

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

157th Legislative Day

7/9/2004

Speaker Hannig: "The House shall come to order. We shall continue from the 10th Special Session. So, Representative Currie is recognized on excused absences."

Currie: "Thank you, Speaker and Members of the House. Representatives Richard Bradley, Collins, Colvin, Fritchey, Molaro, Scully, and Slone are excused today."

Speaker Hannig: "And Representative Bost."

Bost: "Thank you, Mr. Speaker. I just love to do this on a day whenever... you know, when we had a short list it might be a little more fun. But Mun... please excuse Munson, Meyer, Rose, Parke, Pihos, Schmitz, Black, Eileen Lyons, Sommer, Jerry Mitchell, Beaubien, Osmond, and Mathias."

Speaker Hannig: "Mr. Clerk, would you take the record? On this question, there are 96 answering the Roll Call. A quorum is present. On the House Calendar... okay, Mr. Clerk, would you read the Committee Reports?"

Clerk Mahoney: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were referred, action taken on Thursday, July 08, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' Amendment... Senate Amendment #1... 3... 1 and 3, a Motion to Concur and 'recommends be adopted' to House Bill 714; 'approved for floor consideration' on the Order of Concurrence to House Bill 966. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measure/s and/or Joint Action Motions was/were

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referred, action taken on Friday, July 09, 2004, reported the same back with the following recommendation/s: 'approved for floor consideration' is a Motion to... to Concur to House Bill 1959; refer to the Order of Second Reading is Senate Bill 1955. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Friday, July 09, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' a Motion to Concur with Senate Amendment #1 to House Bill 966 and a Motion to Concur with Senate Amendment #1 to House Bill 1959. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Friday, July 09, 2004, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #3 to House Bill 7307."

Speaker Hannig: "On page 2 of the regular Calendar, under House Bills-Second Reading, is House Bill 7307. Mr. Clerk, would you read the Bill?"

Clerk Mahoney: "House Bill 7307 has been read a second time, previously. Committee... Amendment #1 was approved in committee. Floor Amendment #3, offered by Representative Madigan, has been approved for consideration."

Speaker Hannig: "Representative Currie is recognized on the Amendment."

Currie: "Thank you, Speaker and Members of the House. This Amendment would reconstitute the current Illinois Health

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Facilities Planning Board, abolishing all the current members, replacing a new structure for five rather than nine members to increase accountability and the visibility of the membership of that board. Second, it would establish that people who serve on the board may not have financial interests nor may their spouses nor their children or parents in health facilities. And it would require them to have some reasonable knowledge of health planning, health finance, and health care. As well, it would apply the current ex parte rules, which now apply from the time at which an application is filed until a decision is made. It would make them apply to the six-month period before the application is filed. What would be barred would not be technical discussions between a staff member, for example, and a facility that plans to ask for an opportunity to expand or to build a new facility, it would apply only to substantive discussions about the application that is not quite pending. Finally, the measure would... would establish a clear role for consumers to play in the decisions that are made by the Health Facilities Planning Board, allowing for the opportunity of an intervener and requiring public hearings when there are requests for public hearings. And then finally, when there is a plan... an application pending that a Legislators in the affected area would be notified and so would members of the public through clear notification in a newspaper of general circulation. I think it's time to give this board the boot. It's time to find a way to get people who are

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clearly the kind of people that oughta be serving on that entity to make sure that we know that they are like Caesar's wife, that there isn't a question of impropriety or questionable dealing. I don't know whether the current allegations about some members of the present board are legitimate or ill-founded or what have you, but I do think the public is best served when we avoid the opportunity for a conflict before we start. That's what this Amendment does and I would appreciate your support for its adoption."

Speaker Hannig: "So the Lady has moved for the adoption of Floor Amendment #3. And on that question, the Lady from DuPage, Representative Bellock."

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

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

Bellock: "We had quite a bit of discussion about this in the Human Service Committee. So I wondered, Representative Currie, when we talked about could an individual who was going... working with this board receive information and guidance from the board's staff with regard to the preparation of an application and other procedural matters."

Currie: "Representative, it's not the intent of this language to keep somebody from calling up and asking for an application or from getting technical assistance and advice. It is the intent that there be no substantive discussions between anybody employed by that facility seeking expansion or the opportunity for new building. But

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there should not be any substantive discussions. It is my view that since currently any communications with the board must be detailed in writing that this should not be a problem for people who are seeking technical assistance. We are talking substantive as the prohibition in this language only, not technical advice."

Bellock: "Would the staff be able to explain the 'terms of art' in applicable law? I mean, is there going to be a problem when they call as to the staff deciding as to whether this is a procedural matter or a substantive matter?"

Currie: "I think it would be pretty easy for the staff to make that determination. Again, there are written requirements about questions and communications today, so I'm sure we can... we can find ways to help the staff discover what that distinction would be."

Bellock: "Okay. We had some other talk about the consumer and you gave us the definition of 'consumer'. That... before this, there used to be a consumer slot on this board."

Currie: "I believe there were two and that has not been the... the makeup of the board for a couple of years. Oh, there were eight, but that was a much larger board, a fifteen-member board."

Bellock: "Okay. So earlier, a year ago, this board was a fifteen-member board, correct?"

Currie: "And it came... became a nine-member board without a slot for, specifically, consumer representation. And so in this measure we do provide for a role for consumers, a role that the board must take seriously, must hold hearings, must

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allow consumers access to information, but these would not be decision makers."

Bellock: "And we also talked about that the board is going to establish the rules for the consumers to intervene."

Currie: "Right."

Bellock: "And some of us had a concern about that, as to who... ya know, who oversees those rules set by the board."

Currie: "Well that, of course, they would go through JCAR."

Bellock: "Okay."

Currie: "Those rules would. And I think the only... the only reason for putting that language is is that we don't mean it to be a free-for-all, we don't intend for the board to have to deal with a... a melee. So the idea would be that the rules would establish how people would be notified of applications pending of a hearing schedule, of their opportunity to participate and to intervene."

Bellock: "Okay. I think that all of us agree that there certainly needs to be something done with this board, especially with recent allegations. There was just those concerns and we appreciate you discussing those on the House Floor. And I think that our concerns have been addressed and thank you very much."

Currie: "Thank you, Representative."

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

Meyer: "Thank you, Mr. Speaker. I have a couple questions here and I... with process, and I'm not sure if you should be

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answering them or if the... the Sponsor should be. First of all, has this Bill been read a second time?"

Speaker Hannig: "Yes, Rep... well, we're on Second Reading and it has been read a second time, previously, Representative."

Meyer: "Okay, thank you. And I guess from the Sponsor, Representative, is there an additional Amendment that is going to be proposed on this Bill or is this the final form?"

Currie: "I'm sorry, was that a question? I'm sorry, I didn't hear you."

Meyer: "Is this the final form or is there another Amendment that's going to be proposed?"

Currie: "I don't believe we need another Amendment to deal with the issue that Representative Bellock raised. If we discover that there are other issues that need Amendment, this Bill will of course have to be considered in the other chamber. So we're prepared to continue talking to see if there are... are questions that need clarification with further language or whether..."

Meyer: "If we..."

Currie: "...it really is good enough as is."

Meyer: "Okay. If we adopt the Amendment today that you're proposing, are you going to hold it then on Second Reading or are you going to move it to Third and immediately hear it or what?"

Currie: "I think that it would be a good idea to pass this Bill today. This is a House Bill so it has not been read in the Senate at all, that means it will take three readings in

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the Senate for it to become law. I think there is some urgency here. And while I'm more than happy to consider if further language changes are required, as I say, I think the issue that Representative Bellock raised I think we have satisfactorily answered through the... the floor discussion."

Meyer: "All right, that was just so that we understood exactly what the process was that you anticipated for this. And if there are further debate on it we'll do it on Third Reading. Thank you."

Currie: "Thank you."

Speaker Hannig: "The Gentleman from Winnebago, Representative Winters."

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

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

Winters: "I'm concerned about this... as the Rockford paper this morning headlines, 'Hospital expansion threatened, Swedish-American project may be delayed'. They are on the agenda for the August meeting. If this legislation passes it has an immediate effective date. How soon do you think the new board could be back up and running? And... and the reason I ask this question is because this is something between 40 and 50 million dollars of construction. If they break ground the first of September they can then continue the construction... they should be able to frame it in before the winter and do a lot of the interior work, the electrical work, and plumbing work through the winter. If this new board even delays as little as 60 days they'll miss the

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entire construction season. Given the fact that they're gonna be doing the earth work and don't have approval to do it, they may well see not even breaking ground until next April. Could you give me some kind of a timeline on when this new board might take effect?"

Currie: "Representative, I can't give you an absolute timeline, but I would remind you that the Governor has already done, by executive order, has said to the board, you may not meet. I think that the best chance for your hospitals to get a hearing and a decision in a quick manner would be to pass House Bill 7307, get it to the Governor, have the Governor sign it, and make, as quickly as possible, new appointments to the Health Facilities Planning Board. So, I appreciate your concern about urgency. But today, the best shot at getting those applications moving is to pass this Bill."

Winters: "Well, this is certainly one avenue. The other... since you bring up the moratorium, do you have any opinion about the legality of that? I... I understand there's some kind of question whether the Governor actually has the authority to put a moratorium on the hos... the..."

Currie: "Rep... Representative, I know there are questions. I would think that to answer those questions in, for example, a court of law would delay your facility even further. So, again, I would advise that if there is an urgency here, let's pass this Bill."

Winters: "Well, I would think that the other avenue would be if the Governor could take projects that are noncontroversial,

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that have no... nobody is complaining about this. The other hospitals in the region are supportive to my knowledge, they're not adding any new beds. This is simply changing the way that hospital does its operation without it adding new capacity, no new bed space. If we could allow the old board, under a new moratorium, that anything controversial could be held in abeyance, but allow the current board to at least pass on those that are noncontroversial, I think that would be even more expeditious than trying to pass this legislation. As you know, the Senate, hopefully, may... may not be meeting in regular Session... or in Special Session starting next week, we all hope that's the case. If that's the case, when would these appointments take place? Can the Governor call the Senate back into... to deal with appointments?"

Currie: "The Governor could indeed do that. And again, I would re... I don't know that there is anything that could be described as noncontroversial that comes before this particular board. But in order to meet your concerns, vote 'yes' on the Amendment, vote 'yes' on the Bill."

Winters: "Well, I intend to do exactly that. I... I actually applaud the... the speaker on the introduction to this Bill. I mean, we really have to be concerned when a... when a public agency in this state is in the newspaper day after day with the... with allegations, and they are simply allegations at this point, of unethical activity of... of influence pedaling, of people making a profit by what decision they make in the public interest. I applaud the

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speaker on the Bill. And any time that we can make a statement that Illinois government needs to be as clean as undriven snow, as absolutely pure as we can do, as we ourselves in our own public lives have to keep above suspicion, we have to make sure that this board reflects what we try to do as individual Members of this General Assembly. I applaud the speaker on the legislation and urge its adoption. Thank you."

Speaker Hannig: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Will the Lady yield?"

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

Leitch: "I think the primary question is there are many, many states who do perfectly well without having this entity in place at all. So the question becomes, in my view, especially after hearing complaints from hospitals for years over having to go through this labyrinth of bureaucracy, to have to hire lawyers, to have to hire lobbyists, to have to hire the right lobbyists, to go on and on and on, would you not agree that we should simply get rid of this board?"

Currie: "Representative, I might, but I'm not sure all of our colleagues would. There are... there is legislation pending, I think we can consider that. In the meantime, I think our best response to the question, and it's only a question, of improprieties at the current board would be adoption of this Amendment and this Bill."

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Leitch: "Would you agree to a study commission or some study entity that would look into how other states regulate through licensure?"

Currie: "I think that's a good idea. I would..."

Leitch: "And get rid of this."

Currie: "I would recommend that our Healthcare Access Committee would be a great venue to hold some hearings over the summer months and begin to do some comparisons. Because I agree that this whole field has changed in the 40 or 50 years since we created a Health Facilities Planning Board. I think that would be useful."

Leitch: "Thank you. And Mr. Speaker, to the Bill. This thing... this entity is long since had its useful life. And in my view, we should be endeavoring to do as the Lady suggests through the health commit... committee or some other entity, undertake a study to understand how other states so successfully, through licensure and other means of regulation, are... are able to effectively avoid this entire process. Throughout my career I've heard one complaint after another about the goin's on at that board. And I think, given the recent publicity and the recent allegations, it's long since past due to get rid of it. Thank you for your consideration."

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

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

Speaker Hannig: "Indicates she'll yield."

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Miller: "Just one... one question real quickly. In the former board there was 15 members, the board before got shrunk down."

Currie: "The previous, previous board, yeah."

Miller: "Yeah, it's a couple years ago. And then with those members there were specific requirements to be on the board, so somebody had to come from physicians' groups, somebody had to come from somewhere."

Currie: "From a... from hospitals..."

Miller: "Hospital association..."

Currie: "...or nursing homes or what have you."

Miller: "Is there anywhere in this legislation, and I haven't seen in our analogy that there's any specific requirements besides just a general background in finance or health care?"

Currie: "No, there isn't. And I think the reason for that change, the reason for the change from the old 15-member board, is that there was a perception that when you had these slots allocated to elements of the industry that there was a bit of 'foxes guarding the chicken coops'. So, to have the general requirement that they have knowledge in the area but there... but there not be specific representation for the entities that are regulated and now the new requirements that have to do with their financial participation in health facilities, I think just creates a clearer sense that the people who are making these decisions are making them on solid grounds and are not influenced by opportunities to do business or their

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particular connection with a particular kind of healthcare facility."

Miller: "Well, I think... and I agree with you wholeheartedly, particularly the financial... if there's any financial disclosure that needs to be made with it. However, I guess I was a little concerned with possibly those who may not know nothing about planning facilities or hospitals, but with some general background. I know many... many physicians or doctors may be eligible to do this or be from your criteria but however have no inkling on what... what it takes to be... be able to build a facility."

Currie: "Well, it..."

Miller: "And so I just wanted to just at least acknowledge maybe some safeguard, and maybe it's through the Senate... is it Senate confirmation still, or no?"

Currie: "Yes. Yes, there would be. But remember, we are requiring them to have some general knowledge of health planning, health finance and health care. So we are looking for people who have some expertise in the arena."

Miller: "You see... well, just as long as you say expertise. I mean, I have some knowledge but I sure don't wanna be on this 'cause I don't... I wouldn't have the facility. So I... I guess that was just a concern I wanted to address and thank you for clearing it up."

Currie: "Thank you."

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

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

Speaker Hannig: "She indicates she will yield."

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Lindner: "Yes, there seem to be a lot of questions about this Bill and we had a lot of questions in committee this morning, too. Would you be willing to hold this on Second to address the concerns?"

Currie: "I would think it would be wiser, given that the Bill has not been read even a first time in the Senate, to move it along. The Senate will have to read this Bill three times, three separate days. And if there are some technical corrections that need be made, that could be... could be accomplished there. On one of the issues that we discussed in committee this morning, I believe that my responses to Representative Bellock's questions makes that something that we do not need to address legislatively."

Lindner: "So, you are saying you are going to work with the Senate Sponsor and draft an Amendment there that would..."

Currie: "If... if there... if there is a need to. I don't believe on the question of the ex parte contact that we need to, but if there are other things people discover that need addressed, we will still have an opportunity to do so."

Lindner: "Well, I can see potential for many questions on the issue of the contact, particularly if there are phrases in the application that need clarification."

Currie: "That... that was my response to Representative Bellock, yes. We believe that with this language limited to substantive issues, the technical kinds of things that happened today could continue."

Lindner: "But would... would a technical thing be for a staff person to say do you... what do you mean by this phrase?"

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Currie: "Well, we mean for example, 'could you send me an application?' We think someone can ask the staff that question. We think that the staff can... can answer the question, 'what items need be covered in this application?' There are currently requirements that this board keep records of contacts with the broader world. We can have a look to see whether the kinds of connec... communications, in fact, are technical, but we only talk about substantive things right here."

Lindner: "Yeah. So your... so your understanding of something that is technical would be a question that a staff person could say, 'what do you mean by this phrase on the application?'"

Currie: "What do you mean by... say again."

Lindner: "This phrase in the application."

Currie: "Yes, right. Right."

Lindner: "All right. Okay, thank you."

Currie: "And again... again, if there is need for Amendment, I think we can consider that in the Senate. But I think that we're good enough on the substantive issue that I'm not sure that needs amending."

Lindner: "And just... on the number of people again. It went from 15 to, I believe another Bill said 9, down to 5 people."

Currie: "It was 15, then 9, and now, under this legislation, 5."

Lindner: "And... and a quorum is 3."

Currie: "That is right."

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Lindner: "And is there any other board or commission that just has 3 people as the quorum? That seems to be not very many."

Currie: "The Commerce Commission has 5 members."

Lindner: "And 3 people is a qu..."

Currie: "And there are many villages that are also... the... the council is 5 in number."

Lindner: "All right. And I'm looking on page 6 of the Amendment, Section 6.2, on in... the intervener. And if we're gonna clarify language in the Senate, that's another thing I think that needs to be clarified because it says, 'the Health Facilities Planning Board shall establish rules for consumers as defined in Section 3.'"

Currie: "Right."

Lindner: "I don't know that is... as defined in Section 3, does that refer to the definition of 'consumers' or..."

Currie: "Yes, it does."

Lindner: "...it refer to the definition of the rules that are established in Section 3?"

Currie: "It is... it's... it's a direct reference to the definition of 'consumers'."

Lindner: "So there aren't... you could read this also though that the... the rules as defined in Section 3. Are there rules in Section 3? I haven't read that section."

Currie: "No, there aren't any rules in Section 3, there is the definition of 'consumer'."

Lindner: "All right, thank you very much."

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

Washington: "Thank you, Mr. Chairman. Representative Currie, on item #5 where a requirement for the board to establish rule for consumers to intervene in the process for reviewing permit application, can you give me some clarity on what exactly is that sayin' and who are the consumers? Are we talkin' about any interested party within a given area or any citizens of the state? I need some clarity on that one item."

Currie: "'Consumers', as defined in other portions of the Act, would be people who are not themselves providers of healthcare, not themselves employees of health facilities, but ordinary people in the real world, perhaps people living in the community that the facility seeks to serve."

Washington: "The reason I... I raised the question... to the Bill, Mr. Speaker. The reason I raise the question, in my particular area the interaction between the Illinois Health Facility Planning Board and the manifested virus that apparently has been running through the board that has contaminated some of the thinking of the individuals' responsibility, I'm beginning to wonder if some of these favoritisms and this type of mentality is affecting my own particular hometown of Waukegan. Because we have one hospital, St. Terese, which is 33 acres, and one Victory, which is 8 acres. And I have been totally ignored by some people in the district as to if you're planning for a community's well being, you go with the bigger not the

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smaller. And so, without having any information or knowledge of, I'm glad to see that this board is gonna be totally terminated. But the question comes about, as the board is terminated and a new board is put in its place, are the pending things that also may have been contaminated by those in leadership of this board, will all of that be put on hold as well? Or are things moving forward, business as usual? That's a question I need answered for my satisfaction and the people back in my district. Representative Currie. If you don't mind, if you can answer that then I... I probably would be a little more satisfied."

Speaker Hannig: "Representative Currie, the Gentleman had a question I think he wanted to direct."

Currie: "I'm sorry, I... I missed the question."

Washington: "I was saying that being that in my district St. Terese Hospital's 33 acres, Victory's 8. And I have a growing area, a very diverse growing area, and we are very much concerned because this board was brought into play with those who were trying to consolidate the two. And we were sayin' that the best venue of protecting the health of my constituents would be choose the bigger of the hospital, which is one for 33 acres, one for 8. But the same co... the same proponents of the idea are proposing a new hospital they wanna build in Lindenhurst with 120 beds, when all around hospital beds are not being utilized. So, being that the possibility that those who've been affected by this virus on this board makin' decision where it affect my

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area, will not only the new board members be replaced but will all projects be on hold?"

Currie: "Right now all projects are on hold. The Governor has issued an executive order saying that there will be a moratorium on meetings of this board. That doesn't mean projects already approved are on hold, but it does mean that they're not in a position to take action. If we adopt this Amendment and pass House Bill 7307, there will be a new board in place as quickly as the Governor can make the appointments and then that new board will begin to proceed with applications, hearings, and all the rest."

Washington: "So, in other words, we're starting a new beginning with new board members and all pending projects under this contaminated board we're removing will have to be reviewed and restudied and revisited..."

Currie: "If... if a final..."

Washington: "...on a time table."

Currie: "If a final decision had not been made, the answer is 'yes'."

Washington: "Okay. So, I'm understanding that with this new board everything is being reevaluated, not on the old existing time table of those members that we're replacing."

Currie: "Well, only if there's still an application pending."

Washington: "Okay, and there is an application."

Currie: "So, decisions that were already made would not be affected by this change in the structure of the board."

Washington: "Okay. I'm hoping I'm making it clear 'cause I... I see my colleague, Osterman, knows what I'm trying to get at

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and if he can help me, if I'm not putting it right I'd appreciate some help on the question. Because it's very important for me to get the correct answer on this, bein' that we're presently dealin' with this issue in my district."

Currie: "Thank you."

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

Osterman: "My name was used in debate and I just wanted to let Mr. Washington know, one of the things that we came and found with your situation was that the process by which groups like your community could ask for information or ask for a public hearing, because the application was not filed even though work was being done, the community was limited. And my understanding is that there's language in this Bill that would give consumers and the public the ability to ask for public hearings and have more input. So, addition to replacing the board, it looks as if this legislation will give community residents, elected officials the ability to ask for public hearings in a more forthright manner, instead of waiting for things kind of in a reactive manner. So, I would think that, in addition to replacing the... the people that are there now, is a positive improvement and hopefully would have an effect on the situation in your community."

Washington: "Thank you. Thank you, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the House adopt Floor Amendment #3?'

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

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

Speaker Hannig: "So, Representative Currie, I'm advised that we are to hold this on the Order of Second Reading."

Currie: "Yes, we... I was just gonna ask if I could please hold this Bill on Second for a bit."

Speaker Hannig: "Okay. So, this Bill will remain on the Order of Second Reading at the request of the Sponsor. On page 8 of the Calendar, under the Order of Concurrence, is House Bill 966. Representative Franks. On the Motion to Concur, the Chair recognizes the Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 966, actually Senate Amendment #1 became the Bill, and the Bill supercedes Executive Order #2004-6. It requires that once the Department of Financial and Professional Regulation is established the four directors of DFPR that serve under the secretary of DFPR must be appointed with the advice and consent of the Senate. And at this point I would ask for your 'aye' vote and the passage of Se... of House Bill 966. And I'm open for any questions."

Speaker Hannig: "So, Representative Delgado has moved that the House concur in Senate Amendment #1 to House Bill 966. Is there any discussion? Then the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 966?' All in favor vote 'aye'; opposed 'nay'. The voting is

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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 96 voting 'yes' and 0 voting 'no'. And this Bill, having.. and this Bill, having received a Three-fifths Constitutional Majority, the House does concur in Senate Amendment #1 to House Bill 966. And this Bill is declared passed. Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker, a question of the Chair. Was that the first vote we've taken all week? Do... do you know? I think it was, wasn't it? I think it was. Well, I feel a lot better now that we got to take a vote after being here all week and... and I know that there's a reason why we're here and thank you for that opportunity."

Speaker Hannig: "Representative Moffitt is recognized on House Bill 1959. On page 8 of the Calendar, under the Order of Concurrence, the Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Senate Amendment #1 becomes the Bill. This is a no opponents, it was agreed Bill. Illinois Central College is leasing ground that used to be... well, it was known as the Zeller Mental Health Center. This allows them to purchase this at the appraised price, and that appraised price was determined by CMS in a 2002 appraisal using their procedures. It was appraised at 10.6 million; it allows the college to purchase it at that price. They have been leasing it, they're using it. It benefits the entire community and they would actually like

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to purchase this. This money then would be... it's a... this is a state asset and it would be getting fair market value or appraise... appraised value as established by CMS. The money would go to two sources then, 1.2 million would go to a mental health transportation fund, and the balance would go to the General Revenue Fund for the benefit of the State of Illinois."

Speaker Hannig: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 1959. And on that question, the Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. In the course of this meeting that we had in the Governor's Office, where this language that none of us had seen was presented to us by the Senate Sponsor, in the course of attempting to bring the matter to some reasonable resolution, it was agreed to call Ed Wynn, who is the real estate person for CMS, and to that end add a clause in the... in this language to provide flexibility to deal with the realities that were involved in this matter. So, I would draw to your attention the language that says that these... on line 16, 'adjusted by any customary amounts in commercial real estate transactions of this type, as negotiated and agreed upon by the Department of Central Management Services.' And for legislative intent among those items not... but not all those items, should be considered that the appraisal does not consider the current lease hold value, the potential 20-year duration of that lease. I understand that CMS takes a

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position that it's a 5-year lease, but nevertheless, that's for the lawyers and others to sort out. The appraisal also did not include but should include the environmental and ADA obligations of the environmental exposure could be a considerable... considerable amount and, in fact, was part of the reason why the property was leased at a dollar a year. Asbestos, for example, was estimated by Randolph & Associates in 1991 to cost at least \$3.1 million in that process. That this negotiation should also recognize the property that the college is leasing for free to state agencies, an estimated market value in today's market of 200 thousand a year. It should also include the facility enhancements that were... and repairs that were necessary to make this building operational. Believe it or not, even though we were spending \$16 million a year, \$16 million a year on 60 people at this facility, which is why the Governor decided to close it, the building was in a very poor condition. And when it was vacated there were holes in the roofs that were discovered, it was stripped out, it was... the kitchens and so forth weren't even unwired, the cooling towers required repairs, the boiler and chiller required repairs, a whole series of other... just the disposal of hazardous wastes left behind by Zeller was an expense. There were fiber co... data connections that had to be restored. It took a lot of other general... in fact, over \$550 thousand of general... general refitting and reconforming of some of the buildings and unit before that were a mess, over 800 thousand actually. The subtotal on

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just these amounts are nearly \$2 million. The fire alarms systems had to be upgraded. There were a total of over 3... nearly \$4 million that had to be spent to put this building back into some kind of condition. In addition, there's still pending a lawsuit filed by one the bar members as a plaintiff, there are over \$25 thousand in legal expenses. And... and that unfortunate lawsuit is still pending and would need to be addressed. One of the very best things to happen in our community was to see the transition of the former Zeller site to Illinois Central College. Indeed, Illinois Central College has been extremely successful, able to raise their number of student enrollment by over 2 thousand students, reaching growth that they could never have been able to accomplish without this important property. Illinois Central College is committed to working with other partners in the community, District 150 for vocational education. They've expanded vocational education opportunities. Illinois Central College has just done a first-class job with this property. And despite all the demagoguery, there was a reason that this was a lease for a dollar a year. And that is because of all the asbestos, the underground storage tank liabilities, and the condition of that building, which by the way the state would've had to spend a considerable amount of money, had that building, like the old Bartonville State Hospital, just layin' fallow through those years. I guess in the end I know my constituents are going to ask why in the world Members of this General Assembly, especially those who

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represent the Illinois Central College District, why they want those taxpayers to have to pay more money. That is a very bizarre circumstance. In fact, in my legislative career I don't recall ever seeing a situation where the members of a constituent body wanted their taxpayers to go have to pay more and more money. Indeed, one of the most important advantages of this Zeller site was its ability to enable Illinois Central College to secure a north campus, which was in their strategic plan, implement that strategic plan, and save the taxpayers of the Peoria area and the Illinois Central College District over \$50 million, as that new campus was estimated to cost. So, this totally... this effort totally bewilders me, and I know bewilders many, many, many of the constituents and the others in our community. But I think it is very important that if these negotiations are going to proceed, that this legislative intent be acknowledged and be made part of this record. Because that 10. whatever number that was pulled out of a hat had old numbers in it, it did not reflect the current circumstances, it certainly didn't reflect the condition of Zeller, it didn't accurately reflect the asbestos costs potential, the potential for underground storage tank liability. And I think that that is a very important... very important consideration that needs to be made part of this legislative intent. I just contrast this day with a few years ago when my good friend Representative Saltsman and I worked together to get for a dollar a year the former IDOT property, the former IDOT headquarters and seven half acres

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that adjoined the Donovan Golf Course for our park district. And that was also a... a shining hour here where the House recognized then the asbestos costs in that building and they recognized the underground storage tank liabilities. And working in a bipartisan way with Representative Saltsman, we were able to accomplish something important. I would like very much to see this matter brought to some reasonable closure and I hope that with the reasonable language and the intent of this language that is in this Bill, that that negotiation can be successfully brought to bear. Thank you, Mr. Speaker."

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

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

Speaker Hannig: "The Gentleman will yield."

Bellock: "I just wanted to ask what the balance of this SAL was that's going back into the General Revenue Fund."

Moffitt: "Representative, some of that is yet to be determined. I'd like to point out that the \$10.6 million value is not a figure pulled out of the hat. It was established by the... established by Central Management Services at a value determined by an independent appraiser, that's where 10.6 million came from. Then 1.2 million of the sale proceeds are to go to a mental health transportation fund, because there will be added costs... there are added costs to transport mental health patients. The balance would go into the general fund, the balance would be the diff... 1.2 million away from whatever the final price is. A prior

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speaker mentioned that there could be, not that there necessarily will be, but there could be some environmental costs. And the agreement acknowledges that and that could become a part of the final negotiated price. So it'd be... if the 10.6 million remains then it would be 1... 1.2 for transportation and the balance to the general fund, which I believe is the heart of your question."

Bellock: "Well, yeah. Because I was just concerned about the mental health facility being closed and that who took the ratio as to, again, mental health services not getting much money, being only 1.2 million, and then something like 8 million going back in to general revenue. I just would hope that more money could've been given to mental health out of that balance."

Moffitt: "Well, I think it... it could, even going in the general fund, it could go for mental health services. It's just that 1.2 was specifically dedicated under this agreement if it becomes final and this is passed and there's the agreement. Keep in mind, the Illinois Central College is a proponent of this. We are going from getting \$20 for this facility a year to possibly 10.6, total price, and then that's available for use in the state general budget and the transportation fund for mental health transportation, but that 10.6 is one that was determined by CMS."

Bellock: "But once this Bill passes, only 1.2 million is designated for mental health, correct?"

Moffitt: "That's correct."

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Bellock: "So there won't be a chance of changing any amount other than that to go to mental health services?"

Moffitt: "Not to make it only for that purpose. I mean, it's... it'd become discretionary by going in the general fund."

Bellock: "Thank you very much. I'm just disappointed. I don't know where the negotiation went, how that 1.2 million was arrived at. But I would just have hoped that more money was to be given to them. It's the same thing with the Tinley Park closing, I don't know what money is going to be given back to mental health. The... our state is one of the worst states in the United States as to funding for mental health to begin with, and I hate to see a facility being closed, being sold, and more money not being given back to those services."

Moffitt: "And Representative, I would agree with this... agree with ya, and of course, I was not lead Sponsor on this. I would like... I would be in favor of all of this going for mental health, that was not my decision to make. But I think it's much better that we get fair or an appraised price following an established procedures from this asset rather than \$20, that's what... what you're voting on today. Plus, the... the college that's leasing it says they... they're in favor of this, they're a proponent of it. An auditor general's report in Feb... I believe it was in February, indicated that the lease, this \$20 lease, might not... might not be valid. And they raised some questions about how that lease was handled. That's an auditor general's report. So, this clears it up and is being... with this

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we're being good stewards of the state money. And far... as far as all going for mental health, I would even agree with that. But again, we're... we're moving it today to keep this moving. It is bipartisan with Representative Smith and Representative Slone. But it's the... ya know, we were gonna get \$20, now at least the basis of our discussion becomes the 10.6 million."

Bellock: "Okay, thank you."

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

Daniels: "Mr. Speaker, Ladies and Gentleman of the House, let's understand what we're doing here. First of all, this facility cost close to \$18 million a year to operate. Of that \$18 million in saving that the Governor has decided to do in closing Zeller, only \$9 million will go into community services for mental health. So right there is a shortage of \$9 million. This sale will take place for approximately \$10.6 million, of which \$1.2 million is dedicated to the mental health transportation fund, leaving a balance \$9.6 million, once again, to go into the General Revenue Fund. So to put it another way, you're shorting mental health services in this state by over \$18 million in the performance of what the language is in this Bill. Now, I've toured Zeller and went through Zeller and went through the process with Representative Leitch. And I understand the importance of not only closing this because the cost of operating this was arguably \$250 thousand per patient, which is an exorbitant and ridiculous cost and one that we

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should terminate and move forward on. However, the problem here is once again we're shorting our most vulnerable population and the population that needs its help the most by taking \$18 million and putting it in the General Revenue Fund to balance the budget for other purposes other than mental health or developmental disabilities. I think it's wrong. Now, unfortunately, the Representative Moffitt has a concurrence Motion in front of him. So his only choice is either to noncur in... or to concur. I think this process ought to proceed. I think we ought to sell this property. But Ladies and Gentleman, when you're looking at the final budget, remember right here is an example how we have once again shorted our most vulnerable population, and right in front of you is \$18 million which we are taking away from mental health services. And it's wrong and should be corrected. Having said all that, I think the overall cause of closing this, of helping services for the mentally ill in... in a less expensive format, and following the Olmstead Decision and using it for Illinois College purposes, which will be a viable purpose in this area, is worth going forward. But let's look at that final budget that we come out with and how they treat the mentally ill and the developmentally disabled in our final negotiations."

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

Washington: "Thank you, Mr. Chairman. Will the Sponsor yield?"

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

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Washington: "This... this particular piece... and I... I hear what my colleague on the other aisle just stated and I know he is very passionate and very vigilant on looking out for the needs of a specific class of people in the State of Illinois, among other things that he does. In the committee the thing that concerned me as a freshman is that... I think this is a good thing, and I said it to the Representative who's speaking for the Representative who's absent, about the Bill. I think it's a good thing, but at the same time it made me wonder the relationship as it relates to the college being able to come in and lease it for nothing. And then now we're talking about a appraisal... appraisal of 10. something million dollars of a 60-acre pristine piece of property that probably may be valued even more. And that's okay, because he stated that because another governmental body, taxing body, such as the Illinois Community College (sic-Illinois Central College), will be taking it over, that some good can come of that. And I agree. But I also share with my colleagues to give me the experience of your experience, I didn't want to see the purchase of this being transferred over to the college and then a year later seeing a tuition increase take place among the students who need to go to the college. And the way it looked to me on the surface of this legislation is that once the sale is complete, then if a... if the sale is predicated on where we can... we can go on and back some dollars with a tuition increase within the next year, then that pushes somebody away from the table of being able to

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get an education, being that the cost of education is skyrocketing throughout the country. So that was one of my main concern and I had promised, and I will keep that promise if I got breath in me, that I will monitor this particular arrangement to see just... to see if the tuition would go up for those who would go to the college based on the purchase of this land. But I'm saying this... saying this in my closing remarks about this legislation, I think when we talked about an inspector general and we talked about the clearing house of the Illinois Health Facility Board and we talked about things that have happened in the past under administration, irregardless of parties, it does kinda put us all in an entanglement of an integrity image that I'm sure no one wants to carry that burden. So, I think in the future we need to make sure that if there's an opening, like this one that we're dealing with today, that this property belongs to the State of Illinois. That mean it belongs to corporate, public, private who pay taxes and that there may be some other interests other than the Illinois Community College (sic-Illinois Central College) that wanted to bid on this property and even put more in the state's hand. And it might've been even a greater use for it rather than the Illinois Community College (sic-Illinois Central College), who earlier in committee stated that, if I'm not mistaken, that some of what they want to do is lease out this property once they get it. So, I guess there's nothing wrong with that in the course of business, and I don't claim to know it all 'cause I don't.

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But it just seems so kinda iffy-iffy. And on one direction... as a freshman, I'm understanding we're trying to go one route but I'm seein' things that... maybe it's a clearing house of old deals and old ideas and old people to get to where we're tryin' to go. But I think we need to be mindful that this was not opened up, even though my colleague had mentioned that it was put out there, but I... I beg to disagree with him that I don't think this was put out there to the point that we got people who probably would've bidden on this property and brought more to the state's coffers than just sittin' up an arrangement or allowin' an arrangement for the Illinois Community College (sic-Illinois Central College) to be able to take this property over and then turn around and lease it out and then hopefully not turn around and raise the tuition for our students. To the Bill, Mr. Speaker. So with that, I do plan to vote for the Bill, as I told my colleague, because he's an honorable man and I appreciate the way he brought it. But I just wanted to say this in my own growth and development for those of you who got more experience, please get with me if my... if my thinking is incorrect in terms of looking at this on the surface. And I thank you for the opportunity to speak on the Bill. Thank you."

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

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

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

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Smith: "Representative Moffitt, there's nothing in this legislation that pertains to the closure of Zell... Zeller and the agreement that was made on the distribution of that money. Is that correct? I'm... I'm talking about the operation budget of the former facility."

Moffitt: "Other than the first 1.2 goes for the trans... mental health transportation fund."

Smith: "But there... there were references made by previous speakers about how much it would cost the state to operate this facility. There's nothing in this legislation that pertains to that, right?"

Moffitt: "That's correct. Of course that was the reason given for the closure of Zeller, was to cut a cost... that it was cited that it was a very high cost per bed and that... that actually closing it could save operational money. That was the justification for..."

Smith: "And that... that loss of..."

Moffitt: "But that's not part of this agreement... this legislation."

Smith: "That loss of 18 million, actually that... I mean, that was dealt with 2 fiscal years ago by a previous administration, right?"

Moffitt: "Right. Correct."

Smith: "And this... this legislation would allow for the 1.2 million in the transfer fund, that's for legislation that was approved by this Body earlier this year that I sponsored, is that right?"

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Moffitt: "That's right. And that helps every one of our local communities where their law enforcement personnel might've been involved with transporting mental health patients, there would be a fund there to... to help pay for this now. Without a source of funding there's a... there's a cost to local government that's being borne by transport of mental health patients."

Smith: "Thank you. To the Motion, Mr. Speaker. I rise in support of the Motion, I want to commend Representative Moffitt for handling this particular item in the absence of Representative Slone. This is an issue that has been worked on throughout the Spring Session, as I mentioned. This Body passed and the Senate passed legislation that would... would allow for the transfer of mental health patients by persons other than our county sheriffs who do so currently without reimbursement. This would set up a fund to provide for that transfer. As I mentioned, when we did that legislation we were hopeful that this would be part of a budget agreement. The Governor told us when he made his budget address that if you have ideas of where to spend money, tell me how you want to pay for it. And that's exactly what we're doing with this legislation. I think this is very positive for the state, I think it's very positive for Illinois Central College, and I commend Representative Moffitt for bringing it before us."

Speaker Hannig: "The Gentleman from Winnebago, Representative Sacia."

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

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

Sacia: "Representative Moffitt, this morning in committee I posed the question and Representative Leitch has addressed it on this floor. The question being, could we run into significant expenses with this purchase that could equal to or even exceed the amount of 10 million-plus dollars? And there was a young lady there from CMS who indicated that there was a very insignificant amount of money that probably would transpire for these potential environmental issues. With that in mind, and listening to Representative Washington and some of the comments that he made both in committee today and on this floor, there seems to be some real concern, and in particular with what Representative Leitch brought up, that there does appear to be some significant environmental issues there and is it a situation? And I think we need to address it on this floor wherein there actually could be either no money at all or an insignificant amount of money being transferred before it's all said and done due to some very significant environmental issues, and that takes me to exactly what Representative Washington talked about, 60 acres of pristine ground. What would that generate for the state if it was put on the open market? Now, certainly I want to see the college get this. I understand they've already spent over \$3 million in improvements on the property. But I really think that these issues do need to be addressed and I would have much more of a comfort level if I just had some idea of how much money these environmental issues will

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cost and how that will break down the total cost of the property. Is it really going to be 10.6 or might it end up being an insignificant amount?"

Moffitt: "Representative, you... you raise an important question, and as you did in committee, and with CMS there that it's not known. They just leave that option open there that that can be a part of the final negotiations. Not that they're saying there will be huge costs or that it will be the state's responsibility, but just that it will still be part of the discussion. That was brought up there and... and we don't know that now. One of the things though that we do know is that there is a question about the validity of the lease that's in place. Illinois Central College would like to get this cleared up and so that it's clear who's the owner, who will have it in the future, can they go ahead and make expenditures. And that's why they would like to move ahead."

Sacia: "Thank you, Representative Moffitt."

Speaker Hannig: "Representative Leitch, you spoke previously in debate, for what reason do you rise?"

Leitch: "My name's been used twice in debate and I would like to speak to this matter. There are a number of issues that I think should be clarified here. First of all, the... when Zeller was transferred the... there was 9.65 million committed to the community-based consortium to provide mental health services in our community. Additionally, there was two and a half million dollars that went to Methodist to build out the necessary beds to replace these

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issues. The third point that's, I think, very important is there's been no agreement and I do not believe in any budget that is pending any provision to spend that \$1.2 million for the purposes outlined in this Bill. I don't believe there's any appropriation language anywhere in there. The other point that I would make is that in the year that Zeller was spending \$16 million on 60 clients and 242 employees, statewide we were spending over \$400 million on 4,774 clients, \$402 million on 47 clients. And you know what, I wouldn't care except that the system we have in our state is worse than mediocre, it is in fact one of the very worst systems in the United States. And to that and the community-based providers in our community are putting together a comprehensive, integrated, community-based model that, above all, is a recovery-based model. Because what we have in the shameful zone centers today throughout our state is a return to the zone center. It's a system that we have throughout our state that does not focus on recovery. In fact, if you're friends and neighbors go to a zone center and they are dual diagnosed, like about 80 percent of the people are that have bipolar or has schizophrenia, dual diagnose means that they also have a substance abuse issue. And many of them also have a primary health care issue, like diabetes or some other primary health care issue. And so, what happens today all over the state is that people show up and yes, they're given some medication at the zone center to deal maybe with the medication necessary to quiet the schizophrenia or the

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bipolar, but then they're told to go stand in wi... line, wait 6 months, wait forever for an actual treatment program for the substance abuse issue, let alone the problems that occur with the primary health care issue. The odds of contraindicated drugs are astronomical, the odds of recovery for mentally ill people are remote. And that should not be acceptable to any of you today in this state. With the advent of psychotropic medicine and with the advent of all the best practices that have been identified most recently in the new freedom report, that is what should be our goal, not propping up all of these old-fashion mental health cen... centers and having this despicable circumstance continuing on in our state. So, it is important to clarify where those funds went and to identify what the most important benefit of it is. 'Cause it would certainly be my hope that through the years, here in Illinois we could actually lead with having a modern system and implement the new freedom report and give hope to so many of our friends and neighbors who suffer from this dread disease. A couple other facts that oughta be mentioned, Representative Moffitt does not live in the Illinois Central College District. And the Zeller zone site is in my district and I'm very, very familiar with Zeller. I'm very, very familiar with all of the costs that were undertaken, as I recited in the legislative intent for this Bill. This is a very important Bill to the impact of the community, I don't think you will get anything close to 10.8 or 6 million dollars for it. I think it is absolutely

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absurd that local representatives are trying to disrupt what is an extraordinary, successful operation by the community college and all of the opportunities that it is offering to the kids in District 150 and through other venues throughout the community. So, I think it's very important that those issues get clarified. I had some talk with Bill Holland who was the auditor general who did that report. I thought it was a very one-sided report. He had not looked into many of the aspects of it that should've been looked into before writing such a... such a report, and normally he does a superb job. So I would like to clarify for the record many of those... many of those issues. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Moffitt to close."

Moffitt: "Thank you, Mr. Speaker, appreciated the discussion on this. Representative Washington had raised some very good questions in committee and I... I would just like to point out that enrollment at Illinois Central College has actually gone up and so we have more student hours to potentially generate revenue from this additional campus. Keep in mind, Illinois Central College is a proponent. The... the buyer is asking that... that you support this. They are... we're helping the college, they're... they want to buy this. The lease that they have now has been questioned by the auditor general's report. I would like to point out that I have many constituents who attend Illinois Central College, and I'm certainly representing them. And one of those constituents is even my son that attended there for a

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while. What we're voting on today is with a state asset, do you want to take \$20 or do you want the appraised price that's been determined by proper procedure through Central Management Services of being \$10.6 million? Twenty dollars or 10.6 million, that's what we're deciding. We're helping a community college be able to have a property and continue to safely make investments in this. They want to make sure if they make improvements that they'll continue to be able to use the campus. Without this legislation they might make those investments and ultimately not... might not be able to use the... the campus. This legislation passed the Senate 56-0. It's good for the community, it's good for the citizens of Illinois that we are using objective measures on the value of a property. I agree with a question that was mentioned by another Legislator, a strong advocate for mental health, I would like to see more money go for mental health treatment. More was supposed to go by cutting a cost that was associated with Zeller. I would support all of this going for mental health, but that's not the question before you today. The question before you is whether or not you think \$20 was the proper amount or 10.6 million, that's what you're deciding. The... another question that had been raised in committee was whether or not this is setting a new precedent, and I've been assured by CMS that this is not. That to have a state asset, a state property, establishing fair market value... appraised value and selling it to a unit of local government has been done before, so this is not setting a precedent. I also

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received a call while this debate has been going on and phase one environmental study has been completed, and this is just information I got two or three minutes ago, and that they have not found any significant environmental problem or excessive concern on this property. That doesn't put a figure on it but it certainly says phase one shows that there's no excessive serious environmental question. So what we're doing here... do you want to get 10.6 million, which might be adjusted for reasons that have already been established, or \$20? If we get 10.6 then it does give us more money to use for a variety of things, I hope it's for mental health. The \$20 will not go very far in treating mental health in your district. I urge you to vote 'yes'. Thank you."

Speaker Hannig: "So, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1959?' 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 95 voting 'yes' and 0 voting 'no'. And the House does concur in Senate Amendment #1 on House Bill 1959. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Currie, for what reason do you rise?"

Currie: "Thank you, Speaker. I move to suspend the posting requirements so that Senate Bill 2791 can be heard in Executive Committee on Monday."

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Speaker Hannig: "And on that question, Representative Moffitt. Do you rise on that issue? Okay. So on the Lady's question, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it and Representative Currie's Motion is adopted. Mr. Clerk, would you read the Agreed Resolutions?"

Clerk Mahoney: "Agreed Resolutions. House Resolution 1089, offered by Representative Granberg. House Resolution 1090, offered by Representative Rita. House Resolution 1091, offered by Representative Bill Mitchell. House Resolution 1093, offered by Representative Burke. House Resolution 1095, offered by Representative Lang. House Resolution 1096, offered by Representative Rose. House Resolution 1097, offered by Representative Hultgren. House Resolution 1098, offered by Representative Chapa LaVia. House Resolution 1099, offered by Representative Jefferson. House Resolution 1100, offered by Representative Jefferson. House Resolution 1101, offered by Representative Younge. House Resolution 1102, offered by Representative Younge. House Resolution 1103, offered by Representative Younge. House Resolution 1104, offered by Representative Younge. House Resolution 1105, offered by Representative Capparelli. House Resolution 1106, offered by Representative Daniels. House Resolution 1107, offered by Representative Mathias. House Resolution 1108, offered by Representative Kosel. House Resolution 1109, offered by Representative Kosel. House Resolution 1110, offered by Representative Kosel. House Resolution 1111, offered by

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Representative Kosel. House Resolution 1112, offered by
Representative Kosel. House Resolution 1113, offered by
Representative Kosel. House Resolution 1114, offered by
Representative Kosel. House Resolution 1115, offered by
Representative Kosel. House Resolution 1117, offered by
Representative Black. House Resolution 1118, offered by
Representative Yarbrough. House Resolution 1119, offered
by Representative Rose. And House Joint Resolution 94,
offered by Representative Morrow."

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

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

Speaker Hannig: "State your point."

Moffitt: "On this last Bill, my House Bill 1959, I really
appreciate the support but I especially appreciate the
discussion, and we had some very lively debate. And after
being here all week and just being on the floor a few
minutes I think maybe there was a lot of pent up debate in
all of us and maybe we oughta do more Bills like that, ya
know, to have that opportunity. So, I appreciate the
support and I was glad to see those 'yes' votes. But I
think probably a lot of more people have comments and
questions they want to make. So, I have a Bill or two if
you would wanna consider those after... a little bit later."

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

Stephens: "If there's anymore debate like that I'm gonna join Bill Black."

Speaker Hannig: "Representative Younge is recognized for an ann... for an announcement."

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

Speaker Hannig: "And Representative Brady."

Brady: "Thank you, Mr. Speaker. Not to be outdone, the Republicans will caucus in Room 118 immediately after Session, in Room 118. Thank you."

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

Mulligan: "Mr. Speaker, I'm wondering if the Governor has issued the formal invitation to the party tomorrow or what we're doing. Do you have any idea?"

Speaker Hannig: "We're... we're trying to get an answer on that before we adjourn."

Mulligan: "You know, there are many people who... it's not just them but some of my colleagues have grown children who have scheduled their vacations around this particular week and they're coming in with grandchildren from out of state, they haven't seen them and they would like to know if they're gonna be able to go home and see the grown children or other people that have rearranged their vacations that can't rearrange them anymore because they've taken time off of work or have come in. And so, they're missing that

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opportunity to be with their families and I think it would be at least... have some class to let us know what's going on so that we could figure out ahead of time. So, if we're gonna have this little get together again tomorrow, could he let us know sooner rather than later?"

Speaker Hannig: "So, Representative Mulligan, in response to your question... your inquiry, the House... the Speaker has been trying to get an answer for us as to what we might expect from the Governor over the weekend. And so, we're gonna be at ease just a little bit now as we try to get a definite answer as to where we go from here."

Mulligan: "And we appreciate that. And it's just it would be nice... I think there are many Members here who have intermittently left lots of people hanging out for the weekend, not knowing what they're doing."

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

Osterman: "Point... point of personal privilege, Mr. Speaker. I was just wondering if maybe Representative Mulligan might want to go down to the Governor's Office and ask him herself about this weekend's plans. So, if Rosemary Mulligan would want to go down there as a representative of us, of all of us, and ask the Governor personally, you know, what the plans are, that might expedite things."

Speaker Hannig: "Representative Mulligan."

Mulligan: "Representative Osterman, you know I would do that in a flash. I have never not met any challenge or any dare."

Osterman: "Be nice..."

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

Bost: "Question of the Chair."

Speaker Hannig: "Yes, state your question."

Bost: "Would it be possible that we could go ahead and go to our caucuses and then be at that word there?"

Speaker Hannig: "That... if we don't have a momentary answer, I think that will probably be what we would do as an alternative."

Bost: "Thank you."

Speaker Hannig: "So if I could have your attention, please. As we prepare to plan for the weekend, I'm advised by the speaker that the House, when it adjourns today, will not be called back until Special Session on Monday at 4 p.m. So now Representative Currie moves that the regular Session of the House adjourn to the regular Perfunctory Session schedule that has been distributed to the Members. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Motion is adopted and the House stands adjourned."

Clerk Mahoney: "The House Perfunctory Session will come to order. Introduction and reading of House Bills, First Reading. House Bill 7313, introduced by Representative Mitchell, Bill Mitchell, a Bill for an Act concerning compensation. House Bill 7314, introduced by Representative Grunloh and Representative John Bradley, a Bill for an Act concerning criminal law. The following measures are referred to the House Rules Committee. House Resolution 1092, offered by Representative Grunloh. House

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Resolution 1094, offered by Representative John Bradley.
And House Resolution 1116, offered by Representative Poe.
The House Perfunctory Session now stands adjourned 'til the
hour of noon on Monday, July 12."