

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

34th Legislative Day

March 27, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Urban Gaxiola of the Christian Worship Center in Marissa. Pastor Gaxiola is the guest of Representative Reitz. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Gaxiola: "Honor to be here. Many of the prayers in the Bible were set to music. Today, I want to sing the Lord's prayer as a prayer and then a prayer of blessing. Our Father, which art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, on earth as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory forever and forever. Amen. Heavenly Father, we want to thank You today for Your great love, which was bestowed upon each one of us through our Lord and Savior, Jesus Christ. Who showed unto us the greatest example of public service this world has ever seen. We thank You that each one in this room today has a purpose, unique and ordained. We pray that each one will fulfill that destiny with full strength, with energy, and with clarity. There are many talented, intelligent people in this room, but none greater than those who know their limitations, who call out to their God, as we do this morning, for mercy, for favor, for inspiration, wisdom, and direction, and most of all, for courage to fulfill that which You have placed before us to do. We give You, once again, great thanks and pray all these things in Jesus' name. Amen."

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

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Franks - 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, Speaker. Please let the record reflect that there are no excused absences among House Democrats today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that there's one excused absence. It would be Representative Ron Stephens."

Speaker Madigan: "Mr. Clerk, take the record. There being 117 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 Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 1302. Representative Reitz, Chairperson from the Committee on Cities & Villages, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3295 and Floor Amendment #1 to House Bill 3584. Representative Howard, Chairperson from the Committee on Computer Technology, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3353. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the

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following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3382. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 3247. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 424 and Floor Amendment #1 to House Bill 1147. Representative Scully, Chairperson from the Committee on Commerce & Business Development, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 282 and Floor Amendment #1 to House Bill 3203. Representative Fritchey, Chairperson from the Committee on Consumer Protection, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 176. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2303, Floor Amendment #1 to House Bill 2565, and Floor Amendment #1 to House Bill 3204. Representative Lyons, Chairperson from the

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Committee on Revenue, to which the following measure/s was/were referred, action taken on Monday, March 26, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1277. Representative Durkin, Chairperson from the Committee on Prosecutorial Misconduct, to which the following measure/s was/were referred, action taken on Tuesday, March 27, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 1843. Representative Brosnahan, Chairperson from the Committee on The Disabled Community, to which the following measure/s was/were referred, action taken on Tuesday, March 27, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 34. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Tuesday, March 27, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1045, Floor Amendment #1 to House Bill 1814, and Floor Amendment #1 to House Bill 2865. Representative Dart, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on Tuesday, March 27, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 789, Floor Amendment #1 to House Bill 1414, and Floor Amendment #2 to House Bill 3024."

Speaker Madigan: "Mr. Ryder on House Resolution 124. Mr. Clerk, read the Resolution."

Clerk Rossi: "House Resolution 124 offered by Representatives Ryder and Hannig."

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HOUSE RESOLUTION 124

WHEREAS, 4-H is the largest youth organization in the State of Illinois, challenging more than 250,000 Illinois youth and adults with unique "hands on" learning each year; and

WHEREAS, 4-H is an effective educational program based on the expertise of the United States Department of Agriculture, and University of Illinois Extension planned by local, county, and state committees; and

WHEREAS, More than 20,000 caring, nurturing adults work together with 4-H youth in family and community environments to create real life learning laboratories that help youth practice skills they need today and will continue to use in their future; and

WHEREAS, 4-H enriches Illinois youth with important programs that make countless differences in the lives of youth and adults and the communities in which they live; and

WHEREAS, 4-H is a family and community effort supplementing and complementing the home, church, and school with action-oriented and practical educational experiences; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that in honor of the great contributions that 4-H makes to the State of Illinois, we designate Tuesday, March 27, 2001, as 4-H Day at the State Capitol, and we salute the outstanding accomplishments of Illinois 4-H members."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Representative Hannig and I are pleased on behalf of Illinois 4-H to present this

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Resolution. The galleries are full of 4-Her's, the rotunda and the halls of this capitol are full of the work of 4-Her's. It's important, I think, to note that the 4-H program in the State of Illinois is, in deed, a volunteer program. It is the largest. And it's in all likelihood, the largest leadership volunteer program in the state. There are thousands of adults who spend their time with the youth of this great state. The motto of 4-H is to make the best better. And if you look at the projects and the award winning items downstairs, you'll see that many folks have accomplished that. So, wear your green boutonniere with pride, enjoy the snack that they've provided you. Take some time to meet some of America's best young people and some of their most dedicated adults. Please go downstairs. It's my pleasure to present, with the cooperation of Representative Gary Hannig, this Resolution designating today as 4-H Day at the State Capitol. And I would ask for its adoption. Thank you for this opportunity, Mr. Speaker."

Speaker Madigan: "The Gentleman moves for the adoption of the Resolution. Is there any discussion? There being no discussion, the question is, 'Shall the Resolution be adopted?' Those in favor signify by saying 'yes'; those opposed 'no'. The 'ayes' have it, the Resolution is adopted. Mr. Schmitz, did you wish to call House Bill 152? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 152, a Bill for an Act amending the Child Passenger Protection Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Schmitz."

Schmitz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We adopted yesterday Floor Amendment #2 to House

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Bill 152 which puts in a provision that we discussed during the last debate which would allow children over six but through age twelve to either be buckled in a seat belt or to use a booster seat. It does give the option for both... for the parents to make a choice. It does mirror what is existing law right now, age four through six. As we pulled up the statutes last time, it says age four through six, for securing that a child has either a child restraint system or seat belts. Basically, what we're doing with this right now is moving that through age twelve."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Tom Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Johnson: "Representative Schmitz, you said this mirrors existing law, except you're just increasing the years that it covers. Is that correct?"

Schmitz: "That's correct."

Johnson: "Does your Bill provide for primary law enforcement stops to take place on this? And is that not a change from existing law?"

Schmitz: "My understanding, primary stop is for every piece in the Traffic Code except for adults not wearing seat belts. That is spelled out specifically as secondary, but primary is for every other traffic-related offense."

Johnson: "Okay. Thank you."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "The Sponsor yields."

Lang: "Representative, I'm sorry, I was distracted. Can you tell me the changes the Amendment made?"

Schmitz: "It would not mandate booster seats for children up

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through age 12. They would have the ability either to use a seat belt as a minimum. And the Amendment would encourage that they use a booster seat. And it does set out guidelines on proper height and weight for booster seat usage."

Lang: "So, there's no longer a mandate to any parent to use a booster seat at any age?"

Schmitz: "That's correct."

Lang: "But, there still is a mandate that parents belt their children in the car?"

Schmitz: "That's correct. Up through age 12, we would say, at least put 'em in a seat belt."

Lang: "All right. So... but they... under four, they have to have a booster, under the Bill?"

Schmitz: "The way it states right now in the Code is age four through six that a child in either a child restraint system or seat belt. We would move it up through age twelve."

Lang: "All right. So, the booster requirement is gone from the Bill completely?"

Schmitz: "There's booster language in there, but it's an either/or."

Lang: "Right. So, the booster language; if a parent wants to put their child in a booster, it tells them what kind of booster, how big a child, how old. But there's no requirement at all that any parent use a booster?"

Schmitz: "That's correct."

Lang: "Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Mr. Black..."

Black: "Yes."

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Speaker Madigan: "Just a second. Let the Chair point out; on this Bill, Mr. Schmitz has stood as a proponent to the Bill and there have been two people in response already. So, Mr. Black will be the last person in response. Mr. Black."

Black: "Thank you, Mr. Speaker. Last, but by no means, least."

Speaker Madigan: "Correct."

Black: "Thank you. Number one in your heart, still? Thank you."

Speaker Madigan: "Absolutely."

Black: "Thank you so much. Representative, following up on what Representative Lang was asking. If there is no requirement for the booster seat, then what precipitates this as a primary traffic stop offense?"

Schmitz: "In the traffic laws right now, everything is a primary stop except an adult not wearing a seat belt."

Black: "All right. So, I assume, then, the defense of the driver is if the child is not in a booster seat, the officer can chastise the driver or recommend that they do it, but can't ticket the driver for the failure to put the child in a booster seat. Is that correct?"

Schmitz: "No. What this Amendment that we adopted yesterday says, at a minimum, put 'em in a seat belt. So, as long as the child who's under age 12 is in a seat belt..."

Black: "Okay. In some kind of restraint. Then that would be the burden of proof the driver must meet?"

Schmitz: "Correct."

Black: "Okay. Fine. Thank you very much. Thank you, Mr. Speaker."

Speaker Madigan: "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? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk shall take the

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record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Fowler, did you wish to call House Bill 629? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 629, a Bill for an Act relating to schools. Third Reading of this House Bill."

Speaker Madigan: "Mr. Fowler."

Fowler: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 629 is an Internet filter Bill. And basically what it does, it mandates that each school in the State of Illinois must have either a written policy or a filter on the Internet's inner system to protect our children from explicit sexual material. And I am prepared to answer any questions you might have on this."

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

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Black: "Is this Bill... I apologize for not having my Calendar open to the page. Is this Bill on Short Debate?"

Speaker Madigan: "The Clerk advises me that the Bill is on Standard Debate."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, you did agree to hold this Bill on Second to address some concerns about an Internet policy. Has that been accomplished?"

Fowler: "Yes, Representative Black. One of your people in committee asked that it be held until that was complied

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with. We have complied with it and it has been agreed to by your side there."

Black: "Okay. All right. Basically, if we can cut to the issue at hand. This... Your Bill requires... It's a mandate on school boards, correct?"

Fowler: "Yes, it is."

Black: "All right. But it mandates that they adopt a policy on... correct me if my wordage is not in agreement with yours. It requires a school board to adopt a policy on Internet filters. Fair assumption or fair statement?"

Fowler: "They must have a policy, Representative Black. It can be either a written policy or it can be the Internet filters, themselves. But they must have one of the two."

Black: "Okay."

Fowler: "That is left up to each individual school."

Black: "And I think that's very important, Representative. I'm glad that you brought that up. I have visited a high school in my district relatively small enrollment. And their computers are arranged in such a way in their library that a faculty member assigned during that period can watch every terminal. And they, therefore, feel... And again, as you're familiar in rural areas, sometimes that can be an expensive proposition. So, if they had a policy that their computers were always under the watchful eye of a faculty member, then you don't see any chance that this Bill could be used to mandate that they go to some kind of filter?"

Fowler: "No, Sir."

Black: "Okay."

Fowler: "That is not the..."

Black: "All right."

Fowler: "...intent of this Bill."

Black: "Okay. All right. I think that's very important for

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smaller rural schools. If the board feels that they are taking constructive action to regulate the usage, then that still remains in the realm of authority of that school board and not this law."

Fowler: "Local control. Yes, Sir."

Black: "All right. Fine. Thank you very much. I appreciate that clarification."

Speaker Madigan: "Mr. Lang."

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

Speaker Madigan: "The Sponsor yields."

Lang: "Thank you. Representative, I'm also looking for a clarification. You know, last year we had a very, very contentious debate on the issue of Internet filters in schools. And I just want the Body to know, because I support your legislation, we need to be hearing from you, I think, that this is not the same Bill as last year and that this is a Bill that does not mandate anything except that every school district... every public school district have a policy regarding what they will do with the Internet and filtering. Is that your understanding of your Bill?"

Fowler: "That is correct."

Lang: "And so, those who voted against your Bill last year because they felt it was restrictive of the First Amendment or because it was restrictive of legitimate research have no concerns about this Bill. Is that correct?"

Fowler: "Not that I'm aware of. No, Sir."

Lang: "All right. Ladies and Gentlemen, I rise in support of Representative Fowler's Bill. As you know, last year we had a Bill that was very difficult. There was a long and hard debate on the Bill that included a lot of issues that were constitutional involving mandates to schools. This is a much scaled back Bill. This Bill certainly does not

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violate the Constitution, nor does this Bill require filters. This Bill simply says that every school district should have a policy regarding the Internet and filtering and how students in that school district will use the Internet. It allows for local control. It keeps the First Amendment problem out of the Bill and out of this chamber for purposes of debate. And I would strongly recommend your 'aye' votes on a Bill that Representative Fowler has carefully crafted."

Speaker Madigan: "All right. Ladies and Gentlemen, this Bill is on the Order of Standard Debate. There have been two proponents and one person in response. The Chair recognizes Mr. Fritchey."

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

Speaker Madigan: "The Sponsor yields."

Fritchey: "I'm not sure whether or not I'm in agreement with the previous speaker... I just took a look at the words of the Bill for the first time to tell you the truth. While you are giving more latitude to the school boards to implement a policy, we're not giving any guidance to what that policy should be, correct?"

Fowler: "That will be left up to each individual school board. Yes, Sir."

Fritchey: "And the policy... sincerely, I don't know or... I don't think I'm in disagreement with you, but I'm not sure. If their policy was to use a certain Internet filter from a certain company as a means of trying to filter out explicit material, what assurances do we have that we're not preventing those children from having access from certain sites that they may be using to do a biology report or something else? There's some words where in one context, they may be considered sexually explicit, yet in another

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context, they're very benign."

Fowler: "Representative Fritchey, that has been one of the problems that has been brought up by mandating the filters because of those things you just brought up. They have been known to filter out material that would be helpful to a student in doing a project or getting information that would be favorable to them."

Fritchey: "So, how do we prevent that from happening in this situation if we give the school board the authority to use Acme Filter Service? And Acme Filter Service tends to filter out a host of very valuable information from the kids. Aren't we, in a way, limiting the kids access to otherwise valuable information?"

Fowler: "Well, again, I think, John, it would go back to the schools. That would be a decision they would have to make. And I've been told that about 35% of the filters now in use do not offer the protection that they are intended to do so."

Fritchey: "Another question. Do we have a... This would apply to either a policy with specific regards to the Internet or just a general policy?"

Fowler: "The policy would be that that was necessary to protect those students from sexually explicit material as outlined in the current Criminal Code."

Fritchey: "So, would that then also apply to library books?"

Fowler: "On that I would say 'yes'. It's not spelled out in the law, but..."

Fritchey: "I mean, I would think so..."

Fowler: "Yes."

Fritchey: "I'm not saying that it's necessarily a bad thing, I'm just trying to understand if that's your intent."

Fowler: "Okay. I've been advised that in one of the Amendments,

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the word 'Internet' has been inserted for that purpose, John."

Fritchey: "Right. And that's what I was looking at. It inserts 'Internet', but adds... And it's tough when you read it, you go from the Bill back to the Amendment back to the Bill and try to figure what fits where. But when I see it that it could... that it says that it will apply to the Internet but I don't know if that means... that doesn't prevent them, and I guess they could do it right now, from implementing a policy that it applies to what they would deem to be explicit material, and that is these books on the Internet, other educational materials, correct?"

Fowler: "Yes."

Fritchey: "Mr. Speaker, to the Bill. To the Bill."

Speaker Madigan: "Mr. Fritchey."

Fritchey: "Members of the Body, those of us that are on the floor. You know, this is legislation that I think is well intended. I know the Sponsor's worked hard to craft something that will address the needs and concerns of people around this state. I would caution, however, that on one hand by diluting this to the point where it may be right now, we've given the school boards, I think, authority which they already have. And that is to implement a policy as far as what they do want or their children have access to or not what their children have access to. I'd caution everybody, though, to be very careful that when we are allowing the school boards to decide either to use the filters or other means, what materials our children will have access to, or what may or may not be sexually explicit, that we will inadvertently... and I... hopefully not intentional... but inadvertently block out information that is part of the legitimate

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educational process. And we need to be careful 'cause we are treading on a fine line. And, while you hate to use the term 'slippery slope', every time we come into these issues as we come closer and closer and make that line finer, we are finding ourselves really on the cusp of endangering what could be some legitimate free speech issues. Thank you."

Speaker Madigan: "All right. Ladies and Gentlemen. Again, this Bill is on the Order of Standard Debate. There have been two proponents and two in response. Mr. Righter."

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

Speaker Madigan: "The Sponsor yields."

Righter: "Representative Fowler, this Bill, as engrossed, has two Amendments attached to it. Those were attached on the floor here, is that right? Or in committee?"

Fowler: "Two in committee and one on the floor."

Righter: "Okay. The... Can you tell me... The second Amendment has to do with adding the term 'Internet' to the legislation, is that right?"

Fowler: "That's correct."

Righter: "Okay. Can you tell me why that was done?"

Fowler: "Well, in the original legislation, that was left out, Representative Righter. And in committee, it was felt that it would strengthen the Bill to add that word. And that was from a Member of your side of the aisle."

Righter: "Now, you say strengthen the Bill. By putting in just the term 'Internet', what you're telling the school boards they have to do is develop a policy with regards to the Internet. So, it seems to me that you've limited the requirement as opposed to broaden it by leaving it an open-ended or general term."

Fowler: "No, Sir. The intent of was, again, to leave it up to

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each individual school board. If they wanted to go with the Internet filter, that was their decision. If not, they would have a written policy and that policy would outline how they would protect the students from the sexual explicit material."

Righter: "Well, does this requirement in this Bill apply to sexually explicit material that might be found in the library someplace, other than on the Internet?"

Fowler: "Well, it outlines sexual explicit material as defined in the current Criminal Code in the State of Illinois."

Righter: "Well, let's be more specific. Does this Bill require the school board to develop a policy regarding sexually explicit material that may be found in magazines as opposed to the Internet?"

Fowler: "Well, again, Representative Righter, I think it would pertain to sexual explicit material, again, as outlined in the Criminal Code."

Righter: "Representative Fowler, I've been advised by staff that there is language in the Bill with regards to requiring the school boards to file copies of these policies with the State Board of Education."

Fowler: "Okay. That was in the original Bill, Representative Righter. But that was... the State Board of Education had a problem with that in that they would be inundated with all these policies. So, they asked that be amended to leave that requirement out, that they receive a copy, that the policies would remain in the schools, themselves, and would be available for auditing."

Righter: "Okay. I'm looking at page 1 of your Bill, Representative, starting on line 13, 'Within six months after the effective date of this amendatory Act of the 92nd General Assembly, each school board shall file a copy of

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the policy required under this section with the State Board of Education.' Are you telling me that I... I mean, is that not in the Bill anymore?"

Fowler: "No, Sir."

Righter: "Representative Fowler, does this legislation do anything that is not already under the authority of the State Board? I mean, I'm sorry, the school board to do already."

Fowler: "To my knowledge, Representative Righter, there's nothing that requires them to have the Internet filters or a written policy. So..."

Righter: "If a school board decides that their policy shall be the status quo, will that qualify as a policy regulating this material on the Internet under this Bill?"

Fowler: "If that was a written policy, yes, I think it would conform to the requirements of this piece of legislation."

Righter: "So, if a school board doesn't think it's necessary to put anything in place to regulate access to sexually explicit material on the Internet... if they decide that they don't need to do that, all they have to do to comply with your legislation is to put down a written policy that we don't think we have to do anything about this?"

Fowler: "Well, going back to the Bill. Again, on line 10, it says the board... 'school board shall adopt and implement a policy'."

Righter: "Well, they could put it in writing and their implementation is to do nothing because they've decided that their policy, the status quo, is just fine."

Fowler: "I think that would comply with this legislation as it's written, Dale."

Righter: "So, as a practical matter, Representative, I guess the question I'm asking is, this Bill is not going to require

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school boards to do anything different other than put something on paper than what they're doing right now?"

Fowler: "Correct."

Righter: "Thank you, Representative. Thank you, Mr. Speaker."

Speaker Madigan: "Again, this Bill is on the Order of Standard Debate. There have been two proponents and there have been three in response. Mr. Schoenberg, you are seeking recognition. If it is in response, we've already used up our allotment under the Rules. Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I wanted to establish something for the purposes of legislative intent and to make Members of the Body aware of something as well. I think Mr. Fowler has been interested, and appropriately so, in ensuring that students are not accessing inappropriate material in the schools. And that's a laudable goal and I think he's come a long way in crafting something that allows people to reach that goal. What I want to establish, though, for some intent is that I'd like for the individual school districts in the 102 counties throughout this state to be mindful of the fact and to incorporate into their policies, issues that relate to the use of filters that acquire information through cookies and seek to sell that information for commercial purposes. More specifically, there was a very prominent case of a Internet filtering company, N2H2, which had a relationship with Roper Starch, a marketing research firm. N2H2 is a company that accumulated data on school children who used its Internet content filters. What they did was, as they were filtering the material, they were able to acquire information and data on the Internet trafficking patterns by these students, what sites that they were visiting. And then in turn, that data was sold through Roper Starch,

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through... for the only purpose of being to provide commercial sale of that information so that Roper Starch in turn, could sell that to other businesses which try to target their sale of products, whether it's toys, whether it's games, whether it's videos, whatever it is geared towards the children's market. In the... the unintended consequence of all of this is that the privacy of our children, while they may have... the privacy of our children is potentially violated by companies that use filters because they can... those filtering companies can then turn around and sell the web surfing habit data to other companies so that they can sell things to our kids. What I would like to see... and if Mr. Fowler's all right with this... what I'd like to do is have it be the intent of the General Assembly that as school districts establish their policies for web filtering, that those polici... they should really make sure that those policies also include a prohibition of acquiring software where the company goes and uses the data that's accumulated through cookies and sells that to other businesses for commercial purposes. I think that's the last thing we want to see. The whole purpose behind this Bill is to ensure that kids don't get exploited. And the worst thing we would want to see is kids getting exploited without even knowing that they're getting exploited because they're web surfing data is being sold to big companies who are gonna make money off of them for the purpose of selling that to toy companies, and video companies, and other commercial interests which sell things to our children. I appreciate the indulgence of the Chair, Mr. Fowler, and the Body. And I certainly hope that the school districts ensure that they protect kids all the way across the board and make sure that they don't sell any

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cookie accumulated data through commercial purposes. Thank you."

Speaker Madigan: "Mr. Fowler, to close."

Fowler: "Thank you, Mr. Speaker. I appreciate the questions and the concerns of the Body. And I would ask for an 'aye' vote on this piece of legislation."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. 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? The Clerk shall take the record. On this question, there are 117 people voting 'yes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Poe. Mr. Poe. Did you wish to call House Bill 3307? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3307, a Bill for an Act in relation to historic preservation. Third Reading of this House Bill."

Poe: "Mr. Speaker, Ladies and Gentlemen of the House, this is a cleanup language for the Historical Preservation Agency. It also is adding some sites around the State of Illinois such as the Abraham Lincoln Presidential Library Museum. So, if there's any questions, I'll be glad to answer them."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. 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? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Scott, did you wish to call House Bill 504? Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 504, a Bill for an Act concerning housing affordability. Third Reading of this House Bill."

Speaker Madigan: "Mr. Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 504 is a Bill that passed out of this chamber unanimously last year. What it would do is create something called the Live Where You Work Act (sic-Live Near Work Act). And the idea behind it is to try to provide more affordable housing by making down payment assistance to people who live near where their employers are. And what it would envision would be a match between the local government, it could be a city or a county, the state, and the employer to try to write down down payment costs on housing. What it does in that way, it provides not only more home ownership in neighborhoods, which is a very good thing for the neighborhood, it's obviously good for the employers because they have the employees living closer to their place of employment. And it's also good for the employees. It not only provides some assistance to them, but as I said, it also helps strengthen the neighborhoods. This is an initiative that's supported widely, not only by business groups and also by units of local government, but it's also supported by the Metropolitan Planning Commission, as well as the Realtors Association. As I say, it passed out of here unanimously last year. And I would ask for favorable support this year."

Speaker Madigan: "The Gentlemen moves for the passage of the Bill. 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? The Clerk

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shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hoeft, House Bill 1895. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1895, a Bill for an Act relating to education. Third Reading of this House Bill."

Speaker Madigan: "Mr. Hoeft."

Hoeft: "Thank you, Mr. Speaker. 1895 deals with the State Board of Education testing system. The original board had... Bill had three components to it, the first of which was it removed students who have recently moved into the schools from taking the test, with 17 1/2% of the students in the state move into a school during the year. So, it takes the mobility factor out. It also says that all students who are absent have to be retested and if they aren't, then the school has to have a reason for that place in the student's folder. And thirdly, it says once these are in place that we will have no more changes in the state testing system for five years. That's similar to the provision that Representative Mautino had in his Bill... has in his Bill. State Board of Education asks us to include a new Amendment that would define which bilingual students take the examination and which do not. This was a request to put us in line with the Title I of the Federal Government so that we can maintain those funds. This passed out of committee unanimously, everyone signed on as a proponent. The only negative I know about this Bill is that it's supported by the State Board of Education."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes';

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those opposed by voting '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 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mendoza, House Bill 2315. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2315, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "Representative Mendoza."

Mendoza: "House Bill 23... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2315 amends the Criminal Code of 1961 and changes the offense of unlawful use of armor piercing bullets to unlawful use of firearm projectiles. And it includes, as projectiles, any armor piercing bullet, dragon's breath shotgun shell, bolo shell, or flechette shell. It also expands the offense of manufacturing, selling, or transferring of bullets represented to be armor piercing bullets to include any shell represented to be a dragon's breath shotgun shell, bolo shell, or flechette shell. It changes the offense of unlawful discharge of armor piercing bullets to unlawful discharge of firearm projectiles and includes, as firearm projectiles, any armor piercing bullet, dragon's breath shotgun shell, bolo shell, or flechette shell. I'd be happy to answer any questions."

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

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, your Bill references a particular type of

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shotgun shell referred to as a flechette shell, if I'm pronouncing it correctly. Can you tell me what that is?"

Mendoza: "Sure. I just want to prepare myself for the verbal projectiles which will be thrown in my direction by Representative Black. Representative Black, what was that question again, something to do with flechette shells?"

Black: "Yes. Yes, what is a flechette shell?"

Mendoza: "A flechette shell is similar to a nail gun, Representative Black."

Black: "Similar to what, I'm sorry, a nail gun?"

Mendoza: "Yes."

Black: "And would..."

Mendoza: "It is like if you grab a nail gun and start shooting people. They're thin stabilized darts, metal darts..."

Black: "I'm sorry, what does Tom Dart have to do with it?"

Mendoza: "Well, Tom Dart is a Cosponsor I believe. So..."

Black: "Oh, okay."

Mendoza: "Yes, Representative Dart..."

Black: "Would the hat you're wearing protect you from a flechette shell?"

Mendoza: "Well, one of the things is a dragon's breath shotgun shell. And as I've seen over the short term I've been here, some could say that your projectiles are similar to dragon's breath than shotgun shell type."

Black: "You haven't seen anything yet. I don't have a copy of your Bill, forgive me. I assume that when you talk about armor piercing bullets, there is an exemption for law enforcement officers, correct?"

Mendoza: "Yes, there is, Sir."

Black: "Okay."

Mendoza: "Peace officers, police officers..."

Black: "Is there also a law enforcement exemption for flechette

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shells?"

Mendoza: "Yes, there is."

Black: "I think they use... They're commonly used in a crowd control. That's kind of a benign word for that. But they're commonly used in what, a civil unrest situation, something of that sort?"

Mendoza: "Well, they're actually not very commonly used. So, we don't want them to become commonly used. They could cause a massive amount of severe trauma."

Black: "All right. If... do you know how much they would cost? I'm just curious. I'm not familiar with that..."

Mendoza: "No, actually I don't know the answer to that."

Black: "Are they currently sold at will, over the counter?"

Mendoza: "You could buy 'em, you could get 'em over the Internet. There's plenty of avenues you could use to purchase them. But what we don't want to see is a proliferation of that type of armor piercing bullet or projectile."

Black: "And you've removed the 50 caliber projectile by the Amendment. It was Amendment #1..."

Mendoza: "Yes."

Black: "...right?"

Mendoza: "Yes, Sir."

Black: "All right. And is... it's hard for me to see with the backlighting over there. Are you wearing a protective vest today?"

Mendoza: "Yes, but that's, you know, in your honor, Sir. Thank you"

Black: "You're very kind. I... But I think you may be in violation of some part of the law that says civilians aren't supposed to wear those."

Mendoza: "Well, I'll check into that."

Black: "Yes, well, thank you very much. Perhaps we could have

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the sergeant at arms check into that and place you under arrest until we see if you're violating any laws about civilians wearing bulletproof vests. Although it can come in handy sometimes here on the floor."

Mendoza: "Yes, I am on the floor. I believe I'm exempt for now, so..."

Black: "All right."

Mendoza: "I'll take it right off."

Black: "And I really like your hat, it's very becoming."

Mendoza: "Thank you."

Black: "Thank you. Representative, for your first Bill, you've accomplished something that I haven't had happen to me in 16 years. I'm absolutely speechless."

Mendoza: "Thanks. Wow."

Black: "Let me just say this, Representative, I know when I'm in the company of greatness, and I'm in the company of greatness. I see a long and distinguished career for you."

Mendoza: "Thank you."

Black: "Good luck."

Mendoza: "Thank you very much, Representative."

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

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

Speaker Hartke: "The Sponsor will yield."

Lang: "Representative, is there anything in this Bill about second cousins? Because there seems to be a problem with freshman knowing all about that stuff."

Mendoza: "No, I believe that..."

Lang: "What are you doing, Representative?"

Mendoza: "Well, you know... Well, okay, I should respect your verbal..."

Lang: "If you're going to leave your paraphernalia on for Mr."

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Black, I would be insulted if you're not wearing it. Thank you."

Mendoza: "There it is. I'm ready."

Lang: "Representative, what does that helmet say in front?"

Mendoza: "I believe it's like military play equipment. But, you know, I believe it to be armor piercing... against armor piercing today."

Lang: "What does it say? It has words on it."

Mendoza: "It says, 'official military play equipment'."

Lang: "Is that from your personal GI Joe kit?"

Mendoza: "I got it from yours."

Lang: "That's good. And what does your button say, Representative."

Mendoza: "It says, 'I don't get ulcers, I give them.' And this is given to me by one of the police captains in my district."

Lang: "I see. I see. And is that your own personal flack jacket?"

Mendoza: "Well, actually it's not mine, but... Again, lent to me by..."

Lang: "So, someone gave that to you? Someone gave you that flack jacket?"

Mendoza: "Actually, my brother, who's a police officer, lent me the..."

Lang: "Oh, he loaned it to you?"

Mendoza: "Loaned it."

Lang: "So, you won't have to put it on your disclosures?"

Mendoza: "No, I won't, I won't. It's just a..."

Lang: "So, what is a dragon's breath shotgun shell?"

Mendoza: "It's similar to a flamethrower. It goes about 100 yards and it'll burn through anything that it hits."

Lang: "Well, why don't they call it a flamethrower then in the

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Bill, so people like me can understand it?"

Mendoza: "So that you get the opportunity to ask me what it is and partake in the..."

Lang: "Now, who is for this Bill and who's against this Bill?"

Mendoza: "There's really no one against it..."

Lang: "Like no one in America?"

Mendoza: "...that I know of."

Lang: "Okay."

Mendoza: "Maybe the guys who use... or the people who use dragon's breath shotgun shells to try to burn a gopher to death, but..."

Lang: "And I suppose if I asked you who would be for this Bill, you would say the people."

Mendoza: "Oh, absolutely, the people."

Lang: "Right. But you know of no one who's opposed to this Bill?"

Mendoza: "As of this moment, there are no opponents."

Lang: "And so... no opponents that you know of."

Mendoza: "No opponents that I know of, that's correct."

Lang: "Would you doubt that when these votes go up on the board, there's gonna be a lot of 'no' votes?"

Mendoza: "Excuse me?"

Lang: "Gonna be a lot of 'no' votes when we vote, don't you think?"

Mendoza: "That could be, but I would ask for a positive outcome on this Bill."

Lang: "Right. Well, okay. Well, so what's a bolo shell?"

Mendoza: "Bolo shell are two metal balls that are attached by wire. And when they... when that shoots out at you, it wraps around and basically just cuts through anything that it hits."

Lang: "So, do you have pictures of these different kinds of

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shells you want to pass around so we can all see them?"

Mendoza: "I don't have 'em with me, but I could make those available to you, I'm sure, at a later time."

Lang: "Well, you want to take this Bill out of the record for like two weeks..."

Mendoza: "No, no."

Lang: "...while we consider those pictures."

Mendoza: "Absolutely not. But I could e-mail you one if you want."

Lang: "No. Well, no. Mr. Black might be interested in it though, because he was very interested in what you're doing with this Bill. Well, Representative, I'm concerned about this Bill. I think it's maybe beyond the ability of a freshman to move such an important piece of legislation. Do you have any concern at all about the outcome of this?"

Mendoza: "No, actually I'm hoping... I'm confident that this Body will see the need for not having armor piercing projectiles and bullets in our code and in our state. And I would ask that you support it, as well, Representative."

Lang: "Well, are you aware that freshmen, before they do their first Bill, are supposed to walk the floor with a Roll Call and check the votes in advance."

Mendoza: "Yes. And you are one my sponsors."

Lang: "Have you done that on this Bill?"

Mendoza: "Yes, I have."

Lang: "And so, how many 'yes' votes do you have on your Roll Call?"

Mendoza: "Well, I had almost 100 that I need. I believe last time I checked, I had around 101."

Lang: "All right. So, you're expecting at least 100 votes on this Bill?"

Mendoza: "Yes, that's what I would hope for."

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Lang: "We shall see, Representative."

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

Mendoza: "Okay. I'd just like to thank the Members for their questions and their concerns regarding this Bill. And I would ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2315?' 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 2315, there were 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1734, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1734, a Bill for an Act concerning day care. Third Reading of this House Bill."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1734 is an initiative to increase opportunities for day care for infants and toddlers. We know that about 60% of Illinois families with infants and toddlers are in the work force, but we also know that there is a tremendous scarcity of licensed day care facilities. We also know that people... day care providers often don't provide infant services because it's very labor intensive and you have to have not only a lot of individuals working in your facility, but a lot of equipment; cribs, playpens, toys appropriate for that age group. And this would give incentives to day care providers to upgrade their equipment, to purchase more infant equipment, and give them

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incentives that would allow them to hire more quality providers and to pay them more so that they would be able to have those services available to working families in Illinois. And I would be happy to answer any questions. And I ask for a favorable vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Johnson: "Representative, when these things are made available, are they gonna be made available for both licensed, as well as license-exempt day care facilities?"

O'Brien: "Mr. Johnson, I believe that this program would be specifically to increase the number of licensed facilities. But I don't know that other... You know, I know understand other initiatives do include license-exempt, but I believe this one is for those that have a license..."

Johnson: "Okay."

O'Brien: "... 'cause that's where our need is the greatest."

Johnson: "Well, you know, I guess that's a question of whether it is or isn't. You know, there's huge discrepancies in payment and reimbursement rates between licensed day care and license-exempt, which, of course, are the smaller groups. And, of course, in the suburban area, you know, we have a number of license-exempt day care providers because we don't have public transportation and everything else to get everybody to these centers. And, you know, I guess... I'm gonna support your legislation, but I am concerned that as we go down this path that we don't forget that the license-exempt day care providers are very, very critical to the people of this state and we ought to be including them when there is help made available. And we should not

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unilaterally just keep using up all of our resources only in the development of the licensed day care facilities. Thank you."

O'Brien: "Thank you. Representative Johnson, in response to that, I do have one sister-in-law that does have an unlicensed day care facility that she runs from her home. And my other sister-in-laws and sister take their children to licensed day care facilities. I understand the need for both... the tremendous need, but our... I guess, our gap in services for this particular type of care right now appears to be in licensed facilities. But I would certainly..."

Speaker Hartke: "Further discussion? The Chair recognizes... Were you finished? Further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, what's the threshold of children that would require a person to seek a license? How many toddlers to three would necessitate they apply for a license?"

O'Brien: "I believe it doesn't... it's not age determinative. But I think if you have more than three children on a full-time basis in your home or other facility, that you need to seek a license from the Department of Children and Family Services. I believe it's three."

Black: "All right. Following up on what Representative Johnson says. I've noticed... Years ago, the late Senator Harry Woodyard and I sponsored a group day care home Bill trying to address what Representative Johnson was, I think, talking about. And that is, in rural areas, obviously day

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care centers have not and will not work because we don't have the density of population, not to mention some of the income differential. But I've noticed that after we created this and the licensure standards were written, some 34 pages, it appears that we now have fewer day care providers who are willing to open their homes than we did prior to the licensure. I guess that's my only fear. And you mentioned that you have a sister-in-law who uses an unlicensed facility. And so, if I heard you correctly to Representative Johnson's inquiry, this Bill will not put out of business any and all unlicensed providers, correct?"

O'Brien: "No."

Black: "But will they be expected to meet certain guidelines, standards, et cetera, that they may not, now, have to meet?"

O'Brien: "No."

Black: "Okay. Then I intend to vote for your Bill. My only fear, and it's based not only on perception but what I've seen in reality. Sometimes the licensing standards can be drafted in such a way by the rulemaking process, not by this or any other legislation, that many people become so hassled by the inspector and the licensing inspectors that they just say, hey, you know, what started out to be kind of a favor to some people in my neighborhood is now costing me more money than I make to comply with all of these regulations, so to heck with it. And if that happens, then we've done people in rural areas, like you have and I have, a disservice. I know that's not your intent and I know you will watch this very carefully. But every time we go to licensing standards and regulations, my fear is we drive more and more people out of the kind of group day care homes that is the only thing that many of us in rural

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Illinois can look to for day care. Particularly, and I know this is your area as well as mine, off traditional shift. It's very hard to find somebody to watch your child on a S... if you're working second shift and people transitioning now from welfare to work are often asked to work third shift, which is even more difficult, than to find day care. So, I'm going to vote for the Bill based on your reputation as someone who will watch the agency and not let them drive more providers out, rather than try to encourage more providers to come in. I appreciate your efforts on this case."

O'Brien: "Thank you, Representative Black."

Speaker Hartke: "Representative O'Brien, to close."

O'Brien: "I would just appreciate an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1734?' 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 1734, there were 117 Members voting 'yes'; 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, for a Committee Report."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on March 27, 2001, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #4 to House Bill 64, Floor Amendment #3 to House Bill 300, Floor Amendment #4 to House Bill 686, Floor Amendment #3 to House Bill 915, Floor Amendment #3 to House Bill 1050, Floor Amendment #1 to House Bill 1709, Floor

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Amendment #2 to House Bill 1810, Floor Amendment #1 to House Bill 2046, Floor Amendment #1 to House Bill 2052, Floor Amendment #1 to House Bill 2464, Floor Amendment #1 to House Bill 2473, Floor Amendment #1 to House Bill 3015, Floor Amendment #1 to House Bill 3129, Floor Amendment #3 to House Bill 3147, and Floor Amendment #1 to House Bill 3538."

Speaker Hartke: "House Bill 438, Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 438, a Bill for an Act in relation to counseling. Third Reading of this House Bill."

Speaker Hartke: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 438 amends the Professional Counseling and Clinical Professional Counseling Licensing Act. It deletes some language and has some other cleanup that deletes two Sections in the Act. The first Section deleted deals with temporary licenses and the second provision provides for fees to be paid for by applicants and licensees. And I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 48 (sic-438) is a product of negotiations between the professional counselors and the Department of Professional Regulation. It's an Agreed Bill. And I ask for your approval. Thank you."

Speaker Hartke: "Is there any discussion? Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 438?' 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

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who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 438, there are 116 Members voting 'yes', 1 person voting 'no', and 0 voting present. And this Bill, having received a Constitutional Majority, is hereby declared passed. We're going to move to a group of Bills that are on Second Reading that need to be moved to Third for the Agreed list. So, bear with me. All of these are free of Amendments except one, that's Representative Wirsing's. And he'll be ready when that time comes. On Second Reading, on Supplemental Calendar #2 appears House Bill 1041. Representative Bradley. Mr. Clerk, read the Bill. 1041."

Clerk Bolin: "House Bill 1041, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. Read the Bill."

Clerk Bolin: "House Bill 1041, a Bill for an Act regarding vehicles. Third Reading of this House Bill."

Speaker Hartke: "House Bill 1786, Mr. Clerk... or Mr. Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1786, the Bill has been read a second time, previously."

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

Clerk Bolin: "House Bill 1786, a Bill for an Act in relation to fire protection. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2290. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2290, the Bill has been read a second time, previously."

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

Clerk Bolin: "House Bill 2290, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hartke: "House Bill 2552. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2552, the Bill has been read a second

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time, previously."

Speaker Hartke: "Third Reading. House Bill 2552. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2552, a Bill for an Act to amend the Grade A Pasteurized Milk and Milk Products Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 3004, Krause. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3004, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 3004. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3004, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. Third Reading of this House Bill."

Speaker Hartke: "House Bill 3014, Rutherford. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3014, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 3014. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3014, a Bill for an Act concerning radon. Third Reading of this House Bill."

Speaker Hartke: "House Bill 3085, Mr. Berns. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3085, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 3085. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3085, a Bill for an Act concerning agriculture. Third Reading of this House Bill."

Speaker Hartke: "House Bill 3125. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 3125, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 3125. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3125, a Bill for an Act concerning support. Third Reading of this House Bill."

Speaker Hartke: "House Bill 3129. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3129, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Wirsing, has been approved for consideration."

Speaker Hartke: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. Amendment #1, it simply does some technical things. And it also... It says the facility license under the Nursing Home Care Act. That's... So, it's a technical aspect to the legislation."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3129?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 3129. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3129, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Speaker Hartke: "House Bill 3130, Representative Cross. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3130, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 3130. Mr. Clerk,

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read the Bill."

Clerk Bolin: "House Bill 3130, a Bill for an Act concerning disabled persons. Third Reading of this House Bill."

Speaker Hartke: "House Bill 3332, Representative Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3332, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 3332. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3332, a Bill for an Act in relation to agrichemicals. Third Reading of this House Bill."

Speaker Hartke: "Third Reading. House Bill 9, Mr. Berns. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 9, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 198. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 198, a Bill for an Act with regard to education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 274. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 274, a Bill for an Act in relation to higher education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third Reading. House Bill 523. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 523, a Bill for an Act in relation to gambling. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third Reading. House Bill 708, Representative Durkin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 708, a Bill for an Act to revise the law by combining multiple enactments and making technical

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corrections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 810, Stephens. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 810, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4... or 841. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 841, a Bill for an Act in relation to higher education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 863. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 863, a Bill for an Act in relation to victims' rights. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third Reading. House Bill 898. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 898, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 933. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 933, a Bill for an Act in regard to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 1040, Brunsvold. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1040, a Bill for an Act relating to insurance. Second Reading (sic-Third) of this House Bill."

Speaker Hartke: "Hold that Bill on Third Reading. House Bill 1883. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1883, a Bill for an Act concerning government audits. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 1923. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1923, a Bill for an Act in relation to

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criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 2019. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2019, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 2062. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2062, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 2108. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2108, a Bill for an Act in relation to municipal appropriations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 2200. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2200, a Bill for an Act concerning property taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 2258. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2258, a Bill for an Act concerning the Illinois commemorative quarter. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 2396. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2396, a Bill for an Act regarding education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third Reading. House Bill 2300. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2300, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hartke: "Mr. Clerk, the previous Bill, House Bill 2296,

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not 2396."

Clerk Bolin: "Yeah, I did 2396."

Speaker Hartke: "It is 2396. The printout says 2296. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2296, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill on Third Reading. House Bill 2554. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2554, a Bill for an Act concerning payment of insurance claims. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3012. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3012, a Bill for an Act concerning insurance rating organizations. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3033. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3033, a Bill for an Act concerning compensation. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3065. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3065, a Bill for an Act regarding vehicles. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3172. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3172, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3179. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3179, a Bill for an Act concerning consumer fraud. Third Reading of this House Bill."

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Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3199. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3199, a Bill for an Act concerning pharmaceuticals. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3319. Representative Myers. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3319, a Bill for an Act to create the Rural Technology Program Act. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. House Bill 3387. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3387, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hartke: "Let that Bill remain on Third Reading. On Supplemental Calendar #3 appears House Bill 34, Representative McKeon. Your Amendment has been approved for consideration. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 34, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McKeon, has been approved for consideration."

Speaker Hartke: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker, Members of the chamber. This is a technical Amendment which merely changes the pejorative term 'handicap' to 'disability' throughout the Bill. It is not my intent to put any additional Amendments on the Bill or change, in any manner, the substantive content of the Bill. It just merely changes each and every occurrence of the term 'handicap' to 'disability'. I'll gladly answer any questions."

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Speaker Hartke: "Is there any discussion? Mr. Clerk, for an announcement."

Clerk Bolin: "Supplemental Calendar #3 is being distributed."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, is the underlying Bill still a vehicle Bill, still in shell form?"

McKeon: "The Amendment... Yes, the underlying Bill was a shell. The Amendment becomes the Bill."

Black: "All right. The Amendment simply replaces the word 'handicap' with the word 'disability'. Is that because of a lawsuit or more current usage of the word? I mean, is there a particular reason?"

McKeon: "As I'm sure you're well aware, Representative Black, the term 'handicap' is a highly pejorative term..."

Black: "Okay."

McKeon: "...within the disability community. And several years ago, they asked me to change that term. I thought it could be done in, you know, a cleanup Bill, but that has never transpired. So, I promised them to make that technical change to the Bill this Session."

Black: "Okay. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is 'Shall the House adopt Floor Amendment #1 to House Bill 34?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

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Speaker Hartke: "Third Reading. House Bill 789, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 789, a Bill for an Act concerning civil procedure. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McCarthy, has been approved for consideration."

Speaker Hartke: "Representative McCarthy, on the Amendment."

McCarthy: "Thank you, Mr. Speaker. Amendment #1 becomes the Bill and basically clears up a provision in the Code of Civil Procedure. When people are enforcing judgments on liens, there is a exemption of \$7,500 per home owner. Right now, the current law says that the county sheriff has to appoint three commissioners, pay them \$5 a day plus one way mileage and allows them to act as appraisers for this property in order to say it is worth more than \$7,500. The Bill allows it to be... a certified general appraiser to come in and ascertain if the property's worth more than \$7,500, so that the judgement can go forth. I move for adoption of the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? The Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, the Amendment doesn't do... Does this only affect the general homestead exemption that you and I... in other words, the owner occupied exemption? This Amendment does not go into any other of the property tax exemptions?"

McCarthy: "It only affects the exemption on homestead when a lien is being processed against your property. It does not

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include like liens for mortgages, they have an exemption from this exemption. It also... Like a lien for taxes has an exemption from this exemption earlier in the Code. And it basically, just... it changes the procedure when they're enforcing these orders of judgement that, instead of appointing these three men to go out there and... or three individuals to act as commissioners for \$5 a day, it's kind of an arcane provision in the Code. And so, it removes that and says one general appraiser can do this. It is basically... you cannot enforce a lien on a property that's not worth at least \$7,500, 'cause that's what the homestead exemption is there. So, all he does is go out there and say, yes, the property is worth more than \$7,500 and the judgement goes forth and they put it on the tax sale, if they haven't paid the lien before the date of the sale."

Black: "All right. I appreciate that. The reason I was asking, Representative, how long has the general homestead exemption been available, you know, the owner-occupied exemption? It's been what, 15 years, 20 years?"

McCarthy: "I couldn't say that and be absolutely sure. But this is only for the enforcement of liens, though."

Black: "All right. As I was looking... and I won't belabor the point. I'm looking for a home for an Amendment to increase the amount of the owner-occupied exemption. It has never been increased since the day we passed it. And it has been some time ago. It's 3,500 then, it's 3,500 now. And I really think, if we want to give middle-class taxpayers, I'm no longer... So, I'm really out of order here. But, that should be increased to \$5 thousand. And I'm looking for a home for that Amendment, but I'm not sure this is the right vehicle. But I appreciate your indulgence. Thank you."

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McCarthy: "Well, I would welcome the Amendment, but it would make it not germane to this Bill, so..."

Black: "I think you're right. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 789?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1045, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1045, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to House Bill 1045 becomes the Bill. What it does is it increases the penalty for reckless homicide from a Class III felony to a Class II felony with a sentencing range of six to twenty-eight years imprisonment if the victim of the reckless homicide is a peace officer, fireman, emergency medical technician, or an ambulance driver in the course of their official duties and a defendant is proven, beyond a reasonable doubt, they have been driving under the influence of drugs or alcohol. And I would ask for Floor Amendment #1 to be adopted to House Bill 1045."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House

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adopt Floor Amendment #1 to House Bill 1045?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1147, Representative Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1147, a Bill for an Act in relation to environmental matters. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1..."

Speaker Hartke: "Out of the record."

Clerk Bolin: "...offered by Representative Hassert, has been approved for consideration."

Speaker Hartke: "The Amendment has been approved for consideration. You still want it out of the record? Out of the record. House Bill 1277, Representative Cowlshaw. Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1277, a Bill for an Act in relation to taxes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Cowlshaw, has been approved for consideration."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House. All this Amendment does is to add one word to the statute that now requires a publication of notices in a local newspaper when a unit of local government is going to impose its annual tax levy and especially, if that levy does involve an increase in the total levy over the prior year. Currently, the law says that it must give notice to be published... must follow the form that is set forth in the law. Units of local government including municipalities, school districts, park

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districts have discovered that because the law requires that this publication, for which they have to pay, has to be precisely what the form is that is set forth in there, that if they misplace one comma, if the border that is required, the black border around the ad is not the width set forth in the statutes or if there is some other inconsequential difference, many times a difference over which that unit of local government has no control. They can't control what sort of border the newspaper may choose to put around their publication. But as long as the material that is included is complete and accurate, it seems to me, the unit of local government should not have to pay to have that run twice. Some of these places have actually paid to run that same ad twice and the second one simply removed a comma or made the border three-eighths of an inch rather than a half an inch. This Bill adds the word 'substantially.' It says that, 'the notice must be 'substantially in the following form', so that some minor change in the way it was published would not obligate that unit of local government to republish it and pay the expense of having it run twice. This Amendment was approved yesterday by the Revenue Committee on a unanimous vote. It is supported by the Illinois Association of Park Districts, the Municipal League, and entities such as that. And I would be glad to answer any questions."

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

Hoffman: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates she'll yield."

Hoffman: "Representative, I don't necessarily have any problem with your Bill, I just have a quick question. You indicated that the Municipal League... Is this an

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initiative of the Municipal League?"

Cowlshaw: "No."

Hoffman: "And is there a specific... Okay. Is there a specific municipality that this affected?"

Cowlshaw: "This is not... This was not brought to me by the Illinois Municipal League. The Municipal League is in favor of this legislation, but it was not brought to me by the Illinois Municipal League. It was the parks that were originally the people who wanted to have something done so that they didn't have to pay to have these things run twice."

Hoffman: "I guess the only concern that I would have is it doesn't appear that the term 'substantially' is defined in your legislation. And it would seem to me that a court's interpretation of the current law, substantial compliance probably would suffice. And I think that there's a mirrorative case law that defines what 'substantial compliance' is. I would assume that you would just rely on that in order to reflect the intent of the Bill. Is that right?"

Cowlshaw: "Yes, Sir. That was my underst ... I am not an attorney, Sir. So, I did consult an attorney for park districts who helped me to put this together and assured me that I did not need to define the word 'substantially', that it is already defined in case law and so forth and that in fact what this Bill would do is simply to make it unnecessary for units of local government to pay to run the same ad twice if the material, the facts that were included, were complete and accurate. It simply would prevent their having to pay to do that twice when there were some absolutely inconsequential difference between the way the punctuation and so forth is set forth in the

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statute."

Hoffman: "All right. Thank you."

Cowlshaw: "You're very welcome, Sir."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1277?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1302, Representative Bassi. Suzie Bassi. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1302, a Bill for an Act concerning aging. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Bassi, has been approved for consideration."

Speaker Hartke: "Representative Bassi on the Amendment."

Bassi: "Thank you, Mr. Speaker. This Amendment becomes the Bill. It was introduced to change the wording for the Illinois Act on Aging. It had been worded so that the funding was divided evenly between the 13 area agencies on aging. It passed out of committee unanimously. It provides that new funds will be distributed according to the per capita basis as opposed to divided evenly, beginning July 1, 2001. And I would ask for a favorable vote on the Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1302?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. That wasn't necessary. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have

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it. And the Amendment is adopted. Mr. Clerk, dump that roll. That's not necessary. Mr. Black."

Black: "Mr. Speaker, an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Did someone call for a record vote..."

Speaker Hartke: "No."

Black: "...on the Amendment?"

Speaker Hartke: "It was an error by the Speaker and I admit that."

Black: "Oh, the Clerk wasn't paying attention, right?"

Speaker Hartke: "No, he was paying attention."

Black: "Oh, I see."

Speaker Hartke: "That was the problem."

Black: "You mean it was an error on the Speaker?"

Speaker Hartke: "This..."

Black: "The error on the Chair."

Speaker Hartke: "The Gentleman in the Chair misspoke."

Black: "Let the record reflect, Black 1, Hartke 0."

Speaker Hartke: "Further Amendments?"

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

Speaker Hartke: "Mr. Hoffman."

Hoffman: "Yes. Inquiry of the Chair. Did you adopt the Amendment?"

Speaker Hartke: "Yes."

Hoffman: "I didn't hear you adopt the Amendment."

Speaker Hartke: "I adopted the Amendment."

Hoffman: "Are you sure you adopted the Amendment?"

Speaker Hartke: "Amendment is adopted."

Hoffman: "'Cause sometimes you get confused, Mr. Speaker."

Speaker Hartke: "The Amendment is adopted."

Hoffman: "Okay. And you're not confused?"

Speaker Hartke: "No."

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Hoffman: "Okay."

Speaker Hartke: "No further Amendments?"

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

Speaker Hartke: "Third Reading. On Third Reading appears House Bill 642. Representative Murphy. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 642, a Bill for an Act concerning the minimum wage. Third Reading of this House Bill."

Speaker Hartke: "Representative Murphy."

Murphy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring to you today House Bill 642 to increase the minimum wages. As you know, since the mid-60s and on through 1979 that minimum wages of \$5.15, the buying power has really decreased. And we came up with a figure of \$6.50 based on the increase of food, medicine, housing. And we would ask for your favorable vote."

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

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, is any of the surrounding states raising the minimum wage to the \$6.50 you want to raise it?"

Murphy: "Well, Representative, Washington state is one of the states. I'm not sure if we have anymore."

Parke: "So, we're gonna raise the minimum wage in Illinois that is gonna affect the business community and not... and this is not anywhere else in the surrounding Midwest? We're gonna sorta set the trail here, blaze the trail for this. Is that right?"

Murphy: "Yeah, you're right, Representative. We trying to be a first on something that's of positive. We'd like people to get a day's pay for a day's work. And this is not welfare."

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People are willing to work, but they want to be able to buy food and clothes for their families. So, what we're asking' here is that Illinois take the lead, right behind Washington and be #2 in raising the minimum wages."

Parke: "Is this tied to the Consumer Price Index, also?"

Murphy: "Yes, it is, Representative."

Parke: "So, not only do you want to raise it to 6.50 today, you wanna automatically build in every year and raise it equal to the CPI. Is that right? Is that what you're saying with this Bill?"

Murphy: "Well, that's what I'm saying'. I'm saying' instead of coming' and waiting' all this time and falling' behind, as inflation increase that would increase. The same as we have, like the cost of living'."

Parke: "Thank you, Mr... Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen, I think you need to pay attention to this legislation. The Gentleman wants to raise the minimum wage to 6.50. When you raise minimum wages what happens is the small businessman or woman who has to pay the minimum wage finds that they pay less money to fewer employees because they have less spendable money to hire employees. So, in fact, what the Gentleman's trying to do is counterproductive, 'cause if you have a limited amount of money to spend to hire employees and now you've gotta increase what you're paying' your current employees, you then have less money to hire new employees. So, in fact, what he's doing' is well intended, but in fact, he actually cost people from being hired. In addition, this is tied to the Consumer Price Index. It means that annually it has to be adjusted by the Department of Labor. So, whether you and I feel that there should be a raise, it automatically's

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gonna be happened by virtue of this Bill. I rise in strong opposition to this. This is opposed by all of the major business groups in the state: the Illinois Manufacturers, Employment Law Council, National Federation of Independent Businesses, the Illinois Chamber, the Illinois Retail Merchants Association and the Municipal League, all oppose this idea. Quite frankly, it in the long run will not achieve what the Sponsor wants. I would ask that we vote 'no' on this legislation."

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

Hoffman: "Just a point. The previous speaker talked about the COLA and tying future increases to a COLA and tying it to the Consumer Price Index. Everybody on this floor understands, that's what we do. We have a COLA and our salary gets raised every year by a given amount. Now, it's okay for you, Representative, but it's not okay for a person who makes \$6.50 an hour. Well, I think that's wrong. I think it's wrong when we only pay people \$6.50 an hour, that's \$12,000 a year. Twelve thousand dollars a year, a family of four, the poverty rate's 18,000 and we're gonna take the COLA, but we're not gonna give it to people who make \$6.50 an hour and work at McDonald's? I think it's wrong and if you vote against this... If you vote against this, you should just give your COLA back to the taxpayers of the State of Illinois. I vote and ask for an 'aye' vote."

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

Black: "Thank you very much, Mr. Speaker. I had to look around, I thought the gallery was full of people there for a minute. I'm all excited with the previous speaker. Will

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the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, how did you arrive at the figure of 6.50?"

Murphy: "What we did, Representative, in the mid-60s, you know, we took... The minimum wage at that time went up to 1979 and from 1960 to '79 to the present time, we came up with... if we were doing' the COLA, as the previous speaker said, the cost of living' increased the COLA that we received would be about at \$7.00 per hour."

Black: "So, wouldn't it stand to reason that if \$6.50 was good, why not make it \$15.00? Why not \$20.00 an hour? Wouldn't that be better?"

Murphy: "No, that wouldn't be better, Representative, if we was to put the salary where small businesses couldn't pay. But I submit to you that it would be better to bring people up to 6.50 better than 5.15, that would be better."

Black: "Well, of course if we got it up to \$20.00 an hour, then they might be making as much as we do and my goodness, I'm not sure that we'd wanna do that, would we? Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "We go through this exercise every year. You know, in all due respect to the previous speaker, there are those of us in this chamber that didn't vote for that cost of living pay raise for us. There are those of us in this chamber that have given it back, including the raise that we have had on occasion. So if you want to make that argument there are plenty of people on the floor who didn't vote for that cost of living agreement, who didn't vote for the salary increase, who didn't vote for the compensation review board that gives a way to get automatic pay raises.

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So, you know, that... Don't paint everybody here with the same brush. Don't stand up and try to demagogue and pander an issue when you don't need to do that. There's no reason to do that. If the Gentleman is sincere, lower our pay and raise those above... and raise those below. What's the Mayor of Chicago make? What do the captains of industry make? Millions of dollars. Why not amend the Bill? Lower their pay and raise the ceiling, raise the floor and the ceiling may come together. You know why we don't do that and why we can't? It's because of the economic system under which we operate. As flawed as it is, free enterprise and capitalism, as flawed as it is, I would submit to you, is still a beacon of hope for everybody in the world. Where do people try to go when they leave their country? Where do they want to come to? Do they wanna go to... name any country in the world? Do they wanna go to Haiti? Do they wanna get in leaky boats and go to Cuba? Do they get on leaky boats and go to China or Asia or Europe? No. Where do they come? They all want to come to the United States of America. For all of our flaws, for all of our inherent difficulties, it is still... You don't have to take my word for it. Watch television on any given night when they rescue refugees from cargo containers off a ship, locked in there for 30 and 40 days, if they're lucky enough to survive. What do they tell ya? They went through all of that deprivation to get to the United States of America where they think they have an opportunity for their family. Not a guarantee, an opportunity. We're still the beacon of the world. For all of the flaws that capitalism has and, Representative, I agree with you. There are some inherent flaws. There are some inherent inequities in our free enterprise capitalist society. But if you just look

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around, it still is the greatest and brightest beacon of hope for anyone in the world today because we don't limit what an individual can do. We give them opportunity and the minimum wage is a starting point. We don't expect anybody to stay there. Many of us have had minimum wage jobs in our life, I did. I assume you did. You move on, you take advantage of the opportunity this country gives you and then you are free to make that ceiling whatever you are able to make it and whatever ideas the free enterprise system will reward. So, I have no doubt that this becomes a partisan issue, an exercise that we go through every year. It helps to fill out legislative mailers which we then send out at taxpayer expense touting what we're trying to do for the people. You know sometimes if we just get out of the road of this economic engine of ours, get out of the road and let it function, give people unfettered opportunity and access to capital and opportunity and free enterprise, we wouldn't have to sit here and discuss minimum wage year after year after year. I intend to vote 'no', as I have every year on this Bill. I have no doubt that it will pass. And I have no doubt, we all know what will happen to the Bill. It will never be heard from again and we'll do it next year and the year after that and the year after that and the year after that. If you're serious about it and you don't like this system, then change it. Make fundamental changes in the free enterprise capitalist society. If you wanna do that, we'll take a look at it, we'll discuss it. But these kinds of 'feel good' measures are just that. They won't work. They've proven not to work. If you wanna be a noncompetitive with all of the states around ya, fine, vote for the Bill. If you wanna give this country that has provided for so many of us whose

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ancestors came here from other countries, let the system work. History has proven it works fairly well."

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

Murphy: "Yeah, thank you, Mr. Speaker. I appreciate all those kind remarks from the Representative. However, let me point out to you that the Governor just did a supplemental in which he received 114 votes for an increase of \$1.00 per hour for people who earn much more than 5.15 and I think some of those people who voted against this and spoke against this Bill are voted for the \$1.00 per hour for people that make a lot more money than 5.15. So, that's kinda inconsistent to me. However, we really come down here and I will carry this Bill and keep carrying' it until someone will support this so people who work for a living' can feed their families. When we talk about the heat, the gas, the lights... even electricity, 5.15 you can't even pay a heating' bill, on the heating' bill. So, we ought to be real and take care of people who can't take care of themselves very well. And I agree with the Governor and I voted for that Bill last week. So, I hope you all will give me an 'aye' on the increase of minimum wages. Thanks."

Speaker Hartke: "The question is... Representative Cross."

Cross: "Thank you, Mr. Speaker. I don't... There must have been a problem with my light. I... We request a verification in the event this gets the requisite number of votes."

Speaker Hartke: "Your request will be granted. The question is, 'Shall the House pass House Bill 642?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. There has been a request for a verification. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On House Bill 642, there were
65 Members voting 'yes', 51 Members voting 'no', and 1
Member voting 'present'. And there's been a request for a
verification. Mr. Clerk, please read the Members of the
affirmative."

Clerk Rossi: "A poll of those voting in the affirmative.
Representatives Acevedo. Boland. Bradley. Brosnahan.
Brunsvold. Bugielski. Burke. Capparelli. Collins.
Crotty. Currie. Curry. Dart. Davis, M. Davis, S.
Delgado. Feigenholtz. Flowers. Forby. Fowler. Franks.
Fritchey. Garrett. Giles. Granberg. Hamos. Hannig.
Hartke. Hoffman. Holbrook. Howard. Jones, L. Jones, S.
Kenner. Lang. Lyons, E. Lyons, J. Mautino. May.
McAuliffe. McCarthy. McGuire. McKeon. Mendoza. Miller.
Mitchell, B. Morrow. Murphy. Novak. O'Brien. Osterman.
Reitz. Ryan. Saviano. Schoenberg. Scott. Scully.
Slone. Smith. Soto. Stroger. Turner, A. Yarbrough.
Younge. Mr. Speaker."

Speaker Hartke: "Mr. Cross."

Cross: "Representative Fritchey."

Speaker Hartke: "Representative Fritchey. He's right here near
the door on the right side."

Cross: "Representative Scott."

Speaker Hartke: "Representative Scott. Representative Doug
Scott. Representative Scott. Mr. Clerk, how is
Representative Scott recorded?"

Clerk Rossi: "Representative Scott is voting 'yes'."

Speaker Hartke: "Remove Mr. Scott. Further questions?"

Cross: "Representative Eileen Lyons."

Speaker Hartke: "Representative Eileen Lyons. Representative
Eileen Lyons. Representative Lyons. How is Representative

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Lyons recorded?"

Clerk Rossi: "Representative Eileen Lyons is recorded as voting 'yes'."

Speaker Hartke: "Remove Representative Lyons. Further questions?"

Cross: "Representative May."

Speaker Hartke: "Representative May. Karen May. Karen May is standing in the Democrat aisle. Wave at Mr. Cross, please."

Cross: "Representative Mautino."

Speaker Hartke: "Representative Mautino, you said? Mautino, yes. Representative Mautino is waving at you from his chair."

Cross: "I'm wavin' back, I'm wavin' back."

Speaker Hartke: "Okay."

Cross: "Representative Novak."

Speaker Hartke: "Representative Novak."

Cross: "Novak."

Speaker Hartke: "Representative Novak. He's in the back, the back of the chamber, Mr. Cross. In the men's washroom. Representative Morrow, for what reason do you seek recognition? Verification. Mr. Cross, would you verify Mr. Morrow."

Cross: "Of course, I will. Can you imagine if I didn't? What he'd do to me?"

Speaker Hartke: "Yes."

Cross: "By all means. That's the end of it, Mr. Speaker."

Speaker Hartke: "No further questions of the affirmative. On House Bill 642, there are 63 Members voting 'yes', 51 Members voting 'no', 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1000, Representative Biggins. Representative Biggins. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 1000, a Bill for an Act in relation to alcoholic liquor. Third Reading of this House Bill."

Speaker Hartke: "Representative Biggins. Representative Biggins."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1000 requires that this Bill has now reached an agreement by all interested parties. And requires that a common carrier must obtain the signature at the time of delivery of a person of at least 21 years old when delivering alcoholic liquor to a residence. That's an attempt to stop carriers such as UPS from dropping packages of alcohol off at homes without obtaining a proper signature of an at age person. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Winnebago, Mr. Scott. No. He declines. Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 1000 is a culmination of all the interests regarding the liquor industry, Mothers Against Drunk Driving, Federal Express, to tighten up the process on home delivery of beer and wine and liquor when people order it through the Internet or through... on the phone. We want to tighten up the delivery procedures to keep these alcoholic beverages out of the hands of minors. And we're proud to bring this before the Body today. And I would urge your approval of House Bill 1000. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

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Black: "Representative, I apologize. It's hard to hear in here. When the Illinois Wine Institute had their open house here not... what a week or two ago? One of the questions that I brought up was delivery. If you could order a case of wine as a gift for someone for their anniversary, let's say, they weren't home and their minor child may, you know... the question I asked was, 'Could the minor child sign for that gift?' Now, I assume that they could not and I further assume that this Bill then tightens that up about who can sign for a gift of say, a case of wine from an Illinois winery that you're sending to someone for their wedding anniversary? How would that work if I... It's my understanding, they can ship it, but does this clearly say that the UPS or the delivery driver must see some identification before it's signed for?"

Biggins: "Yes, yes..."

Black: "Okay."

Biggins: "... it does."

Black: "So, this in no way inhibits then an Illinois winery's ability to ship cases of their product to someone for a gift or whatever?"

Biggins: "No, it does not."

Black: "Fine. Thank you very much."

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

Wojcik: "Thank you, Mr. Speaker. I think the previous Representative asked my question. I just want to make sure, having legislated the Reciprocal Wine Purchase Act, that this in no way will affect that Act."

Biggins: "It does not affect that Act."

Wojcik: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking

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recognition, the question is, 'Shall the House pass House Bill 1000?' 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 1000, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, you've noticed we've passed out the Agreed List, the yellow sheets. Please look over those Bills that are on the Agreed Bill List. If you desire to vote 'no', please indicate so or 'present' on the legislation on the yellow slip on Agreed List #1, Supplemental #2, sign that piece of legislation and we will be calling those slips in at some point in time this afternoon. Yes, please sign those Agreed Lists on Supplemental #2 before you return it to the Clerk's well. House Bill 913, Representative Ryan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 913, a Bill for an Act amending the Illinois Public Labor Relations Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 913 is a piece of legislation that has passed twice previously through this chamber. Simply put, it clarifies the definition of management employees under the Illinois Public Relations Act. Basically, what the piece of legislation says, is judge a person in dispute based upon his duties and responsibilities not on his perceived management, managerial or professional status. I ask for an 'aye' vote on this. I will defer all questions to the hyphenated Sponsor, Doug Scott. If you have any questions,

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please feel free to ask him. We ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Is there any discussion on House Bill 913? The Chair recognizes Representative Durkin."

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

Speaker Hartke: "The Sponsor indicates that..."

Durkin: "Representative..."

Speaker Hartke: "...Mr. Scott will be..."

Durkin: "Mr. Scott."

Speaker Hartke: "...answering the questions on this legislation."

Durkin: "Good afternoon, Representative Scott. Will you be willing to entertain a question?"

Scott: "Sure."

Durkin: "Thank you. What has prompted this legislation? What situation... can you explain to me why this is necessary?"

Scott: "Sure. There was a court decision, Jim, that basically held in essence that staff attorneys, as a matter of law, were managerial employees and thus, could not organize under the Collective Bargaining Act."

Durkin: "Which staff attorneys are you talking to?"

Scott: "I believe it was in Kane County."

Durkin: "Okay."

Scott: "It was very..."

Durkin: "Was it a public defender or a state's attorney?"

Scott: "I believe it was a public defender's office."

Durkin: "Okay. And was..."

Scott: "And there are... as you know there are staff attorneys in similarly situated offices that are organized in other places in the state. In fact, I believe in Cook County there are some organized."

Durkin: "And the court has stated that they are managerial in nature, therefore, they are exempt under the Collective

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Bargaining..."

Scott: "Managerial, per se."

Durkin: "Well..."

Scott: "Without looking at the exact job duties of the actual attorneys, just saying that staff attorneys, per se, were managerial."

Durkin: "Well, I have a hard time reconciling that 'cause I, at one time, was a staff attorney..."

Scott: "Yeah, me, too."

Durkin: "...in a county, in a State's Attorney Office, in..."

Speaker Hartke: "Excuse me. Gentlemen, I will be placing the timer on."

Scott: "Okay."

Speaker Hartke: "I want you to be aware of that. Go ahead."

Scott: "He says the timer's on."

Speaker Hartke: "The timer's on."

Scott: "Representative Durkin."

Durkin: "Thank you. But I would tend to agree with you because I believe that when I was in that position, you really have... every decision you make has to go up the chain. You don't have this unilateral right to make a decision on 99% of the issues that come before you in a courtroom. As a state's attorney, you don't have this unilateral right to dismiss a charge, you have to go up the chain. Or if you're going to add additional charges, if you're going to reduce charges at a plea agreement, these are all things that you cannot unilaterally do. So, I would tend to agree with you on that, Representative Scott, and I have supported this in the past and I will again today. Thank you."

Scott: "Well, thank you, Representative Durkin. Again, you're right and it doesn't say that you can't be. If you get job

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duties as part of your job that make you responsible and give you managerial duties, then you could be under, you know, you could be found to be like that, but we need to look at it on an individual basis."

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

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

Speaker Hartke: "Sponsor will yield."

Mulligan: "Representative, does the employee have an option?"

Scott: "Sure. Just like you would anywhere, Representative Mulligan. To actually organize employees, he would have to fill out cards and do the same thing that's done under the Act. All we're saying is put all of the employees back into the same analysis that all the employees under the Collective Bargaining Act would use, don't just exclude job titles, per se, on an across-the-board basis and that's what happened here. So, the way it would happen is if there were attorneys in an office, say a public defender's office or a prosecutor's office, who wanted to organize, they would have to fill out the cards and have a vote just like you would anywhere else."

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

Moore: "Representative, how many years has this Bill been introduced in the House?"

Scott: "Several. I'm not sure. I think it's at least three times that it's been here and we've always passed it. But then as we know, strange things happen, you know, in the translation between here and across the aisle. So..."

Moore: "Well, I've served on the Labor Committee, now the Labor Committee, for eight years and I believe it's come through there every single year I've been here."

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Scott: "I didn't want to oversell it, but you may be right."

Moore: "And so, it begs the question that Representative Tom Johnson asked in committee. Have you ever thought of introducing this Bill in the Senate to see how it might do because then we could pass it through and we could all save ourselves a lot of time?"

Scott: "Well, we wanna continue to put the pressure on our brethren across the aisle. But I think it, you know, it's been a good piece of legislation. It still hasn't... Who knows, if we could figure out what year suddenly which Bill is going to bubble up in the top in the Senate, we could all do extremely well here, but none of us are ever sure about that."

Moore: "I know, but without some political change it's not promising. One of the things that this Bill does, as I understand it, is that it really does hinder the fact-finding authority of the Illinois State Labor Relations Board. It limits the board to considering only the employees actual job duties and actual authority concerning overall operations and then these limitations will force the board to ignore other factors that may deem relevant in determining managerial status."

Scott: "I think it's exactly the opposite of that. The court decision, actually, hindered the job of the Labor Relations Board by telling them, you can't even look at the job duties of these particular individuals. We're just saying that as a matter of law, per se, they're not or they are managerial employees and thus not subject to the Act. What this does is tells the Labor Board to do what they do in every other case with every other kind of employee, which is to look specifically at the job duties that are done. That's what they do and when they do these kind of

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determinations and I've been through a few of them as an attorney for the city. I've been through some of these before and the elections and they look hard at every individual job duty to make sure that those people are doing things that are managerial or that can be subject to the Act. So, I think it's exactly the opposite of the fact sheet there."

Moore: "The managerial exclusion is really essential for government employees, at least, I think it is and..."

Scott: "Sure, I do, too."

Moore: "...and the drafters of the current law and the courts have recognized that employers are entitled to have managers with undivided loyalty."

Scott: "And I absolutely agree with that, and in fact, I was one, when I was a city attorney for Rockford. So, I absolutely agree with that. But what we're saying is, that the same time that that's very important, let the Labor Board do their job and determine which employees actually are managerial employees within the context of the unit of government that they work for and not just say that because you're a lawyer you're automatically exempt from the collective bargaining law. That what the court case does. I think it stands the Labor Act on its head, that decision. I think it does something totally unintended by the Labor Act and that's why I think it's necessary for us to do this to put the labor back, back the way that we... Labor Act back the way we passed it originally."

Moore: "Well, one of the premises of the new standard that is contained in the Bill is relatively unclear and for example, it requires management functions to be delegated on a regular basis. And what does this mean, 'on a regular basis'?"

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Scott: "See that's one of the determinations that the Labor Board gets to make. They make a determi ...they don't have anything set in stone. So if you go and you say, 'Look, our engineers are management employees. They shouldn't be able to organize under the Act.' The labor board is going to examine what their job description is and not only what duties may technically be assigned to them on their job description, but also the frequency and the regularity with which they're going to perform those tasks which might make them managerial employees. That's what the labor board does. They don't have a rule that says, if you're 20% or if you're 30%, you're delegating, then you aren't management or you are. They look at each of these cases on an individual basis and that's all we're saying to do here. Look at 'em on an individual basis the way we always intended the Act to be and not have a court decision that says because you're a lawyer you can't be a bargaining unit employee, 'cause we know that's not true. We've got lots of bargaining unit employees who are lawyers throughout the state."

Moore: "But the issue of 'on a regular basis' isn't really giving very clear direction, it's unclear. Does on a regular basis mean monthly, does it mean annually, does it mean every five years? What is on a regular basis? If you do it regularly, I would say that you can establish that it's regular, but it might not be often enough or it might too often."

Scott: "Except I don't think we're establishing any new criteria. I would disagree with the fact sheet again on that, Representative. I think what we're doing is, all we're saying is it's the same analysis as they go through in every other case. And all we're saying is that they have

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to make a determination and none of the criteria is that objective throughout the Labor Act. They have to... the Labor Board has to make a decision in every case how much or how little they're doing the functions that would be a management employee. So, we're not really changing anything in the law that way."

Moore: "Well, there are many working managers in State Government who perform management functions that are extremely important to the employer and even though they may be performed on a regular basis, this Bill seems to prohibit these types of duties from even being considered."

Scott: "If I can give you an example. It may be the example of somebody who has employees under their command and they're regularly making decisions with respect to management decisions on time off or on discipline kind of matters. That's in their job description. They may not do it all the time, but that's in their job description to handle all those, as opposed to somebody who might on an ad hoc basis be asked to do a particular function. It's not part of their regular job duties, but they're asked to do it on a one-time shot. So, the labor board gets cases like that all the time and there's a body of precedent that's taller than I am in terms of making these individual determinations. So, I don't think we're putting any big burden on the labor board or doing something that would go out of line with what their normal body of law is."

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

Speaker Hartke: "To the Bill."

Moore: "The managerial exclusion that has been in the Act since the early '80s, when it was first enacted and was taken from the national Labor Relations Act, which itself has been effect... in effect since the 1930s. House Bill 19...

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913 changes the long-standing definition of 'managerial employee' in a manner that could effectively eliminate the exclusion for all but the highest level managers. The definition should not be changed after all these years simply because unions are unhappy with the Supreme Court decision and I would respectfully ask the Body to vote 'no'."

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

Scott: "Well, thank you, Mr. Speaker. I wanted to thank the lead Sponsor, Representative Ryan, for bringing this to the Body. I think this is an important Bill. Having been a management attorney for the city for about nine and a half years and working directly with the Labor Relations Act, I fully understand what this Bill's trying to do. And what we're just trying to say is, 'Look, let's treat all of the employees, under the Labor Act the same and not exclude employees just because they happen to be lawyers.' Because as Representative Durkin very accurately pointed out, in a lot of cases, lawyers who work for a State's Attorney's Office or a public defender's office they really don't perform any management functions at all. Every decision on major cases, every decision on how cases get handled is really made by the state's attorney or by the public defender and they're not really performing any managerial functions as we would know it or we would think of it in terms of normal labor law. So, what this does, we've got a case, essentially, that really turned all of that around and essentially said, 'No because you're lawyers, just as a matter of law, you can't be part of the Collective Bargaining Act.' I think that was the wrong decision. But in any case, it is the decision and so now we need to go

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back and clarify what we always thought the Collective Bargaining Act said, which was whenever a group wants to be recognized as a collective bargaining unit, let the labor board make a determination whether or not they're managerial employees and thus is excluded. They will go into the duties that they have, the amount of time that they spend doing those jobs. Nothing that we've written in this particular Bill changes any of that. It just clarifies it and makes it the way we always thought that the Labor Act intended it to be. We've passed this Bill before, as Representative Moore said, on several occasions. I think it's worthy of our passage one more time. And I would ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 913?' 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 913, there were 93 Members voting 'yes', 23 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3033, Representative Steve Davis. Mr. Clerk, read the Bill. Mr. Scott, for what reason do you seek recognition?"

Scott: "Thank you, Mr. Speaker. On House Bill 642, I was out speaking with someone, didn't make it back in time. I would have voted 'yes'."

Speaker Hartke: "Thank you. Mr. Davis."

Davis, S.: "Yes..."

Speaker Hartke: "Just a minute, Mr. Davis. Mr. Davis, 3033 is on the Agreed Bill List, so... out of the record. House Bill 3395, Representative Hoffman. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 3395, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. ...Clerk, read the Bill."

Clerk Bolin: "House Bill 3395, a Bill for an Act concerning state services. Third Reading of this House Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3395 is an initiative of AFSCME and other organizations, people representing organized labor. What House Bill 3395 simply says is, that if an entity receives a state contract or a state grant, that they can't use or they can't then use that money in order to assist or deter union organizing or can they require nor prohibit the attendance of employees at any meeting related to union organization and they must allow a labor organization the same opportunities to communicate with employees as those used by the employer. The bottom line here is that we want to make sure that we're not using state dollars in order to prohibit workers from exercising their rights to organize and to band together to form organizations that represent workers in the companies."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentlemen from Cook, Representative Parke."

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

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

Parke: "Representative, isn't this the Bill that was spoke to by a member of the ALF-CIO, saying that in essence that if you are taking state dollars that you probably should not have a... should not try and stop anybody from unionizing? Wasn't that said in committee?"

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Hoffman: "I don't... I was in the committee, but I don't recall that testimony."

Parke: "Okay. Well, I think that's pretty close to it. How do you define what is money that comes from the taxpayer and money that comes from a private contract?"

Hoffman: "The Amendment that was and I think your concern, I would assume, is how do you determine which is the state dollars and which isn't? What the Amendment did, I think, Amendment that we adopted yesterday to the Bill on the floor has essentially clarified that position, Representative. And it said that only the employees that work in the area that received a state grant or the state contract are the ones that would be affected by this Bill."

Parke: "Say that again. Say that in another way. I'm not sure I understand."

Hoffman: "I thought I said it pretty good."

Parke: "No and I'm sure it was brilliant, but..."

Hoffman: "Say it another way."

Parke: "Yeah, say it..."

Hoffman: "Say it slower."

Parke: "I'm not sure I understand."

Hoffman: "Okay. Okay. Let's say that we have a state contract. The Department of Professional... or Department of Public Health contracts with an organization in order to provide services. There are certain employees that work within that organization that work on that grant or work in the area that receives the money. This Bill, we limited the Bill of yesterday with an Amendment that said only those employees are affected by this Bill. In other words, that organization cannot use any of that money to prohibit those employees that are affected in that grant or in that contract, they can't use it in order to dissuade them from

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exercising their rights to organize."

Parke: "So, let me get this straight. If somebody wants to organize a union and they have a state contract, then they should then... Let me ask it another way. If a union wanted to say to an employee... employer, if you're receiving taxpayers' money for any kind of project at all, we will take you to the Labor Relations Board and let you prove that you're not trying to stop any kind of union activities on the company's premises. Is that what this Bill does now? In other words, does the employer have to prove under your Bill, or with the Amendment now, does the employer have to prove that he is not using any taxpayer money, if he's taken to court? Is it his proof or does the people who charges them with breaking some kind of a law that you would put in place by this, do the people who are charging have to prove it or does the employer have to prove it?"

Hoffman: "Under the Bill, their provision in the Bill indicates that any labor organization may file a complaint with the Attorney General if he believes the contract or grant he has violates the requirements of the Act. Then the contractor or grantee must respond to that complaint within 14 days of the filing by furnishing a detailed accounting of its expenditures in connection with the union organizing effort and the source of money for those expenditures. So, the Attorney General's Office then may take any action necessary to force compliance with this Act including, but not limited to a civil action for injunctive relief."

Parke: "Is this a new injunctive re... Is this a new cause of action that you're forming under this?"

Hoffman: "You could bring a cause of action under this Bill which is a new Act. Yes."

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Parke: "Okay. To the Bill. Ladies and Gentlemen, let me point out to you that what this Bill is gonna do is that it's gonna require an employer to show that he's not breaking the law. That anybody can go in there, any union can go in and charge the employer with breaking this law. Then it's up to the lawyer to... up to the employer to take time off from work, to hire an attorney, to go before the Labor Relations Board and justify their actions. This is something that they have to prove. So, anybody can charge. So, if you're a company getting state taxpayer money, you could simply have the union come to you and say, 'Hey, if you're gonna do anything that stops us from trying to unionize on your premise, we're gonna take you to court. We're just gonna simply use this as... a veiled threat to say either, let us unionize or attempt to unionize on your premise or we're just gonna take you to court.' I think that's way too much power in this legislation. Again, major groups that are opposed are the National Federation of Independent Businesses, the Association of General Contractors, the Illinois Chamber, the Catholic Conference and the Illinois Health Care Association, all oppose this. This is a new cause of action. This is not what we ought to be doing to Illinois businesses. This is a bad piece of legislation. And I would ask that the Body vote 'no' on this legislation."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition except Representative Mulligan. Representative Mulligan."

Mulligan: "I'm sorry. Thank you, Mr. Speaker. Representative..."

Speaker Hartke: "The Sponsor will yield."

Mulligan: "...in discussing this Bill, I was told that you could

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segregate your funds into separate accounts if you did business other than state and that would avoid any kind of litigation or questioning?"

Hoffman: "You could do that, yes. This doesn't require you to do that, but you could do that."

Mulligan: "Do you have to allow... does an owner of a business have to allow union organizing on company time?"

Hoffman: "This doesn't change the tenents of the Labor Law as it stands in the State of Illinois. So, it's my understanding that you do not have to allow that, no."

Mulligan: "So, you're limiting what state money can be used for as far as when it goes to someone that would take a contract?"

Hoffman: "You couldn't use the state money... if you have a state contract, you couldn't use the state money to assist or deter union organizing or otherwise seek influence the decision of their employees to be represented or not represented so choosing a union. You couldn't use it to require or prohibit the attendance of employees at any meeting related to union organizations and it also allows the labor organization the same opportunities to communicate with employees as those used by the employer. So, if the communications were on the employer's premises, he communicates with 'em, you would have to then allow the labor union to communicate with 'em. But I think that that's generally the way that the labor law stands in the State of Illinois and nationally."

Mulligan: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3195... 3395?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? Mr. Clerk, take the record. On
House Bill 3395, there are 75 Members voting 'yes', 42
Members voting 'no', and 0 voting 'present'. And this
Bill, having received a Constitutional Majority, is hereby
declared passed. House Bill 3048, Representative Wojcik.
Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3048, a Bill for an Act concerning the
regulation of professions. Third Reading of this House
Bill."

Speaker Hartke: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker, Members of the House. House
Bill 3048 amends the Nursing and Advanced Practice Nursing
Act. It prohibits registered nurses, licensed practical
nurses, and advanced practice nurses from performing any
acts, tasks, or functions primarily performed by
optometrists. The reason for this Bill is there seems to
be a nurse that is doing this in the Southern area of
Illinois. And there are no opposition to this."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. House
Bill 3048 is a culmination of work between the Illinois
Optometric Association and the Illinois Nurses Association.
We worked it out. It's Agreed Bill. And I'd appreciate
your favorable vote. Thank you."

Speaker Hartke: "Is there any discussion? Further discussion?
Seeing that no one is seeking recognition, the question is,
'Shall the House pass House Bill 3048?' 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

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record. On House Bill 3048, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does Representative Crotty seek recognition?"

Crotty: "Thank you, Mr. Speaker. On House Bill 913, my switch was not working, but I'd like the record to reflect that I would have voted 'yes'."

Speaker Hartke: "The Journal will so reflect your wishes. House Bill 158, Representative Bradley. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 158, a Bill for an Act concerning structural work. Third Reading of this House Bill."

Speaker Hartke: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker, Members of the House. House Bill 158 is the Structural Work Act of 2001. And I'm honored to defer to Representative Dart for a detailed explanation of the Bill and to answer any questions. Thank you."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. We've seen this before. I've carried this Bill for the last, I think, four or five years. What this attempts to do is tries to reinstate the Structural Work Act that had been in existence for years and years here in Illinois and just as a result of that, we were one of the safest states in the country for people to work. The construction industry is the most dangerous industry of all and this Bill attempts to protect our workers. If you look at the actual language of the Bill as opposed to everything else that surrounds it, you'll find out it's a Bill that deals with safety. People will constantly try to make this into a lawyer's

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Bill, but it is not. The Structural Work Act has been off the books for five years and I know of not one law firm that's out of business now. This is a Bill that has to do with safety, the safety of workers and putting safety ahead of profits. I would appreciate a favorable vote and I would answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Parke."

Parke: "Thank you, Mr. Speaker. Regardless of what the previous speaker has told you, this is a simple cause of action. It tells you how you can re... how you can sue Illinois business. It doesn't talk about safety at all. I mean, I wish people would read the legislation for a change. It simply tells you how you can sue. This legislation has been found that statistically we have not seen a tremendous lowering of deaths, because we've repealed this legislation the last five years. There still is death. And nobody likes to see anybody killed on the job, but this is not gonna do it. It's how employees and employers working together to develop safety rules to provide safety in the workplace is the only true way of protecting working men and women. We've repealed this. It has saved Illinois business tons of money. It is not necessary. And Ladies and Gentlemen as traditionally, this again, will be done on a partisan Roll Call. Business community is strongly opposed, the labor community is strongly in support. I would ask our Members to vote 'no' on this because it is not good for job creation in this state. And I stand in opposition for this as we continue to fight this battle every year."

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

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The previous speaker couldn't have been as far off the mark if he had tried. The Structural Work Act, up until the time we repealed it, was only the law in two states in the country, New York and Illinois. It is no surprise that Illinois and New York were the two safest workplace states in America. No one could say that's an accident. During the debate, when we repealed this, the Sponsor commented that, 'Well, we train our workers better here.' And I suppose we do, but those that sponsored the Bill, when we repealed the Structural Work Act, did it to make a statement. They did it to make a statement that a few bucks for business was more important to them than workers' safety and indeed, workers' safety has plummeted since we have repealed the Structural Work Act. Illinois, that used to be second in the nation in workplace safety, is now in the 20s or in the 30s. When we repealed the Structural Work Act, we were told that the savings that employers would have would create new jobs. Well, we've created some new jobs, but no one has any proof whatsoever that it's because we repealed the Structural Work Act. It may be because of Illinois FIRST. It may be for a lot of reasons, but it isn't because we repealed the Structural Work Act. And the savings to employers have not been astronomical, in fact, some would say quite small. And so one has to ask the question, how can you vote against the Bill when the history of this law in the State of Illinois tells us that contractors and subcontractors and all the people that work on a job site, who are responsible for everyone else's safety, created safer workplaces. The statistics are there, the facts are in front of you. When we repealed this, it was done in a cynical attempt to make a statement

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to organized labor. And I would submit to you that that cynical statement is one that has cost lives, caused injuries and hurt families all across this great state. This Bill is an important Bill, not to create lawsuits, but to save lives and to protect families and to keep people working. If you were a person working on the 75th floor of a building that was being built and you fell off of that building on your head, you would want to know that your family was protected. The people that built the high-rise buildings and the other buildings that make Illinois what it is, that add to our economy, that add to our industry, must be protected at work. This Bill will go a long way toward bringing Illinois back to the stature it had before we repealed the Structural Work Act. It'll make us a state that is a very safe workplace state. This is a Bill for ordinary working men and women. This is not a Bill for lawyers. It's not a Bill for courtrooms. It's not a Bill about recovery. It's a Bill that provides incentive to people that build tall buildings to make the work site safe for their employees, the people you represent, the people I represent, the people we are here and have sworn an oath to protect. This is an important piece of legislation to protect workers, ordinary men and women, workers in the State of Illinois. It cries out for an 'aye' vote."

Speaker Hartke: "Further discussion? Two people or one person has spoken in opposition, one person for. Representative Cross."

Cross: "I think we all know where we are on this Bill, Mr. Speaker. I request a verification. Thank you."

Speaker Hartke: "The request for a verification has been made. Your request will be granted. Further discussion? The Chair recognizes the Lady from Lake, Representative

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Garrett."

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

Speaker Hartke: "Sponsor will yield."

Garrett: "Representative Dart, Representative Parker (sic-Parke) indicated that this Bill has really nothing to do with safety and let me preface this by saying I voted in favor of this last time it came forward and I did so without realizing the partisan differences that divide this General Assembly on this particular piece of legislation. But I voted for it because I honestly believe that we should do everything in our power to make sure that those people who go up on scaffolds do so in the safest way possible. Without saying what happened because I voted for it, I decided this time that I would just try to flush out some of the information that I needed to know as to where this Bill... what this Bill's genesis is. So, my first question is, in the original legislation does the legislation speak to safety?"

Dart: "Representative, in answering your questions and that's why I found the one of the previous speaker's remarks sort of strange. The Bill is eight pages long. The first seven pages of it talk exclusively of the different type of safety devices you need depending on what you're doing. It's actually an interesting Act when you actually look at it. Each page talks about different types of a situation worker we will be in and the different types of safety devices that are needed to insure that that person's safe. Only at the end does it talk about a cause of action. Well, why is that? How else can you enforce anything? There's a mention to it, but as I say, to say there's no safety means you haven't read the Bill. The Bill talks for seven pages about safety."

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Garrett: "So, the answer to the question is 'yes' and I have looked at the legislation and I would say exactly what you're saying, over 80% of it has to do with ways in which to make scaffolding safer. And then secondly, since this legislation, I think it did pass the House last time. But subsequent to that, we have seen I think at least two or three or four different accidents. Can you speak to those accidents at all, in the State of Illinois?"

Dart: "What ends up happening, we had an accident, frankly, just a year ago that occurred in Peoria, where there were individuals working on a bridge and the scaffolding up for that collapsed. The thing that we have been trying to get across to people is that those types of incidents occur quite often because the people who have control of the scaffolding are not the workers who are sent up then to do all the work, it's the person who is in charge of the overall site. Without this Act, that person has no liability and hence, they don't do the job that they're supposed to be doing. What the worker ends up with though, if anything a workmen's compensation case, if that. Which barely will cover their injuries at all, if that. And so you have workers then who are receiving no compensation whatsoever for egregious accidents, the very people who are making this a country where we have roads and bridges and buildings that makes this country what it is. So for... and I can give you a slew of other incidents, too, where it's occurred, where it's been structural deficits which have occurred these people's... caused their injuries or their deaths."

Garrett: "The other question I have is, has to do with OSHA. People have told me and I've talked to my colleagues on the other side of the aisle that, in fact, OSHA already does

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exactly what this Bill attempts to do. Is that correct?"

Dart: "No, and I'm glad you mentioned that because I was gonna bring that up. That is one of the craziest things I've heard in a long time. Why? Because we are in what's called Region V which takes in Illinois, Wisconsin and Ohio. We have 634 thousand workplaces, a hundred and fifty OSHA workers, 10 million workers. You can work the math out, but it would take OSHA over 16 years just to examine every existing workplace now and that would mean with no other workplaces starting up. What ends up happening, is the only time anybody ever sees OSHA is after someone has been injured or killed. The whole purpose of this is to get to it before somebody's injured and killed. So, OSHA, as I say, it's a red herring. It's an argument that anybody who knows anything about this area, realizes that it is."

Garrett: "And Representative, one more question, having to do with worker's comp. Tell me about how the refund would go if in fact, somebody was injured and was paid through a different source. How would that affect worker's comp?"

Dart: "The way that the statute exists now and has in the past would be that for any of the workmen's compensation money that was paid out, that would be deducted from the award and paid back. It's quite often people talked about there being a double recovery, that has never occurred."

Garrett: "So, in fact, businesses really do not have the ability or the potential to lose as much as what people say because worker's comp..."

Dart: "Yeah. It..."

Garrett: "... would..."

Dart: "It would not have any impact on that whatsoever and once again..."

Speaker Hartke: "Please bring your remarks to a close."

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Dart: "And once again, there has been no showing of any nature that any of their costs have gone down in any of those areas. Nobody has showed me those."

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

Speaker Hartke: "To the Bill."

Garrett: "I would just like to add that to... for... Legislators on both sides of the aisle to really listen to the debate and to take into consideration as to what is at stake, regarding those people who are employed by a construction company and, I think, have one of the most dangerous jobs out there. I ask that you consider the debate and consider the consequences. Thank you very much."

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

Johnson: "To the Bill."

Speaker Hartke: "To the Bill."

Johnson: "This is a Bill, obviously, and the Sponsor and I have had a lot of talks about this over the years and I think we all know in this chamber the significance of this Bill. Nobody in this chamber wants to jeopardize the safety of our workers on construction sites or anywhere else. That's the red herring. We've heard this Bill the nine years that I've been here. I think it's been in here for nine years, if I'm not mistaken, Representative. Every year we hear it. Some people have told me it's been here for 19 years and debated every year. This is one of those wonderful Bills that keeps us separated in the name of 'safety of workers'. It keeps the unions and the trial lawyers on that side of the aisle contributing and making their contributions and keeps 'em going. It keeps business on our side of the aisle to continue their contributions, and lo and behold, let's never resolve this issue. Now, you

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know what, this issue could probably be resolved with a couple of fairly simple steps. One is, that a worker, either make an election on whether they want to collect under worker's comp or sue. Make the choice. It's not one or the other. The argument will be made, 'well, gee, if they sue and they get an award, they'll reimburse worker's comp.' Well, as a lawyer, this is a dream, because it means that the worker can go ahead and fund his litigation and hey, if he wins, great, if he loses, no harm done. I continue to get my worker's comp. The other thing, as we well know, the Supreme Court has redefined what a 'scaffold' is so basically the meaning of a 'scaffold' means nothing anymore. We all have a common perception of those scaffolds going up 80 stories in Chicago. Well, a scaffold is any open area on the concrete floors, they're building that building if somebody trips and falls on a pipe on the floor. This can be resolved if we got down to the issues. But, that will never happen because once again it will take away one of those nice little litmus tests that keeps the contributors on one side of the aisle going in their direction and the others on our side of the aisle going in our directions. So, I guess we'll continue to vote on this Bill for another 19 years, but let it be known, it does not have anything to do with peoples' concern for the safety of workers on construction sites."

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

Dart: "Thank you, Mr. Speaker, Members of the House. In respect to the previous speaker's remarks, but I couldn't disagree with him more. This is really about workers' safety and about workers. I would challenge you. I have been working on this Bill for, I don't know, like five or six years now."

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During that time, I have had numerous of the attorneys who have worked on these cases come up here and talk to me about the Bill. Not one single one of them has gone out of business as a result of this being repealed. Last I checked, we have not had to have any tag days for attorneys because this got repealed. The only people who are getting hurt by this are workers, real live people who are putting their lives on the line every single day and they're doing it for all of us. And yet we keep talking in these terms of, you know, the business community and this is all just about the lawyers; (a) the lawyers didn't go broke, (b) the business community, despite what they said, have yet to give us document, one showing there's been any decrease in the insurance cost. None. Zero. And so yet, we have to keep wandering around with this fallacy and you know, it's the lawyers versus the business community. That's not what it's about. It's about real live working people. This is a safety Bill. It always was, always will be. And that is why I would appreciate a vote for workers today. Thank you very much."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 158?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is up... open. There has been a request for a verification. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 158, there are 60 Members voting 'yes', 55 Members voting 'no', 2 Members voting 'present'. And there has been a request for a verification. Mr. Cross."

Cross: "Do I persist? Yes."

Speaker Hartke: "Mr. Clerk, read the affirmative."

Clerk Rossi: "A poll of those voting in the affirmative:

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Representatives Acevedo. Boland. Bradley. Brosnahan.
Brunsvold. Bugielski. Burke. Capparelli. Collins.
Crotty. Currie. Curry. Dart. Davis, M. Davis, S.
Delgado. Feigenholtz. Flowers. Forby. Fowler. Franks.
Fritchey. Giles. Granberg. Hamos. Hannig. Hartke.
Hoffman. Holbrook. Howard. Jones, S. Kenner. Lang.
Lyons, J. Mautino. May. McCarthy. McGuire. McKeon.
Mendoza. Miller. Morrow. Murphy. Novak. O'Brien.
Osterman. Reitz. Ryan. Schoenberg. Scott. Scully.
Slone. Smith. Soto. Stroger. Turner, A. Yarbrough.
Younge. Mr. Speaker."

Speaker Hartke: "Mr. Cross."

Cross: "Representative Hoffman. Hoffman."

Speaker Hartke: "Mr. Hoffman. Mr. Jay Hoffman. Over here at the
right chamber. Mr. Franks likes to be verified, Mr. Cross.
You're verified. Mr. Morrow."

Cross: "Representative Capparelli."

Speaker Hartke: "Mr. Capparelli. Is Representative Capparelli in
the chamber? Ralph."

Cross: "That's long enough."

speaker Hartke: "Ralph Capparelli. You're finished questioning?"

Cross: "No."

Speaker Hartke: "Oh."

Cross: "It depends."

Speaker Hartke: "Mr. Capparelli in the chamber? Mr. Capparelli
is at the rear of the chamber. Further questions, Mr.
Cross?"

Cross: "Representative Novak."

Speaker Hartke: "Mr. Novak is near his chair. Mr. Morrow, you've
been verified? Mr. Cross."

Cross: "We're getting' there, Mr. Speaker. We're almost... Just
give us one second. Representative Lang."

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Speaker Hartke: "Representative Lang. I think he's in his chair."

Cross: "I'm sorry. I didn't see him. Representative Burke."

Speaker Hartke: "Representative Burke is in his chair."

Cross: "Representative Delgado."

Speaker Hartke: "Representative Delgado is in his chair."

Cross: "All right. That's enough. Thanks, Mr. Speaker."

Speaker Hartke: "Thank you. On House Bill 158 there are 60 Members voting 'yes', 55 Members voting 'no', and 2 Members 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we're going to vote on the Agreed Bills that were on the yellow sheet. We're gonna give you til about 2:00 to pass those Bills back in to the Clerk. It's requested that you vote 'yes' so we can have a Roll Call and the final vote will be announced after the tabulation of those individuals who have voted 'no' or 'present' on the Agreed Bills. Mr. Clerk, open the Roll Call. Have all voted who wish on the Agreed Bills? Mr. Clerk, take the record. On the Agreed Bill List there are 117 Members voting 'yes'. Mr. Durkin, for what reason do you seek recognition?"

Durkin: "Thank you very much, Mr. Speaker. Today is a very special day for me and for the western suburbs of Cook County. As a graduate of Fenwick High School, it's a great honor to introduce to the House of Representatives the Class 2A Girls Champions this year, Fenwick High School from Oak Park High School who have joined us along with their administration. They're in the back. This was an amazing year for Fenwick. Fenwick High School is a school of 1100 students, approximately 480 girls. And they've had basketball... girls have only been at Fenwick for, I think, a little less than 10 years. And within that time they've

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developed an incredible program. Last year they reached the quarter finals. This year, an incredible march they took. At one point during the season they were the number one team in the nation by USA Today. They went through their quest for the championship by defeating Marshall High School in the opening game by 63-54 and then beating the mega school of New Trier High School, Representative Schoenberg, if you hear that, 56-42. And then beat the mega school from Naperville, Neuqua Valley 65-32 which is the greatest margin of victory of any championship game by the women's basketball. Also, this is a... a couple milestones were achieved during the year. The coach, Dave Powers, I'm not sure if he's here. This is the second state championship that coach Dave Powers has. First, many years ago at Immaculate Heart of Mary School he won a state championship for 2A back in the '80s. And this year he has won with the Fenwick girls. This is the first time in state history that's been accomplished. But he also picked up his 500th win this year. So it's an amazing story that he has and the thing he's done with the Fenwick School's program and I'm very proud to have him on the floor today. Thank you very much, Dave. Thank you. But also joining us today from the Fenwick administration is Father Richard LaPata; Dr. James Quaid, the Principal; Michael Curtin, the Athletic Director; Steven Ryan, he's the Business Manager and the Freshman Coach; his daughter Erin, David Power, the Head Varsity Coach; Ms. Erin Power, his daughter; Jana Mathis, the Assistant Varsity Coach; Dale Heidloff, the Assistant Coach; Sandra Czajka, the Athletic Coordinator. But more importantly, I want to introduce the girls who are in the back of the chamber who really did an amazing thing this year. I'm very proud of them and I'm also proud being

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a Fenwick Friar. And I can say with complete certainty when I played basketball in the late '70s not one member from our team would be able to crack your lineup right now. That's a joke. All right. Anyway, I'd like to introduce the girls of the Fenwick Friars, the champions who became champions on March 3rd of this year. Once again, beat Neuqua Valley: Amy Atchison, Sarah Bulvan, Courtney Harvey, Kristen Heidloff, Margaret Knap, Jackie Konrad, Jennifer Krause, Sarah Kwakinski, Erin Lawless, the twin towers, Elizabeth Marino, Traci Pawlack, Nicole Rivera, Breanne Smilie, Claudette Towers, Julie Van Grinsven, Casey Walsh, Erin Walsh, and I'd like the Members of the House of Representatives give 'em a warm welcome and congratulate them on this wonderful year."

Speaker Hartke: "Congratulations. Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. My name was used in debate. I don't know if Mr. Durkin was looking to alert my attention to the fact that New Trier failed to defeat Fenwick or he was looking just to rub my face in it further. But I have to say that I'm disappointed in Mr. Durkin that he did not arrange with the House Clerk to turn off the lights, have the music of Eye in the Sky played and have a spotlight on each of the members of that team which I would have done of course, had New Trier prevailed over Fenwick. On behalf of the community that represents New Trier, even though Mr. Durkin didn't give you the kind of congratulations that you deserve, on behalf of those who live in the New Trier community I'd like to extend my best as well and wait til next year. That's all I can say. Thank you."

Durkin: "Thank you very much, Mr. Schoenberg, and I rest assured as long as coach Dave Power is coaching at Fenwick that New

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Trier will never have that opportunity. So, with that I would like to present this Resolution to the coach, Dave Power, from the House of Representatives. Thank you very much, Mr. Speaker and Members of the House."

Speaker Hartke: "The Motion is, 'Shall the House pass House Resolution 119?' All those in favor will signify by saying 'aye'; opposed 'no'. In the opinion of the Chair is the 'ayes' have it and the Resolution is adopted. House Bill 2540, Representative Pankau. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2540, a Bill for an Act regarding appraisers. Third Reading of this House Bill."

Speaker Hartke: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Members of the Assembly. This creates the Real Estate Appraisers Licensing Act of 2002. It is an Agreed Bill and I ask for your favorable approval."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Saviano."

Saviano: "Thank you, Mr. Speakers, Members of the House. House Bill 2540 is a Bill which was initiated by the Illinois Appraisers Association and the Office of Banks and Real Estate. It's the rewrite with the cleanup language and it is an Agreed Bill and I ask for your favorable vote. Thank you"

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2540?' 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 2540 there were 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having

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received a Constitutional Majority, is hereby declared passed. House Bill 3065, Representative Crotty. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3065."

Speaker Hartke: "That Bill's on the Agreed Bills List. Let's take that out of the record. House Bill 1096, Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1096, a Bill for an Act concerning alternative learning opportunities. Third Reading of this House Bill."

Speaker Hartke: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 1096 would amend the School Code. It creates the Alternative Learning Opportunities Law. It would create a new chapter in the School Code 13(b). It would allow school districts to establish alternative learning opportunities programs. And these are programs that would provide at-risk students and that's defined in the Bill, grades four through twelve with the education and support services that they need to meet Illinois Learning standards and to complete their education in an orderly, safe, and secure learning environment. This is a follow-up to the Regional Safe Schools Programs that we had established about five years ago. The idea here is to create an alternative learning opportunities program in addition to the alternative schools. And this is not the same as a Regional Safe Schools Program or the Alternative Schools as they're more popularly known. But this creates a whole new program that helps youth who are at risk of academic failure. It allows the school districts to bring in the services, social services, academic services that they need in order to succeed and to complete their education. I'd be glad to take any questions."

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

Delgado: "Thank you, Mr. Speaker. Will the sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Delgado: "Representative, being quite familiar with 1096 this Bill deals with the at-risk students that are actually enrolled in the schools today?"

Winkel: "Yes, if this were to become law what this Bill does is it defines students who are at risk primarily of academic failure. And there is a definition of students at risk in the Bill. And these are kids who are at risk of not achieving in our classrooms today. And this would allow the school district to access funding through this program through the State Board of Education and also to access community and social services to help with the problems that the child may face."

Delgado: "And, Representative, for legislative intent, you're quite aware that this Bill was not dealing with the dropouts that exist today in society that are outside the school system, is that correct?"

Winkel: "Well, actually no, it actually does talk about reaching out to dropouts. An at-risk student, and according to the Bill, may include without limitation a high school dropout. So, it is mentioned in the Bill that... but you and I have had conversations. You were concerned that we'd be more active in reaching out to dropouts and bringing them back into the system. And I agree with you. But it does refer in the Bill, as it stands today, to high school dropouts. So, it's envisioned that we would come up as a part of this program with ways, creative ways, to bring kids back into the system."

Delgado: "Yes. Mr. Speaker, to the Bill."

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Speaker Hartke: "To the Bill."

Delgado: "I want to commend the Sponsor on his vision in working with alternative schools that arose from his community in Champaign. I want to commend the Sponsor and once he realized there were groups that were left outside of the process, that he responded diligently in making sure that he made contact with those groups. And today those groups are working with Representative Winkel and possibly even a task force may be created to address the dropout situation, the dropout rate and what to do with that particular population of students. I want to commend the Sponsor for being bipartisan and all encompassing and being very open for work that we need to do maybe later on together and to make sure that we do address which has become a severe crisis. We have over 48 thousand dropout students right now and about 29 thousand of those students are of Latino descent. I've been working with Representative Winkel on this legislation, or actually his legislation. And I just do want to commend the Sponsor. He looks like he's looking at all angles and he's taken the first positive step to help the State of Illinois address a very crucial problem and that is our students that need alternative education and those students who are really on the outside trying to find a way to get back inside. So, Representative Winkel, I see I'm not a Sponsor on that Bill but I sure will sign up if I'm not already on it."

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

Winkel: "Thank you, I'd appreciate an 'aye' vote on this and I would also echo what Representative Delgado just said. We will be working more on the dropout issue and on the issue of juvenile DOC students coming back into the district."

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That'll be a part of a commission that we'll be setting up and work in the future. Thank you very much."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1096?' 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... Representative Crotty, would you like to vote on this issue? Mr. Granberg? Mr. Granberg, would you like to vote on this issue? Thank you. Mr. Clerk, take the record. On House Bill 1096, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3267, Representative Miller. Mr. Clerk, read the Bill. House Bill 3267."

Clerk Rossi: "House Bill 3267, a Bill for a Act in relation to health. Third Reading of this House Bill."

Speaker Hartke: "Dr. Miller."

Miller: "Thank you, Mr. Speaker and Members of the chamber. House Bill 3267 requires the Illinois Department of Public Health to develop and implement a public education and outreach program to raise awareness of the hepatitis C virus aimed at high-risk groups, physician, health care workers and health care facilities. I would ask for an 'aye' vote. Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Jackson, Mr. Bost."

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

Speaker Hartke: "Nice tie."

Bost: "Representative, is this your first Bill?"

Miller: "Yes it is, Representative."

Bost: "Just checking. Hepatitis C. What's the difference

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between hepatitis C and hepatitis A and B?"

Miller: "That's an excellent question. The main significance with hepatitis C is that it has a long incubation period. The incubation period of hepatitis C could be 10 to 20 years of onset as opposed to A which is more of an acute phase or opposed to B which is a more of a deadlier."

Bost: "There was a question asked from this side of the aisle behind me. Is it more common that you can catch it from a third cousin or from a second cousin?"

Miller: "No, I would not classify a third or second cousin as necessarily in a high-risk group."

Bost: "Do you mention second or third cousins in your legislation?"

Miller: "No, we do not."

Bost: "Everybody else does in every other piece of legislation we've been hearing this year. As far as... is this just require an awareness or what exactly does this Bill do again? And I'm sorry I missed it when you were introducing it."

Miller: "Well what it does is stress the fact that hepatitis C does have a long incubation period and that those who are exposed to blood or bloodborne products need to be aware of the fact that they could catch this virus."

Bost: "Okay. In what way does it make the public aware other than the fact that you're carrying the Bill? What exactly are they putting out there? What are they doing? What is the process?"

Miller: "Well, it could be in the form of PSA's or it could be in the form of pamphlets. It could be in the form to outreach to the various medical and healthcare professional societies. It could be outreached to nurses in nurses groups. And so it's just an awareness campaign."

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Bost: "The... and I'm really serious about this, I know that on your first Bill we play a lot of games, but as a firefighter, a concern that we have quite often, now we take vaccinations and all of these things, so that when we go into nursing facilities or respond to calls, might be in an apartment complexes and the danger exists for hepatitis, is this one that the firefighters would be exposed to, as well?"

Miller: "In regards to would be they considered in a high-risk group, no. The high-risk groups consist of primarily IV drug users, people who receive blood transfusions prior to 1990, organ transplants, and as I mentioned before, health care workers. And so, those who are in the fire department know there's some universal precautions that they do take. They do wear latex gloves when they are handling individuals where blood may be exposed."

Bost: "Well, we still have the danger of being around sharps, correct? Needles, anything like that that would be..."

Miller: "I would assume paramedics more would than a firefighter, per se."

Bost: "Thank you very much for your answers."

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

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

Speaker Hartke: "Sponsor will yield."

Lang: "Thank you. Representative, I want to make sure we all understand, this is your first Bill."

Miller: "Yes, that is correct, Representative. It's my first Bill."

Lang: "Your first Bill. And you are a dentist by trade, is that correct, Sir?"

Miller: "That is correct, Representative Lang."

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Lang: "Well, does this have anything to do with dentistry?"

Miller: "Yes, in a way, Representative, because we are exposed to bloodborne pathogens and so we do take universal precautions as wearing mask and gloves to prevent the spread of any diseases. In addition, in relationship to other diseases, such as the HIV virus, the difference between hepatitis C is the fact that it has a longer substanticity (sic-sustainability) than the AIDS virus. Meaning that it will... if let's say the AIDS virus was on the counter versus the hepatitis C virus, the hepatitis C virus would last longer, therefore, more universal precautions would have to be exhibited towards making sure the the work place is safe."

Lang: "So, is that yes?"

Miller: "Yes."

Lang: "Just checking. Now, Representative, did you write this Bill because you are involved in dental work and you see this problem in your practice?"

Miller: "I'm sorry, could you repeat the question?"

Lang: "I don't wanna. No, did you write this Bill because this is a problem in your practice, in the practice of dentistry?"

Miller: "Well, it's a concern just like any other disease in all practices and dentistry, once again, we do use a universal precautions. But I think the emphasis would be the long incubation period that would exist and therefore, we want to make sure that the public knows that this virus is out there."

Lang: "Now hepatitis C and vitamin C are not the same thing right? So you wouldn't take this for a cold, would you?"

Miller: "That is correct."

Lang: "All right. And, you know, there's not too much I can do

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to you on this Bill 'cause it's a very serious and important Bill, but I do have one other question. Your seatmate, Representative Collins, have you discussed the effect this would have on second cousins with her?"

Miller: "I believe the other Representative did ask that question. However, second cousins is not considered in a high-risk group."

Lang: "Okay. Well, thank you very much, Representative, I may vote for your good Bill."

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

Fritchey: "Doctor. Should I... Representative or Doctor? Representative."

Speaker Hartke: "The Representative will respond to questions. So will the doctor."

Fritchey: "Is the doctor in the House? I guess there is a doctor in the House now, isn't there. I see part of your Bill you have education and outreach programs. Is that correct?"

Miller: "That is correct."

Fritchey: "And obviously, it's very important, given the seriousness of this disease that we have education outreach programs to take care of certain protected groups, correct?"

Miller: "That is correct."

Fritchey: "But, I'm troubled by the fact that in your Amendment, you eliminated veterans, didn't you?"

Miller: "That is correct."

Fritchey: "Is there a reason that you don't think as much of veterans that you don't think they should be included in this Bill?"

Miller: "Well, in further discussion of the issue concerning veterans, there's been only one study that indicated there

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were higher prevalence of hepatitis C cases in those who are seeking admissions to V.A. Hospital. Therefore, veterans are not considered under a high-risk group and therefore it was just needed to be deleted."

Fritchey: "So it's not that you don't think as much of them. There's no disrespect intended toward our armed forces here, is there?"

Miller: "There's absolutely no disrespect to the men and women serving our country or those who have served."

Fritchey: "Well, what about hepatitis A and B? I see you just jumped right to C here."

Miller: "They can form their own Bill."

Fritchey: "Okay. Thank you, Representative Doctor Miller, I appreciate your answers."

Miller: "Thank you."

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

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

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

Black: "Yes, Doctor Representative or Representative Doctor, have you changed your name, by the way? Have you added doctor after your name? It's becoming very popular these days."

Miller: "No, no I have not."

Black: "All right. You're creating in the original Bill, you're creating a protocol to be developed, if I can find it on my Etch A Sketch here. Okay, it's the Department of Corrections... I see, provides for the development of protocols and guidelines pertaining to physicians, health professionals and community service providers. Who will develop the protocol?"

Miller: "The Illinois Department of Public Health."

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Black: "All right. So, it is up to them to develop the protocol. Now, do they have an advisory committee comprised of health care professionals that will help them formulate this protocol?"

Miller: "That policy would be recommended by the National Institute of Health."

Black: "All right. If they develop this protocol, is it binding on all medical or health care professionals in the State of Illinois? Is it a guideline or is it a rule, administrative rule that you would then be bound to follow?"

Miller: "Well, I don't think... I think it's a guideline as far as some recommendations for outreach programs as opposed to this is what you mandatorily have to do."

Black: "Okay, all right. Now I noticed that you're checking with your staff person quite often. Is she a registered health professional in the State of Illinois?"

Miller: "I believe she is not."

Black: "I see. The last time I saw her she was still celebrating St. Patrick's Day about a week after the fact, I think. In fact, you might want to look into a protocol of behavior of staffers, but that's another issue that you may want to sponsor. Doctor, I do have one question that, personally, I find vexes me. Under the Structural Medical Workers Act of the State of Illinois that was repealed in 1924, as I recall. I remember I voted a courageous 'present' on that repeal. If you give medical advice on the floor as you have been coming very close to doing on this Bill, can you be held personally liable for that medical advice? This is a safety. The reason I bring it up, it's a safety issue with all of those on the floor who would listen to your advice. Are you covered under the Good Samaritan Act or in fact, are you liable for any medical advice that you would

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give on this House Floor?"

Miller: "Well, only if there's a patient on the floor here versus that would just be my own opinion on what they should do with their health."

Black: "So, if I was your patient on the floor then I could seek your advice? Are you covered under the Tort Immunity Act?"

Miller: "We have a Bill to address that, possibly later on."

Black: "Well, if you're for the Tort Immunity Act I would invite you to join us on our side of the aisle. It's been a favorite issue of ours for years. Are dentists covered under the Tort Immunity Act? Can I... if you give bad advice can I sue you? Not that I would, doctor, believe me."

Miller: "No, I think it would be thrown out of court."

Black: "Grounds for what? Grounds for divorce?"

Miller: "Listening to the bad advice, I guess."

Black: "I see. So far, I hope your medical advice is better than the advice you're giving me on this Bill. You seem to be evading all of my questions. Not that I can remember what they were. Is... how many strains of hepatitis are there?"

Miller: "I believe we're up to the letter E."

Black: "So, we have A, B, C, D, and E?"

Miller: "Correct."

Black: "But this only deals with C?"

Miller: "Correct."

Black: "Did you not watch Sesame Street as a young lad? Did you leave out A, B, D and E for some reason or...?"

Miller: "Well, yes. I did watch Sesame Street to answer your first part of the question."

Black: "Very good."

Miller: "But they need to get their own Bills and we're just dealing with... "

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Black: "Well, you weren't here when Big Bird served here, you missed a wonderful time, let me tell ya. And now that they've cancelled Bozo the Clown I find that I'm gonna have to find new work, so... Well, Representative, I'm not sure what this Bill does. I think as Representative Lang, in his usual, unclear, and confusing fashion, did point this or paint this somewhat as a public health issue. Now would you agree?"

Miller: "Yes, I would."

Black: "Does it only affect dentists?"

Miller: "No, it doesn't. It affects all high-risk group. Those who are exposed to blood and bloodborne pathogens."

Black: "Is the strain of hepatitis C, can it be transmitted through human contact, i. e. sneezing, saliva? How would that be transmitted?"

Miller: "Usually through blood to blood contact."

Black: "Strictly through bloodborne pathogens. And that's why you have the Department of Corrections in here?"

Miller: "Possibly, yes."

Black: "All right. Do you practice dentistry with the Department of Corrections?"

Miller: "No, I do not."

Black: "Would you like to?"

Miller: "No, I have two practices and I'm quite busy when I'm not representing."

Black: "If you could talk to the Governor... we're seeking a prison somewhere in my district, if you'd be willing to talk to him about the location of the newest correctional facility, I promise you that within the limits of Rutan, I'll do all I can to see if you could practice dentistry in that facility."

Miller: "No, I wouldn't want to do that."

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Black: "And I might add at a wage far above what you are accustomed to, all right? You could... would you be able to practice dentistry under the Department of Corrections or would we have to seek a waiver?"

Miller: "Well, I would issue a conflict of interest if I did work for them but I currently do not, so."

Black: "Really, a conflict of interest if you'd work for the Department of Corrections?"

Miller: "And trying to... yeah..."

Black: "Well, maybe we could get you one of those really cool Department of Corrections ID cards. Be very popular, show them all around the state. I'm sure it would really help your practice, too. Well, Representative, I think you have done an outstanding job of confusing this issue. You have not let any of us get to the point. I'd say for your first Bill, you deserve at least 100 'no' votes because you haven't answered one single question in a straightforward way. But, my offer still stands, Rutan notwithstanding. I'll do what I can for you if you, Doctor, will do what you can for my district. Thank you."

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

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

Speaker Hartke: "I think you've been overruled. Representative Osmond."

Osmond: "Thank you, Mr. Speaker. Will the Representative yield?"

Speaker Hartke: "The Representative will yield."

Osmond: "Representative Miller, I'm just wondering if you'd stick three fingers in your mouth and answer all the questions that the other Representatives are asking because I'd love to see a dentist answer questions the way you make us

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answer 'em when we're in the chair when you've got all this stuff in our mouth. And I think for you not to have done that kind of is a slam to your profession, knowing how conversationed you all are when you're talking to us in your chairs. Good Luck."

Speaker Hartke: "Representative Miller, are you going to respond?"

Miller: "I have not washed my hands and so that would be unhealthy."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition... Representative McCarthy?"

McCarthy: "Thank you, Mr. Speaker. I think recent inane comments say that my previous Motion should have been upheld. So, I move the previous question once again."

Speaker Hartke: "There's no one else seeking recognition. Representative Miller, to close."

Miller: "Thank you, Mr. Speaker and Members of the chamber. I appreciate your long tooth comments and those questions that I have not answered, once again, I'll floss that bridge when I get to it. I would hope an 'aye' vote on House Bill 3267. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3267?' 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 this Bill, on House Bill 3267, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you seek recognition?"

Black: "Mr. Speaker, just a point of personal privilege."

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Speaker Hartke: "State your point."

Black: "To remind the Doctor that in light of those terrible puns in his closing, keep in mind, Sir, that when we vote here never look a gift horse in the mouth."

Speaker Hartke: "House Bill 512, Representative Turner, John Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 512, a Bill for an Act concerning mineral rights. Third Reading of this House Bill."

Speaker Hartke: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. House Bill 512 does a couple of things, Mr. Speaker. It amends the Mineral Release of Record Act. It clarifies and simplifies some language and the only substantive change to that particular Act is that it awards costs and litigation expenses only when there's been a fair to release after notice and demand. The Bill also amends the Illinois Partition Act. Provides that an ownership interest in the surface of lands does not prevent the partition of the minerals as a separate estate. It's an initiative of the Illinois State Bar Association. I know of no opposition. It's passed unanimously out of this House in prior Sessions. I ask for your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

Cross: "Representative, I think the statute currently uses the term 'forfeited' in the context of this Bill. But your Amendment uses, now uses the term 'terminate'. Is there a reason why you've gone from 'forfeited' to 'terminate?' I don't remember you covering that in your explanation."

Turner, J.: "Well, apparently there's some lawyers who had some confusion with this language, Representative Cross, although it's pretty self explanatory. But, the way it's

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amended now the term 'forfeited' would include 'terminate'. So, we've amended it so that some of the lawyers wouldn't be confused who deal with this particular Act. Perhaps you've engaged in litigation under the Mineral Release of Record Act."

Cross: "You're almost suggesting in your comments that I haven't. Are you being sardonic?"

Turner, J.: "I would call it mordant, Representative Cross."

Cross: "All right. So the ISBA is for this Bill?"

Turner, J.: "Yes, Representative Cross."

Cross: "Thank you."

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

Turner, J.: "Appreciate an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 512?' 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 512 there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1026, Representative Delgado. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1026, a Bill for an Act concerning transitional, bilingual education teaching certificates. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 1026 will make various changes concerning transitional bilingual education programs. And this is an initiative of the Illinois State Board of Education. It provides that

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transitional bilingual certificates are valid for two years and may not be renewed more than three times for a period of two years each. And a transitional certificate may not be renewed unless the holder has successfully completes a minimum of nine semester hours of college course work in an approved educational program leading to eligibility for an initial or standard teaching certificate. This Bill also will now encompass through Amendment 2, will add provisions to the Bill which did pass out of Education Committee 21-0. It allows the State Superintendent of Education to extend a six-year time limit for a teacher to gain citizenship for a period of two years. If the person certifies his or her intention to become a U.S. citizen and furnishes proof of an application for citizenship upon expiration of this extension period, the State Superintendent may grant an additional extension of two years if proof is given of a pending application for citizenship. If the person is not a citizen by the end of this period, any certificate held shall be cancelled. No other certificate may be issued until the person furnishes proof of citizenship. And I would ask for an 'aye' vote."

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

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

Speaker Hartke: "The Sponsor will yield?"

Righter: "Representative Delgado, you said this is an initiative of the State Board of Education?"

Delgado: "That is correct."

Righter: "What problems currently or changes does the State Board want to make... I mean, what problems are being created that led to this Bill?"

Delgado: "Well, as the testimony in committee, Representative, at

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this point the amount of times that certifications were being renewed were... this will cut back on the amount of times that they have to go back for those renewals. And I guess the whole, if you will, log jam they were having behind that would add to their argument. And that's why now they want to go and say that the certificate would be valid for two years and not be renewed more than three times. Apparently, they were getting renewed too many times after that and they're just trying to streamline this process."

Righter: "Representative, we're dealing with a shortage here of teachers in this area, correct?"

Delgado: "That is correct."

Righter: "What... can you give me some idea in terms of numbers, I mean, how many schools or classrooms are we hurting in, in terms of finding teachers for these areas?"

Delgado: "I couldn't give you those specific numbers for the state, Representative, in terms of numbers or teachers. We do understand, but I couldn't answer that question for you right now, Representative, I don't have those numbers."

Righter: "Representative when your... earlier you're discussing the provisions of the Bill, you made the comment that a certificate can be given to a teacher but then on agreement that they teach for two years, is that right? And I'm referring to page 2 of your Bill, the first 10 or 11 lines. I'm sorry, starting on line six."

Delgado: "Starting on line six, which states here, 'Seeking a certificate under the Section must meet the following additional requirements.'"

Righter: "I'm talking about the provision in the Bill that says that, 'If the person is not a United States citizen by the end of this additional extension period, any certificate

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held by that person at the end of the period shall be cancelled.'" "

Delgado: "Yes, that would be dealing with the Amendment #2 which was originally House Bill 1025, with Representative Feigenholtz, we've amended it onto this Bill."

Righter: "You're saying that's not part of the Bill now?"

Delgado: "No, yes it is. Basically, what it does at this point the Superintendent of Education can extend a six-year time limit for a teacher to gain citizenship for a period of two years. It's not that they teach for two years but they'll have an extension of two years to be able to get that process completed. So for example, if they've applied for that citizenship and they haven't had any kind of response to that, that should not inhibit them from maintaining their position as long as they complete that process."

Righter: "Okay. Is it your understanding that the State Board of Education's got the money currently in their budget to do this program?"

Delgado: "That is correct."

Righter: "To make the changes that you're requesting?"

Delgado: "That is correct. That is correct."

Righter: "Okay, all right. Thank you, Representative."

Delgado: "Thank you, Representative."

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

Delgado: "I would just ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1026?' 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 1026 there are 117 Members voting 'yes', 0 voting 'no', and

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0 voting present. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2221, Representative Mitchell. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2221, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I also have a point of personal privilege. I don't know whether I'm allowed to do that now or after the Bill is heard?"

Speaker Hartke: "After the Bill, please."

Mitchell, J.: "Thank you. Ladies and Gentlemen of the House, I bring you House Bill 2221. This creates the Volunteer FireFighter Leave of Absence Act to allow certain volunteer firefighters 14 days leave of absence for their work for training in fire or law enforcement. It provides the same employees entitled to reinstatement reimbursement if disciplined for taking this leave. Primarily, this Bill simply allows them to get needed training for those firefighters that protect us day in and day out, and most of them on a volunteer basis. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 2221? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2221?' All those in favor 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 2221 there were 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mitchell, for an announcement."

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Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You have been served today by some wonderful youngsters that are in the 4-H and some of those happen to be from my district and I'd like to recognize Matthew Lauer from Sublette, Beth Lauer from Sublette, Quinn Magne from Grand Detour, Zack Bartelt from Dixon and Hayley Westart from Dixon. Please give them a warm welcome."

Speaker Hartke: "Welcome to your Capitol and thank you for serving us today. House Bill 1848, Representative Stroger. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1848, a Bill for an Act in relation to estates. Third Reading of this House Bill."

Speaker Hartke: "Representative Stroger."

Stroger: "Thank you, Mr. Speaker. House Bill 1848 provides that the probate courts may allow the state's sales of realty to be conducted over the Internet. This Bill amends the Probate Act of 1975. It provides that a sale of descendant's (sic-decedent's) real estates may be conducted by means of the Internet or any other electronic medium as approved by the court. And I will 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 1848?' 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 1848 there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2440, Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2440, a Bill for an Act in relation to

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criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative O'Connor."

O'Connor: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2440 would amend the Criminal Code of 1961 and the Humane Care for Animals Act as they relate to dog fighting. Under current law most of the dog fighting provisions are in the Agricultural Code and through anecdotal testimony we have been advised by law enforcement that it would be more effective if the law were placed in the Criminal Code versus the Ag Code. This Bill would do that. In addition, it would create the Class III felony for producing a dog fight under certain circumstances which are: in front of a juvenile below the age of 18, fining for a dog fight performed for the purpose of wagering, or performed in furtherance of gang activity as defined by the Street Gang, Terrorism, Omnibus Protection Act. I know of no opposition to the Bill. It's origin was from State Treasurer, Judy Barr Topinka. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 2440? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2440?' 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 2440 there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1920, Representative Jones, Lou Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1920, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No

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Motions filed."

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

Clerk Bolin: "House Bill 1920, a Bill for an Act regarding education. Third Reading of this House Bill."

Speaker Hartke: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker. House Bill 1920 amends the School Code. It creates the Digital Classroom Grant Program as a pilot project to attract high-tech teachers to schools that cannot afford them. This Bill requires the State Board of Education to implement and administer the program for the... House Bill 220 (sic-1920) would provide that the State Board of Education shall offer matching grants to public and secondary schools. These matching grants would be based on a need to provide enhanced teacher salaries and benefits to attract and retain instructors in computer programming, computer maintenance, and Internet use and development. And Mr. Speaker, I defer all the questions in regard to 1920 to Representative Constance Howard."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair. Floor Amendment #1 has been withdrawn, is that correct?"

Speaker Hartke: "Mr. Clerk?"

Clerk Bolin: "Floor Amendment #1 was withdrawn."

Black: "All right, will the Sponsor yield on Floor Amendment #2?"

Speaker Hartke: "Sponsor will yield and I do believe the questions should be directed to Representative Constance Howard."

Black: "Okay. Representative Constance Howard and not Representative Jones?"

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Howard.: "That's correct."

Black: "That's correct?"

Speaker Hartke: "That is correct."

Black: "Okay, all right. Representative Howard, the Floor Amendment #2 removes reference to private schools, correct?"

Howard: "That is exactly correct."

Black: "And makes the Bill subject to appropriation."

Howard: "Correct again."

Black: "And it's my understanding that that then eliminates the concern expressed by the State Board of Education and specifically if the file is right, the IFT?"

Howard: "That is my understanding, as well."

Black: "Thank you very much."

Howard: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is... Representative Howard to close? Representative Jones to close. I ask for a favorable vote. 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? Mr. Clerk, take the record. On House Bill 1920 there were 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2056, Representative Winkel. Representative Winkel in the chamber? Out of the record. House Bill 41, Representative Meyer. Mr. Clerk, read the Bill.

Clerk Bolin: "House Bill 41, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "Representative Meyer."

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Meyer: "Thank you, Ladies and Gentlemen of the House. House Bill 41 creates a Helping Paws Service Dog Program within the correctional industries program of the Department of Corrections. Provides that the Department may select persons who are committed to the Department to be trained as service dog trainers. Further provides that a committed person selected for the program shall receive instruction in dog obedience training and service dog training and animal care. It provides that the Department shall provide service dogs to disabled persons free of charge. Ladies and Gentlemen of the House, the Helping Dogs Program (sic-Paws) has been implemented in the Department of Corrections for approximately last year and a half as a demonstration. That program was first brought to me by a constituent in my district who had a foundation that was charged with the responsibility of trying to rescue animals and then train them for people that suffer from disabilities. I brought the program along with the person from my district, Sandra Farnik, who is the president of the Clarence Foundation to the Department of Corrections. They looked at it and implemented the program right away. We're now looking to codify that program on a permissive basis into the law and allow the Department to continue to increase it. I'd appreciate an 'aye' vote but would be willing 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. An inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "The Gentleman has a good Bill, I have an inquiry of the Chair. We appear to be on the order of dogs. I was just

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wondering if my bestiality Bill might be called while we're on this order. It has to do with dogs and other animals."

Speaker Hartke: "Could be."

Black: "Thank you very much."

Speaker Hartke: "But don't hold your breath."

Black: "I've been practicing that for a number of weeks. I look forward to calling it."

Speaker Hartke: "Don't hold your breath today."

Black: "Thank you."

Speaker Hartke: "Further discussion from the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I simply rise in support of Representative Meyer's legislation. This program has become a model program for the country and has provided tremendous opportunity for not only the inmates to receive vocational training and a certificate for a career when they get out of the correctional facilities but has also created additional things for correctional industries and has been able to help with the humane services with these animals. So, with that I just simply ask for an 'aye' vote."

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

Meyer: "Thank you, Mr. Speaker. I believe that both myself and the previous speaker pretty well outlined the program and the benefits of it. It's a rehabilitative program that can be used within the Department of Corrections. Other states that have tried it have had excellent results and very, very low recidivism, if any. And I'd appreciate an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 41?' All those in favor will signify by voting 'yes';

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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 41 there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 922, Representative Yarbrough. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 922, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, Members of the House. House Bill 922 amends the Cook County Truth in Taxation Law in the Property Tax Code to change the schedule under which hearings are held. Under the current law, the hearing on an increase in a tax levy must be held on a particular day in December, depending on the classification of the district. This Bill will require that hearings take place at the first regularly scheduled meeting of the taxing district or according to the schedule. This will allow those districts that currently hold a regularly scheduled meeting in December to follow the schedule if they wish. Representative Durkin will entertain any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 922?' 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 922 there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House

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Bill 1033, Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1033, a Bill for an Act concerning Gulf War Veterans. Third Reading of this House Bill."

Speaker Hartke: "Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1033 creates a Gulf War Memorial Fund and allows us really to create the mechanism by which dollars can be collected via a license plate issue that's included here, as well. But it allows us to be able to collect money so the dollars can be used to build a Gulf War Memorial. And it's only appropriate, we lost 14 lives and had a lot of commitment on the part of a lot of people during the Gulf War and this just gives us an opportunity to recognize that effort. I stand ready for any questions from Members of the General Assembly."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 1033?' All those in favor will signify by voting 'yes'; opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On House Bill 1033 there are 114 Members voting 'yes', 3 Members voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2492, Representative Coulson, Beth Coulson. Representative Coulson? Out of the record. House Bill 2244, Representative Kosel, Representative Kosel, 2244. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2244, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

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Speaker Hartke: "Representative Kosel."

Kosel: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I would ask for your approval of House Bill 2244. 2244 would allow local municipalities to apply to put signs over state highways to display achievements of their students or their communities. And it would also allow for a blue light to be placed on the back of antique cars to make them period authentic. I would ask for your approval."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, it's very hard to hear in here. What did you say about the blue light special?"

Kosel: "The blue light special is a special round blue light that is something that is on antique car brake lights. And the request to have it included so that these cars could be authentic to their era was brought to me by an antique car club. And yes, it is definitely a special blue light."

Black: "All right. That's in Floor Amendment #1, correct?"

Kosel: "That is correct."

Black: "All right. And is there a definition of an antique car in that Amendment?"

Kosel: "No, there is not it would be any car that would be eligible for antique plates are the only ones that could display it."

Black: "Well, I rode with Representative Tenhouse last night and I don't know what the definition is but his car is definitely an antique, I can assure you of that. On the underlying Bill about putting a banner up over a

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roadway..."

Kosel: "Yes."

Black: "Okay, I see in the language of the Bill, it cannot remain in place more than 30 days."

Kosel: "Has to be applied for by the municipality. It can be no larger than 30 square feet. It cannot remain in place for over 30 days. And IDOT would have to approve the application within seven days. Because some of these achievements are, you know, have a time line with them and so we'd want to display that as early as possible."

Black: "I assume that the application would also specify the height at which the banner..."

Kosel: "It has to comply with all safety rules so that there is no problem and that was the whole idea behind having the application process so that we didn't have safety concerns."

Black: "Okay. And the municipality is then responsible for taking the banner down in the prescribed period?"

Kosel: "And that can all be done in the application process through IDOT so that they would know that it needed to be taken down and all those thing could be stipulated with IDOT that they would be responsible for the up and the down."

Black: "All right. Did IDOT give you any indication, I don't see it in the Bill, the minimum height requirement that this must be suspended?"

Kosel: "No, they didn't. Because in different places it would be different things and very frankly, in several of my communities there are existing bridges that things could be placed on that wouldn't interfere with any height restrictions that are there and so it could be done like that. But again, the municipality would have to apply for

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this in order for it to go up."

Black: "All right. Would the municipality incur any potential liability if a large tractor trailer tandem ran into the banner? Who assumes the liability? The municipality who put the sign up or the driver who might have knocked the sign down which then caused some collateral damage?"

Kosel: "Representative, I'm not a lawyer so I wouldn't know the liability issues but with what I have seen in liability is someone is gonna sue they're gonna sue everybody in sight."

Black: "Oh, that's probably a good idea. That's the American way. So IDOT isn't opposed to this?"

Kosel: "Actually, IDOT helped write the Bill. This is one that I had last year, it didn't get out. IDOT had some objections to it, brought back several suggestions. We worked together on them. Added a little more a few other things to it and actually, we worked with IDOT to get this written."

Black: "Could you help me write a Bill? I've got a rather large RV I'd like to bring back in the state and IDOT is calling everybody out on the floor trying to kill that idea. So maybe you could help me with that if you would after this passes."

Kosel: "I actually was called out, also."

Black: "I was gonna say my RV is big enough to take your banner down so we'll get together."

Kosel: "Okay."

Black: "Thank you very much."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from McHenry, Mr. Franks."

Franks: "Would the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Franks: "Representative, I just want to make clear. This only is

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for state highways, correct?"

Kosel: "That's correct."

Franks: "So, in a municipality if it's main street and it's not a state highway they can do anything they want with the banners."

Kosel: "The Bill is intended to answer a question when the main street is a state highway which happens in several of my towns."

Franks: "Thank you, Representative."

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

Kosel: "I would ask for your favorable consideration of 2244."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2244?' 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 2244 there are 115 Members voting 'yes', 1 person voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2056, Representative Winkel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2056, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Hartke: "Mr. Winkel."

Winkel: "Thank you, Mr. Speaker. House Bill 2056 is a combination of various bus safety Bills that have been combined into a single Bill. It allows buses to be equipped with alternately flashing head lamps. Also provides that a law enforcement officer shall have the power to issue a citation in response to a signed complaint. Also requires school buses sold or manufactured on or after January 1, 2002 to be equipped with exterior

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reflective markings and provides that the strobe lamp on the top of school buses must be lighted when the school bus is stopping or stopped for loading or discharging pupils. And finally the Bill provides that school buses shall display a toll free number that may be contacted to report improper operation of a school bus. I'd be glad to take any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, I think I have this question answered from Representative Bost. Under these law popular known of the Bill that we passed out of here last week known as Scott's Law, it expanded the definition of an emergency vehicle. And I was asking Representative Bost whether the alternating head lights or the wigwags would then classify a school bus as an emergency vehicle. He indicates that that's not in that Bill. Are you satisfied that that's the case?"

Winkel: "Bill, I'm sorry I'm not following your question."

Black: "Under Scott's Law that Representative Bost was the chief Sponsor, we added oscillating lights, wigwag headlights, I mean there were a number of things added that would classify a vehicle as an emergency vehicle that you could then not pass until directed to do so by an officer."

Winkel: "Okay. Okay."

Black: "If you're equipping these school buses with alternating headlights or wigwags, as they're called, that would not then add school bus to that emergency vehicle category."

Winkel: "Representative, that's absolutely correct. They would

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not be considered an emergency vehicle. What we found in Champaign County, we had a bus that was equipped with these lights and we found it far more effective in getting people to stop, because people are used to thinking of in terms of emergency vehicles are the police, more specifically, and we had a better effect more people stopping. When we went to equip other buses we were informed that only the State Police, only the police emergency vehicles could have such lights. So we're merely authorizing school districts to use this equipment with their school buses and certainly it's not a mandate. They don't have to do it. If they wish to do it, this would authorize and permit them to do it."

Black: "Is this a... what's the word, a mandate, districts will have to do this by a date certain?"

Winkel: "On the alternating lamps it's strictly permissive."

Black: "Okay."

Winkel: "It authorizes the use of 'em so that they can do it and it's merely permissive if they want to they can."

Black: "Okay. One last question. In the underlying Bill there was language that would allow an officer to issue a ticket based on a report from the driver. Is that still in the Bill?"

Winkel: "Yes, Representative, I would defer to Representative Lou Lang on that aspect of the Bill."

Black: "All right. Is Representative Lang in the chamber?"

Speaker Hartke: "Is this a verification?"

Black: "We're never that lucky on a verification."

Speaker Hartke: "I'm sure he'll be in here shortly."

Winkel: "Representative, I'll do my best to answer your question. It is Representative Lang's portion of the Bill."

Black: "Well, obviously, a concern that I have is that of due process. If a police officer comes up to me before noon

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and says I'm issuing you a ticket for failure to stop at a school bus at 7:30 this morning as reported by the driver, most people's reaction is going to be, I didn't do that. I didn't go around a stopped school bus. Well, the driver said you did. We traced your license plate and I'm issuing you a ticket. And then I have to appear in court to refute a third party's accusation. I mean, what right of due process is going to be given to someone under that scenario?"

Winkel: "Representative, I understand your concern and I share your concern. It's not so much a due process issue as it is an issue of forcing somebody to have to defend an accusation. Of course, they would be afforded that opportunity at a hearing and in court and contest that and be heard by the judge and put on their defense. But of course, I think your point is that they have to do that in the first place. I believe that's the nature of your opposition. It's not really a due process issue, but you raise a good point."

Black: "You know, and I'm not sure I'm opposed to that. But it brings up all of the things we have talked about over the years; somebody else was driving my car, they simply got one number of the license plate incorrect and then you are forced to defend yourself against an accusation. The officer who has issued the ticket didn't see you commit the offense and it gets into, and again I'm not an attorney, but it gets into an area that I think make a lot of us who are not attorneys very nervous as to how effectively you can defend yourself if the person swears or attests, yes that's the license plate number. I clearly saw it, he clearly violated the stop arm and maybe the license plate number was just one number off. And then I or anyone else

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would have to go through a process of defending myself against something... I don't know, it just seems a little draconian to me. Not to, and I'm not denying the importance of stopping for a school bus stop arm but I just want to make sure I don't end up having a constituent who comes in and says, you know I can literally prove it wasn't my car. My car was in the garage that day."

Winkel: "Right. Which of course, your constituent would be able to raise that as a defense and it would likely prevail. I, Representative, I wish Representative Lang was here to defend this part of it. I understand your concerns but I think given the overriding importance of the issue, and I know you're not diminishing the importance, I'm not saying that, but I think the thought process here was our buses have our children, our most precious commodity, our most precious thing in the world, and we want to do everything we can to make sure that there's nobody going around these buses violating the laws. And so this is yet another enforcement mechanism. Can it be abused or used by mistake? Yes it can, just like any other enforcement mechanism that we have. But due process is there. You can put on your defense and you can defend yourself."

Black: "Well, that was an excellent summation, Representative. I would suggest you use that in a court of law on occasion. Thank you very much."

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

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

Speaker Hartke: "Sponsor will yield."

Dart: "Rick, just tying into what the previous speaker talked about, my concern is not with the one section of the Bill that you referenced. I guess it's the one of my seatmate.

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From the way I look at this Bill now an officer would be allowed to have the power to issue a citation or a response to a signed complaint. So, then I suppose the definition of this would allow any individual to go to an officer and say I saw this person go around a bus and then the citation would be issued against this person, based on what looks like it would be the hearsay evidence because I question whether or not that person would ever be brought into court to substantiate that and in the meantime this person is gonna have to hire an attorney and go into court. Is that a fair reading of this? Once again, I realize this isn't your provision."

Winkel: "Mr. Speaker, could we put out an all points bulletin for Representative Lou Lang? It's not often I find myself defending provisions offered by Representative Lang."

Dart: "It's not often..."

Winkel: "Representative, all I can tell you is the provisions speak for themselves. They're written there and I think as I said to Representative Black that that's the best explanation I can offer to you. It does say that. I think you just described it. And..."

Dart: "I just have serious concerns with just how: a) that would be implemented and whether or not that can be abused. In my understanding is, is that for violating this type of provision would be an automatic loss of a drivers license, as well. So, the penalties are pretty serious. Which none of us disagree with that but I guess what our concern is how this would be implemented against individuals, because of the fact that it would be something that would be based on, as I said, hearsay maybe upon hearsay, without anybody actually ever appearing on this?"

Winkel: "Yeah. Representative, I mean quite frankly, I'd be glad

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to take this Bill out of the record and amend that part out."

Dart: "Could we do that?"

Winkel: "I'd love to do that."

Dart: "If we could."

Winkel: "Mr. Speaker, I'm gonna take this Bill out of the record."

Speaker Hartke: "Out of the record."

Dart: "And move it back to Second, Rick?"

Winkel: "Can I move it back to Second?"

Speaker Hartke: "No, the Bill's out of the record. House Bill 2492, Representative Coulson. Read the Bill."

Clerk Rossi: "House Bill 2492, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. This Bill amends the Hospital Licensing Act, provides that a minimum procedure with respect to medical staff and clinical privilege determinations shall include a written notice of an adverse decision subject to a fair hearing. What I'd like to mention is that basically this Bill codifies a rule into law and we may, we are hoping to move it over to the Senate since the Patient Safety Task Force Report that we've been working on is not due 'til April 1st, we may want to put some of the patient safety information and recommendations onto this Bill in the Senate. I have worked with Senator Burzynski to make sure that that would be the only other thing that would happen to this. And I would urge your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black. Representative Black, would you like to share the question

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with everyone?"

Black: "Just trying not to... just trying to get an answer without taking your time, Mr. Speaker."

Speaker Hartke: "How gracious."

Black: "But since you so rudely interrupted me, will the Sponsor yield?"

Speaker Hartke: "Yes, he will."

Black: "Thank you. Representative, our staff analysis says that this is a shell Bill and there are no Amendments to the Bill and you've presented the Bill. So, I'm confused."

Coulson: "Okay. It is not a shell Bill it is a minor change to take a rule into law. However, as I just stated, we may use this Bill in the Senate to put on an Amendment from the Patient Safety Task Force, the Governor's Task Force, on Patient Safety. That report is not available to us and won't be finished until April 1st. And in order to have a Bill available in case there are recommendations from that Task Force which I've been on, we would like to have a Bill in the Senate available to do that. And that's the only thing that we would put on this. Senator Burzynski has agreed to pick it up and that's what we would do."

Black: "And so the only provision in the Bill currently is that a hearing must be held before a physician's privileges would be adversely impacted, that's all that's in the Bill?"

Coulson: "Correct."

Black: "And that currently is a rule..."

Coulson: "It's a rule..."

Black: "...and you are putting it in statute?"

Coulson: "Yes. With the okay of everyone, if there's no opposition."

Black: "Okay. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is

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seeking recognition, Representative Coulson, to close."

Coulson: "I would urge your 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2492?' 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 2492 there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 3073? Mr. Bost."

Clerk Rossi: "House Bill 3073 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. House Bill 2235, Mr. Clerk."

Clerk Rossi: "House Bill 2235 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. House Bill 3347, Mr. Novak. Mr. Clerk."

Clerk Rossi: "House Bill 3347 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. House Bill 1004, Flowers. Mr. Clerk, take that Bill out of the record. House Bill 2472, page 14. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2472, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 2518, Representative

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Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2518 has been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments have been approved for consideration."

Speaker Hartke: "Third Reading. House Bill 2535, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2535, a Bill for an Act amending the Illinois Dental Practice Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 3061, Representative Jones (sic-Lovana). Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3061, a Bill for an Act in relation to public aid. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. House Bill 2539, Representative McKeon. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2539, a Bill for an Act concerning pawnbrokers. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 2377, Representative Durkin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2377, a Bill for an Act concerning business transactions. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 225, Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 225, a Bill for an Act concerning

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corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1732, Representative Mitchell, Jerry, or excuse me, Bill Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1732, a Bill for an Act in relation to tobacco. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 915, Representative Moore. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 915, a Bill for an Act in relation to taxes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #3, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Hartke: "Representative Moore."

Moore: "Thank you, Mr. Speaker. Floor Amendment 3 actually does what we thought the original Bill intended to do. And that was to change the wording on the referendum question for the forest preserves so that when they wanted to increase their operation of maintenance levy, when they went to the voters, they would now be able to tell them what they were going to use it for and about how much it's going to cost them. So it's just a real, it's a clarification on the ballot so that people are not confused by the question that starts off saying, 'with the corporate levy.' Too many people in the last election kept saying I didn't know the forest preserve was a corporation and that all sorts of questions that were confusing to people. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #3? Seeing no one is seeking recognition, the question is,

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'Shall the House adopt Floor Amendment #3 to House Bill 915?' All those in favor will signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it; and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1810, Representative Kurtz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1810 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Kurtz, has been approved for consideration."

Speaker Hartke: "Representative Kurtz on Amendment #2."

Kurtz: "Thank you, Mr. Speaker. The Amendment to this Bill was a request from the Illinois Press Association. The Amendment increases the ranges or the categories and raises the amounts of these personnel salary categories. If there's any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1810?' All those in favor will signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it; and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2111, Representative Kurtz."

Clerk Rossi: "House Bill 2111 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Osmond, has been approved for consideration."

Speaker Hartke: "Representative Kurtz on Amendment #1, Osmond on Amendment #1."

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Osmond: "Thank you, Mr. Speaker. Amendment #1 is House Bill 840 which Representative Wirsing had passed out of committee and we're just simply combining 840 with 2111 to move some legislation along to bring the student loan program into compliance with federal regulation."

Speaker Hartke: "Is there any discussion on Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2111?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it; and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3538, Representative Kurtz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3538, a Bill for an Act in relation to public aid. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kurtz, has been approved for consideration."

Speaker Hartke: "Representative Kurtz on Floor Amendment #1."

Kurtz: "Thank you, Mr. Speaker. This just has to do with some technical language. The Amendment reinstates the language stricken by the underlying Bill which provides for the use of reports and then the five words added, 'updated to the midpoint of the rate year.' So I'd move for the... "

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt...' Representative Hamos, do you have a question on Amendment #1?"

Hamos: "Representative Kurtz, I don't understand what impact this will have on rates."

Kurtz: "On the rates? Okay, before the nursing homes were not able to collect up to the most recent reports and knowing

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how inflation keeps going up this will actually help nursing homes. The Amendment was drafted by the Department of Public Aid just to address an error that the Department of Public Aid felt that existed in the underlying Bill."

Hamos: "Well, I think I can read the Bill for myself and understand that's what it does. But, for some of us who have been fighting for a number of years, for example, in trying to get child care subsidies to reflect the current costs or the current reports or to be updated, this is a continuous battle in Illinois. And the question here is, this seems to say that we're going to be using current cost reports. And I'm trying to understand from you, what relationship this Bill has on increasing nursing home rates on the budget side."

Kurtz: "It brings... it will allow the nursing homes to function with more funds. Every day there's a nursing home, either public or private, that's shutting down around Illinois. Just a couple of days ago, the little village or town of Virden shut down one. And I've talked to a number of different associations associated with nursing homes. And this will just enable nursing homes to be reimbursed at a greater rate."

Hamos: "Well... Okay... You know, I am sympathetic to not only nursing homes, but a whole range of human service community groups that are faced with decreasing budgets, or inadequate budgets, or appropriations that they receive from the state. But I think before we simply vote, this looks like a 'merely' Bill and it sounds like it will, in fact, be impacting on the rates that will be used for reimbursement of nursing homes. And I think... I would like to ask my colleagues to vote 'present' or 'no' until we have a chance to really understand what impact this will

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have on the budget. And for any of us here who are fighting for various changes in the budget. You know, I think that we should know what the fiscal note is for a little 'merely' Bill like this. And, Representative Kurtz, I have a great deal of respect for what I think you're trying to say and what you're trying to do, but I think if we... if there is a fiscal impact here, and it sounds like it will be, then we ought to look at that in the context of this Bill. And I don't think we're ready to just pass a Bill like this without knowing all that."

Kurtz: "Representative Hamos, this is just a technical change that was requested by the Department of Public Aid. And we will debate at length on Thursday, the actual substance of the Bill."

Hamos: "Okay. I am told that this is just a technical change to this Bill and we will debate the underlying Bill, but I would like to point out that my staff analysis suggests that this Bill, this little 'merely' Bill, in fact, will cost \$45 million. And I think we really should have that kind of information before us when we do debate the Bill."

Speaker Hartke: "Further discussion on the Amendment? Representative Mulligan."

Mulligan: "Yes, Mr. Chairman... Mr. Speaker, I stand in support of the Lady's Amendment. I think she should be able to put the Amendment on the Bill and we should speak to it. If the prior speaker would take a look at some of the Bills that have been carried through this Body and the total cost of them, which has been totally disregarded, I think it's a little spurious about it to take a look at what this Bill costs when you want to add up the costs of all the other Amendments that have been placed on Bills, some of them from the former speakers. So, I really think that we

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should discuss the Bill when it comes up, just as we have discussed many other Bills. But I think we should take a look at some of the Bills on both sides of the aisles. I think some of these things are ceremonial because we'd like to see them done and we'd like to see things updated here in the state that haven't been for awhile. I've carried those Bills. The former Representative has carried many of those Bills. I think it's a little ludicrous to bring it up at this point."

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

Klingler: "Thank you very much, Mr. Speaker. I'm rising in support of this Amendment to the Bill. Illinois nursing homes have the 46th lowest Medicaid reimbursement rate in the nation. And that's really disgraceful. This is an issue that I hear about from all the nursing homes in my area. They simply cannot afford to keep going with having Medicaid patients and having reimbursements not even meet costs. This is something that's way overdue. And I would urge everybody to support this Amendment."

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

Black: "Thank you very much, Mr. Speaker. In all due respect to those seeking recognition, the debate has not centered on the Amendment. The Amendment is technical in nature, it should be adopted as the Sponsor has requested. Then, if those who want to argue the merits of the Bill can do so on Third Reading. But the Amendment is strictly technical in nature and I think it's somewhat of a stretch, and may I suggest, a violation of House Rules, to stretch a technical Amendment on to what the potential impact may be. That's what we argue on Third Reading, not what we argue on a

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technical Amendment to a Sponsor's Bill."

Speaker Hartke: "The point is well taken. Representative O'Brien. She declines. Representative Kurtz, to close."

Kurtz: "Because of the nature of this technical Bill, I urge that the Amendment be adopted."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3538?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A fiscal note has been requested on the Bill, as amended."

Speaker Hartke: "That Bill will remain on Second Reading pending the filing of the fiscal note. Mr. Clerk, what is the status of House Bill 2056?"

Clerk Rossi: "House Bill 2056 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. On Supplemental Calendar #3 is House Bill 1414, Representative Cross. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1414, a Bill for an Act in relation to civil procedure. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Cross, has been approved for consideration."

Speaker Hartke: "Representative Cross."

Cross: "Thank you, Mr. Speaker. I appreciate the Chair calling this Bill. As you indicated earlier, it was adopted in committee today unanimously. Amendment #1 was, with respect to House Bill 1414. And it deals with violence against women, specifically in the area of trying to provide civil remedies to those that are physically and

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mentally harmed in any way. There are definitions with respect to the definition of gender-related violence, as well as the types of cause of action, the damages and relief that may be awarded. As I said, there was no opposition in the committee today. I think it's a Bill that is one that we need to not only adopt the Amendment, but a Bill we need to pass. As we have attempted to address over the past year or two the issue of violence against women. As most of you know, Congress attempted to pass a Bill... or did pass a Bill that addressed this at the federal level. The United States Supreme Court said, this is an issue that should be left up to the states. And as a result to that, this Bill was filed. So, I'd appreciate an 'aye' vote."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1414?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3295, Representative Winters. Representative Winters in the chamber? Out of the record. With regards to the Agreed List #1, Supplemental Calendar #2 with House Bill 1786 removed, the Clerk has certified that all of the Bills have received a sufficient number of votes, and therefore, the Bills contained on Agreed List #1, Supplemental #2, have received the required Constitutional Majority, and are hereby declared passed. House Bill 982, Representative Osterman. Mr. Clerk, read the Bill. Clerk, read the Bill."

Clerk Rossi: "House Bill 982, a Bill for an Act in relation to

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vehicles. Third Reading of this House Bill."

Speaker Hartke: "Mr. Osterman."

Osterman: "Thank you, Mr. Speaker. House Bill 982 amends the Vehicle Code. The Bill increases the penalties for those individuals found guilty of driving without a drivers license or permit where the offender is either too young to have a permit or license, never been issued a license, or whose permit is expired for over a year... permit or license expired for over a year. It would change the penalty from a petty offense to a Class B misdemeanor. In addition, House Bill 982 would change the penalty from a Class C misdemeanor to a Class B misdemeanor for those individuals found guilty of taking a driving test for someone else. Last year in the State of Illinois, over 46,000 individuals were given citations for driving without a license within the state. And hopefully, this Bill will provide a deterrent for those individuals, as well as improve the safety on our roads."

Speaker Hartke: "Is there any discussion on House Bill 982? The Chair recognizes the Gentleman from... Representative Mathias."

Mathias: "Lake."

Speaker Hartke: "Lake. Yes, Lake County. Mr. Mathias."

Mathias: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Mathias: "I know when we were in committee, you had indicated you were going to hold this on Second Reading for an Amendment so that it won't exceed one year, I believe. I just want to make sure that that Amendment was added to the Bill."

Osterman: "The Amendment was added yesterday. We voted on it and it is in the law... or in the Bill."

Mathias: "Thank you. Just wanted to check that."

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Osterman: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Mr... Representative Osterman, to close. Representative Osterman asks for a favorable vote. 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 982, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #3 appears House Bill 3295, Representative Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3295, a Bill for an Act concerning library districts. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Hartke: "Representative Winters on Floor Amendment #1. Mr. Winters on Floor Amendment #1."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment allows the library district to annex land if they can get more than 50% of the landowners to sign a petition. At this point, they have to do it by referendum. In many cases, special elections will actually have a very small number of people show up. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? The Chair recognizes Representative McCarthy."

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

Speaker Hartke: "The Sponsor will yield."

McCarthy: "Thank you. Representative Winters, as we discussed in

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committee... and you were good enough to share some further information with me... this eliminates the need for the referendum for people that are, today, not paying taxes to a library district, they could become part of a taxpayer... paying taxes to that district and may know nothing about it if no one ever approached them with the referend... or the petition. Isn't that correct?"

Winters: "This offers an alternative. The library districts can still do an annexation referendum if it chooses, or it can go to the fact... go to a petition. But you have to understand that this is really the ultimate election. Over 50% of any potential voters would have to sign on the petition saying, we would like to be part of the library district and pay the resulting taxes. In many cases, a subdivisions, for instance, they cannot access the library district services without paying a fairly exorbitant outside of district fee... annual fee. This... because they are then paying taxes, they don't have to worry about that, they automatically get the library card. So, it offers an alternative. It is possible for them to be annexed into the district without a referendum. But they do have the option, even after more than 50% of the property owners have signed the petition and it becomes part of the district. If 10% decide that they don't want to be in the library district and sign a petition, they can then have a referendum... a backdoor referendum that would deannex them from the district. So, I think they are protected by the backdoor referendum."

McCarthy: "Well, of course, that would be after the fact, and I do think this is a dangerous precedent, although you have shared with us that the park districts can do this, I did want you to know that we do have staff looking into this to

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see what the current legislation is. And while I don't plan on opposing moving this Amendment forward today, I would hope that you would at least hold it on Third Reading 'til another day."

Winters: "Yes."

McCarthy: "...so that we can look into that and see because... You know, the one thing that it eliminates is the secret ballot where people can be pressured into signing a petition when someone from the neighborhood steps at that doorway. That person, I think, you know, today, has the right to go into the ballot box and say, yes, I want to be taxed for this service or no, I don't want to be taxed for this service. And we are eliminating that, so I do think it's difficult. But I appreciate you saying that you'll hold it for at least a day, so that we can get the staff to bring back the information. And when I get that, I promise I'll stop by your desk and show you."

Winters: "Okay"

McCarthy: "But, I think it is eliminating a step and, you know, adding a line to the property tax bills which, of course, to those of us in South Cook County, they're pretty exorbitant property tax bills already. And I don't know if the people of our area would like us putting another line on there without the benefit of a vote. So, thank you."

Winters: "Thank you."

Speaker Hartke: "Further discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3295?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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Speaker Hartke: "Third Reading. House Bill 2384, Representative Soto. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2384, a Bill for an Act in relation to human services. Third Reading of this House Bill."

Speaker Hartke: "Representative Soto."

Soto: "Yes, thank you, Speaker. Thank you, Members of the House. House Bill 2384 will amend the Public Aid Code in relation to the Medicaid to provide coverage for family planning services to individuals whose income is up to 200% of the federal poverty level. The federal poverty level, FPL, is 8,590 for a single person. This legislation would increase the eligibility standard to 200% of the FPL or 17,180. The Amendment specifies that implementation of this new standard is subject to the federal approval and the di... of the Department of Public Aid must federal approve within 30 days after the effective date of enhancement of this legislation. Thank you. I'm open for questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

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

Speaker Hartke: "The Sponsor will yield."

Cross: "Representative, I just have some questions I... Well, initially, from a clarification standpoint... Representative, my understanding is there's an Amendment on this Bill that's been adopted. Is that correct?"

Soto: "Yes. Yes, there is."

Cross: "Now, did the Amendment become the Bill or did the Amendment add to the Bill?"

Soto: "The Amendment adds to the Bill."

Cross: "Okay. Can you tell us... And... It's a little chaotic in here. Can you tell us what's in the underlying Bill?"

Soto: "I'm gonna pass it over to... Hold on, please."

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Speaker Hartke: "Ladies and Gentlemen, could we have a little quiet in the chamber. Shh. Shh. Thank you."

Cross: "Thank you, Mr. Speaker."

Soto: "Okay. My Bill amends the Department of Human Services Act. Authorizes the Department to establish a Hispanic/Latino teen pregnancy prevention and intervention initiative. The program would award grants to a qualified entity for the conduct of research, education, and prevention activity to reduce pregnancy among Hispanic teenagers."

Cross: "All right. Let's... I'm just... With respect to your portion, am I reading correctly that there's no fiscal impact, because this part of the Bill only provides the authority to the Department of Human Services to establish a program? Is that correct?"

Soto: "That is correct."

Cross: "All right. With respect again to this portion of the Bill, are you aware of any opposition?"

Soto: "No, I'm not."

Cross: "All right. I'm not either, I'm just trying to clarify that. Now, that's the only... But before we get to the Amendment, that's all that's in the... was all that was in the Bill?"

Soto: "Yes, Representative."

Cross: "Okay. Can you... Then Amendment #1 was adopted and added to the Bill?"

Soto: "Correct."

Cross: "Okay. Can you tell me what... who's gonna answer questions about Amendment #1? You are..."

Soto: "Representative Feigenholtz."

Cross: "Representative Feigenholtz, can you explain to us Amendment #1?"

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Speaker Hartke: "Representative Feigenholtz."

Feigenholtz: "I'd be glad to, Representative Cross. Amendment #1 is an Amendment that requires the Department of Public Aid to apply for an 11-15 waiver so that we can be getting a 90/10 match on our family planning instead of a 50/50 match on our family planning."

Cross: "Was this in a previous Bill, Representative... or in the form of another Bill?"

Feigenholtz: "Yes, it was."

Cross: "And what Bill number..."

Feigenholtz: "House Bill 270."

Cross: "All right. Well..."

Feigenholtz: "Passed out on Attendance Roll Call."

Cross: "Attendance Roll Call out of the House?"

Feigenholtz: "Out of committee."

Cross: "Okay. What committee did it go through?"

Feigenholtz: "Human Services."

Cross: "All right. Was there any opposition in that committee that you're aware of?"

Feigenholtz: "I believe that there were... the Catholic Conference was opposed to the Bill."

Cross: "Okay. I'm gonna defer to Representative Black. I think he's gonna ask some other questions. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative Feigenholtz is answering the questions on the Amendment, is that correct? That portion of the Bill that was amended by her Amendment..."

Speaker Hartke: "Yes, she is answering the questions."

Black: "Thank you very much. Representative..."

Speaker Hartke: "Speaker Madigan in the Chair."

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Black: "Thank you. Representative, it's... If we could get right to the issue. I believe the opponents that registered opposition to your original House Bill, which is now embodied in Floor Amendment #1 to this Bill, asks the Department of Public Health for clarification of a definition of family planning services. Did you ever get that definition?"

Feigenholtz: "Actually, I did. And if you'll... They also were really focused on what... whether or not these Title X Funds were... Title X Fund, I'm sorry.. were used for abortive services. The answer to that was 'no'. Title X includes contraceptive information in provision of contraceptive services, gynecological exams, basic lab tests, and screenings for STD's, HIV, high blood pressure, anemia, and breast and cervical cancer."

Black: "Right. And I don't think they would have any opposition to those. I think the opposition focused on a lack of clarity as to whether coverage could also be included for drugs that would prevent implantation after a conception."

Feigenholtz: "This... Title X Funds do not cover RU-486. So, the answer to that is 'no'."

Black: "All right. So... And I don't want to put words in your mouth, Representative. But with that clarification, did the groups in opposition come to you and say that they would remove their opposition, or they still didn't like it but would be neutral, or..."

Feigenholtz: "I think it may have been resistance to family planning on the part of..."

Black: "I understand that. And I think you've answered... It appeared to focus primarily on what you just said. And that is not covered under Title X family planning services. The so called morning-after pill or... Okay. Now, the only

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other question that I would like to ask you is the 200% level income... if your income is less than 200% of the federal poverty level, now that's an increase, what would that annual income be for a family of three?"

Feigenholtz: "\$17,180."

Black: "Is that a family of three, or two, or..."

Feigenholtz: "That's a family of one with child."

Black: "Family of one with a child. I was gonna say, you had me confused there for a minute. You were expanding my definition of family. Family of one, okay. So, it would be a family, one person and one child?"

Feigenholtz: "That would be a family of two, yes."

Black: "All right. Staff wanted me to clarify something, Representative. That if there were two people included, a parent and a child, then it would be a family of two, right, not a family of one? So, it'd be 17 thousand..."

Feigenholtz: "That is correct."

Black: "All right."

Feigenholtz: "I said that."

Black: "And then the level goes up. What would the level be, say for a family of four?"

Feigenholtz: "Representative Black, I want you to know that I had been planning on putting my federal poverty level in my palm pilot this week."

Black: "If it doesn't work, I think Representative Scully's Bill would allow you to get it replaced under a warranty. Why would you need a palm pilot with a staffer like Mr. DeWeese. I think he's memorized all these figures over the years. He should have it right there on the tip of his tongue."

Feigenholtz: "Actually, I thought you'd be very impressed that I knew 17,180."

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Black: "I was. It was just the family of one that threw me."

Feigenholtz: "We just have to keep going on these multiplication tables, right?"

Black: "All right. We have that table somewhere in the file. So, I think you've answered most of the questions that were raised. And I think you have addressed them honestly and forthrightly. I don't know that it eliminates the opposition of the groups who testified, but I think you've addressed most of their concerns. And I appreciate that. And you did so in a very honest and forthright manner. And... I'm not generally prone to support these kinds of Bills, but I think you've made every attempt to answer questions and concerns. And quite frankly, I can't think of any reason to oppose your Bill. I intend to vote for it."

Feigenholtz: "I'd like to just reiterate that the State of Illinois could be serving 56,000 more people and saving \$56 million in Medicaid, which we all know we could be using somewhere else. It's just a matter of applying and it being accepted for this waiver."

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

Speaker Madigan: "Representative Soto, to close."

Soto: "Thank you, Speaker. In closing, this is a serious problem that merits immediate attention. Reports from the census indicate that Illinois and the rest of the nation are increasingly Hispanic. And many of you have Latino constituencies. We cannot ignore this issue any longer. We need to rectify the matter now and provide our youth with better opportunities. In closing, I thank you in advance for your 'aye' votes. Thank you."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by

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voting 'no'. Have all voted who wish? Clerk, take the record. On this question, there are 111 people voting 'yes', 3 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the regular Calendar there appears House Bill 101. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 101, a Bill for an Act amending the Illinois Human Rights Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 101 is identical to House Bill 474, which we had before the House last year. It has 41 cosponsors. It amends the Illinois Human Rights Act to include sexual orientation and prohibit discrimination in employment, housing, public accommodation, and credit. It's one of the last... deals with one of the last bastions of legalized democracy in the State of Illinois and makes State Law consistent with law in the City of Chicago, which was passed in 1986, and Cook County in 1992. This Bill has been debated at great lengths before this Body. And I will gladly answer any questions that the Members may pose."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? The Chair recognizes Mr. Tom Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Johnson: "Representative McKeon, I presume this is the same Bill which we've had before. Is that correct?"

McKeon: "It's identical to the Bill that's been before the House, previously."

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Johnson: "Okay. And this deals with discrimination in housing and in employment and..."

McKeon: "Public accommodation and credit."

Johnson: "Okay. And are there exclusions in here for religious organizations?"

McKeon: "There are, in addition to passing out of this Body, the Religious Freedom Restoration Act. Previously, as you recall, Representative Johnson, the Supreme Court has ruled recently, in terms of freedom of association with respect to the Boy Scouts, which would apply and should be very encouraging to religious organizations that may have some concerns about this Bill."

Johnson: "Okay. But in answer to my question, are there specific exclusions in your Bill relating to religious organizations?"

McKeon: "The underlying Bill has always had a provision for excluding religious organizations argument that can be made. There is not, in my Amendment, a specific exclusion."

Johnson: "Okay. So, is a... if I hear you correct, Larry, there is no specific exclusions in this current Bill that we are now voting on for religious organizations?"

McKeon: "In the current Bill, there are exclusions in the underlying Bill."

Johnson: "Okay. Now, are there any exclusions, for example, that go beyond religious organizations and... you know, I don't want to belabor it in terms of definition of what a religious organization is. Obviously, we understand religious denominations. But as you know, especially within the Protestant world, there are many parachurch organizations that are offshoots of the actual denominations themselves. In your opinion, would these

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types of organizations also be excluded and free to practice their beliefs as it relates to their hiring and accommodations?"

McKeon: "In those cases, where it is directly related to their ministerial function, that has been the case. The recent Supreme Court decision, as you may recall, Representative Johnson, has allowed those arguments in terms of freedom of association, under the First Amendment."

Johnson: "Okay. Are there provisions in your Bill, as it relates to going back to the Procurement Code of the State of Illinois, which if you read the Procurement Code, basically states that no organization that does not fully comply with the provisions of the Human Rights Act are prohibited from doing business with the State of Illinois?"

McKeon: "When we passed the Freedom of Restoration Act, Representative Johnson, it is my belief that that argument could successfully be made if it impedes the advancement of their ministerial function."

Johnson: "Okay. To the Bill. I appreciate and have appreciated Larry bringing this issue before the Body over these years. We've had many, many discussions about this and obviously, these are deep issues that, in essence, go to the heart of philosophy and go to the heart of religious convictions and beliefs. And it is not the intent of any of us in here, nor would we want anybody discriminating against anybody, period. But to go and add a category of sexual orientation to the Human Rights Act, I would suggest, really puts us in a position of imposing a new state theology, if you will, over many of the faith groups, which quite honestly, do not agree with this. And I say that because many of these faith groups, based on their own beliefs in Scripture, Torah, Koran, you name it, believe that the gay lifestyle

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is not acceptable. And because of that, they might not, if they build a furlough home for missionaries or whatever, permit gay missionaries to live in those homes. Now, you might agree or disagree with that position, but these are driven by the heart. And they are driven by peoples' strong convictions in their faith. And what we are doing with this type of legislation, by adding it to the Human Rights Act, is we are basically imposing a theology from a state standpoint that says, either you agree with what we say is right and proper within our Human Rights Act, or you have no right anymore to interact or interface with the state when it comes to providing social services, housing, and other issues. And it's for that reason and because of my own faith convictions. And Larry knows this is very, very personal to me, because as he said and one that I didn't appreciate last time he brought this forward, because he didn't clear it with me first. But, you know, I have a family member who is gay, and I'll tell you what, I love that family member more than anybody else in the world. So, this is not an issue of love, or acceptance, or respect, or wanting to discriminate, or anything else. But there is a higher authority that many faiths practice and what they believe. And for us to start down this slope of imposing this sort of language so that, basically, those belief groups and faith groups have no presence left in the state is wrong. And it's for that reason, I would urge you all to consider this vote carefully and urge you to vote 'no'."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Gentleman's Bill. For those on this floor, which is probably 90% of us that know how we're voting, you

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can go ahead and continue to eat lunch. I want to speak to the few people on the floor who really want to vote for this Bill, but for some reason are afraid and... or for whatever reason, don't know what to do. Let me just say this. This Bill is about basic human rights for the people that live in our state... all the people that live in our state. And if this General Assembly... if this House of Representatives isn't about human rights for all, what are we doing here? What possible purpose do we have in being in the Illinois House of Representatives if our concern is not to provide for the dignity and the civil rights of every human being that lives in our state? So, for those who are on the fence, I think that's the first, last, and most important comment. That's the thing you ought to think about. This isn't about whether you're progay or antigay. This is about whether we're gonna provide to everyone in our state the kind of opportunity to live their life the way they choose to live it. And I know that those of you who are thinking about this would like to draw that conclusion. I invite you to do that. I invite you to provide for dignity and civil rights for all in this state. And I would ask you to search your hearts to do the right thing. You know what the right thing is. Please vote for this Bill."

Speaker Madigan: "Mr. McKeon, to close."

McKeon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a gay man, I think all of you here know how strongly I feel about this legislation. And as Representative Lang said, this is not about special rights, or special privileges, or special preferences. It's simply about equal justice. I, personally, have had to deal with discrimination. But more importantly, I've worked over the

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years with the Commission on Human Rights dealing with folks who have been discriminated against. Outside of the City of Chicago or Cook County, if you have a constituent; a brother, a sister, a granddaughter, a grandson that's discriminated against because someone perceives or thinks that they are gay or lesbian, they have no legal standing whatsoever before the Illinois courts or the Illinois Commission on Human Rights. This is a matter of simple fairness and simple justice for all the citizens of the State of Illinois. And I urge and 'aye' vote."

Speaker Madigan: "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? The Clerk shall take the record. On this question, there are 60 'ayes', and 55 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Ryan. Mr. Ryan, House Bill 3066. Mr. Clerk, read the Bill. Mr. Ryan."

Clerk Bolin: "House Bill 3066, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House Bill 3565."

Clerk Bolin: "House Bill 3565, a Bill for an Act concerning public health. Third Reading of..."

Speaker Madigan: "Mr. Clerk, concerning 3565, take that out of the record. Mr. Ryan, did you wish to call your Bill on Third Reading? So, Mr. Clerk, let's call House Bill 3066. Read the Bill for a third time."

Clerk Bolin: "House Bill 3066, a Bill for an Act in relation to labor relations. Third Reading of this House Bill."

Speaker Madigan: "Mr. Ryan."

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

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House Bill 913 attempts to clarify the definition of managerial employees under the Illinois Public Relations Act. Oh, I'm sorry. I'm sorry, the Amendment was taken off. House Bill 3066 amends the Educational Labor Relations Act. Currently, the respective Act excludes faculty members of the... county college unions... community college from collective bargaining. If they do not have at least six semester hours, they cannot... they do not have the right to collective bargain. What this piece of legislation does is it takes the six-hour benchmark off and it gives all faculty members the right to collective bargain. Now, this piece of legislation does not mandate that they do so. It just, basically, extends the right to collective bargain. Should you have any questions, I'd be happy to answer 'em."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Righter."

Righter: "Thank you, Mr. Speaker. For reasons of a potential conflict of interest, I'll be voting 'present' on House Bill 3066. Thank you."

Speaker Madigan: "Mr. Tom Ryder."

Ryder: "Thank you, Mr. Speaker."

Speaker Madigan: "Did you wish to declare a conflict of interest?"

Ryder: "If I had one, I would. My cousin did, he expressed his. I'd like to express my opposition to the Bill, if I may."

Speaker Madigan: "Please. Proceed."

Ryder: "Thank you, Mr. Speaker. I appreciate the courtesy. I stand in opposition to the Bill for two very good reasons. The first is, that everybody in this chamber has already addressed this issue when you voted in favor of a Bill that passed out of here with a unanimous vote. That was Bill

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1720. And it addressed, specifically, the issues of the 1995 court case that allows... or in that case, disallows part-time folks at community colleges to be organized in a collective bargaining. We've already solved the problem. We've already sent the Bill to the Senate that addresses that in an appropriate fashion. This one doesn't address it because they're trying to eliminate the six-hour requirement. The six-hour requirement means that, if you work in a community college once for three hours, or two hours, or even one hour, then you have the same rights to collectively bargain as does a full-time active academician. And I believe that's inappropriate. I believe that it's appropriate to organize if you have a continued assurance that you're gonna be employed in that facility, as the previous Bill did. Unfortunately, this Bill deals with the hours portion. And I think what it means is that someone who maybe works one hour every once in a while has the same rights as someone who works six hours or more every semester, year in, year out, with a reasonable expectation they're gonna continue to do that. Obviously, I agree with the spirit of what the Gentleman's trying to do because the previous Bill that I addressed accomplished that. I just think this a Bill that duplicates the effort, it's not needed. And more importantly, I don't think it goes about addressing the issue in the correct way. The previous Bill was... The Bill that went out was supported by the Illinois Education Association. And not to say they may or may not support the Gentleman's Bill, I don't know about that. For that reason, I stand in opposition. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. John Turner."

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

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Speaker Madigan: "The Sponsor yields."

Turner, J.: "Representative, what is the purpose of your Bill? Why are you changing this definition of a part-time employee?"

Ryan: "It's very simple. It gives every employee the right to collective bargain."

Turner, J.: "Excuse me, I didn't hear you."

Ryan: "It gives every faculty member a right to collective bargain. Everyone in the school has a stake irrespective of the number of hours taught in that college, in the wages they're paid, in the work conditions and therefore, they should have the right to collective bargain."

Turner, J.: "You just heard Representative Ryder's comments about the Bill that we previously passed addressing this issue. If we've already passed a Bill that addresses this same issue, why is it that we need to go forward with your measure?"

Ryan: "I take offense to that. Both... they're two separate issues. This issue is... strictly addresses all faculty members, where the other one is a full-time status. And like I said, both of these are completely unrelated. The other one has... you have to have the assurance of continued service, being rehired. Whereas, this one does not. And me, as being an employee, employed tomorrow per se, I should have just as much right and stake in what we're gonna say as to our working conditions, hours, our benefits, and all that."

Turner, J.: "Well, you're then saying that there's absolutely no distinction between someone who is there under the three-hour definition versus someone who actually is full-time? And in your judgement, they should all be the same, there's no difference, whatsoever, between full-time

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and part-time?"

Ryan: "I'm not saying that there is any difference. But I think they all have the right to collective bargain."

Turner, J.: "Well, is there any opposition to your Bill?"

Ryan: "No, Sir. None known."

Turner, J.: "Excuse me, you said there is no opposition with your Amendment?"

Ryan: "Not that I know of."

Turner, J.: "The analysis that I have indicates that the Illinois Community College Trustees Association is in opposition. Do you believe that to be incorrect?"

Ryan: "If you say it's on the analysis. It's not on ours."

Turner, J.: "How 'bout the city colleges of Chicago?"

Ryan: "They're also not on ours."

Turner, J.: "All right. Thank you, Representative."

Speaker Madigan: "This Bill is on the Order of Standard Debate. Mr. Ryan presented the Bill. Two people have stood as respondents. And the last person in response will be Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. But I don't think I'm speaking against this Bill."

Speaker Madigan: "Okay. Please, proceed."

Mulligan: "All right. Representative, the Amendment effectively means that anyone can be considered a part-time employee, then?"

Ryan: "As long as they work for the institution, yes."

Mulligan: "I was... This Bill... When people discussed this Bill with me, I was under the understanding that it applied to part-time faculty. It's more... It's broader than that, correct?"

Ryan: "It's any part-time faculty member."

Mulligan: "It just applies to faculty members?"

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Ryan: "Correct."

Mulligan: "All right. So, it would be any hours? But if you're doing under three hours, what would that be? I mean, a two-hour class maybe, but..."

Ryan: "Right. This Bill has no restriction on the number of hours. So, as long as you're a faculty employee, you have the right to collective bargain."

Mulligan: "I know in our area there's a problem because what happens is one teacher will be hired at several different community colleges and has no standing in any one, but actually they're working practically full-time hours. And they have a hard time getting benefits, which we've tried to do something about. So, my inclination is to support your Bill. I'm just trying to get an understanding of what no hour requirement means."

Ryan: "Again, the employee that you spoke of, if she works at three different colleges, she would be ... in theory have the right to collective bargain if there were three different shops under all three of 'em."

Mulligan: "Okay."

Speaker Hannig: "Mr. McCarthy. Mr. Hannig in the Chair."

McCarthy: "Thank you, Mr. Speaker. To the Bill. I stand in strong support of House Bill 3066. And I compliment Representative Ryan for bringing it forward. In a day in age when we're trying to attract people from various professions to help instruct future employees in our community colleges, I think the fact that we can offer them a fair compensation for their labors is something that we can use to attract very qualified individuals who we are trying to attract to these community colleges, today. I think it's a good Bill. I think people would be more willing to offer their service at our community colleges if

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they thought they were gonna be fairly compensated. And I think it's time that we can move this forward with an 'aye' vote. Thank you."

Speaker Hannig: "Representative Ryan, to close."

Ryan: "Just reiterate what Mr. McCarthy has said. I think it's a good piece of legislation. I think this will strengthen our community colleges and hopefully, attract and retain some qualified individuals. And I support... I ask for your 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 83 voting 'yes' and 31 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3575, Representative Hoeft. Read the Bill, Mr. Clerk. House Bill 3575."

Clerk Rossi: "House Bill 3575, a Bill for an Act concerning community development financial institutions. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker, colleagues. House Bill 3575 creates the Illinois Investment and Development Authority Act. There have been a number of individuals who have been primary responsible for this. And I would like, if possible, to turn over that discussion to those individuals who have brought forth this idea. And Mr. Tom Ryder is that principal person."

Speaker Hannig: "The Chair recognizes Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Many of us have community development financial institutions in our area. This was

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brought to me by one of those organizations. And what this does is allow the establishment of an investment fund so that they can, then, leverage dollars which are available from the Federal Government. These folks teach seminars, develop business plans, and help small... primarily small businesses profit and non-for-profits. We'll obviously need to do an appropriation if the Bill's successful in the House and the Senate. I'd be glad to answer any questions."

Speaker Hannig: "This Bill is on the Order of Short Debate. Does anyone stand in opposition? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3565, Representative Collins."

Clerk Rossi: "House Bill 3565, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Hannig: "Representative Collins."

Collins: "Mr. Speaker and the House of Chambers, I would like you to pass House Bill 3565. The Bill amends the Smoking Act, which this allows people in factories and warehouses and similar places to not have to endure secondhand smoke. However.... the Illinois Clean Indoor Air Act prohibits smoking in public places and work places except for those areas may be designated to allow smoking. However, factories and warehouses are exempt from this provision. Consequently, many women... working men and women continue to be exposed to hazardous levels of secondhand smoke. The time has come to give these workers their right to a safe

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and healthy environment. I would like to have this passed.

Any questions?"

Speaker Hannig: "Okay. The Lady has moved for passage of the Bill. The Bill is on the Order of Short Debate. And on that question, Representative Black is recognized. Representative Black, do you rise in opposition? The Bill's on Short Debate."

Black: "Thank you very much, Mr. Speaker. I'm probably opposition, but I need to see if the Sponsor will answer some questions."

Speaker Hannig: "Yes, she will yield."

Black: "Thank you. Representative, what I don't understand about this... you preempting collective bargaining provisions? I mean, in a factory, those environments differ tremendously from a heavy manufacturing plant, say like a Caterpillar, to a light manufacturing or a more highly technical manufacturing facility such as a microchip. Manufacturing plants are very diverse. And I would think that this would be a matter best left to the collective bargaining process. If I read this correctly, you're preempting any ability to collectively bargain this issue."

Collins: "No. Right now, there is a provision that you can't smoke in public places. Well, we wanted to just add that to include factories and warehouses because those people want to be... they want to have the same rights as other people. Like, they don't want to endure secondhand smoke. So, the Bill is silent to the collective bargaining unit."

Black: "Well... But if we are preempting by adding those places to where you can't smoke, then there's nothing to bargain. I'm not able to smoke. And this is not... This is a tremendous expansion of the public accommodation section of the Clean Air Act. These are not public accommodation

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places. You work there and you are able to bargain if you are in a bargaining unit. I'll grant you, not all these facilities are represented by a union. But generally speaking, when we initially passed this, it was my recollection, and I could be wrong, that places that were not public accommodation would be left to determine, I guess is the correct word, what course they wanted to take. And some of them have taken this course and you can only go outside. Others have designated areas. Others, where the ventilation may be... you know, in a large factory where you might have a huge industrial door open at either end of the facility, you might be able to smoke on the floor. I mean... But it's a habit, I guess. And I'm not a nonsmoker. I mean, I am a nonsmoker, don't misunderstand me. But this represents a considerable change from the public accommodation section that we originally embodied in the Clean Air Act. And I'm not sure I understand why we feel compelled to reach out into the private sector into the workplace and mandate their behavior."

Collins: "It still doesn't. They can still bargain to have a smoking section or smoking room designated for smoking only. It's just that you won't be able to do it in the collective body of everyone, so that those who are nonsmokers are protected against those that smoke."

Black: "Okay. I... Thank you very much."

Collins: "So, we just want to give them the same right as public employees."

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

Speaker Hannig: "To the Bill."

Black: "Again, I'm a nonsmoker and I've said on this floor before, I have a very personal compelling reason to be a

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nonsmoker. And the public accommodation section of the Clean Air Act was certainly one thing that was in our purview to do. This... You know, I guess I've been here too long and maybe I'm too cynical, but when it fits the political purposes of this Body, we will invoke the sacred right of collective bargaining on any issue from part-time faculty members to the Structural Work Act to whatever. But then when it comes to the personal behavior of an employee/employer relationship in a nonpublic facility, we all of sudden know; no, collective bargaining isn't the issue here. We will decide whether or not you will smoke in your facility. I think that's an imposition that goes far beyond what we had intended with the original Clean Air Indoor Act. And I think the ultimate in any hypocrisy... and for those I offend, I apologize in advance... the ultimate in the hypocrisy is for this Body to pass Bills like this. And it'll pass with 75, 85, 90 votes. The ultimate hypocrisy is, if you're in the back of the room anywhere near the men's restroom and you have to take a deep breath, you're gonna take five years off your life. Smoke eater or exhaust fan or no. Some people on the other side of the rotunda smoke openly on the floor. There are people who smoke in this room while hiding under their desk, or out in the back room, or smoke in their office. And that is against the law. That's against the Clean Air Act. This is a public accommodation. And yet, we violate it every single day. And I'm just tired of that kind of double standard; do what I say, not what we do. When the air is perfectly clean in this chamber, and that'll be the day, I'll vote for a Bill like that, but not until the air in this chamber and that across the rotunda is as clean as we mandate on anybody else."

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Speaker Hannig: "Representative Collins, Representative Fritchey would like to close. Would you like the Gentleman from Cook to close or not? Okay. Representative Collins to close, then. Excuse me. Who wants to close? We've had one speak in favor and one speak against. Who wants to close? Representative Collins."

Collins: "I would like to close in saying that the proponents of the Bill are the American Lung Association, the American Cancer Society, the American Lung Association of Metro Chicago, the American Heart Association, and the Illinois Coalition Against Tobacco. I think we all deserve to live in a clean environment and not be subject to secondhand smoke. And I think we all should abide by the laws that we make in public or in private."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 80 voting 'yes' and 35 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1697. Representative Brunsvold. Representative Brunsvold."

Clerk Rossi: "House Bill 1697, a Bill for an Act in relation to alcoholic liquor. Third Reading of this House Bill."

Speaker Hannig: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. House Bill 1697 was brought to me by the Department of Natural Resources. They are in the process of building a new building over at the fairgrounds for the headquarters for the DNR. And they would like us to allow them to serve or deliver alcoholic beverages at those facilities and others, if they choose to

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do so, at the discretion of the Director of the Department of Natural Resources. I somewhat... It's very similar to what we do over at the State Library. We go over there for a reception where we have a little food and wine and maybe some beer over there at the State Library. So, it's very much the same. And I know of no opposition to the Bill and would to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1697. This Bill's on the Order of Short Debate. Does anyone stand in opposition? Representative Black."

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

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

Black: "Representative, what buildings would be involved? Any and all buildings under the control of the Department?"

Brunsvold: "It would, yes."

Black: "So, we're not specifying any building?"

Brunsvold: "No, the language says, under the control of the Department of Natural Resources with the direct responsibility being with the Director of the DNR. And he would have to... And he could specify certain provisions as far as insurance and things like that, times, and what would be there and not be there. And of course, there's nothing in the Bill that says it can be sold."

Black: "Joel, let me ask you a question, I don't know the answer to this. And I'm not trying to set you up, I really don't. If you or I have a fund raiser or we are a member of a civic group and we want to have an event, we have to go our county. I believe it's that way under State Law. We have to get a special event liquor license, I think through the county. I don't know about Cook, but I think all of the other counties have this. We have to show proof of

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insurance. We have to get a license from the county, as I said. I'm not sure what other restrictions. I think we have to display the special event license, et cetera. And there are some fees involved, they're minimum... minimal fees. Would DNR have to do this, would they have to get a special event license for an event they were hosting, or would they be exempt because they're a state entity?"

Brunsvold: "I think they would be exempt. Yeah, my staffer thinks the same thing. I don't think they would have to go get a special... The director would specify all those provisions you're talking about and whether even they could do it. I mean, he would have control of whether this could happen or not. In fact, the Bill itself, if you see language in the front, describes a number of places. In fact, Mr. Black, one of the first Bills I had in the General Assembly was to allow alcohol to be served at Camden Park in Milan, Illinois, which is in the first part of this Bill. So, this Bill goes a long way back from when I started here back in the early 80's."

Black: "Representative, I anticipate a question I get every year, and I'm sure you've had this, too. And it's hard to answer when we do something like this. Every year in the spring and summer, I get calls from people who are camping in the state park in my district. And they may want to sit around outside their camping trailer, or their RV, or even if they're in a tent section, and maybe they want to have a cold beer and the conservation officer goes around and sees that. That's not allowed. And... I've had some very unhappy campers that said, you know, that's ridiculous. Now, if I'm having a wild party, et cetera, I could understand it, but they won't even let me sit around my campfire or my RV and have a cold beer on a warm summer

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night. I see a potential conflict where the campers are going to come to us and say, I can't have a beer at my campsite, but you can serve alcoholic beverages in a building owned by the Department..."

Brunsvold: "My discussions dealt with the Department and Director Manning, were such that this Bill would allow them to have like receptions like we do at the State Library where people would come over, specifically, to the new building over in the fairgrounds right now. I don't anticipate and the Director didn't anticipate having anything going on in a lot of the other buildings anyplace else, just here in Springfield, where frankly, you get a lot of people coming from all over the state to the facility, like the Governor's Mansion, and you will be able to deliver or serve, not sell, beer and wine, for example, in that facility. And everyone, I think, realizes that you're gonna have a lot of meetings. The Conservation Congress and those type of meetings that will go on, will go on at the new building. And that's what the Director indicated to me as the type of things that would be going on."

Black: "But Joel, as I read this, one could make an argument that a picnic pavilion that is under the control of a site superintendent at a state park... If the Director would give his permission, wouldn't you be able, then, to say, at a family reunion or... let's say the Sportsmen's Caucus had something in a state park, we wanted to have a barbecue and some cold beer that night. If that picnic pavilion was under the control of the Department, couldn't we make a cogent argument that there's no reason that we couldn't get permission to have beer at that event?"

Brunsvold: "I think you could make that argument. I'm not so sure that the Director's gonna do that."

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Speaker Hannig: "Representative Black, could you bring your remarks to a close, please?"

Black: "Yeah, thank you very much. Just in summation, then, it's not your intent that this be a blanket?"

Brunsvold: "No, this is not a..."

Black: "All right."

Brunsvold: "...rampant situation where we're gonna have this thing going on all over the facilities of the DNR, no."

Black: "All right. So..."

Brunsvold: "It's not."

Black: "But the discretion is left to the Director, correct?"

Brunsvold: "The Director has the discretion and I... and my discussion with the Director that it's gonna be very, very well controlled."

Black: "Thank you very much, Representative."

Speaker Hannig: "Representative Brunsvold, to close."

Brunsvold: "Thank you. I'd ask for an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'yes' and 18 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3335. Representative Black."

Clerk Rossi: "House Bill 3335, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3335 is modeled after legislation that we passed out of this chamber last year, I think, unanimously. But it ran afoul of the process, the Governor

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did not accept the Bill. It cleared the House unanimously and the Senate overwhelmingly. So, we're back trying to do something that I have been working on for about three years. And I know we don't always talk about this, it isn't very glamorous. But Ladies and Gentlemen of the House, all this Bill does, we pay... the State of Illinois pays a very small amount of money for a funeral service for someone who is on public aid. These costs have not kept up with the cost that a funeral director incurs for doing that and they're certainly not keeping up with what it costs to open and close a gravesite. So, this Bill would simply say, rather than try to come in every other year for a slight increase in the amount that we will pay, we would simply... and we've had this discussion earlier today on other Bills... this would simply provide for a annual 3% cost of living increment for funeral and burial expenses for those people who are on public aid. And I'll be glad to answer any questions that you have."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3335. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2395 for Representative Erwin."

Clerk Rossi: "House Bill 2395, a Bill for an Act relating to higher education. Third Reading of this House Bill."

Speaker Hannig: "Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 2395 makes some changes

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in the Board of Higher Education's grant programs. It essentially updates some fairly archaic ways these grant ... grant programs were formulated. Most of these were first devised in the late 70's and have not been changed since then. And essentially, a good part of this has to do with grants that BHE can give institutions for a whole variety of labor shortages. And rather than delineate labor shortages, i. e., teacher shortage or nursing shortage, these are not scholarships to students, but they are grants to institutions so they can respond to the Illinois' changing economy. It would allow them to basically lump it together and use the term 'worker shortage', which makes a lot of sense. And there are a number of other fairly technical changes. And gee, I thought it would be on the Agreed Bill List. So, I urge your support."

Speaker Hannig: "Is there any discussion? This Bill's on the Order of Short Debate. Does anyone rise in opposition? Representative Wirsing."

Wirsing: "No, I rise in support of this Bill, if that's all right."

Speaker Hannig: "Yeah, go ahead."

Wirsing: "Okay. Thank you. As long as I'm standing. Thank you, Mr. Speaker. I rise in strong support of this Bill. I think that some of the things that are going on in higher education today, and this Bill reflects that, is the need for higher education to, in some respects, change so that it does meet some needs of today; the workforce development issue, you know, that a part of this Bill deals with. So, I think this is moving us on the track in the correct direction that we need to go. So, I'm in full support of it. Would hope for a 'yes' vote."

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Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1039, Representative Brunsvold."

Clerk Rossi: "House Bill 1039, a Bill for an Act concerning human rights. Third Reading of this House Bill."

Speaker Hannig: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was moved from the human rights area and was put into a section all by itself. The committee thought we ought to move it out of the Human Rights Act and put it someplace else. And the Reference Bureau moved it to a new Act. This Bill's origin comes from ABATE, the motorcycle group in our state. And it simply says that public facilities or public accommodations should not discriminate against people because they're on motorcycles. And it sets up a process and makes some descriptions and sets a penalty of \$500 actual damages or \$500 maximum for each violation. And I would answer any questions."

Speaker Hannig: "This is on the Order of Short Debate. Does anyone stand in opposition? Representative Hoffman."

Hoffman: "Thank you. Just a quick point of clarification, Mr. Speaker."

Speaker Hannig: "Yes, proceed."

Hoffman: "The only change, Joel, in the Amendment is just to change under which code the Bill is under?"

Brunsvold: "Right. We moved it out of the Human Rights Act, at the request of committee, into a different ar... Section

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all by itself."

Hoffman: "Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 0 voting 'no', 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Ryan, for what reason do you rise?"

Ryan: "Yes, on House Bill 2395, I voted 'yes', my button did not stay on. So, for a record on 2395, I'd like to be noted as 'yes'."

Speaker Hannig: "Yes, the transcripts... the Journals will indicate your intentions, Representative. We are now going to return to the Order of Supplemental Calendar #3 Second Reading. We still have a number of Bills that we would like to move, if the sponsors would be prepared. Is Representative Hamos in the chamber for House Bill 424? Okay. Out of the record. Representative Hassert on 1147. Representative Hassert. Out of the record. Representative Wait on 1814. Representative Wait. Representative Wait. Out of the record. Representative O'Brien on House Bill 2865. Representative O'Brien. Mary Kay O'Brien, 2865. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2865, a Bill for an Act concerning crime victims. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative O'Brien, has been approved for consideration."

Speaker Hannig: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

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House. What Amendment #1 does is it adds categories of individuals who are eligible for compensation under the Crime Victims Compensation Fund. It also increases the things... the items that can be compensated with funds... with those funds. The first being that right now you have to have been a witness of a violent crime under the age of 18 and the crime has to be perpetrated against your family member in order to be compensated. What we're saying is that any witness of a violent crime should be able to be eligible for benefits under the Crime Victims Compensation Fund. Secondly, we're increasing things that can be compensated; locks and windows if they're destroyed during the crime, if you have to be put up in temporary lodging because maybe you're home is the crime scene. Those... Temporary lodging would be compensable, as would transportation of next of kin and the deceased for burial purposes out of the State of Illinois or out of the country. I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall... Excuse me, Representative Brady."

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

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

Brady: "Representative, just a quick question for you. We spoke briefly about it this morning, I'm trying to refresh my memory. When you talk about the transportation or funeral service needs of a victim from a violent crime, is there any type of a cap? I couldn't remember exactly what you told me. I was trying to read it here. Is there any type of a limit, I guess is what I'm asking, when you talk about out-of-state, overseas burial, things along those lines?"

O'Brien: "Yes, Representative Brady. I was instructed by the Illinois Attorney General's Office that there's a cap of \$5

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thousand that would be imposed for that so that we wouldn't be extracting all of this money out of that fund for purposes of taking somebody out-of-state to the detriment of our instate victims that would need money."

Brady: "Thank you very much. Thank you, Mr. Speaker."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 3204?"

Clerk Bolin: "House Bill 3204, a Bill for an Act in relation to the regulation of professions. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Bost, has been approved for consideration."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. The Amendment to 3204 amends the Architectural Practice Act. Basically, it just simply changes some words to bring language on-line at their recommendation. It amends the Act by replacing construction documents with a term 'technical submissions', and then deletes the current provisions regarding direct supervision and control and replaces it with new procedural language that says 'responsible control' because the architects... not all of them are located right directly and they might have outer offices. And this just allows their people to go in and be the responsible person. Be glad to answer any questions."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is

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adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 3353 for Representative Howard?"

Clerk Bolin: "House Bill 3353, a Bill for an Act concerning technology. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard."

Howard: "Thank you, Mr. Chairman... Mr. Speaker, that is. The Amendment becomes the Bill. With the Amendment, the Bill calls for the provision of business planning tools, sustainability planning assistance, and outcome tracking tools and services for computer technology centers. It also creates the Community Computer Recycling Network Grant Program which would be administered under D-C-C-A which is DCCA, Department of Commerce and Community Affairs. And that agency would make grants in accordance with this Bill for the planning, establishment, administration, and expansion of community area-wide, countywide and multi-countywide networks of centers that undertake community computer recycling. The Bill would also establish a Community-Higher Education Information Extension Program and Consortium that would establish in conjunction with the Illinois Century Network a relationship with community and social service nonprofit organizations. And last but not least, the Bill would establish community-based technology job training initiatives supported by DCCA through grants to help disadvantaged job seekers and low-wage and displaced workers in Illinois obtain technology workplace literacy

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skills, develop technology job and career management skills, and advance in employment through certified technology skills. I am prepared to take questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 3584. Mr. Moffitt."

Clerk Bolin: "House Bill 3584, a Bill for an Act in relation to municipal government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Moffitt, has been approved for consideration."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment becomes the Bill and it provides that a municipality incorporated under a special charter made by ordinance or Resolution then adopt sections of the Municipal Code. We have about 60 municipalities in the state that still operate under special charter issued in the state and they have elections, most of them maybe all of them, are like the mayor is a one-year term. We have consolidated elections that are every other year and these municipalities that under special charter cannot abide by that, like in my home county, the county has to hold an election for one municipality. This would allow them to be like all the other municipalities in the state."

Speaker Hannig: "Is there any discussion? Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

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Speaker Hannig: "He indicates he will yield."

Hoffman: "Representative, a quick question. What is a special charter municipality? I'd never heard that term before."

Moffitt: "These are ones that were chartered by the State of Illinois prior to 1872. They received their charter from the state and had their own election laws. And when the state then passed Election Code, it does not supersede the special charter, so they still operate under their original special charter of the state."

Hoffman: "And how many municipalities does that entail?"

Moffitt: "The estimate that we have at this time is that there are about 60 in the State of Illinois that operate under special charter."

Hoffman: "And are they for this Bill, generally, do you know?"

Moffitt: "It would be permissive and this way if they want to adopt it, they can. It'd just be each municipality could..."

Hoffman: "So, we're not mandating that they adopt this?"

Moffitt: "No, not at all. Just it will give them... it will empower them to adopt this if they want to then have their elections match every other municipality in the state that is not special charter..."

Hoffman: "Thank you."

Moffitt: "...which is the vast majority."

Speaker Hannig: "Any further discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of 3353?"

Clerk Bolin: "House Bill 3353 is on the Order of House

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Bills-Third Reading."

Speaker Hannig: "And Representative Howard, it's your intention to move that back to the Order of Second. So, Mr. Clerk, return that to the Order of Second Reading. Mr. Clerk, would you read House Bill 211."

Clerk Bolin: "House Bill 211, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed. A state mandates note has been requested on the Bill and has not been filed."

Speaker Hannig: "Then hold it on Second Reading. Mr. Clerk, could you read House Bill 2470. Representative Franks, on your House Bill 211 there was a request for some notes. You need to check with... Mr. Clerk, what were the notes that were requested on 211?"

Clerk Bolin: "A state mandatesnote had been requested on House Bill 211."

Speaker Hannig: "Okay. So, you need to comply with that before we can move it to Third. Mr. Clerk, on House Bill 2470. What is the status of that Bill?"

Clerk Bolin: "House Bill 2470, a Bill for an Act in relation to public acts (sic-aid). Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 300?"

Clerk Bolin: "House Bill 300, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard, are you ready on this Bill, this Amendment?"

Howard: "Take it out of the record for a minute."

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Speaker Hannig: "Out of the record at the request of the Sponsor. Representative Lang, are you ready on House Bill 64? Representative Lang. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 64, a Bill for an Act to amend certain Acts in relation to mental health. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #4, offered by Representative Lang, has been approved for consideration."

Speaker Hannig: "Representative Lang."

Lang: "Mr. Speaker, first, since Floor Amendment #4 becomes the Bill, I'd like to table Amendment 1."

Speaker Hannig: "Is that your Amendment, Representative?"

Lang: "Amendment 1 was my Amendment."

Speaker Hannig: "Representative Lang, I'm advised that that was a Committee Amendment, Amendment #1 and under the rules, the House Rules Committee would have to make a recommendation to table a Committee Amendment."

Lang: "So, what I..."

Speaker Hannig: "So, you need to file a Motion that will go to the Rules Committee for their consideration."

Lang: "Well, since Amendment #4 will become the Bill maybe I don't need to do that. Can we ask the Clerk?"

Speaker Hannig: "All right, well then proceed."

Lang: "All right. Thank you, Mr. Speaker. Amendment 4 does become the Bill. It goes back to the original House Bill 64 with some changes that were suggested by a number of people. This is an omnibus Bill regarding mental health. It mirrors very closely House Bill 182 which passed this chamber last year, actually, two years ago and then House Bill 182 was dramatically reduced by action of the Senate. So, the... almost all of this Bill is material we've seen before. And I'd be happy to discuss this on Third Reading,

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but if you would adopt the Amendment now, I would appreciate it."

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

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 300."

Clerk Bolin: "House Bill 300, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard."

Howard: "Thank you, Mr. Speaker. House Amendment #3 establishes, that is, an expungement program within the Office of the State Appellate Defender. This office would establish, maintain, and carry out an expungement program to provide information and assistance to persons eligible to have their arrest or criminal history record information ordered expunged, sealed, or impounded. I will accept questions."

Speaker Hannig: "And on that question, Representative Cross."

Cross: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she will."

Cross: "Representative, does Amendment 3 add to the Bill or become the Bill?"

Howard: "Adding to."

Cross: "Why do we have... I see that the state's attorney... the State's Appellate Defender Program or 'the State Appellate Defender shall establish, maintain and carry out an Expungement Program to provide information and assistance to persons eligible to have their arrest'... Why are... Does anyone ascertain what the cost would be for them to do that on a statewide basis?"

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Howard: "Yes, a hundred and eighty-nine thousand dollars."

Cross: "Annually?"

Howard: "Correct."

Cross: "All right. And the state's attorney... 'the State's Appellate Defender shall compile a statewide list of volunteer attorneys'. So, will not be the role of the State Appellate Defender's Office to actually provide the legal services. Is that correct?"

Howard: "That's correct. Information and referrals."

Cross: "Is there... I don't see any opposition to this Amendment. Are you aware of any?"

Howard: "I am not aware of any."

Cross: "Okay. All right. Thank you, Representative."

Howard: "Thank you."

Speaker Hannig: "Any further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. Several notes have been requested on the Bill as amended by #3 and the notes have not been filed."

Speaker Hannig: "Okay. So, Representative, you need to get those notes before we can move to Third. Representative McCarthy, are you ready for 686? Out of the record. Representative Miller, are you ready for House Bill 1050 on Second Reading? Okay. Out of the record. Representative O'Brien, 1709. Ready to adopt the Amendment approved by Rules? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 1709, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative O'Brien, has been approved for consideration."

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Speaker Hannig: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 170... Amendment #1 to House Bill 1709 adds the provisions of House Bill 900 verbatim. And what it would say is that for townships that in the Road and Bridge Fund monies from the Road and Bridge Tax can also be used for construction and maintenance of bridges, culverts, and other drainage facilities or grade separations. And without using any joint county funds they don't have to get the permission of the county engineer unless the project size is over \$5,000, then they need to get their permission. But for small projects, where they're not using any county, Motor Fuel Tax money or any county tax dollars they don't need to get their permission. House Bill 900 passed out the of Transportation Committee, I believe on the Attendance Roll Call, or nearly so, if not. I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Is Representative Kurtz prepared on 1810? Out of the record. Representative Burke on 2046. Out of the record. Representative Wyvetter Younge on House Bill 2052? Out of the record. Representative O'Connor on House Bill 2464 to adopt the Amendment that came out of Rules this morning? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 2464, a Bill for an Act in relation to contracts. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative O'Connor, has been approved for

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consideration."

Speaker Hannig: "Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker. This Amendment consolidates the language in related legislation. House Bill 2477 which relates to the... let me think about this... relates to the payment of progress payments in the first... in the existing legislation there is provided for payment within 15 days of a subcontractor... to a subcontractor or material supplier and the underlying... the related legislation covers the same circumstances. And I'd appreciate an 'aye' vote."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 3015. Representative Rutherford. No. Out of the record. Representative Wirsing on House Bill 3129? Representative Wirsing, 3129? Out of the record. Representative Younge is now ready on 2052, Clerk. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2052, a Bill for an Act in relation to East St. Louis Area Economic Development. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #1 takes out of the Bill any reference to a enterprise demonstration zone and it makes the Bill be reestablishment of the East St. Louis Development Authority. I move for the adoption of the

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Amendment."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1050."

Clerk Bolin: "House Bill 1050, a Bill for an Act regarding schools. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Representative Miller, has been approved for consideration."

Speaker Hannig: "Representative Miller."

Miller: "Thank you, Mr. Speaker. Amendment #3 is simply... adds a parental, a guard... legal guardian consent on the House Bill 1050. The House Bill 1050 deals with streamlining the Kid Care application process in relationship to the school lunch program. I would ask for a favorable vote."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 2473."

Clerk Bolin: "House Bill 2473, a Bill for an Act concerning medicines. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Berns, has been approved for consideration."

Speaker Hannig: "Representative Berns."

Berns: "Mr. Speaker, I've agreed to hold this on Second until

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Amendments are addressed."

Speaker Hannig: "Representative, yeah, Berns. Amendment #1 was approved by the Rules Committee this morning. Do you have other Amendments?"

Berns: "No, Sir."

Speaker Hannig: "Would you like to adopt Amendment #1?"

Berns: "Please, Sir."

Speaker Hannig: "Okay. Mr. Clerk, would you read the Bill. Or did you read the Bill, Mr. Clerk? Okay. On the Amendment, Representative, Amendment #1."

Berns: "Well, this Amendment makes it a shell Bill and keeps it available for further consideration."

Speaker Hannig: "Is there any discussion? Representative Feigenholtz."

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

Speaker Hannig: "He indicates he will."

Feigenholtz: "Representative Berns, I'm sorry, I didn't see you. In committee when we were working on this Bill, we had asked you to provide Members of the committee with letters from some of the hospitals involved in this pool of money of academic medicine to committee Members and you never actually provided that for us. And I'm actually very concerned about diluting this pool of money and by shelling this Bill out. You made a commitment to committee Members that you would keep this Bill on Second Reading before you moved forward with it."

Berns: "Yes, Ma'am, that's correct. I was asked yesterday by Speaker Madigan to modify the approach, to shell this out for further consideration."

Feigenholtz: "So, are you telling us that you're gonna be committed to holding this Bill on Second Reading even

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though you're adopting this Amendment?"

Berns: "That's my understanding, yes."

Feigenholtz: "Okay. Thank you very much."

Speaker Hannig: "Representative Black. Okay. The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. Notes have been requested on the Bill as amended."

Speaker Hannig: "Okay. So, the Bill will remain on the Order of Second Reading. Representative Kurtz, would you like us to move House Bill 1810? There's an Amendment that has been approved by the Rules Committee. Would you like to have that adopted at this time? 1810 and also we'll have... excuse me. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "House Bill 1810 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Excuse me, Representative Kurtz. That was... the Chair made an error. That was adopted earlier. House Bill 3538 has an Amendment, Representative Kurtz. Would you want us to move that Bill? 3538, there's an Amendment that's been approved by the Rules Committee. Okay. Mr. Clerk, read the Bill. Okay, excuse me. The error on my part again. This Calendar wasn't marked and apparently we've adopted that Amendment as well. Representative Black, for what reason do you rise?"

Black: "Yes, Mr. Speaker. An inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "I sense a level of confusion. Should we perhaps take a short break to ... so you can gather your thoughts. Perhaps we could have a... order pizza on you. Since we're reduced to calling Bills to amend that we've already

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amended, I thought maybe we could just stand at ease for so... oh, 10 or 12 hours. All right. I won't make a Motion to adjourn, that's always an Order or nondebatable. Now that you've had a drink of water and gathered yourself, are you ready to continue? All right. I was very glad to delay. I got a call from the podium wanted me to help you out. I'm still on, Mr. Speaker. Would you like me to help you further?"

Speaker Hannig: "You're doing a fine job, Bill. Representative Hassert on House Bill 3247. Would you like to adopt that Amendment? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3247, a Bill for an Act in relation to certain land. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hassert, has been approved for consideration."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the House. Amendment #2 is just IDOT's land transfer Bill. This is just adding another nine parcels. I don't think there's any controversial to them. I request that... I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. Representative Garrett on House Bill 282. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 282, a Bill for an Act concerning enterprise zones. Second Reading of this House Bill."

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Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Garrett, has been approved for consideration."

Speaker Hannig: "Representative Garrett."

Garrett: "Yes, Mr. Speaker. We have just added a technical Amendment that should be adopted and how you see it, I don't think that I should be asking for the previous Amendment to be adopted."

Speaker Hannig: "Excuse mr, do you want..."

Garrett: "There'll be Amendment #4, and it's a technical change."

Speaker Hannig: "Okay."

Garrett: "It's been filed."

Speaker Hannig: "Do you need this... Okay. We'll have to take that out of the record..."

Garrett: "Okay."

Speaker Hannig: "...then at this time. Out of the record. Representative Sommer on House Bill 3203. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 3203, a Bill for an Act concerning development. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Sommer, has been approved for consideration."

Speaker Hannig: "Representative Sommer."

Sommer: "Thank you, Mr. Speaker. This is an agency Amendment to the agency Bill for DCCA directing some audit findings and adjusting some funds that were in their purview. Makes those changes. Happy to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments."

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

Speaker Hannig: "Third Reading. Representative Hoffman.
Representative Hoffman on House Bill 176. Mr. Clerk, would
you read the Bill."

Clerk Bolin: "House Bill 176, the Bill's been read a second time,
previously. No Committee Amendments. Floor Amendment #1,
offered by Representative Hoffman, has been approved for
consideration."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Yes. This was okayed in the Rules Committee today, I
believe, and also... All this would do is make a technical
change to the Committee Amendment which was recommended for
adoption yesterday, I believe."

Speaker Hannig: "Is there any discussion? The question is,
'Shall the Amendment be'... excuse me. Representative
Hoffman."

Hoffman: "Could the Clerk... we had a Committee Amendment, I
believe, that went to committee yesterday. Is that right?"

Speaker Hannig: "This is Amendment #1, Representative."

Hoffman: "Take it out of the record to figure this out."

Speaker Hannig: "Out of the record. Representative Burke, are
you prepared on House Bill 2303? Representative Burke on
the Amendment. Okay. Out of the record. Representative
Berns on House Bill 2565. Mr. Clerk, would you read the
Bill."

Clerk Bolin: "House Bill 2565, a Bill for an Act concerning
professional wrestling. Second Reading of this House Bill.
No Committee Amendments. Floor Amendment #1, offered by
Representative Berns, has been approved for consideration."

Speaker Hannig: "Representative Berns."

Berns: "Thank you, Mr. Speaker. An Amendment was adopted for
this Bill in committee yesterday afternoon, 14-0-0. I ask

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that it be approved and added to the Bill for Third Reading."

Speaker Hannig: "Is there any discussion? The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 3024. Representative Lang on the Amendment."

Clerk Bolin: "House Bill 3024, a Bill for an Act to create the Land Banking Beneficial Disclosure Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Lang, has been approved for consideration."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Representative Granberg has an excellent Bill here. It involves disclosure of land trusts when we're purchasing property. All this Amendment does is require that these disclosures be made at least 30 days before the closing, so that the general public knows who's selling this land. That's all the Amendment does."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. The Sponsor yield? The Amendment... Let me make sure I'm gonna go to this... located... The trustee shall file the disclosure statement with the recorder in which the property is located 30 days after they execute a purchase agreement. Is that... Isn't that a substantial change in the way land trusts are generally handled?"

Lang: "Well, that's Representative Granberg's Bill, so we can discuss that on Third Reading. What my Amendment does is

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say that while we want the disclosures within 30 days after the agreement, we also want to make sure that it's at least 30 days before the closing. So, if Representative Granberg's Bill were to pass, that would mean the General Assembly would be making the statement that we want to make sure these things are disclosed under these circumstances, but we want to make sure we have... the general public has enough notice. So, you can imagine a situation where 30 days after the agreement is signed could be just two days before the closing. It could even be two days after the closing and therefore, the kind of disclosure that the Bill proposes would never have taken place."

Black: "Okay. Representative, walk me through this. I have not kept up on how the law has changed over the years. It used to be and this happened in my district, a potential shopping center was blocked by a land trust. The owners of that land trust, as far as I know, to this day and I'm talking 30 years ago were never revealed. And I'm certain that it was... the tract of land was purchased to block the center, which it did. But I was under the impression, having gone through that argument in my hometown, that the owners of a land trust, in fact under the law, could conceal, if that's the right word, it may not be the right word, their beneficial interest in the land trust and that was the reason they would do that. Is this changing that or..."

Lang: "This will change it for state purchases for airport land. The goal here is to make sure that there's full disclosure to the public as to who's benefiting from purchasing these pieces of property."

Black: "All right. So, your Amendment then is aimed at land that the government would buy... you're not changing the trust

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arrangement on a private transaction?"

Lang: "That is correct, Representative."

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

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

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

Speaker Hannig: "Third Reading. Excuse me. Representative Cross, for what reason do you rise?"

Cross: "I think Representative Meyer had his light on first, I think, with respect to that Bill, Mr. Speaker."

Speaker Hannig: "Yeah. Representative Myers (sic-Meyer), for what reason do you rise?"

Meyer: "Thank you, Mr. Speaker. It was... I presented Amendment #1 in committee this morning. There was certainly a fair amount of interest in a couple of the issues that were addressed in #1 and my understanding was that they were gonna hold this Bill on Second Reading and allow us to work with Representative Granberg and perhaps make that Bill a much stronger Bill than what it is right now."

Speaker Hannig: "Okay. Representative Granberg's not in the chamber, so Mr. Clerk, would you move the Bill back to the Order of Second Reading. We'll try to get a clarification."

Meyer: "Thank you for allowing us to work with him."

Speaker Hannig: "Okay. Thank you. Representative Durkin, are you prepared on House Bill 1843? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1843, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3,

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offered by Representative Durkin, has been approved for consideration."

Speaker Hannig: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. Floor Amendment #3 to House Bill 1843 is one of the three Bills which has come out of the Committee on Prosecutorial Misconduct. This Amendment becomes the Bill. This Bill codifies the duties under the Brady v. Maryland statute which came down in the early 60s about the disclosure of favorable evidence to the defense. It also places sanctions when there's nondisclosure of that material."

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

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

Speaker Hannig: "Third Reading. So, Mr. Clerk, would you read House Bill 3147."

Clerk Bolin: "House Bill 3147, a Bill for an Act concerning elections. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. Floor Amendment #3, offered by Speaker Madigan, has been approved for consideration."

Speaker Hannig: "Representative Currie, the Majority Leader, to handle the Amendment."

Currie: "Thank you, Speaker and Members of the House. This is a measure that would provide state support for those election jurisdictions that choose to upgrade their voting equipment to provide increasing counting and the opportunity for the voters themselves to correct any defects on the undervotes and the overvotes, any other problems with the ballot. The Amendment is one that was discussed... many technical

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provisions that were discussed in committee: for example, it says that the grant program can include the cost of training people in using the new voting equipment, would make sure that if federal funds should become available state funds would not supplant them, shows that voter assistance, which is available for voters who need to have help with the ballot, would also be available if they are checking to see whether or not their vote was cast appropriately and it explains what increasing tabulating equipment means. So, I'd appreciate your support for the Amendment. As I say, it's technical, came out of the committee discussion. I'd be happy to answer your questions."

Speaker Hannig: "The Lady has moved for the adoption of Amendment #3. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Representative Delgado, are you prepared on House Bill 3382? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3382, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Delgado, has been approved for consideration."

Speaker Hannig: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. Amendment #1 was a consensus Amendment brought to us by the Secretary of State and then now removes all opposition to the Bill. And Amendment 1, after the enacting clause, amends the instruction permits and temporary license sections for persons 18 years or older. And Amendment 1

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provides that the Secretary shall adopt the administrative rules necessary to implement this new subsection. The Secretary of State may issue a temporary drivers license for one of the following reasons: if the applicant wants a nonphoto drivers license for religious reasons or as a result of facial disfigurement and is waiting for the application to be processed or because the applicant is prohibited by a bona fide religious conviction from applying for a Social Security number and has applied for a driver's license using a distinctive number in lieu of Social Security numbers, due to a mechanical failure at the facility the issuance of the drivers license immediately is not possible. Those would be the three reasons."

Speaker Hannig: "The Gentleman's moved for the adoption of Amendment #1. Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, what is the status of House Bill 3098?"

Clerk Bolin: "House Bill 3098 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Mr. Clerk, return that to the Order of Second Reading at the request of the Sponsor. And, Mr. Clerk, what is the status of House Bill 3247?"

Clerk Bolin: "House Bill 3247 is on the Order of House Bills-Third Reading."

Speaker Hannig: "Mr. Clerk, return that to the Order of Second Reading at the request of the Sponsor. Mr. Clerk, could you read House Bill 2063."

Clerk Bolin: "House Bill 2063, a Bill for an Act concerning

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education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 2518. Mr. Clerk, would you read House Bill 3061. Mr. Clerk, would you read House Bill 3264."

Clerk Bolin: "House Bill 3264, a Bill for an Act concerning nuclear safety. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. The Chair would like to ask the Members if you have a Bill you'd like to move from Second to Third come, to the podium. We're making a list and we'll try to move some... some additional Bills before we adjourn this evening. So, from Second to Third or from Third to Second, let us know and we'll try to help you position your Bills, so that we can call them as soon as possible. Mr. Clerk, would you read House Bill 686."

Clerk Bolin: "House Bill 686, the Bill's been read a second time, previously. Amendments 1, 2, and 3 were adopted in committee. Floor Amendment #4, offered by Representative McCarthy, has been approved for consideration."

Speaker Hannig: "Representative McCarthy."

McCarthy: "Well, thank you, Mr. Speaker. Amendment #4 removes one word from two Sections of the Bill. It just removes the word 'preliminary'. The Chicago Police Department was concerned that it mandated that the Elderly Service Officer must write the preliminary report and they thought that while they had no problem with them going back to write a follow-up report they didn't feel that the first report had to be mandated to be done by a Elderly Service Officer. So, it was never the intent of the Bill to make that and so, we

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agreed to take out the word preliminary in two different parts. That's all Amendment #4 does."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

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

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 1741."

Clerk Bolin: "House Bill 1741, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, could you tell us the status of House Bill 1081?"

Clerk Bolin: "House Bill 1081 has been held on the Order of House Bills-Second Reading pending the filing of notes."

Speaker Hannig: "Mr. Clerk, read House Bill 2534."

Clerk Bolin: "House Bill 2534, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Okay. We've got the House schedule, committee schedule, that should be passed out. Mr. Clerk, would you like to read that for the Members."

Clerk Bolin: "The following committees will meet tomorrow morning. At 8:00 the Appropriations-General Services Committee will meet in Room 118; the Appropriations-Public Safety Committee will meet in Room 114. At 9:00 the Environment and Energy Committee will meet in Room D-1; the Labor Committee will meet in Room C-1; and the Revenue Committee will meet in Room 122-B. At 9:30 the Conservation and Land Use Committee will meet in 122-B and the Registration and Regulation Committee will meet in

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D-1."

Speaker Hannig: "Mr. Clerk, would you read House Bill 3059."

Clerk Bolin: "House Bill 3059, a Bill for an Act in relation to housing. Third Reading of this House Bill."

Speaker Hannig: "This is a Third Reading Roll Call. Representative Jones."

Jones, L.: "Thank you, Mr. Speaker, Members of the House. House Bill 3059 amends the Housing Authorities Act. It provides for the additional items of a tenant's income to be excluded for the purpose of determining rent including income received from participation in a economic self-sufficiency or other job training program for income earned after receiving TANF assistance for six months. It also provides for a 12-month exclusion of all of an increase in income followed by a 12-month exclusion of 50% of the increase within a maximum period of 48 months. And I ask for an 'aye' vote."

Speaker Hannig: "The Lady has moved for passage of House Bill 3059. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Jones on House Resolution 32. Representative Jones on the Resolution."

Jones, L.: "Thank you, Mr. Speaker. House Resolution 32 simply asks that the Department of Human Services to take a good look at the remaining participants in the... that are on public aid. And the ones that have made an honest effort in to trying to find employment of trying to find a job do

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not yank them off like the welfare reform that we passed did after 60 months. I've talked to the Department of Human Services. They are doing that now and I have an Amendment in to move the effective date from March to June. And as we speak now, the Department of Human Services is doing' this already. And I urge an 'aye' vote."

Speaker Hannig: "Is there any discussion? Okay. So, then the question is, 'Shall the House adopt House Resolution 32?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, Representative Mautino is recognized on House Resolution 107."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 107 addresses the crisis that we're having in the United States steel industry. There are 16 of our major steel manufacturers which are currently in bankruptcy and we are looking and asking the Federal Government to support the steel industry by investing money into the infrastructure of our national steel industry to place and take a look at some of the imports and the dumping of steel that is causing a tremendous amount of hardship to steel production. I'm joined with me by Jerry Mitchell, other Members who have actually gone and worked with the State of Illinois to try and help save the steel industry in the Sterling area and that particular facility. So, I just simply ask for your support in this Resolution."

Speaker Hannig: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I'm very proud to stand with Representative Mautino on this important Resolution. We had quite a crisis in the Sterling-Rock Falls area when our steel mills declared bankruptcy due to steel dumping in the nation. And I think it's high time we stand up and let the Federal Government know that we don't appreciate that

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and we're losing a lot of good, good jobs in not only the State of Illinois, but across this nation and it's time that we let them know that we don't appreciate that. So, I certainly urge an 'aye' vote. Thank you."

Speaker Hannig: "On the Resolution, is there any further discussion? And the question is, 'Shall the House adopt House Resolution 107?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, Representative Jones, the parliamentarian advised me that on your previous Resolution, House Resolution 32, we should take a Roll Call vote. So, on Representative Lou Jones's Motion on House Resolution 32. All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On House Resolution 32, Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Representative Schoenberg, for what reason do you rise?"

Schoenberg: "Thank you, Mr. Speaker. The Clerk had earlier announced that the Appropriations Committee for General Services would be meeting at 8:00, that will be pushed back to 8:30."

Speaker Hannig: "Representative Hoffman is recognized on House Resolution 96."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 96 is similar to the Joint... House Joint Resolution that we did last week concerning the Railroad Retirement Bill currently before Congress. All we're doing is asking that the United States Senate to pass and adopt the Railroad Retirement Bill that's currently before them."

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Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment (sic-Resolution) be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And House Resolution 96 is adopted. Agreed Resolutions."

Clerk Bolin: "House Resolution 163, offered by Representative Dart; House Resolution 164, offered by Representative Dart; House Resolution 165, offered by Representative Dart; House Resolution 166, offered by Representative Hamos; and House Resolution 167, offered by Representative Schoenberg."

Speaker Hannig: "On the Agreed Resolutions, is there any discussion? Representative Currie moves for their adoption. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. Page 41 of the Calendar, under the Order of Motions in Writing, House Bill 26. Representative Black."

Black: "Thank you very much, Mr. Speaker. To speed your chore if you want to get on to page 42, I don't know the procedure. I could move all of these Bills in one Motion to Table, if it's permissible with you or we could do it one at a time."

Speaker Hannig: "Okay. Representative Black, why don't you make your Motion all at once."

Black: "Thank you very much, Mr. Speaker. On page 41 and 42 of the Calendar, I have filed the following Motions in Writing: to table House Bill 26, House Bill 28, House Bill 571, House Bill 597, House Bill 2144, and House Bill 3334."

Speaker Hannig: "And Representative Black, you are the primary Sponsor of all of those Bills. Is that correct?"

Black: "Yes, I am."

Speaker Hannig: "So, the Gentleman's moved that we table the Bills that he just mentioned. All in... Is there any discussion? There being none, then all in favor would say

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'aye'; opposed 'nay'. The 'ayes' have it. And the Bills are tabled. The Motion prevails and the Bills are tabled. Representative Jerry Mitchell on House Resolution 44."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you House Resolution 44 that directs the Department of Children and Family Services to investigate all child abuse complaints and do so in a timely manner. Appreciate an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for the adoption of House Resolution 44. Is there any discussion? There being none, the question is, 'Shall the House adopt House Resolution 44?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes' and 0 voting 'no'. And the Resolution is adopted. Are there any further announcements? Representative Lindner, for what reason do you rise?"

Lindner: "I have an announcement, Mr. Speaker."

Speaker Hannig: "Proceed."

Lindner: "I would just like to announce to the Members who have received notification, hopefully, of the COWL Capers meeting in Patti Bellock's office immediately after Session."

Speaker Hannig: "Are there any other announcements? Okay. There being no further announcements, Representative Currie moves, that allowing for perfunctory time, that the House stand adjourned until tomorrow at the hour of 10 a. m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the House stands adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill

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433, offered by Representative Mathias, a Bill for an Act concerning family law. Senate Bill 452, offered by Representative Brunsvold, a Bill for an Act relating to insurance. Senate Bill 647, offered by Representative Hamos, a Bill for an Act in relation to aeronautics. Senate Bill 755, offered by Representative Garrett, a Bill for an Act concerning recreational areas. Senate Bill 800, offered by Representative Kurtz, a Bill for an Act concerning highways. Senate Bill 816, offered by Representative Coulson, a Bill for an Act in relation to older persons and persons with disabilities. Senate Bill 819, offered by Representative Franks, a Bill for an Act in relation to vehicles. Senate Bill 825 or Senate Bill 835, offered by Representative Mautino, a Bill for an Act concerning state finance. Senate Bill 837, offered by Representative Poe, a Bill for an Act to amend the Sick Leave Bank Act. Senate Bill 879, offered by Representative Winters, a Bill for an Act concerning insurance. Introduction and First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."