

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
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27th Legislative Day

March 16, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend Bill Stedman of the Faith Baptist Church in Posen, Illinois. Reverend Stedman is the guest of Representative Crotty. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Reverend Stedman: "Shall we pray, please. Dear Lord, we thank and praise You for Your graciousness and watch care today. And ask for Your guidance and wisdom in grace for each Representative here today. We're thankful for a free nation, where we can assemble together to determine what is needed to insure that this great country remains free and peaceable and sufficient for all. I would ask that You would be glorified and considered in every decision that is deliberated and is to occur today. I would ask You that each of these Representatives would further consider the needs of those they represent. Finally, Lord, we would seek Your will concerned to the needs of this great State of Illinois. We thank You for each county, municipality, and pray that each will be blessed, according to Your will. We ask this in Your name. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Hartke."

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

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

Currie: "Thank you, Representative. Please let the record reflect that Representatives Flowers and Fritchey are

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excused today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Stephens is excused today. All the other Republicans are present."

Speaker Madigan: "Take the record. There being 113 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative McGuire, Chairperson from the Committee on Aging, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2470, House Bill 3115, and House Bill 3116; 'do pass as amended Short Debate' House Bill 659, House Bill 661, and House Bill 2431. Representative Scully, Chairperson from the Committee on Commerce and Business Development, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2176. Representative Slone, Chairperson from the Committee on Conservation and Land Use, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1083 and House Bill 3184; 'do pass as amended Short Debate' House Bill 3060. Representative Fritchey, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2016. Representative Fowler, Chairperson from

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the Committee on Counties and Townships, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2199, House Bill 3069, House Bill 3363; 'do pass as amended Short Debate' House Bill 3054. Representative Boland, Chairperson from the Committee on Elections and Campaign Reform, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 3147. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3533. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 225, House Bill 230, House Bill 334, House Bill 414, House Bill 542, House Bill 728, House Bill 868, House Bill 1014, House Bill 1015, House Bill 1016, House Bill 1779, House Bill 1784, House Bill 1867, House Bill 1922, and House Bill 1958, House Bill 2019, House Bill 2058, House Bill 2224, House Bill 2228, House Bill 2247, House Bill 2290, House Bill 2295, House Bill 2299, House Bill 2375, House Bill 2387, House Bill 2440, House Bill 2293, House Bill 2294, House Bill 2296, House Bill 2300, House Bill 2387, House Bill 2532, House Bill 2563, House Bill 3013, House Bill 3075, House Bill 3089, House Bill 3154, House Bill 3155, House Bill 3214, House Bill 3311,

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House Bill 3314, House Bill 2427; 'do pass Standard Debate'  
House Bill 401; 'do pass as amended Short Debate' House  
Bill 9, House Bill 231, House Bill 403, House Bill 452,  
House Bill 633, House Bill 671, House Bill 762, House Bill  
831, House Bill 902, House Bill 1066, House Bill 1812,  
House Bill 1915, House Bill 1923, House Bill 1969, House  
Bill 2427, House Bill 3032, House Bill 3094, House Bill  
3172, and House Bill 221. Representative O'Brien,  
Chairperson from the Committee on Judiciary II-Criminal  
Law, to which the following measure/s was/were referred,  
action taken on Thursday, March 15, 2001 reported the same  
back with the following recommendation/s: 'do pass Short  
Debate' House Bill 3284. Representative Murphy, Chairperson  
from the Committee on Personnel and Pensions, to which the  
following measure/s was/were referred, action taken on  
Thursday, March 15, 2001 reported the same back with the  
following recommendation/s: 'do pass as amended Short  
Debate' House Bill 1064, House Bill 1994, House Bill 2099,  
House Bill 2157, House Bill 2367, House Bill 2370, House  
Bill 3136; 'do pass Short Debate' House Bill 267, House  
Bill 513, House Bill 3033. Representative Johnson,  
Chairperson from the Committee on Prison Management Reform,  
to which the following measure/s was/were referred, action  
taken on Thursday, March 15, 2001 reported the same back  
with the following recommendation/s: 'do pass as amended  
Short Debate' House Bill 1961. Representative Lyons,  
Chairperson from the Committee on Revenue, to which the  
following measure/s was/were referred, action taken on  
Thursday, March 15, 2001 reported the same back with the  
following recommendation/s: 'do pass Short Debate' House  
Bill 58, House Bill 163, House Bill 207, House Bill 296,  
House Bill 440, House Bill 509, House Bill 523, House Bill

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538, House Bill 704, House Bill 711, House Bill 1700, House Bill 1813, House Bill 1918, House Bill 1921, House Bill 1986, House Bill 2025, House Bill 2145, House Bill 2278, House Bill 2378, House Bill 2438, House Bill 3193; 'do pass Standard Debate' House Bill 1741, House Bill 1999, and House Bill 2381; 'do pass as amended Short Debate' House Bill 5, House Bill 183, House Bill 223, House Bill 487, House Bill 539, House Bill 914, House Bill 922, House Bill 942, House Bill 1094, House Bill 1714, House Bill 1715, House Bill 3288, House Bill 3289, House Bill 3292; 'do pass as amended Standard Debate' House Bill 3241 and House Bill 3364. Representative Lyons, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 1975. Representative Schoenberg, Chairperson from the Committee on State Procurement, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 778. Representative Feigenholtz, Chairperson from the Committee on Tobacco Settlement Proceeds, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 50, House Bill 734, House Bill 1732; 'do pass as amended Short Debate' House Bill 1886. Representative Hoffman, Chairperson from the Committee on Transportation of Motor Vehicles, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 932,

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House Bill 1041, House Bill 2259, House Bill 2270, House Bill 3159, and House Bill 3246; 'do pass Standard Debate' House Bill 3283. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, to which the following measure/s was/were referred, action taken on Thursday, March 15, 2001 reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 3211; 'recommends be adopted' House Joint Resolution 13."

Speaker Madigan: "Representative Currie. Barbara Currie. Do you wish to call House Bill 847 on the Order of Third Reading? Mr. Clerk, House Bill 847, read the Bill."

Clerk Rossi: "House Bill 847, a Bill for an Act concerning labor. Third Reading of this House Bill."

Currie: "Thank you, Speaker and Members of the House. This is the Equal Pay Act of the year 2000. We've actually adopted this measure, I think, unanimously a year or two ago. The point of the proposal is to transfer authority for violations of the Equal Pay Act to the State Department of Labor and extend the coverage of equal pay provisions to about 300,000 Illinois workers who are not covered by federal protections today. The issue is the issue of a job that Sally sits on one side of the desk and Sammy sits right next to her. While it's been the law for almost 40 years that Sally and Sammy, if they are equal in seniority, should be paid the same, the practice does not always meet the high goals of that 1964 Equal Pay Act. So, this is an effort to see to it that we in Illinois enforce the program. I'd be happy to answer your questions. And I hope I will have your support for a passage of the Equal Pay Act."

Speaker Madigan: "The Lady has moved for the passage of the Bill. The Chair recognizes Mr. Parke."

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, is this being done in any of the surrounding states around Illinois? Actually, is it being done anywhere in the United States?"

Currie: "I'm not sure whether or not it is, but it may well be that other states have more adequate means of enforcing equal pay provisions than Illinois has."

Parke: "And is there a penalty... who is going to be in charge of determining who is... whether or not it's complying with this law if it becomes law? This Bill, if it becomes law, who's in charge of it?"

Currie: "It would be the State Department of Labor."

Parke: "Department of Labor will make the decision?"

Currie: "Yes."

Parke: "And what's the penalty for someone that's not complying with your proposal?"

Currie: "It's the Department of Labor that would establish fines. And it would only do so in the event that an employer, after having being deemed out of compliance with the Act, failed to take corrective action."

Parke: "So, is there a penalty?"

Currie: "Yes, there is a penalty. And the size of the penalty is contingent upon the willingness of the employer to take corrective action."

Parke: "Whose responsibility is it to prove that this Bill, if it becomes law, has been broken? Is it on the onus... onus is on the employee to prove this, or is it on the employer to prove he didn't?"

Currie: "It's the State Department of Labor. And the Department of Labor would have responsibility for educating and informing the employer. And also, if there are allegations

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of violations it's the State Department of Labor that would investigate."

Parke: "Okay. Now, in committee, did any group speak out against this legislation?"

Currie: "I believe there were several business groups who were not supportive of this concept. But as I say, the Members of this House have been on record as saying that... making sure that Sally gets a fair wage compared to what Sammy is paid is good public policy."

Parke: "Okay. So, the issue is that the idea has merit that there should be equal pay regardless of sex. And that's... isn't that the basis of it, that it should be equal pay and sex should not play a role in this?"

Currie: "Exactly right."

Parke: "To the Bill. Ladies and Gentlemen of the House. This Bill, certainly on the face of it, has merit. I think there'd be a rare Legislator that would ever stand up and say that a man and a woman should not be paid equally. I think they should. The concept is that we are now telling, through government, that government should be stepping in here and making some decisions on this. And I think that it should be in the marketplace. But, it's a hard issue for... even though it looks like every major business group in the state is opposed to the concept of forcing government to interfere in the market, the business market. But, you should watch this vote very carefully so that people may not be able to understand that you may have a disappointment on this in terms of philosophical, but the underlying issue does have merit. So, you should pay attention to how you vote on this legislation. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "The Sponsor yields."

Mulligan: "Representative, our analysis says that this legislation would cover an additional 330,000 Illinois workers and 50,000 employers not covered under the Federal Equal Pay Act. Could you explain to me why?"

Currie: "Because under the Federal Act, employers have to have a workforce of 15 or more. This legislation, for Illinois, would reduce that threshold to four employees, four workers."

Mulligan: "And what kind of report is this going to entail for the state to make?"

Currie: "Pardon me, what kind of what?"

Mulligan: "Report. It says the state needs to make a report. What kind of a report would that be?"

Currie: "Report. I'm not sure where... what you're looking at in the Bill."

Mulligan: "It says the department shall file with the Governor and the..."

Currie: "With us, right."

Mulligan: "...General Assembly no later than January 1st of each year a report."

Currie: "Right. Right. So, we would like the Department of Labor to tell us how they are enforcing the provisions of this Bill."

Mulligan: "I think a lot of us have looked for something like this for a long time. I do think that it's only fair that women who do the same work as men, get paid the same amount. Particularly with the increase, women who are heads of household, it's only fair that they should be able to support, as a single head of household, their family, to the same extent a man would be able to support it. And I

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certainly support you in this effort."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you, Speaker. If the marketplace worked, women in this country would not be earning 74 cents for every dollar that's earned by a man. We have laws on the books. One of the problems is that they are not adequately enforced. Passage of House Bill 847, I think, will give women who are working in the State of Illinois a better crack at fair pay at equal wages. I urge your 'aye' votes."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 438?"

Clerk Rossi: "House Bill 438 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Mr. Clerk, put that Bill on the Order of Second Reading. Representative Mulligan, do you wish to call House Bill 935? Representative Mulligan. 935. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 935, a Bill for an Act relating to education. Third Reading of this House Bill."

Mulligan: "House Bill 935 amends the Illinois School Code for districts that have administrative responsibility for children who are wards of the state and who are placed in private residential facilities to claim for state reimbursement purposes, administrative expenses incurred by that district for these children. Maryville Academy in Des Plaines, which is actually Representative Krause's district, has an on-site school for children that are wards

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of the state. The children that are in that school are inappropriate to be mixed in with the school population. Where most facilities around the state that have children, put them in with the school district. In this particular instance, these children, some of whom would have normally been sent out of state before Maryville instituted this school on site, have incurred... make the district, District 207 and District 62, incur financial expenses for administrative costs that amount to somewhere in the neighborhood of \$60,000. Because the law, as it was written, does not cover this particular situation, they are not allowed to be reimbursed for those costs. And so I would ask for your support in changing the law in order to allow them to be able to do that. We're not aware of any other facility in the state, although we hope that there will be some others so children can stay in the state rather than be sent out. But I would appreciate your 'aye' vote on this."

Speaker Madigan: "The Lady moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. 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 113 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Soto, did you wish to call House Bill 1048? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1048, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Madigan: "Representative Soto."

Soto: "Thank you, Mr. Speaker. House Bill 1048 does... it

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creates a centralized job bank for teacher vacancies in Illinois public schools. School districts that already have a Website are linked into the central site at the State Board of Education sites. While these school districts without a site may send a hardcopy of vacancies to the SBE to be posted on the SBE Website. I'm open for any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Thank you. Representative Soto, isn't this already done? Doesn't the State Board of Education already post teacher vacancies on their Web page?"

Soto: "Mr. Black, what the State Board of Education has right now... it has different Websites. This would consolidate all the other Websites together, consolidating them into one Website."

Black: "Mr. Speaker, I'm certain that answer was clear and concise and to the point, but I didn't hear any of it. Let me ask you the question again, Representative. Does not the State Board of Education currently have a teacher vacancy listing on their Web page?"

Soto: "Yes, it does. And I'll repeat myself again. This will consolidate all the other Websites together into one."

Black: "And how many schools in the State of Illinois have a Website?"

Soto: "I don't know the answer to that."

Black: "What if they don't have a Website, then they're in violation of your law?"

Soto: "They would..."

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Black: "You're saying that they must post their teacher vacancy list on their Website. What if they don't have a Website?"

Soto: "Mr. Black, the State Board of Education would send a hardcopy... will receive a hardcopy from the district without a Website and then the State Board would post it on theirs."

Black: "So, if you don't have a Website, you send a hardcopy, then somebody has to sit at a terminal and input that data on the State Board of Education's Website. And the person surfing the Web won't be able to contact more than 30% of the schools in the state because they don't have an Internet access."

Soto: "Mr. Black..."

Black: "What are you trying to accomplish with this?"

Soto: "The short... the teacher shortage."

Black: "So, if we post a list, that's going to help the teacher shortage?"

Soto: "Yes, it will."

Black: "And how are we going to do that? The teacher shortage isn't because of list, it's because..."

Soto: "Supply and demand."

Black: "...there aren't enough teachers. So, how in the world is a list going to help the teacher shortage? That sounds like the chicken or the egg question. Now answer that question. Are you telling me that if we post a list, the teacher shortage will disappear?"

Soto: "Yes."

Black: "Oh, for God's sake. How? Tell me how, Representative. And I'm serious. You tell me how in the hell posting a list is going to solve the teacher shortage."

Soto: "Supply and demand."

Black: "Don't ask your staffer, I'm asking you."

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Soto: "Well, supply and demand. I'm answering for myself."

Black: "Oh, really? Well then, you ought to be a Edgar Bergen or Charlie McCarthy, because that staffer's got her hand up your back. You have not answered my question, Representative. I want to know, how in the world posting a list of vacancies is going to solve the teacher shortage? I was under the impression the teacher shortage is caused by people not going into the profession because they don't make enough money."

Soto: "Mr. Black, do you have a better idea?"

Speaker Madigan: "Mr. Hartke in the Chair."

Black: "Yeah, I'll tell you what my idea is. Take this Bill out of the record, and let's work on it a little bit. Because your list is nothing but an unfunded mandate and busy paperwork that won't result in one vacancy being filled, unless there's a certified teacher who's graduated from a college who's looking for a job."

Soto: "This is a recommendation from the State Board of Education. I think it's a good... I agree with them, I think this is a great Bill."

Black: "And would that be the same..."

Soto: "And I am sticking to it."

Black: "...Board of Education that the Governor and the Leadership of this General Assembly has suggested we dismantle?"

Soto: "I'm not taking anything out of the record."

Speaker Hartke: "Further discussion?"

Soto: "This is a Bill that should go forward."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I think there are a lot of Bills floating around this chamber this Session on both sides of

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the aisle and in both chambers, dealing with the teacher shortage. And I know the Governor's Office invited all of you to attend a meeting earlier this week. A few folks went regarding best practices in other states to deal with the teacher shortage. Currently, the Board of Higher Education, the State Board of Education, and the Governor's Office is working on a plan to bring to us. And it is... will be my recommendation, along with, I think, many of my colleagues that we adopt a Resolution very shortly urging our Leadership, as well as the Governor, the State Board, and the Board of Higher Education to focus very succinctly on the teacher shortage in this state. Representative Black, your points are well-taken. However, it is a multifaceted problem. And it is one that in other states, I must confess, they're a little bit ahead of us in terms of dealing with it. There is a lot going on. Many of us have ideas on how to resolve the teacher shortage. And I think that, you know, out of all the Bills floating around this place, there is not necessarily a reason to hold one versus letting a couple of others go. It's all part of the dialogue. And the fact is, the Board of Higher Education, the State Board, and the Governor's Office do need to focus on it, our Leadership needs to focus on it. But I would urge you to not one by one say; well, I don't think this particular piece might not be helpful versus that particular piece. It needs a comprehensive approach. There isn't going to be a single answer. I don't know if all of these Bills we're considering this year... we had many of them go through my committee as the Members of the Board... Members of Higher Education know. Representative Black, you can talk to your colleague, Dave Wirsing, about that. The fact is, he has some Bills, Republicans have

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Bills, Democrats have Bills, there are Bills everywhere. And the dilemma is that there isn't a comprehensive approach on how to deal with it in a realistic way that also addresses the quality of teaching issue. So, let's not just pick on this one Bill. Let's try and urge our Leadership to take a comprehensive approach and support 1048 as a possible part of the Resolution. So, I would urge you to vote for it and not reach conclusions before we've actually, really studied the issue."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Mr. Speaker, will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates she will yield."

Mitchell, J.: "Representative, I understand this is an attempt to list all areas where there's a teacher shortage."

Soto: "Yes, Sir."

Mitchell, J.: "Okay. Is this your first Bill on the House Floor?"

Soto: "Yes."

Mitchell, J.: "I'm just curious."

Soto: "Yes, it is."

Mitchell, J.: "Okay. I kind of figured that. Well, my question is this, since this is a Bill for shortage of teachers, can short teachers then put themselves on this list?"

Soto: "Yes, they can."

Mitchell, J.: "Okay. Is there any indication that by putting themselves on the list, that they may not be considered because of their short stature? So, this Bill, you don't believe discriminates in any way against teachers that are... that do... that are..."

Soto: "It doesn't discriminate."

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Mitchell, J.: "Pardon."

Soto: "This is a good Bill. This is a very good Bill."

Mitchell, J.: "This is a very different Bill?"

Soto: "Very good Bill."

Mitchell, J.: "Oh, very good Bill. Can you..."

Soto: "Or should I say great."

Mitchell, J.: "Can you give me five of this Bill's good points?  
Maybe I should say, would you give me five points that are  
really good about this Bill?"

Soto: "Okay. Representative, this will help for the shortage."

Mitchell, J.: "What was that one?"

Soto: "This would help out... this would give out notice due to  
the shortage."

Mitchell, J.: "This would notify us that there's a teacher  
shortage?"

Soto: "Would notify, in a Website, like.... I'll repeat again."

Mitchell, J.: "Are you telling me that if you put teachers on  
here, that's going to create a shortage? That's not a good  
point, Representative. I'm going to count that as one.  
We've got four to go."

Soto: "It would allow the out-of-state teachers a centralized  
Website."

Mitchell, J.: "A centralized..."

Soto: "It's more efficient."

Mitchell, J.: "So, it's kind of like usedcar.com, where you put  
all... Okay."

Soto: "Yes. Yes."

Mitchell, J.: "Now, are you posting areas of teacher shortage, or  
are you posting teachers that are available to cover  
shortages in other districts?"

Soto: "All vacancies that are available."

Mitchell, J.: "Available vacancies. Okay, I see. That's

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starting to make a little more sense now. One other question, do you have some cosponsors on this Bill?"

Soto: "Yes, I do. They're on the Board."

Mitchell, J.: "Oh, I see. Okay. That's kind of scary. Looks like they're all on your side of the aisle. Have you approached..."

Soto: "This is very important legislation, Representative."

Mitchell, J.: "Have you approached anyone on this side of the aisle to be a cosponsor of this good Bill?"

Soto: "No, would you like to join my House Bill? Is that a 'yes'?"

Mitchell, J.: "Well, you're just a little late, Representative. Well, I wish you the best of luck. I would think that your Leadership could have given you a better first Bill than this good Bill. But, you know, give it your best shot."

Soto: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. I believe that, certainly, Representative, by supporting this legislation, we allow teachers in one area who may not have vacancies to know where there are vacancies. For example, we recently read or heard about the teachers in Decatur... Decatur, Illinois, who are losing their positions based upon a shortage of funds. Well, those teachers will be able to look upon the... look on the Internet and find where there are vacancies that exist that they could now transfer to. And, Representative Soto, I am proud to be one of the five good reasons for this Bill. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

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

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Speaker Hartke: "The Sponsor indicates she will yield."

Lang: "Hi, Representative."

Soto: "Hello, Representative."

Lang: "Is this your first Bill?"

Soto: "Yes, it is."

Lang: "How are you enjoying yourself, so far?"

Soto: "Great."

Lang: "Really? What's been the highlight of handling this Bill for you?"

Soto: "Dealing with Bill Black."

Lang: "Well, it's been the highlight for us, too, believe me. Really. We appreciate his work on that side of the aisle. I must have been doing some other important work when you started explaining the Bill. Can you tell me, in one sentence, what this Bill does?"

Soto: "What this Bill does, it... there's six other Websites with the Board... with the State Board of Education. It would consolidate 'em all into one Website with links that you can go into the other Websites that are available. It consolidates the other Websites into one."

Lang: "Well, that was more than one sentence. So, did the State Board bring you this Bill? Is it their Bill?"

Soto: "No, this was a recommendation. An idea from the..."

Lang: "Well, where did you find this recommendation?"

Soto: "In the newspaper."

Lang: "In the newspaper. Did you discuss this with them?"

Soto: "Yes, I did."

Lang: "And did they confirm for you that this newspaper article you read was correct?"

Soto: "Yes, it was good. They also provided my witnesses for my committee meeting."

Lang: "Now, where are you supposed to be posting these committee

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vacancies... these teacher vacancies?"

Soto: "On the Website."

Lang: "Whose Website?"

Soto: "The State of... the State Board of Education's Website."

Lang: "Now, you wouldn't be planning on posting them on your Website to help with campaign donations or something, would you?"

Soto: "No."

Lang: "No. So..."

Soto: "Never."

Lang: "So, these will be posted on the State Board Website by who?"

Soto: "By the State Board of Education."

Lang: "How would they get the information on the vacancies?"

Soto: "Each regional district would notify them."

Lang: "Say again."

Soto: "Each regional district would notify them."

Lang: "Regional district. You mean, its regional superintendent?"

Soto: "Yes."

Lang: "What about the areas of the state that don't have regional superintendents?"

Soto: "Those districts would send hardcopies to the State Board of Education, if they don't have a site."

Lang: "By mail, by fax, by e-mail?"

Soto: "By mail."

Lang: "By mail. Is that regular mail or certified mail?"

Soto: "Or fax."

Lang: "Is that all in the Bill?"

Soto: "Yes, it is."

Lang: "Well, I better read the Bill."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Gentleman from Kane, Mr. Hoeft."

Hoeft: "Thank you, Mr. Speaker. Direct question to you. This is on the Internet?"

Speaker Hartke: "She will respond."

Hoeft: "Will you require a filter?"

Soto: "No."

Hoeft: "Why not? I mean, you've heard the theme here. We have filters on the Internet. What... you don't know what's going to come up on that site. I mean, there are people reading this, they could... their whole lives could be changed. So, I would suggest you put a filter... you know, require a filter on this material because, heaven knows, incredibly... Will you put a filter on this?"

Soto: "I'll take that under advisement."

Hoeft: "What'd you say?"

Soto: "I will take that under advisement."

Hoeft: "Well, I think... it's serious stuff here. So, think about that, if you would."

Soto: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Peoria, Representative Slone."

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

Speaker Hartke: "The Lady indicates she will yield."

Slone: "Representative Soto, it is my understanding that this will deal with both the shortage of short teachers as well as the shortage of tall teachers. Is that correct?"

Soto: "Correct."

Slone: "That's good because there's a certain Lady on the other side of the aisle, and I, who feel that when the word 'short' is used in debate, it's tantamount to using our names in debate. And we have the right to comment on any such legislation."

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Soto: "Thank you."

Slone: "So, we want to make sure that you deal with short people, as well as tall people. And so does Representative Mautino. Thank you very much."

Soto: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black. You've already spoken in debate, why are you seeking recognition?"

Black: "Thank you very much, Mr. Speaker. My name was used in debate by a previous Member on your side of the aisle."

Speaker Hartke: "Was used in vain?"

Black: "I have a chance to defend my honor."

Speaker Hartke: "Was used in vain?"

Black: "It was used in vain, as it usually is."

Speaker Hartke: "Well..."

Black: "All right."

Speaker Hartke: "And there's a problem with that?"

Black: "Yes."

Speaker Hartke: "Proceed."

Black: "According to my wife and my dog, there is, yes. And we'll get to my dog Bill later in the Session, I trust."

Speaker Hartke: "I'm sure we will."

Black: "All right."

Speaker Hartke: "How tall are you?"

Black: "Yes, thank you very much. Mr. Speaker, I hold Representative Judy Erwin in the highest regard and respect, but she used my name in debate. So, I want to come back to this Bill sponsored by Representative Soto, a young lady who I hold in the highest esteem. Oh, I'm serious, please. I identified, in the freshman orientation, I said to myself... I said, self, there is a young woman that's going to go places. And I have an idea

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or two, Representative. I will give you a map. All right. Now let me just say this, Representative, I have listened carefully to this debate. I was in staunch opposition of this Bill until Lou Lang got up. As usual, he so thoroughly confused the issue that I don't know that any of us know how to vote. And might I say, Representative Lang, you look so much younger in person than your photo in the blue book and on your Website. So, Representative Soto, in all due respect to your side of the aisle, if you have friends like Representative Lang and others who confuse the issue, you are more than welcome to come over on my side of the aisle where we appreciate good legislation like this. I spent 20 years in the teaching business. My wife, God love her, is retiring in May. Unless we can get some kind of salary increase, in which I will ask her to work another year. So, if this Bill passes, I will ask my wife to check the Website. And if we can find a good job at a fair wage under the Equal Pay Act, I'm going to vote for this Bill. And I congratulate you for having the courage of your convictions. Because, had you taken this Bill out of the record, you would have had a rough Session."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Lang. You've already spoken in debate."

Lang: "Well, I just rose to ask if my name was mentioned in debate by Representative Black?"

Speaker Hartke: "I'm not going to go there."

Lang: "I'm not really looking all that much younger, certainly not any younger than Representative Black."

Speaker Hartke: "Would you care to have a vote on that?"

Lang: "No."

Speaker Hartke: "Since no one else is seeking recognition..."

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Representative Black, you know the game is going on?"

Black: "Yes, and may I just add that Illinois is ahead by about 20 points."

Speaker Hartke: "Representative McCarthy, for what reason do you seek recognition?"

McCarthy: "Thank you, Mr. Speaker. I move the previous question, please."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question is called. Representative Soto to close."

Soto: "I look for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1048?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. On House Bill 1048, there were 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, you have an announcement to make. Listen up, please."

Clerk Rossi: "Attention Members. There is a weather road condition report that's being passed out by the Pages."

Speaker Hartke: "House Bill 1694, Representative Krause. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1694, a Bill for an Act concerning emergency telephone services. Third Reading of this House Bill."

Speaker Hartke: "Representative Krause."

Krause: "Thank you, Mr. Speaker and Members of the House. House

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Bill 1694 amends the Emergency Telephone Systems Act and it provides that public safety agencies, for the purpose of placing outgoing emergency calls, may have access to privately listed phone numbers for the exclusive reason of providing emergency calls. Currently, there is available equipment that could be used to immediately call, be it a small subdivision or an entire community, to notify them of an emergency. However, this legislation would be necessary, in order for these municipalities, in order to proceed."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 1694?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On House Bill 1694, there were 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 525, Representative Fowler. Representative Fowler. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 525, a Bill for an Act concerning the Illinois Correctional Employee Memorial license plates. Third Reading of this House Bill."

Speaker Hartke: "Representative Fowler."

Fowler: "Thank you, Mr. Speaker. What House Bill 525 does, it creates another special plate that we've been accustomed to up here in this and previous Sessions, a plate for the Illinois correctional employees. Money from this will go to create a memorial here on the Capitol grounds for correctional employees. And will also provide for a one

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Memorial Day a year meeting here on the grounds. The fee on this follows the standard special plate fee. It will be controlled by the Secretary of State. He will design the color and all of the plate. And again, it will honor the correctional employees in the State of Illinois. I'd be happy to try to respond to any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 525?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On House Bill 525, there were 102 Members voting 'yes', 10 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1060, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1060, a Bill for an Act concerning property laws. Third Reading of this House Bill."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you. House Bill 1060 changes the current law dealing with real property and deeds. Today, you can accept the deed 'in joint tenancy' and only use the words 'in joint tenancy' if you want to have your property conveyed in tenancy by... in common, you only have to use those words. However, we created, some time ago, another classification; tenancy by the entirety. But, in order to perfect tenancy by the entirety, you have to use the whole clause that's in the statute, tenancy by the entirety, husband and wife, right of survivorship. If you fail to use any of those words, it can revert back to a joint tenancy. So, the Illinois Real Estate Lawyers Association

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had asked me to remove that language to make it consistent with the other language such as joint tenancy and tenancy by the... common by only using the words as 'tenants by the entirety'. So, I ask for your favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 1060?' All those in favor will signify by voting 'yes'; those opposed vote '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 1060, there were 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 25, Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 25, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hartke: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. We adopted the Amendment to House Bill 25 yesterday, or two days ago, which covered the gist of the Bill. This is an opportunity for Illinois to avail treatment to women who are non-Medicaid eligible, under the age of 65, and do not have any other form of creditable insurance at 200% of the poverty level. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Black: "Thank you. I commend Representative Feigenholtz and all of those who have worked so hard on this Bill. I do, as I said, when the Amendment was adopted, very grateful and

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it's very appreciative of your cooperation with Lieutenant Governor Corinne Wood, who certainly has a very personal issue in seeing that this Bill goes forward. And it is a... truly been a collaborative effort and a bipartisan effort. And with the help of our federal delegation in Washington, some of our federal tax dollars are going to come back to us, in fact, to help give treatment to those women who are diagnosed with the illness. And that was, certainly, a glaring inequity in the original Bill. So, Representative, I commend you for your work, and I commend all those involved, and I certainly commend you for your spirit of bipartisanship in moving this Bill forward."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Feigenholtz to close."

Feigenholtz: "Ladies and Gentlemen of the House. Under this dome in our lives, our mothers, our sisters, our girlfriends have all... all of our lives have been touched by someone we love who has been diagnosed with breast cancer. Hopefully, in all of our lifetimes, we will be able to eradicate this. And I believe that we're really moving at a good clip and in the right direction. Illinois should be looking at more progressive ways to detect breast cancer. I hope, in the near future, we will be talking about digital screening to help women, early on, with breast cancer. It is my intent to work with all parts of the administration to try and even fund this treatment program over 200% of the poverty level, so that women who do not have insurance, but earn just a little bit more money, might also be able to access treatment. If we can find the money in the public aid budget, we ought to do that. Until then, I will send this Bill to the Senate with an agreement that the Senate Sponsor will speed it to the Governor's

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desk so we can apply for this waiver and move forward by affording these women treatment. I ask for your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 25?' All those in favor will signify by voting 'yes'; those opposed vote '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 25, there were 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

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

Speaker Hartke: "State your point."

Cowlshaw: "Because of all of the discussion about short teachers and short people, I thought we should be reminded that today is the birthday of James Madison, the fourth president of the United States and the shortest president we have ever had. He was not only very short, he only weighed 100 pounds, and he was a very accomplished musician. He played a crystal flute. Thank you."

Speaker Hartke: "Thank you very much for that information. House Bill 148, Representative Berns. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 148, a Bill for an Act to require criminal background checks of applicants for the position of peace officer. Third Reading of this House Bill."

Speaker Hartke: "Representative Berns."

Berns: "Thank you, Mr. Speaker. I present House Bill 148, as amended, to you today. This Bill would amend the applications for employment for police officers in order to

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address concerns been raised by the police industry in Illinois. And I look forward to a favorable consideration today."

Speaker Hartke: "How tall are you?"

Berns: "I'm five foot six, Mr. Speaker."

Speaker Hartke: "Thank you. Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I had forgotten I wished to speak on this Bill."

Speaker Hartke: "Representative Lang."

Lang: "Representative Berns, how are you? It's a very lovely tie you're wearing, Sir."

Berns: "Thank you very much."

Lang: "Is this your first Bill?"

Berns: "Yes, Sir, it is."

Lang: "All right. Now, it's important to clear that aisle between you and I so we can do some business. All right? Now, Representative, you obviously did not explain this Bill well, because I didn't understand a word you said. Could you tell us, again, what the Bill does."

Berns: "Yes. This requires criminal background checks for people who apply for a position as a peace officer in Illinois."

Lang: "Well, you explained that very well. What is a peace officer, Sir?"

Berns: "A law enforcement officer here in the State of Illinois."

Lang: "Any law enforcement officer?"

Berns: "Yes, Sir."

Lang: "A game warden?"

Berns: "A game warden could be included. Yes, Sir."

Lang: "The Secretary of State Police downstairs that keep this building safe from harm?"

Berns: "I believe that's... they're included as well, Sir."

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Lang: "And so they would have to subject themselves to background checks?"

Berns: "I believe that... Yes, I believe that's correct."

Lang: "Have you taken a poll of the Secretary of State's Police to see if they want to be included in this process?"

Berns: "No, Sir, I've not made a complete investigation of each and every officer."

Lang: "Have you talked to any of them?"

Berns: "Yes, Sir."

Lang: "Who?"

Berns: "Officer Ring at the front gate."

Lang: "Officer who?"

Berns: "Ring."

Lang: "Really? This someone you know personally?"

Berns: "Yes, Sir. He's in my district."

Lang: "Well, apparently not. He's here."

Berns: "Well, he lives in my district."

Lang: "Oh, okay. So, have you talked to Secretary White about this Bill?"

Berns: "Representative, I have not."

Lang: "I've been reading a lot, recently, about how certain Members of your Party are trying to make budgetary matters difficult for Mr. White. This is not an anti-Secretary of State Bill, is it?"

Berns: "That is not my intention."

Lang: "All right. So, talk to me a little bit about the cost of these background checks. Is there a fiscal note on this Bill?"

Berns: "My fiscal note indicates that there'll be no cost. The investigations will be done by the various agencies that are requesting the background check. And there'll be no charge by the State Police for their involvement."

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Lang: "You said your fiscal note, did you draft the fiscal note?"

Berns: "No, the one that I received and reviewed."

Lang: "And who prepared that note?"

Berns: "Republican staff members."

Lang: "Republican staff members prepared the fiscal note?"

Berns: "Well, they provided it to me."

Lang: "Now, you don't have a lot of institutional memory about this place, but everyone on this side of the aisle remembers phony fiscal notes. This wouldn't be one of those, would it?"

Berns: "Not to my knowledge."

Lang: "Well... So, I'd kind of like to know who prepared the fiscal note."

Berns: "The State Police prepared the fiscal note..."

Lang: "Oh."

Berns: "...regarding their impact. And it was provided to me by the Republican staff."

Lang: "So, just to clarify, to make sure you haven't broken any laws of the State of Illinois, it's the State Police that prepared the fiscal note?"

Berns: "That's my understanding."

Lang: "You don't know, though?"

Berns: "That's what I was told, Sir."

Lang: "By your staff member?"

Berns: "Yes."

Lang: "All right. Would you like to just have him come up to the microphone, I can ask him questions about the Bill."

Berns: "I hope that's not necessary."

Lang: "Well, I hope not either. So, the State Police said there would be no cost to these background checks?"

Berns: "No cost to them, that's correct."

Lang: "Well, won't they have to provide a person or staff or

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someone to review this information, file it away, or whatever they do?"

Berns: "In the normal course of their business, they may have those operations, but indicate that there'll be no fee charged for the Amendment."

Lang: "The State Police do operations?"

Berns: "Operations, I don't understand the question."

Lang: "Well, you said during the course of their operations. I was wondering if they had doctors on staff."

Berns: "No, Sir, not to my knowledge."

Lang: "Okay. So, you were a little confused, apparently?"

Berns: "Well, as to their medical capabilities, yes, Sir, I am."

Lang: "So, how and when do these background checks take place?"

Berns: "They'll take place upon application for employment with the police agency."

Lang: "And what do they do... who at the State Police goes out to these people? And what do they do, do they take blood, do they take fingerprints, do they check criminal records, what do they do?"

Berns: "The fingerprints will be taken by the local agencies and they'll be submitted to the State Police as a part of the general background check. Other checks will be done by the agencies, themselves."

Lang: "Well, isn't there a requirement in the law, today, that law enforcement officers have a background check?"

Berns: "Not to my knowledge. And that's part of the reason that this has been submitted."

Lang: "So, it's conceivable that the municipality in which you live could hire a police officer and they're not under any obligation to check to see if they have a criminal record, or are a drug addict, or anything else?"

Berns: "It's conceivable. I don't believe that's the case in

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Urbana, but it's certainly conceivable."

Lang: "Do you have a list of municipalities that don't do this, because I think it'd be really interesting to know?"

Berns: "No, I don't have such a list."

Lang: "Is it conceivable, Representative, that every municipality does this and we're wasting a tree here by doing all this paperwork?"

Berns: "It's conceivable. I hope that this, also, clarifies the situation for applicants, as well. And the Bill does other things that would address the timing of how this operation takes place."

Lang: "Again, you're talking about operations. I'm really confused. So, is this something that came to you from your constituents, someone in Urbana who's very interested about the operation of law enforcement in Illinois?"

Berns: "This was an issue brought to me, among others, by Sheriff Madigan of Champaign County."

Lang: "Sheriff who?"

Berns: "Dave Madigan of Champaign County."

Lang: "Now, is he here?"

Berns: "No, Sir, he's not."

Lang: "Are you going to call him as soon as we pass this and tell him how excited you are to have passed your first Bill?"

Berns: "I might just do that, now."

Lang: "Well, if you need me over there, I'll come over with you. Thank you, Representative."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M.: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he will yield."

Davis, M.: "Okay. Representative Berns, your Bill states that if a person wants to become a police officer that they must

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have a criminal background check, as a part of the process.

Is that correct?"

Berns: "That's correct."

Davis, M.: "What happens if this person, as a police officer, develops a criminal background and he is currently a police officer, but he has a criminal background and he goes before a police review board and the police review board excuses that criminal behavior or gives him a little suspension? Now, does this count as a criminal background? Or are we only concerned with them going in as policemen, we're not concerned with what they do after they have become policemen?"

Berns: "Not necessarily that we're not concerned, but this Bill does not direct itself towards subsequent activities. This is only upon the application for employment."

Davis, M.: "So, subsequently, if a police officer does have a criminal background and he's still on the force, there's nothing that your Bill will do to preclude him from being a police officer?"

Berns: "I believe that's correct."

Davis, M.: "Well, I think we need a new Bill. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Madison, Steve Davis."

Davis, S.: "Yes, thank you, Speaker. Just as a point of information, at the half, Illinois's leading 44-27."

Speaker Hartke: "Thank you very much. The Chair recognizes the Gentleman from Cook, Representative Scully."

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

Speaker Hartke: "The Sponsor indicates he will yield."

Scully: "Representative Berns, is it your understanding that the police departments do not, currently, conduct criminal background checks on applicants?"

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Berns: "I believe many of them do, but it's not mandatory. And this would make that operation mandatory."

Scully: "But, are they conducting criminal background checks before they hire someone to be a police officer?"

Berns: "Many of them do, to my understanding."

Scully: "Okay. So, is there any need for your legislation? If the police departments are already doing this, are we simply mandating that they do what they are already doing?"

Berns: "Some agencies may not be doing it. And the Bill addresses other issues, as well, regarding the timing of their training."

Scully: "Which agencies are not doing criminal backg... Which agencies, that hire law enforcement officials, are not doing criminal background checks?"

Berns: "I have no specific knowledge of any that are not doing it today."

Scully: "So, you have no specific knowledge that there's any need for this Bill, at all?"

Berns: "I believe there's a need for the Bill to make sure there's a uniformity throughout the State of Illinois, but I'm not aware of specific agencies that do not now undertake these same background checks."

Scully: "Are you aware that there is a lack of uniformity throughout the State of Illinois as to background checks?"

Berns: "It's my understanding that since agencies are not required to do so, they may not do so. And therefore, there is the potential for lack of uniformity."

Scully: "Is it your understanding that they are not doing so?"

Berns: "I have no specific knowledge of those that do not do so now."

Scully: "Well, Representative, it sounds like there's absolutely no need for this legislation, that you're simply mandating

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that these law enforcement agencies do what they are already doing. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I move the previous question."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Motion is called. The question is... Representative Berns to close."

Berns: "Thank you, Mr. Speaker. House Bill 148, as amended, would require those submission of background criminal checks by all applicants for police agency jobs in the State of Illinois, and would not allow them to take employment in the police business without the satisfactory completion of those tests. And I look forward to support for the Bill."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 148?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On House Bill 148, there were 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 857, Representative Acevedo. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 857, a Bill for an Act in relation to nuisances. Third Reading of this House Bill."

Speaker Hartke: "Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 857 provides that the state's attorney

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may file a complaint to have property abated as a public nuisance after 60 days have elapsed since the owner or owner's agent has failed to comply with recommendations of the state's attorney to abate the nuisance after appearing before the State's Attorneys Office. I'll be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "The Sponsor indicates that he will yield."

Black: "Representative, I want to make sure I understand this because it gets to the right of a property owner to maintain title of his or her property. Now, if I understand your Bill, if I own a three flat in Chicago, but I live in one of the suburbs, and one of the flats in my building is being used by a dealer in marijuana, for example, and the police have raided this, they could declare this building a nuisance and I would have 60 days to respond to a complaint by an official from the State's Attorneys Office to... I'm not sure what word I need, to correct the nuisance, or I could lose my property. Is that what you intend the Bill to do?"

Acevedo: "Actually, Representative, right now, it takes two complaints for the state's attorney to start filing... asking for recommendations with the owner. Now, the 60 days only applies to... for the owner or the owners to come into the State's Attorneys Office to start proceedings for evictions of those people who have two complaints against them already."

Black: "I'm glad you brought that up, because that is the heart of my concern. Because, as you know, it can take longer

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than 60 days to go through a contested eviction."

Acevedo: "Right, and I understand that. But this Bill says it takes 60 days to make a good effort, a good effort to at least to come to a meeting with the recommendation of the state's attorney. It doesn't necessarily mean they have to comply for it in 60 days. At least, with all good faith effort, to come to a meeting with the State's Attorneys Office."

Black: "Is there language in the Bill that would insure me... insure any property owner that as long as I came to the State's Attorneys Office and I was making a good faith effort to evict the individual or individuals who had been declared a nuisance under this Bill, that I wouldn't have to forfeit my property."

Acevedo: "Well, Representative, as I said, it says the state's attorney to abate the nuisance after appearing. So, really, all you have to do... you have to appear before them within 60 days. That's all it's saying."

Black: "All right. So, there's no language in the Bill that specifically addresses the possible forfeiture of my property because of the actions of a tenant? It's silent on that?"

Acevedo: "I'm sorry, can you repeat that, Representative?"

Black: "Yes. I'm trying to establish, and I don't have any problem with your Bill, I just want to make sure there's substantial due process for the owner of the property. In other words, if I'm cooperating with the state's attorney, and a formal eviction can take, unfortunately in many cases, I think it can take far too long, 120 days is not unusual. And I don't see any language in the Bill that makes certain that I have a full right of due process. In other words, I don't want to lose my property, by an action

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of the Cook County State's Attorney, because of the actions of some tenants that I am trying my best to evict. But maybe they hide behind the law, as they have every right to do, and I can't get them evicted within that 60-day period. What I don't... I want to make sure that the state's attorney, then, cannot come in and say, well, we appreciate you working with us but you didn't evict those people in the 60 days, your property is still a nuisance and we're going to foreclose. And we may even get an order of demolition and tear it down."

Acevedo: "Mr. Representative, actually what I'm saying is you're putting a time limit of 60 days. It's not a time limit of 60 days, it's just an appearance before the state's attorney. If you're showing good faith to the state's attorney that you're really trying to get rid of these people, these drug dealers, then even if it takes 120 days, even if it takes a year, it really doesn't matter..."

Black: "Okay."

Acevedo: "...as long as you're cooperating."

Black: "All right. So then what, is the purpose of your Bill is to give constructive notice to the property owner that: a) you need to come in and cooperate; b) if you don't, if you ignore this, then we may take provisions to remove your ownership rights of the property."

Acevedo: "Right, exactly..."

Black: "All right."

Acevedo: "...Representative, because current law, there's no time limit. All we're doing is putting a 60 day time limit for the owners to come and appear before the state's attorney."

Black: "Okay, fine. I appreciate that because I think that's a very important point. Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the

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Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Speaker. I know how hard this Bill is, also, coming out of the Senate. And I know there were some questions on Jud-II. And as a Member of Jud-II, Representative Acevedo worked extremely hard with all parties to bring that Bill back, make sure that it addressed everyone's concern. And in many, many districts, we continue to have families who get penalized and/or because you have unscrupulous individuals in there. I want to commend the Sponsor for taking the necessary steps to have to come back twice to Jud-II, which isn't an easy task, and bring that in front of many of the former prosecutors and others that have many questions about the ... civil rights and the ability to manage our kingdom, which is our home. So, I want to take this opportunity to thank Representative Acevedo on his diligent work on this issue. And this is a Bill that we definitely need. And we don't need it only in Chicago and Cook County, I think this is a Bill that helps the whole state. And I just wanted to commend the Sponsor. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Jones. Lou Jones."

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

Speaker Hartke: "The Sponsor indicates he will yield."

Jones, L.: "Representative, does this now take out... it's at two strikes, it's still at two strikes, it doesn't reduce it to one strike. Am I correct?"

Acevedo: "Right. Actually, Representative, if you knew the first time I was in Jud-II, it went down to the fact is that I took it down to one strike. But, now, current law says two strikes and I left it at two strikes."

Jones, L.: "Just like it was originally, am I correct?"

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Acevedo: "Exactly."

Jones, L.: "And basically... I just want to make sure. Basically, all this does is you give the homeowner or whomever, the proprietor is, you give him a 60-day notice so he can go do what he's supposed to do to get rid of the nuisance that's in on the property. Am I correct?"

Acevedo: "Actually, they're given 60 days to at least appear before the state's attorney. So, he doesn't even have to act on 60 days, as long as he appears before the state's attorney within 60 days and start complying. That's what..."

Jones, L.: "And makes an honest attempt to get rid of whatever it is that's..."

Acevedo: "Exactly."

Jones, L.: "...going on on his property. Am I correct?"

Acevedo: "Exactly."

Jones, L.: "I also was against this Bill in committee and I want to thank our Representative Acevedo for taking care of the points that I had concerns about. Thank you."

Acevedo: "Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, Representative Acevedo to close."

Acevedo: "I ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 857?' All those in favor will signify by voting 'yes'; those opposed vote '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 857, there were 111 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1720, Representative Ryder. Mr. Clerk, read the

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Bill."

Clerk Rossi: "House Bill 1720, a Bill for an Act concerning educational labor relations. Third Reading of this House Bill."

Speaker Hartke: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Bill relates to employees who teach six hours or more, but are still considered part-time in the community college system. In 1995, there was a court case that indicated they were required to have reasonable assurance in order to organize. Assurance was defined as a guarantee for employment. This simply changes that to mean expectation. And if they have a reasonable expectation, meaning they've previously been employed to teach a couple of classes on a couple of... on the previous quarters and they have the expectation to do it the next, that they be able to organize. And I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 1720?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On House Bill 1720, there were 108 Members voting 'yes', 2 Members voting 'no', 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 630, Representative Crotty. Representative Crotty. Out of the record. House Bill 1723, Representative Davis. Monique Davis. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1723, a Bill for an Act regarding education. Third Reading of this House Bill."

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Speaker Hartke: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 1723 requires school classrooms grade 6 through 8 to have science lab materials that include microscopes, scales, or scientific weights. There are some schools that don't have a science laboratory at all. And it is our belief that even if they had a mobile unit that had at least this minimal of scientific equipment, it would put these children, who have an opportunity to use them, on an equal footing with those they'll be competing with at a much later date. There are no extra dollars included. The schools can use their existing funds, and the cost is minimal."

Speaker Hartke: "Further discussion? Representative Black."

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

Speaker Hartke: "The Sponsor indicates that she will yield."

Black: "Yes. Representative, in your Bill on line 7, Section 27-2310, it says, 'science lab for grades 6 through 8, a public school shall include in its curriculum a science lab that uses microscopes, scales, and scientific weights.' The difficulty I have with that is, I think, in the School Code is not a science laboratory required to be different in many respects other than just an ordinary classroom that you might move microscopes, et cetera, into?"

Davis, M.: "I'm sorry, I don't understand your question."

Black: "You are referencing the word 'science laboratory'. I think, in the School Code, because of the word you use in your Bill, this Bill is far more expensive than you would, perhaps, indicate. A science laboratory cannot be just a classroom in which you move in scientific equipment. A science laboratory has certain codes that you must meet."

Davis, M.: "Absolutely. And this is the use of a curriculum

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science lab. And we have the cost of some of those items, Representative, if you'd like to know what they are."

Black: "Oh, I've spent 20 years in the school business, I know the cost very well. Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "I won't belabor the point. Ladies and Gentlemen, the Sponsor, I'm sure, means well with this Bill and is simply trying to do what all of us would like to do, and that's expand science education to children throughout the state. The simple fact of the matter is, there are schools in this state who have classrooms that are meeting in what used to be cloakrooms. I have seen special ed classes meeting in the hallway next to a restroom. My wife, for years, taught in a class that was at once, several years ago, was the janitor's storeroom. Now, when you use the word 'science laboratory', you must run different wiring, different gas lines, waterlines. There are certain standards to meet the definition of a science laboratory. And while I don't quarrel with the intent of the Bill, it can be a very expensive mandate to do this, to reconfigure a room in a school building dedicated to science. I don't have a problem with that. I wish we could do it. But merely mandating it doesn't get it done. There are too many schools in this state that don't even have a classroom. People are being taught under stairwells, in hallways. I can take you to my district and show you this, if you'd care to see it. So I can't, in good conscience, vote for a Bill, though I don't quarrel with the concept of the Bill, that would mandate taking a current classroom, knocking out walls, rewiring, replumbing to meet the codes on a science laboratory. That's money they don't have. In a perfect

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world, every school should have a science laboratory. This isn't a perfect world. And we've got a long way to go in this state, just to insure that children will have adequate classroom space. Some day I hope we get there, and some day I hope this Bill becomes law. But today, it's an unfunded mandate that far too many schools in this state simply couldn't afford no matter how much they might want to do so. I intend to vote 'no'."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Knox, Representative Moffitt."

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

Speaker Hartke: "The Sponsor indicates that she will yield."

Moffitt: "Representative, in committee, when we had this discussion, one of the things that we asked you for was the... if you knew the number of schools that would not, at the present time, being complying. I know you were going to try to get that for us before we voted on this. Do you have that?"

Davis, M.: "I'm sorry, Representative Moffitt. In committee, would you repeat that?"

Moffitt: "In committee, we asked how many schools would not, at the present time, comply with the intent of your legislation, and you indicated to us that you would be willing to get that for us when you brought this to the floor on Third Reading. Do you have a report on how many schools do not have the equipment that you're talking about here?"

Davis, M.: "Representative Moffitt, as you know from committee's discussion, we were not discussing a building at all, or knocking out walls. That is totally incorrect."

Moffitt: "I believe..."

Davis, M.: "And what... what this Bill was asking was that for

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each school to have a minimum for 6th and 8th graders to use was a microscope, scales, and weights."

Moffitt: "Right."

Davis, M.: "At a minimum, a school could have that. And we discussed the fact, it doesn't have to be a room at all, it can be on a cart that's pushed from classroom to classroom. Representative Moffitt, we did a diligent search to try and find the answers to how many schools are without this equipment. We didn't get a definitive answer, but the Chicago Public Schools is in support of this legislation."

Moffitt: "We also ask you what the equipment would cost. And I know, in committee, you did indicate it's the specific pieces of equipment that regardless of what the configuration of your lab, the size, or where you're meeting, that if you're attempting to teach science, that in those grades mentioned here, 6th through 8th, that the intent would be that if you're teaching science that you would come out of there having had exposure, having used a microscope, having used the scales. You were going to give us an estimate of the cost. And I believe you indicated this is... does not mean 1 per student but that you would..."

Davis, M.: "That is correct."

Moffitt: "...that they would have access to it, they'd be taught how to use it. Is that correct?"

Davis, M.: "That is correct, Representative Moffitt."

Moffitt: "And do you have an estimate of the cost?"

Davis, M.: "In Batavia, Illinois, we try to... Oh, I'm sorry. It's a company in Batavia, it's... well, should I give the name? It's Flinn Scientific Equipment. A microscope is \$208. A balanced scale that's manual is \$103. An electronic balanced scale is \$109. The weights are \$29,

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and there's a total of \$340."

Moffitt: "That would meet the minimum intent of your law."

Davis, M.: "That would meet the minimum requirement for these students to have an ability to use this equipment, to see this equipment firsthand, and not just in a book."

Moffitt: "Okay, thank you. Those were things you had indicated you would get us. I appreciate it. I wished we still had numbers, but I know... I think most of us are under the impression that if students are being taught science, that they would have these basic pieces of equipment. I still hope we... at some point, we can find out who would not, but I appreciate getting that information that you'd promised us."

Davis, M.: "Thank you, Representative. Just as you stated, many schools will have much more than this minimal. But we're just asking that each school, at least, have this minimal amount of actual science equipment available for student use. Not one per student, but at least one in the classroom that teaches science to 6th graders and 8th graders, 6th through 8th grade."

Speaker Hartke: "Further Discussion? The Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Mitchell, J.: "I had the discussion with the Sponsor of this Bill. And, as a former science teacher, I don't have any problem with students using science equipment and getting used to science equipment. What I have a problem with, is the fact that the State of Illinois Legislature is going to mandate every local school board; here's some money to educate your children, now here's what you're going to use it for. Now, if it came down to a point between textbooks

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for reading in a second-grade classroom versus scales, microscopes, and weights, there would be no choice for that local school district anymore because the State of Illinois has told them you got to have the scales first, you can wait till next year to get the reading textbooks for your third grade. I don't think we're in the business of deciding for each local school district what they should spend their money on. We have enough rules and regulations. We have enough mandates. And I trust local school boards and local administrators to decide to spend what little money they get in the best interests of the students in their own location. It simply says that we will give you a certain amount of money to run your schools and you, Mr. board member, listen to your administration, your teachers in your local district, and spend the money the best way possible to get the best education for your students. When we finally decide that Springfield knows more than the local district what's best for their kids, then it's going to be a sorry day. Mr. Speaker, if this Bill passes I would request a verification of the Roll Call. Thank you."

Speaker Hartke: "A verification has been requested. Further discussion? The Chair recognizes the Lady from Cook, Representative Crotty."

Crotty: "Thank you, Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Crotty: "When this Bill first came through committee, I too, thought it was going to be a large amount of money coming from each one of our school districts. But as the Sponsor of the Bill spoke to her plight with having some of her schools not having some of this equipment, I started thinking about when I was in the classroom and teaching or

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helping students learn science. Of all the subject areas, science to me is really a hands on. And when I also asked the question of the Sponsor, in committee, if the lab could be a lab on a cart so that it can be taken from classroom to classroom. That's what really brings the cost of this down. But yet, when we really talk about the best education for our students, many of those students are not going to learn the lesson that's in that textbook until that microscope or that scale plays a part of that lesson so that the kids can really understand science. And if we don't have these things then the State of Illinois or our nation is always going to be that lower number on any of our tests. So I strongly urge my colleagues on the House Floor to vote for this. It's fair for kids to have the best education. And in science they need the tools to learn that. Thank you very much."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, Representative Davis to close."

Davis, M.: "Thank you, Mr. Speaker. Many times when children go to college they come with different experiences. Some children will go to college and never have seen, perhaps, or used a microscope, a balance scale, or weights, and yet, that student will be expected to compete with all others. We have passed Bills in reference to all B students getting scholarships from the State of Illinois. We passed legislation saying that students who have all A's should get a \$500 scholarship from the State of Illinois. Well, if we're not going to, perhaps, attempt to equalize some of these opportunities, then in my opinion, we cannot reward those where there is a microscope, and where there are balances, and where there are weights available. This Bill is of a minimal cost of \$340, not every year, but one time

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perhaps for four or five years. Sometimes on school boards we have people who really are not sure what's going on in individual classrooms. But as Legislators, we should attempt, in my opinion, to make sure children do have equal opportunity. And especially, when it comes to science. We talk about getting a computer for every classroom, but if children are going to understand the world and the environment that they live in, they're going to have to be able to use these tools, and use these tools wisely. At this point, some of you feel that all children aren't deserving of \$340 for scientific equipment, therefore, Mr. Speaker, I ask you to take this out of the record until we can find out what people are interested in equalizing opportunity in our educational system."

Speaker Hartke: "Mr. Clerk, take this Bill out of the record. House Bill 200, Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 200, a Bill for an Act in relation to contributions to candidates, political committees, and public officials. Third Reading of this House Bill."

Speaker Hartke: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. It's Northwestern State 30, Illinois 52. House Bill 200 prohibits making or accepting contributions from a licensee or applicant for licensure under the Illinois Horseracing Act of 1975, or the Riverboat Gambling Act. Also, prevents elected officials from owning an interest in a gaming concern. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 200? Any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass...' Excuse me. The Chair recognizes the Gentleman from Madison, Representative

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Davis."

Davis, S.: "Yes, I'm sorry, Mr. Speaker. Thank you. Would the Sponsor yield?"

Speaker Hartke: "Sponsor indicates he will yield."

Davis, S.: "Representative Winkel, I'm sorry, I don't have the Bill up on my screen, but can you explain to me in a little more detail exactly what you're proposing here? Does your Bill propose that no State Constitutional Officers, and State Representatives, and local county officials, nobody can take political contributions from gaming interests? And are you only talking about the owners of gambling boats? Are you talking about stockholders who own stock in gaming companies?"

Winkel: "Yes, Representative, I'd be glad to answer that. This Bill would provide that no candidate, Representative, no candidate, political committee, or public official shall accept a contribution or anything of value from or on behalf of the licensee or applicant for licensure under the Riverboat Gambling Act or under the Horseracing Act. And nor from any... You can't accept it from any officer, director, holder or controller of a legal or beneficial interest in any such license or application, nor from any gaming operations manager, nor from any agent or any such person. So, it's a very broad prohibition."

Davis, S.: "Well, if I'm not correct, there was a provision in here, and let me see if I can't find it, to where it seems to me as I read it earlier, that even if you were a stockholder of say Argosy Gaming Corporation, which is a publicly-held corporation, which would be a holder of interest in a gaming company, even a stockholder in any gaming company could not contribute any political contributions. And how in the world would any of us ever

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know who every single stockholder is in these publicly-held gaming corporations? I mean, Harrah's is publicly held. Argosy's is publicly held. How are we going to know? I mean, it seems to me like you're trying to make criminals out of us for accepting this money, or criminals out of stockholders of these companies just simply by putting that language in the Bill."

Winkel: "Representative, it works both ways. It prohibits the acceptance yes, but it also prohibits the giving. And I guarantee you even if you owned a single share of one of these entities, one of these riverboats, you would definitely know that. There'd be no question that you would know that, and that that would be prohibited, that the prohibition would apply to you."

Davis, S.: "How would you know though if... let me say this, my son works for a gaming boat company in Kansas City, Missouri. Would I be allowed to take political contributions from him because he's an employee of Argosy Corporation which happens to own a boat in Alton, but they also own boats in Kansas City, Louisiana, and Indiana. Would I be able to accept a political contribution from my son because he works for the Argosy Corporation?"

Winkel: "Not if he was giving it on behalf of the gambling interest."

Davis, S.: "How do we determine when we accept a contribution from somebody who's involved in the gaming industry that the only reason that they're contributing is... contributing to us is because on behalf of the gaming industry? How do you make that determination?"

Speaker Hartke: "Representative Hannig in the Chair."

Winkel: "Representative, Representative, you... we amended this Bill for that precise reason. The Amendment, Floor

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Amendment #1 which we approved, I think, last week, adds the element of knowing. There has to be a knowing acceptance. So, you have to know it. This is a... it's not a simple mistake. You have to know, and if you're being confronted about this and this is being enforced, it has to be proved that you knew that fact. So, if you do that by mistake that's one thing, but if you knowingly accept from a gambling riverboat or from a horseracing entity, then you violated the provision."

Davis, S.: "Okay. Answer me this question. What is the difference if we take a contribution from a gaming interest, or a horseman, or a racetrack owner, as compared to taking a contribution from Commonwealth Edison, Illinois Power, Archer Daniels Midland, Mr. Wirtz, Mr. Crisp? What's the difference? Why are you against Legislators taking money from gaming interests? Because everybody up here has a stake in what happens in the Illinois Legislature, not just gaming interests."

Winkel: "Representative, if you look back over the past several years and you add up the contributions from the gaming industry you can see that there's been a meteoric increase in the amount of contributions. We think that that is a clear signal, a red flag, that we need to ban those contributions because of undue influence in this process. Now, as far as the history goes, Representative, prior to 1989 it was illegal in this state for horse tracks to give political contributions. So, that part of the Bill we're merely reinstating what had already been in place before. So certainly, the answer is, we can do this, and in my judgement and what I would argue to the Membership today, that we should do this as a sound public policy measure."

Davis, S.: "Now, Representative, you mentioned that the amount of

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money being donated by gaming interests and horseracing interests has increased dramatically. How much money does the Illinois Manufacturer's Association donate to political candidates? How much does the Illinois Medical Society? How much does organized labor donate? How much has that gone up in previous years? I don't see the correlation, whatsoever, between gaming money and the Illinois Manufacturing Association or organized labor. I don't see the correlation, whatsoever."

Winkel: "Representative, there is a major difference in what you just said and what we're trying to do in this Bill. The entities that we're talking about in this Bill, riverboat gambling and the horse tracks, exist and have a monopoly position solely because of the laws that we pass here in the Illinois General Assembly. Therefore, we have every right to regulate the political contributions from these same entities. Now, the others that you mentioned are not public utilities."

Davis, S.: "Well, the gaming interests aren't public utilities either, and let's... how about beer distributorships? Are they a monopoly in the State of Illinois? I think they are. How about car dealerships? They're a monopoly in the State of Illinois. I'm just... I will tell you this, the Illinois Legislature created the Gambling Boat Act to establish these gaming boats to help cities and villages that were having economic development problems, and to stimulate the economy. And I can tell you that in my district, in the City of Alton, the Alton Belle Casino and the Argosy Gaming Corporation have stimulated economic development in the City of Alton. And I will tell you this, they did it without any undue influence in the Illinois Legislature. I think that the premise of your

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Bill is wrong. I don't see how I can possibly support it. I'm telling you, everybody on this floor, you'd better think about your vote on this because if a contract lobbyist, unless you go down and see where this contract lobbyist, how many firms he represents, you're going to have to go through every single lobbyist and find out if he's hooked in with any gaming interests or any horseracing interests before you accept any money and put it in your campaign fund. And they're trying to make criminals out of us for accepting legitimate legal campaign contributions. And I'm adamantly opposed to this Bill and I would ask for a 'no' vote."

Speaker Hartke: "The Chair recognizes... Representative Hartke in the Chair. The Chair recognizes Representative Lang."

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

Speaker Hartke: "The Sponsor indicates he will yield."

Lang: "Representative, if I'm understanding your Bill correctly, we would not be able to accept... no government official would be able to accept a campaign donation from a lobbyist that represents gaming. Is that correct?"

Winkel: "You may not accept contributions from the gambling interests through an agent or an employee or somebody who has a controlling interest. You cannot accept those contributions if they're coming from the gaming industry."

Lang: "Well... "

Winkel: "That's all it means, Representative. If that lobbyist that you're talking about, the contract lobbyist, represents many clients, he may be getting contributions from that lobbyist from other entities that are not the riverboats or the horseracing tracks. But if you're getting a contribution through that contract lobbyist that comes from a gambling interest, specifically meaning a

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riverboat or a horse track, yes, that would be prohibited."

Lang: "If it's the lobbyist's own check how are you supposed to know where that money came from?"

Winkel: "Representative, if that lobbyist is giving you a check from him to you, that's not a violation of this statute. If, however, that lobbyist is giving you money that he has or she has received from a gaming interest, number one, that would be prohibited by this Bill, and number two, that would be also prohibited by existing law."

Lang: "If a lobbyist who is a contract lobbyist for 20 different entities, and two of them are gambling entities, gives you a check, do we now have to ask that lobbyist if any portion of this money came from one of his gaming clients?"

Winkel: "Representative, you know full well that you cannot flow money through anybody whether it's a lobbyist or anybody else with the idea of just simply passing money through some agent or employee or somebody you asked to do it without identifying who it is. You cannot do that, it's against the law, even without this Bill. You simply cannot do that."

Lang: "Are you telling me you've never received a check directly from a lobbyist?"

Winkel: "Representative, this Bill is not about me or you, this Bill is about accepting or giving gambling proceeds from the industry. That's what we're talking about here. That's what's prohibited."

Lang: "Now if... "

Winkel: "If political contributions are coming from a riverboat or from a horseracing track, those are prohibited. Whether they come through a lobbyist, an employee, an agent, or whomever."

Lang: "Now if I go home to my district and I'm standing on the

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corner and a constituent walks up to me and hands me a campaign donation, am I going to be required under this Bill to ask if they own any stock in a racetrack or a riverboat?"

Winkel: "Representative, let me just make it perfectly clear. Political contributions given in the name of somebody else are already prohibited."

Lang: "I'm not talking about in the name of somebody else..."

Winkel: "Well, let me answer. Okay. So the other element, which I mentioned already to the previous Representative who asked questions. Representative, we added an Amendment last week that adds the element that you have to knowingly accept this. So, if you know it, then you've got a problem. If you don't know it, then you don't. And I'll tell you that has to be proven if that's going to be enforced against you. That's an element that you have to know where that contribution comes from."

Lang: "Representative, that makes the Bill better, but the issue of knowing or not knowing becomes a defense. So still, some state's attorney could drag you into court and say, did you know? And you have to prove that you didn't know. The burden is reversed. It's a situation where you've reversed the burden of proof, because first you're arrested, charged with this offense, and then you have to prove, well no, I really didn't know that this person was a stockholder in Bally, or a stockholder in the Argosy, or a stockholder in Arlington International Race Course. How're we supposed to be able to do this legitimately, and how are the Members of this Body, and the Members of the Senate, and other elected officials supposed to deal with the ramifications of that issue?"

Winkel: "Representative, Representative, you surprise me. You've

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been a Member, I know, of the Judiciary Committee for years and I know you know better. You know that as an element of the charge you have to have evidence to back up that allegation. This would be a charge based on evidence that the state's attorney would have. The state's attorney cannot simply charge willy-nilly and shift the burden to you, and I believe you know better than that."

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

Speaker Hartke: "To the Bill."

Lang: "I think we all have an interest in campaign finance reform, at least I think we should. There are many things we should do. The one thing we should not do is piecemeal campaign finance reform, that's what this Bill is. Another thing we should not do is single out given industries, given interest groups and prohibit what they do. I've heard many debates on campaign finance reform, and Members of the other side of the aisle consistently stand up and refer to the fact that, well as long as we have full disclosure and as long as people in Illinois and our constituents know what we're doing and we disclose everything we get in and everything we send out, that we're doing all we need to do. Well, we shouldn't have any real reform, we should just do big disclosures. And yet, when it suits people's purposes, from a political point of view, to single out one industry or another industry for this kind of treatment, these kinds of Bills are brought forward. Now, I don't blame Representative Winkel. I think he's trying to address an issue here that concerns him. But nevertheless, this is not good public policy, not because it's gambling per se, but because in the area of campaign finance reform it makes no sense whatsoever to single out one industry, especially when it's a Bill that

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leaves us with questions we have to ask. Even under this Bill it seems to me we're going to be obligated to ask any individual that gives us a check, whether that person owns stock in any gambling interests. It doesn't make any real sense. It's a huge burden, and I'm prepared to sit down with Representative Winkel and any Member of this House to discuss campaign finance reform. I'm a strong proponent of that. But this piecemeal approach, and this approach that is vague, and this approach that leaves us with more questions than answers should be rejected."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he'll yield."

Novak: "Mr. Winkel, I understand the point you're trying to get at, but I've got a few questions here that I would like to ask. I'm not an attorney, but the last time I checked the Constitution there's a provision in the 14th Amendment called the Equal Protection Clause. And there's a provision in the 1st Amendment called Freedom of Speech. I mean, we're singling out two legal industries from contributing campaign contributions to any candidate in the State of Illinois, whether they run for the mayor... mayor's office, a county office, or a legislative office, or for the highest office in this state. As long as those contributions are legally and forthrightly disclosed there shouldn't be any problem with that. I mean, how can we create a classification of gaming interests, whether there regulated by the state or not, just about every business that comes down here in Springfield is regulated in some form or manner by the State of Illinois or by their respective agencies. So, coming from a nonattorney, it

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looks patently illegal on its face. It is very, very vague. As a matter of fact, it probably can get a lot of us in trouble, unwittingly, in trouble by accepting a contribution from an individual, under good faith, with a good-will relationship with a lobbyist that might have some indirect, miniscule interest in a riverboat gaming operation somewhere in Illinois. So, I applaud your intent, and I applaud your efforts. I think this thing should go back to the drawing board, and I'd urge my colleagues to vote 'no'."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Rock Island, Representative Brunsvold."

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

Speaker Hartke: "The Gentleman will yield."

Brunsvold: "I share the concerns of Mr. Novak... He said something to me..., as well as the previous speakers regarding the vagueness of this Bill. We have an ethics Bill right now that was deemed unconstitutional because of its vagueness in part and will be argued in the Supreme Court shortly. And the situation exists in that Bill where you don't know if you're taking an illegal contribution or not. And you may be and not even be aware of that. And that vagueness is a problem. A question, what about local? I have a riverboat in my district, the Rock Island boat. Now, how does your Bill deal with the local government there?"

Winkel: "My Bill applies to candidates, political committees, but I'm not sure I understand what you're asking me, Representative."

Brunsvold: "Well, if the riverboat in Rock Island gives a donation to the mayor."

Winkel: "Representative, it provides that no candidate, political

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committee, or public official shall accept a contribution or anything of value."

Brunsvold: "What if they give a donation of a parkland for a park to the city and the mayor and the council, that's a donation of property to the elected officials?"

Winkel: "Representative, let me answer your question with a question. How on earth could that be deemed a political contribution?"

Brunsvold: "Well, it's... you can portray that any way you want. If they're giving something to the City of Rock Island, I'm sure some good lawyer could construe that to be some sort of a political situation."

Winkel: "Well, there's no ambiguity here. I hear about it's so obviously unconstitutional, that it's vague, that there's no definitions. That's simply not so. This is a Bill that has been worked on for the past four years. It's been worked on with Common Cause, it's been one of their top priorities. In fact, we passed this Bill out of the House, maybe we don't remember that, but in the spring of 1997, House Bill 885 passed out of this chamber. This is the same Bill I am presenting today. And it would put back into effect a ban on the horseracing industry that was in effect prior to 1989. This is nothing new. The Illinois Supreme Court has found that this sort of regulation on political contributions from a regulated industry is constitutional. As a matter of fact, other states do this, states like Iowa, Louisiana, New Jersey, prohibit political contributions from casino operators. This is not new. This is constitutional, and it's a matter of whether or not we have the political will to stand up and say, look this is the kind of reform that we need. There's nothing ambiguous here, political contributions are defined very

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expressly, very specifically, in the Election Code. There's no mistake here. There's no unconstitutionality here. This is a constitutional Bill. I think it would withstand challenge. It's withstood challenge in the past when we've had similar kinds of prohibitions. It will withstand that kind of challenge in the future. And I submit to you, Sir, it's good public policy."

Brunsvold: "Well, you know, we regulate a lot of things like public utilities, and I think public utilities give us donations, correct? Why shouldn't we be regulating them?"

Winkel: "There have been Bills about that very thing. For instance, prior to 1989, there was a law that actually prohibited political contributions from the insurance industry. That was taken away at the same time that the horse track industry ban was taken away. I'm merely seeking to reinstate the horse track industry and include riverboat gambling. The regulated industries like insurance, yes, we can, but that would have to be somebody's else's Bill. That's not my Bill today. My Bill today, House Bill 200, talks about political contributions from gaming, and I'm talking about the horse tracks and the riverboat gambling."

Brunsvold: "And we passed this Bill quite a few years ago now and the intent of that Bill was to help economically deprived river communities. And I'll tell you what, for one, Rock Island, this has been a great assistance in the economic situation in Rock Island with the defraying of property taxes and forming of what's called a district there. And I know in East St. Louis, it's also done, you know, good things down there. And to say that they can't have a little freedom of speech here like everyone else does, the bankers, and the lawyers, and the doctors, you know, I'm

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not for that, Representative. I understand what you're trying to do and, you know, that's fine but I don't agree with that situation and I would ask the Members to vote 'no'."

Winkel: "Well, Representative, that's the second time I've heard that argument that somehow we'll, by passing House Bill 200, this Bill that will somehow impair the economic development that you claim has occurred. And I don't doubt that it's occurred. I believe you, and I've heard that it's occurred elsewhere. But in no manner whatsoever will House Bill 200 take that away. The economic development that's happening because of riverboats or the horse track industry is not dependent upon them giving us contributions. The political contributions is the only subject today. And the economic development does not depend upon them being able to give us political contributions."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from DuPage, Representative Johnson."

Johnson: "Yes. To the Bill."

Speaker Hartke: "To the Bill."

Johnson: "I want to commend Representative Winkel for bringing this Bill. And this is a Bill that we can talk around and everybody knows how they're going to vote on it, and the arguments are spurious at best, in my opinion, and Representative Winkel has answered most of the issues. This is not the utility business, this is not the insurance business, this is nothing like it. This is where the General Assembly a number of years ago agreed to issue ten riverboat licenses in this state, monopolies, ten of them. We sold those licenses to each of these ten groups, not by bid, not by competition, not by anything else other than

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there were decisions made by the political powers that be, who would get these licenses, and we charged them \$85,000 apiece. This is now a multibillion dollar industry in the State of Illinois, and that is with nine licenses currently operating. We talk about economic... the rationale, economic development, economic hardship. Tell me how Rosemont fits into that category? We dumped that issue years ago, that was a red herring to get these things. Right now we are looking at nine boats, nine licenses in this state, that are walking out of this state with an excess of \$1.6 billion net profits to these nine owners that we, the powers that be, I didn't have anything to say who would get those licenses, they weren't competitively bid. These... we all know how these licenses get found. And those of you who were here just a year ago when we voted on whether or not to transfer the license to Rosemont and so on, know the impact of those dollars. Last year alone it is reported that casinos, the nine licensed casinos in this state, contributed about \$630 thousand of campaign contributions to Members of the General Assembly. I had a Bill in last week before the Executive Committee in which we would seek to at least recover some of the excess profits to the people of the State of Illinois. And you know what, that Bill was killed instantly, and it was killed because it is greased, it is wired, and those contributions protect ten owners in this state. You know, there are 15% of the people who go to our boats that are problem gamblers. All of us in here, I'm sure, have had the stories of broken homes, broken families, in each of our districts. Who picks up the cost, I might add, of those broken homes, those foreclosed houses, and so on? We are to pick those up, and of course, we pick it up out of

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General Revenue Fund. And this idea that this industry is singled out like any other... or shouldn't be singled out is beyond comprehension and beyond common sense of the people and the voters of the State of Illinois. The idea that we grease and give ten of these licenses to let them take all the money from all the people of the State of Illinois, put it into ten pockets, and say, well that's just business. There's no competition in that business in the State of Illinois. We give those ten licenses. We should not in turn be taking their contributions so that we continue to protect, and not objectively even view whether we should bid these out or not. For crying out loud, the time has come. This is not like any other business. I recommend an 'aye' vote on Representative Winkel's Bill. Thank you."

Speaker Hartke: "The Chair recognizes Representative Winkel to close."

Winkel: "Mr. Speaker, this is the same Bill that passed out of this chamber in the spring of 1997. And it's actually improved by putting the element of knowing acceptance. So, it's a new, it's an improved Bill. It's a Bill that I've worked with Common Cause for a long number of years on. And I urge you to vote 'yes' today."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 200?' All those in favor will signify by voting 'yes'; those opposed vote '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 200, there were 82 Members voting 'yes', 21 Members voting 'no', 8 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Lawfer for an

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announcement."

Lawfer: "Thank you, Mr. Speaker. A point of personal privilege. I'd like the Members of the Illinois General Assembly to welcome members of the Dakota High School that are in the gallery today and give them a good Springfield welcome."

Speaker Hartke: "Welcome to the General Assembly. The Chair recognizes the Lady from Peoria, Representative Slone, for an announcement."

Slone: "Thank you, Mr. Speaker. The Conservation & Land Use Committee, recessed Conservation & Land Use Committee, will have a very brief meeting in Room 118 immediately following Session. Thank you."

Speaker Hartke: "You've heard the Lady's announcement for a hearing immediately after Session. Clerk, Agreed Resolutions."

Clerk Rossi: "House Resolution 115, offered by Representative Steve Davis; House Resolution 117, offered by Representative Schmitz; House Resolution 119, offered by Representative Durkin; House Resolution 121, offered by Representative Hamos; House Resolution 123, offered by Representative Miller; House Resolution 125, offered by Representative Fowler; House Resolution 127, offered by Representative Schoenberg; House Resolution 128, offered by Representative Parke; House Resolution 129, offered by Representative Schoenberg; House Resolution 130, offered by Representative Currie; House Resolution 131, offered by Representative John Jones; House Resolution 132, offered by Representative Erwin; House Resolution 133, offered by Representative Dart; and House Joint Resolution 17, offered by Representative Jerry Mitchell."

Speaker Hartke: "Representative Currie now moves for the adoption of the Agreed Resolutions. All in favor signify by saying

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'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Resolutions are adopted. Representative Currie now moves that the House stand adjourned until March 20th, Tuesday, at 12 noon, allowing perfunctory time for the Clerk. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does stand adjourned until Tuesday, 12 noon. Have a great weekend."

Clerk Rossi: "House Perfunctory Session will come to order. Committee Reports. Representative Curry, Chairperson from the Committee on Appropriations-Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on March 16, 2001, reported the same back with the following recommendation/s: 'do pass Standard Debate' House Bill 3050. 'do pass as amended Short Debate' House Bill 253. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on March 16, 2001, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 3087. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on March 16, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 2250, 3162. 'do pass Standard Debate' House Bills 172, 2146. 'do pass as amended Short Debate' House Bills 2540, 3163, 3247, 2284. Representative Stroger, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on March 16, 2001, reported the same back with the following recommendation/s: 'do pass Standard Debate' House Bills 3280, 3618. 'do pass as amended Standard Debate' House Bill

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426. Representative Giles, Chairperson from the Committee on Elementary and Secondary Education, to which the following measure/s was/were referred, action taken on March 16, 2001, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bills 268, 389, 2215. Representative Dart, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on March 16, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 1021, 3076, 3262. House Joint Resolution Constitutional Amendment #3. 'do pass as amended Short Debate' House Bill 2315. 'do pass Standard Debate' House Bill 3146. Introduction and First Reading of Senate Bills. Senate Bill 50, offered by Representative Franks, a Bill for an Act to amend the Unified Code. Senate Bill 93, offered by Representative Hoeft, a Bill for an Act concerning the Metropolitan Water Reclamation District. Senate Bill 285, offered by Representative Franks, a Bill for an Act concerning the regulation of professions. Senate Bill 368, offered by Representative Acevedo, a Bill for an Act concerning liability for debit card use. Senate Bill 479, offered by Representative Murphy, a Bill for an Act in relation to public employee benefits. Senate Bill 898 (sic-989), offered by Representative Schoenberg, a Bill for an Act concerning intergovernmental cooperation. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."