossi: "House Bill 126, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Walsh: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House."

Speaker Steczko: "Representative Walsh."

Walsh: "House Bill 126...amends the Criminal Code to create defense of gang conscription. It makes it a Class 3 felony...felony to threaten another person for refusing to join or for withdrawing or attempting to withdraw from a criminal street gang. I would ask for the passage of House Bill 126."

Speaker Steczko: "Is there any discussion? Seeing no discuss....There being none, the Gentleman has moved for the passage of House Bill 126. All those in favor... The question is, 'Shall House Bill 126 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand that this is this Gentleman's first Bill and normally I would be voting red and then changing to green, but I'm going to stay red on House Bill 126, and I would advise the colleagues on this side of the aisle to do the same. Not only are we passing Bills out today to put people in jail, but it's going to cost the state a hell of a lot of money to keep them there. I'd like to see some people introduce some legislation that's go in to take care

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of some of these young people at the head start of life, so that we don't have to pass Bills like this to put them in jail after they've gotten in trouble. So when I see people come in with their first Bills that are trying to help people, then I will vote red and then green on someone's first Bill. But we don't have rooms in the prisons; we're spending too much money to keep them in jail..."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Rotello wishes to be voted 'aye'. Representative Lopez wishes to be voted 'aye'. On this Bill, there are 93 voting 'yes', 14 voting 'no', 3 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. On the Order of Local Government, Third Reading, appears House Bill 176, Representative Capparelli. Out of the record. House Bill 344, Representative Black. The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. The parties to this Bill are not yet in agreement and will be meeting in April to try and work out some difficulties, so I'd just like to hold the Bill until that time. Thank you."

Speaker Steczo: "Representative Black have you completed your presentation?"

Black: "Yes. I just want to hold the Bill. There's still... We need to do some negotiating with the parties involved."

Speaker Steczo: "Okay. Out of the record. House Bill 424, Representative Parcels. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 424, a Bill for an Act concerning libraries. Third Reading of the Bill."

Speaker Steczo: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen of the

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House, this is a Bill that was proposed by the Library Association, and it's supported by the library districts and the municipal libraries. It simply states that when you don't live in a library district or a municipal library district, that if you go to buy a card, you may buy a card at any place that you choose and you may use those facilities to your heart's content and, of course, you may use any other facility to go into and to borrow a book from, with the intergov...or inter-library loan system, but that your taking books out will be at the library where you bought the...your library card and that is the library that you would then use, and it's supported, as I said, there is no opposition, that I know of and it's been supported by all of those library districts."

Speaker Steczo: "The Chair recognizes Representative Granberg."

Granberg: "Will the...will the Sponsor yield?"

Parcells: "Yes."

Granberg: "Representative, for purposes of our side of the aisle, this is the same Bill we discussed regarding a potential fee increase that...you...disagreed with, but this is that piece of legislation?"

Parcells: "Well, the reason it's not a fee increase is right now if you go to buy a library card, you buy one, and that's not a...I mean that's what they charge you and that's the way it is today and that's the way it was yesterday and that's the way it would be after this Bill passes. You still buy a library card. This just tells you which libraries you may take books out of after you buy that card."

Granberg: "Representative, for downstate. If I go to my local library and they don't have a book there and they have to get it out of a different system, would I then be required

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to join that other system, that other district?"

Parcells: "You may get it through inter-library loan."

Granberg: "Pardon me, I couldn't hear you."

Parcells: "Thank you...oh, I said, you may get that book through the inter-library loan system."

Granberg: "Okay. Thank you."

Speaker Steczo: "Is there any further discussion? There being none, Representative Parcells, to close."

Parcells: "Thank you. I would just ask for your 'aye' vote on this very good piece of legislation."

Speaker Steczo: "The Lady has moved for the passage of House Bill 424. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. 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 House Bill 424, there are 105 voting 'yes', 8 voting 'no', 0 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 440, Representative Clayton. Representative Clayton."

Clayton: "Am I on? Yeah, all right. Thank you, Mr. Speaker. My House Bill 440 amends the Illinois Municipal Code and the Uniform Disposition of Unclaimed Property Act. It provides for a simple..."

Speaker Steczo: "Representative Clayton, excuse us for one second. Mr. Clerk, would you read House Bill 440 for the third time, please?"

Clerk Rossi: "House Bill 440, a Bill for an Act concerning municipal property. Third Reading of the Bill."

Speaker Steczo: "Representative Clayton, please proceed."

Clayton: "Okay, thank you. ...This Bill provides for a simple majority of the corporate authorities of a municipality in

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order to set...to sell personal property. At the present time that can be...to dispose of the property requires only a simple majority, and we wanted to make it possible to require the same majority for the...disposition. This Bill also provides that deposits made to municipalities as a condition of the issuance of a building permit...does not constitute unclaimed property."

Speaker Steczo: "Is there any further discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Will the Representative yield?"

Speaker Steczo: "She indicates she will."

Granberg: "Representative, is this Bill requested by the Illinois Municipal League?"

Clayton: "This Bill was requested by the Northwest Municipal Conference."

Granberg: "And the Northwest Municipal Conference and the Illinois Municipal League are in favor of this Bill?"

Clayton: "The Northwest Municipal Conference is in favor. The Illinois Municipal League is also a proponent. Yes."

Granberg: "Proponent or opponent?"

Clayton: "Proponent."

Granberg: "Is there any...and is there any opposition to this Bill, Representative?"

Clayton: "No, Sir."

Granberg: "And is this your first Bill, as well?"

Clayton: "Yes, it is."

Granberg: "Thank you."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall House Bill 440 pass?' All those in favor will signify by voting 'aye'; those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.

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Clerk, please take the record. On House Bill 440, there are 111 voting 'yes', 0 voting 'no', 1 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 474, Representative Novak. Mr. Novak, House Bill 474? Out of the record. House Bill 514, Representative Hughes. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 514, a Bill for an Act amending the Township Law of 1874. Third Reading of the Bill."

Speaker Steczo: "The Chair recognizes Representative Hughes."

Hughes: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I bring to you today, House Bill 514, which amends the Township Law of 1874, and authorizes the township board of trustees to make contracts relating to insurance for a duration not to exceed the board term by more than one year. This is a Bill that has bi-partisan support and passed out of committee unanimously."

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall House Bill 514...Representative Hugh's first Bill, pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is now open. The Gentleman rec...the Gentleman from Vermilion, Representative Black."

Black: "Thank...thank you very much, Mr. Speaker. I didn't get a chance to ask the Sponsor a question. Perhaps she could nod her head. Does this apply to all townships or only your township? All townships. Like even in my district? Well, that sounds like a little better idea."

Speaker Steczo: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On House Bill 514, there are 108 voting 'yes', 5 voting 'no', 0 voting 'present', and this Bill, having

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received the required Constitutional Majority, is hereby declared passed. We will now return to House Bill 474, Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 474, a Bill for an Act amending the Illinois Counties Code. Third Reading of the Bill."

Speaker Steczo: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 474 amends the Counties Code. It provides that a county may lease, sell or otherwise dispose of any local improvements to any public utility regulated by the Public Utilities Act that will incorporate the local improvement into its existing plant and operations. This Bill passed out of the Counties and Townships Committee without any dissenting vote. It's on the Short Debate, and it was sponsored by the Consumers Water and the Illinois Waterworks Association. I ask for your support of this legislation."

Speaker Steczo: "The Chair recognizes Representative Wennlund. Mr. Clerk, turn on Representative Wennlund, please."

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

Speaker Steczo: "He indicates he will."

Wennlund: "Don't the municipalities have the statutory authority to do this now?"

Novak: "I don't have my analysis here, but I...I don't think so."

Wennlund: "Are... Does this deal with improvements that are made outside of the municipality or within the municipality?"

Novak: "Representative Wennlund, let's...let me take the Bill out of the record, and I'll get the answers for you. Mr. Speaker, could you take the Bill out of the record, please?"

Speaker Steczo: "Okay. Out of the record. On this Order of Business appears House Bill 606, Representative Flinn. Mr.

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Clerk, read the Bill."

Clerk Rossi: "House Bill 606, a Bill for an Act amending the Counties Code. Third Reading of the Bill."

Speaker Steczo: "Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. House Bill 606 authorizes the county board to establish an emergency disaster fund. The only reason for this Bill...Presently under the Counties Code there are no provisions for the counties to create an emergency fund, and I'll try to answer any questions, but that's all the Bill does. It just amends the Counties Code to permit counties to have an emergency fund."

Speaker Steczo: "The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Steczo: "He indicates he will."

Black: "Representative, this is totally permissive legislation. Correct?"

Flinn: "Correct."

Black: "So, any county board that wanted to do this could. Any county board that did not want to divert general revenue funds, doesn't have to."

Flinn: "That's correct."

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

Speaker Steczo: "Is there any further discussion? There being none, the question is, 'Shall House Bill 606 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On House Bill 606, there are 109 voting 'yes'. Please vote Mr. Hartke. Please vote Representative Steczo 'yes'. Thank you, Mr. Hartke. On House Bill 606, there

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are 110 voting 'yes'. Representative Gash, please...vote
Representative Gash 'yes'. Representative Pugh wishes to
be recorded as 'yes'. Representative Giglio.
Representative Martinez wishes to be voted as 'aye'. Are
there any further? On this question,
there...Representative Moffitt wishes to be voted 'yes'.
On this question, there are 114 voting 'yes', 0 voting
'no', 0 voting 'present' and this Bill, having received the
required Constitutional Majority, is hereby declared
passed. House Bill 607, Representative Flinn. Mr. Clerk,
please read the Bill."

Clerk Rossi: "House Bill 607, a Bill for an Act concerning
official bonds. Third Reading of the Bill."

Speaker Steczo: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. House Bill 607 is another one
that amends the Counties Code. What it does is permits
counties to bond their officers themselves. Presently, the
law reads that they can bond those that are self-insured,
but the problem was we do not amend the Counties Code.
This, again, is a permissive thing for those counties, who
are self insured. I would ask for the adoption and answer
any questions."

Speaker Steczo: "Is there any further discussion? There being
none, the question is, 'Shall House Bill 607 pass?' All
those who...all those in favor will signify by voting
'aye'; those opposed by voting 'no'. The voting is open.
Have all voted who wish? Have all voted who wish? Mr.
Clerk, take the record. On this question, there are 114
voting 'yes', 1 voting 'no', 0 voting 'present', and House
Bill 607, having received the required Constitutional
Majority, is hereby declared passed. House Bill 728,
Novak. Mr. Clerk, please read the Bill."

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Clerk Rossi: "House Bill 728, a Bill for an Act creating the Eastern Will Sanitary District. Third Reading of the Bill."

Speaker Steczo: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 728 creates the Eastern Will County Sanitary District. The Bill specifically delineates the district's boundary lines that encompasses the corporate boundaries of the Village of University Park within Monee Township. There is a referendum mechanism in the legislation, so no...no public dollars could be expended for any sanitary district business unless the majority of the electors within the corporate boundaries of University Park in Monee Township vote and pass on a referendum. The village contacted me and through their village board and the citizens wish to participate in a sanitary district. The Municipal Code allows them, or the Sanitary District, Code allows the municipality to compete with a private utility. So this has a referendum for your edification, and I ask your support."

Speaker Steczo: "The Chair recognizes Representative Wennlund. Mr. Wennlund."

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

Speaker Steczo: "He indicates he will."

Wennlund: "Representative Novak, can you tell us what the...purpose of...of this legislation is?"

Novak: "Representative Wennlund, I filed this Bill on behalf of the village officials, of University Park within Monee Township. They wish to create a sanitary district. Right now they are being serviced by a private utility. There is a referendum mechanism within the legislation that has to be provided prior to any expenditure of any moneys, public

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moneys, for the expense of a sanitary district."

Wennlund: "Is this the same legislation that was defeated last year?"

Novak: "It's similar, but it's relegated only to the corporate limits of University Park. It has nothing to do with...the broader Eastern Will County Sanitary District legislation. That was withdrawn last year."

Wennlund: "When would these Sanitary District trustees be elected?"

Novak: "At the soonest possible election, I believe. Once...once the legislation is signed, once the board is created and all the other administrative rules and everything are put in place, I think they would at the most recent next general election."

Wennlund: "Initially though, they are appointed? Is that correct?"

Novak: "Correct."

Wennlund: "Who is the appointing authority?"

Novak: "State Legislators. It would be the State Representative and the State Senator, within that district."

Wennlund: "Is... Representative Novak, can you tell us... Is this designed for...or to service a third airport? If one were ever to be built there?"

Novak: "No...no. Nobody tells me anything about the third airport anyway, from the Department of Transportation, but no it has nothing to do with the third airport."

Wennlund: "You have to ask Mayor Daley that question or the new Secretary of Transportation, Mr. Pina. Did this request come to you from the Village of Peotone?"

Novak: "No, Larry, it came from the mayor and town counsel of University Park, which is now...which now is in my legislative district."

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Wennlund: "And...and who currently serves University Park with sewer and water?"

Novak: "Pardon me?"

Wennlund: "Who currently serves University Park with sewer and water?"

Novak: "Consumers Water of Illinois. It's a private utility."

Wennlund: "So, is the intent, then that the Sanitary District would condemn or acquire Consumers?"

Novak: "That's all...that's all...it all depends on...up to the electors in the referendum. If they wish...fine. They will proceed with a...with a public sanitary district. If...if the electors decide to vote against it, then nothing will happen."

Wennlund: "And is this a front door ref...referendum, excuse me?"

Novak: "Yes. It is"

Wennlund: "A front door referendum? So, they're not going to incur... Are the taxpayers within these affected townships going to be incurring any greater burden than they're currently...carrying?"

Novak: "Nothing, whatsoever."

Wennlund: "So, there's not going to be a tax increase as a result of the passage of this Bill?"

Novak: "Pardon me, Larry?"

Wennlund: "There's not going to be a tax increase of real estate taxes?"

Novak: "No, it's totally up to the electors within the corporate limits of University Park."

Wennlund: "Well...will this Eastern Will Sanitary District levy real estate taxes?"

Novak: "If the referendum passes, they will levy a tax, yes."

Wennlund: "Now, the referendum you speak of, isn't...isn't a referendum on whether or not to levy a tax, it's a

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referendum to create the sanitary district. Is that correct?"

Novak: "No. The referendum is a question on levying a tax, specifically. This...this legislation creates the District, but the District has no power at all to operate because it has no public dollars to spend. Once a referendum is passed, then the District will have power to proceed on its objectives."

Wennlund: "Okay, thank you very much."

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

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

Speaker Steczo: "He indicates he will."

Black: "Representative, under the five existing Sanitary District Acts, it is my understanding that the town, municipality of University Park, could establish a sanitary district by virtue of a petition process, if they so desire. Is that not true?"

Novak: "That is correct, Representative Black, but the village fathers and mothers wish to...came to me and wish to proceed in this manner and it's still democracy at its best. There is a referendum."

Black: "I...I guess what I'm... Is this a more expeditious manner?"

Novak: "Well, I...I don't know...that may be a question of interpretation, but they've had a lot of problems with their sewer plant, and they wish to proceed in this manner, and they would like the public to be able to vote on the issue, in the most...in the next most recent election."

Black: "And as you have said previously, there is a front door referendum..."

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Novak: "Absolutely."

Black: "All right, thank you."

Speaker Steczo: "The Gentleman from Cook, Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is a good idea. We heard in committee today Representative Black represents a district that they still have outhouses down there, and he wanted to know how he can go about having these things and these farmers in these poor souls in his district hook up to a sewer. Well, Representative Black, if you're listening...I think this is a great idea and perhaps you'd want to do something for your district, so I think this is a great Bill."

Speaker Steczo: "Is there any further discussion? There being none, Representative Novak, to close."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. For the benefit of the individuals who live and reside within University Park, I please ask for your support of this legislation. To once again reiterate, there is a referendum mechanism in the legislation, and not one penny of taxpayers' dollars will be spent, unless a majority of the electors that live within the confines of the city approve the referendum. Thank you very much."

Speaker Steczo: "The question is, 'Shall House Bill 728 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted? Please vote Representative Saviano 'aye'. Have all voted who wish? Have all voted who wish? Please record Mr. McAfee as 'aye'. Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 109 voting 'yes', 1 voting 'no', 3 voting 'present' and House Bill 728, having received the required Constitutional Majority, is hereby declared passed. House Bill 932,

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Representative Giglio. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 932, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Steczo: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 932 extends the...area the Metropolitan Sanitary District to the northern quarter of Section 20 in the Township 35 North Range in the East Principle Meridian of Cook County, Illinois. It's a...part of the Metropolitan Sanitary District and the unincorporated area, and they want to come into the District and we have to come here to get legislation, and that's all it does and I would ask for your favorable support."

Speaker Steczo: "The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Will the Sponsor yield? Is this territory in my district or yours?"

Giglio: "I think...I think it's some of yours and some of the...the next one. Actually it was given to me by a...a developer who asked me to put it in, and that was it, Representative Wennlund."

Wennlund: "It's my understanding that the...the Metropolitan Water Reclamation District...wanted this Bill held on Second until they could determine the exact location of the property? Did they do that?"

Giglio: "No, I...I...there was no opposition from the...from the District, that I know of."

Wennlund: "Who's doing the area now?"

Giglio: "Pardon?"

Wennlund: "Who's serving the area with sewer and water now?"

Giglio: "Pardon?"

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Wennlund: "Can you tell me where the property is?"

Giglio: "No, not exactly. It's in the...in the north...or the southwest corner of Cook County by Chicago Heights and towards Orland Park."

Wennlund: "How...how much territory is it?"

Giglio: "Well...I...I...I don't know. The only thing I can tell you is if you know the quarters, as a legal person, you can tell by what...by what it says on...on the analysis here. I don't know if is a quarter of a mile square or an eighth of a mile or what it is."

Wennlund: "And can you tell me where, around the Village of Matteson, it is, Frank?"

Giglio: "No, truthfully, Representative Wennlund, I don't know. I know, Representative or former Representative Dan Hoolihan...knows more about it than I do."

Wennlund: "And...and you don't know how much terr... I can't tell by...the northwest quarter, so it would be about 600...640 acres?"

Giglio: "How much is that? Do you know how much this is?"

Wennlund: "Okay, it's a fairly large piece of property. I was just curious as to where it is. It sounds like it's in my district, if it's located near the Village of Matteson."

Giglio: "Well, if it's in...if it's in Cook County and the, within the legal boundaries of the...of where the Metropolitan Sanitary District could go, yes it's not in Will County or any other county, it's just where the...where...where the Sanitary District can go within the Cook County jurisdiction."

Wennlund: "Thank you very much."

Speaker Steczo: "Mr. Wennlund, are you completed with your questions? The Chair recognizes the Lady from Cook, Representative Zickus."

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Zickus: "Will the Sponsor yield, please?"

Speaker Steczo: "He indicates he will."

Zickus: "Thank you. Is this... Could you tell us who the developer is that (sic-who) requested this and does this have any mention of Orland Park? Does this have anything to do with the development in Palos Township?"

Giglio: "Truthfully, Representative Zickus, I don't know. I...I really don't know."

Zickus: "Okay, thank you."

Speaker Steczo: "Is there any further discussion? There being none, Representative Giglio has moved for the passage of House Bill 932. The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? The Chair recognizes the Lady from Cook, Representative Davis. She indicates she does not wish to speak. Okay. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 104 voting 'yes', 4 voting 'no', 4 voting 'present', and House Bill 932, having received the required Constitutional Majority, is hereby declared passed. Introduction and First Reading."

Clerk Rossi: "House Bill 2445, offered by Representative Ryder, a Bill for an Act to amend the Disabled Persons Rehabilitation Act. First Reading of the Bill".

Speaker Steczo: "Agreed Resolutions."

Clerk Rossi: "House Resolution 251, offered by Representative Brady; House Resolution 252, offered by Representative Giglio; House Resolution 253, offered by Representative Steczo; House Resolution 254, offered by Representative DeJaegher; House Resolution 255, offered by Representative DeJaegher; House Resolution 256, offered by Representative

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DeJaegher; House Resolution 257, offered by Representative DeJaegher; House Resolution 258, offered by Representative DeJaegher; House Resolution 261, offered by Representative Granberg; House Resolution 262, offered by Representative Granberg; House Resolution 263, offered by Representative Stephens; House Resolution 264, offered by Representative Balthis; House Resolution 265, offered by Representative McAfee; House Resolution 266, offered by Representative Kubik; House Resolution 267, offered by Representative Kubik; House Resolution 268, offered by Representative Kubik; House Resolution 269, offered by Representative Kubik; House Resolution 270, offered by Representative Kubik; House Resolution 271, offered by Representative Kubik; House Resolution 272, offered by Representative Schoenberg."

Speaker Steczo: "Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Death Resolutions."

Clerk Rossi: "House Resolution 259, offered by Representative Morrow, with respect to the memory of Mother Anna Bryant."

Speaker Steczo: "Representative Currie moves for the adoption of the Death Resolutions. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it. The Death Resolutions are adopted."

Speaker Steczo: "General Resolutions."

Clerk Rossi: "House Resolution 250, offered by Representative Wennlund."

Speaker Steczo: "Committee on Assignment. Representative Currie now moves that the House stand adjourned until the hour of

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2:00 on Thursday. All those in favor will signify by saying 'aye'; those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it and the House is now adjourned."

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