

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

36th Legislative Day

3/27/2003

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor James Campbell of the Christ Life Church in Woodstock. Pastor Campbell is the guest of Representative Jack Franks. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Campbell: "Good morning. Let us pray. Our Father in Heaven, we praise You and thank You, first of all, for Your great blessings in all of our lives. We thank You, as well, for Your presence of comfort and power that manifests in our lives in our troubles and trials. We begin this prayer in thanksgiving because we need You sorely, again, in these troublesome days. Our nation is at war and our troops are in harms way. We pray for them now that Your great protection will be upon them. Spare their lives and bodies, bring them home safely. Father, this state's business at hand is important to You, as well. For it is in this esteemed Body and the Senate and our Governor that You have placed much of the welfare of the great State of Illinois. Help all of us, Father, to seek Your wisdom, Your knowledge and Your help in these state needs. You have told us in Your Old Testament scriptures that You own all the silver and gold in this earth that You have created. You have loaned it to us, Father, and given it to us to help others. Let us be mindful of this as legislation is discussed and enacted upon this floor. Help these honorable men and women in this Body to rise to the

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

36th Legislative Day

3/27/2003

occasion and the blessing of the great people of Illinois with wise Legislature that will benefit the most and help the weakest among us. We are also reminded of Jesus' words, 'if anyone desires leadership, let him serve others.' Every one of these men and women are here because they want to serve and not be served. See their servants' hearts and exalt them before Your presence. Now, Father, in the Saviour's name, we ask You to bless and exalt the State of Illinois and our nation, for You have said, 'whoever worships God, that nation will be exalted.' We come to You for help, for wisdom and for Your compassion for our state. Your presence is here in this room. You are only a breath away from anyone here today who needs You for anything. Father, these Ladies and Gentlemen are here to serve the citizens of Illinois. And Ladies and Gentlemen, God is here to serve you in accomplishing this. May God bless America and this Legislative Body. Through Christ, our Lord, I pray. And amen."

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

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

Currie: "Thank you, Speaker. Please let the record reflect that Representative Younge is excused today."

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

36th Legislative Day

3/27/2003

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker Madigan: "The Clerk shall 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 Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measures were referred, action taken on Thursday, March 27, 2003, reported the same back with the following recommendations: 'be adopted' Floor Amendment #1 to House Bill 710, Floor Amendment #2 to House Bill 1338. Representative Fritchey, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measures were referred, action taken on Thursday, March 27, 2003, reported the same back with the following recommendations: 'be adopted' Floor Amendment #1 to House Bill 2356. Representative O'Brien, Chairperson from the Committee on Judiciary II - Criminal Law, to which the following measures were referred, action taken on Thursday, March 27, 2003, reported the same back with the following recommendations: 'be adopted' Floor Amendment #3 to House Bill 2391. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on Thursday, March 27, 2003, reported the same back with the following recommendations: 'be adopted' Floor Amendment #1 to House Bill 2658. Representative Burke, Chairperson from the

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

36th Legislative Day

3/27/2003

Committee on Executive, to which the following measures were referred, action taken on Thursday, March 27, 2003, reported the same back with the following recommendations: 'be adopted' Floor Amendment #2 to House Bill 3618. Representative Brosnahan, Chairperson from the Committee on Consumer Protection, to which the following measures were referred, action taken on Thursday, March 27, 2003, reported the same back with the following recommendations: 'be adopted' Floor Amendment #1 to House Bill 3407."

Speaker Madigan: "The Chair plans to call a series of Bills which have been placed on the Agreed List #2. And our purpose now would be to read these Bills for a third time. So, Mr. Clerk, House Bill 14. Read the Bill."

Clerk Rossi: "House Bill 14, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "House Bill 85."

Clerk Rossi: "House Bill 85, a Bill for an Act concerning elder abuse. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-1-5."

Clerk Rossi: "House Bill 215, a Bill for an Act in relation to public health. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-3-1."

Clerk Rossi: "House Bill 231, a Bill for an Act to create the Local Legacy Act. Third Reading of this House Bill."

Speaker Madigan: "House Bill 4-2-9."

Clerk Rossi: "House Bill 429, a Bill for an Act concerning human services. Third Reading of this House Bill."

Speaker Madigan: "House Bill 1-4-8-0."

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

36th Legislative Day

3/27/2003

Clerk Rossi: "House Bill 1480, a Bill for an Act concerning banking. Third Reading of this House Bill."

Speaker Madigan: "House Bill 1-5-2-9."

Clerk Rossi: "House Bill 1529, a Bill for an Act in relation to housing. Third Reading of this House Bill."

Speaker Madigan: "House Bill 1-5-7-7."

Clerk Rossi: "House Bill 1577, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-1-4-7."

Clerk Rossi: "House Bill 2147, a Bill for an Act concerning healthcare workers. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-1-8-5."

Clerk Rossi: "House Bill 2185, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-2-5-1."

Clerk Rossi: "House Bill 2251, a Bill for an Act concerning parentage. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-4-5-6."

Clerk Rossi: "House Bill... House Bill 2456, a Bill for an Act in relation to firefighters. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-4-8-9."

Clerk Rossi: "House Bill 2489, a Bill for an Act concerning telecommunications carriers. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-4-9-0."

Clerk Rossi: "House Bill 2490, a Bill for an Act concerning schools. Third Reading of this House Bill."

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

36th Legislative Day

3/27/2003

Speaker Madigan: "House Bill 2-5-2-6."

Clerk Rossi: "House Bill 2526, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-5-3-6."

Clerk Rossi: "House Bill 2536, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-5-4-5."

Clerk Rossi: "House Bill 2545, a Bill for an Act in relation to juvenile offenders, which may be referred to as the Redeploy Illinois Program Amendments. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-8-1-6."

Clerk Rossi: "House Bill 2816, a Bill for an Act concerning recreational trails. Third Reading of this House Bill."

Speaker Madigan: "House Bill 2-9-5-6."

Clerk Rossi: "House Bill 2956, a Bill for an Act concerning finance. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-0-2-2."

Clerk Rossi: "House Bill 3022, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-0-2-3."

Clerk Rossi: "House Bill 3023, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-0-8-1."

Clerk Rossi: "House Bill 3081, a Bill for an Act concerning state personnel. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-0-9-5."

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

36th Legislative Day

3/27/2003

Clerk Rossi: "House Bill 3095, a Bill for an Act in relation to public safety. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-2-1-5."

Clerk Rossi: "House Bill 3215, a Bill for an Act in relation to vehicular offenses. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-3-2-5."

Clerk Rossi: "House Bill 3325, a Bill for an Act concerning public bodies. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-4-0-6."

Clerk Rossi: "House Bill 3406, a Bill for an Act concerning athlete agents. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-5-4-7."

Clerk Rossi: "House Bill 3547, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Madigan: "House Bill 3-6-7-5."

Clerk Rossi: "House Bill 3675, a Bill for an Act concerning healthcare workers. Third Reading of this House Bill."

Speaker Madigan: "Mr. Daniels, you're the Sponsor of House Bill 74, on the Order of Second Reading. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 74, a Bill for an Act in relation to health. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Kosel. Kosel. Representative Jerry Mitchell on 2-3-5-2. The Gentleman indicates he does not wish to call the Bill. Mr. Wait. Mr. Dunkin. Mr. Flider. Mr. Flider. Representative Flowers, you're the Sponsor of House Bill 1507, on the

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

36th Legislative Day

3/27/2003

Order of Third Reading. Did you wish to call the Bill? The Lady indicates she does not wish to call the Bill. Mr. Franks, you're the sponsor of House Bill 2-0-9 on Second Reading. Did you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Representative Kelly on House Bill 1415. The Lady indicates she does not wish to move the Bill. Mr. McGuire. Representative Ryg, House Bill 3061. Did you wish to move the Bill? The Lady indicates she does not wish to move the Bill. Mr. Dunkin, you're the Sponsor of House Bill 3429, on the Order of Second Reading. Did you wish to move the Bill? The Gentleman indicates he does not wish to move the Bill. Mr. Black. Mr. Black, there's a Bill on the Calendar sponsored by Mr. Cross, House Bill 191, on the Order of Third Reading. Do you know if he wished to call the Bill? Mr. Black."

Black: "Mr. Speaker, it would be a great personal honor for me to run that Bill but it isn't quite ready yet. It's percolating and as soon as the coffee's ready, we'll let you know. But thank you for your kindness."

Speaker Madigan: "Is it percolating or incubating?"

Black: "Mr. Speaker, when you use those big words you confuse me."

Speaker Madigan: "I know, yeah. I get confused myself."

Black: "Okay, thank you."

Speaker Madigan: "Has Mr. Flider arrived? Mr. Granberg, you're the Sponsor of House Bill 1543, on the Order of Third Reading. Did you wish to call the Bill? The Gentleman

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

36th Legislative Day

3/27/2003

indicates he does not wish to call the Bill. Mr. Daniels, you're the Sponsor of House Bill 76, on the order of Second Reading. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 76, a Bill for an Act concerning disabilities. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Mr. Clerk, did you say that there's an Amendment?"

Clerk Rossi: "Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Representative Kurtz on House Bill 339. Did you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 339 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Kurtz, has been approved for consideration."

Speaker Madigan: "Representative Kurtz on the Amendment."

Kurtz: "Okay. This amends the bingo license. It states the aggregate retail value of all prizes on merchandise awarded to a particular participant in a 24-hour period may not exceed \$20."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say

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

36th Legislative Day

3/27/2003

'yes'; those opposed say 'no'. The Amendment is adopted.  
Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Bill Mitchell. Bill Mitchell, you're the Sponsor of House Bill 374, on the Order of Third Reading. Did you wish to call the Bill? The Gentleman indicates he does not wish to call the Bill. Mr. Myers. Rich Myers. 2-7-8-2. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2782, a Bill for an Act concerning schools. Third Reading of this House Bill."

Myers: "Thank you, Mr. Speaker. House Bill 2782 amends the School Code and provides that a person elected or appointed to the office of regional superintendent of schools must have and maintain his or her principal residence within the educational service region that he or she was elected or appointed to administer."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' All 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. House Bill 3048, Mr. Flider. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3048, a Bill for an Act relating to procurement. Third Reading of this House Bill."

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

36th Legislative Day

3/27/2003

Speaker Madigan: "Mr. Flider."

Flider: "House Bill 3048 amends the Illinois Procurement Code by establishing the responsible bidder requirements for all state construction contracts that are subject to competitive bidding under the code. And this legislation was suggested by the AFLCIO. This is also the same legislation that passed the General Assembly with 87 'yes' votes during the past General Assembly. And during the committee proceedings there were two registered opponents and my understanding is that they have withdrawn their opposition. I'd appreciate your support."

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

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, as I just quickly take a look at the... the analysis that's on the laptop. Correct me if I'm wrong, but I... I interpret this to mean if I had a nonunion construction firm this is literally going to prevent me from doing business with the state. I... I'm... I know your... I know your background, Representative. And I... you and I worked together for many years before either of us were in this Body. I don't think that's your intent but it... but it certainly appears this responsible bidder concept has been around for quite awhile. And it... it certainly appears to me that this legislation would... would if... if not restrict... completely restrict... would severely limit the ability of a

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

36th Legislative Day

3/27/2003

nonunion contractor to do business with the State of Illinois. Could you make my... could you some how pour some... salve on this wound that I see as I read this analysis?"

Flider: "Yes, Representative Black. In fact, I think that that has been the prevailing thought. However, the case is that there are nonunion companies whose employees are involved in these training programs. And as a result, while that has been the prevailing belief, the fact is that that is not the case. And in fact, on the U.S. Department of Labor's website is a section which refers to this program and it does indicate that union and nonunion representatives may be... utilize this program."

Black: "Well, you... you referenced this program. What... what program are you referring to?"

Flider: "The training program."

Black: "The... the training program. You mean the apprenticeable training program?"

Flider: "Yes. The bureau apprenticeship... apprenticeship and training program. Yes."

Black: "All right. If... if you're a nonunion contractor you wouldn't have anybody in the apprenticeable training program, would you?"

Flider: "Well, I think that... to the extent that companies would wish to train their employees under a... program such as the BAT that some companies have chosen to do that."

Black: "Is this... is this simply an attempt to expand the Federal Davis-Bacon Act to all construction projects in the State of Illinois?"

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

36th Legislative Day

3/27/2003

Flider: "Representative Black, it is not. In fact, I think the prevailing wage laws in Illinois have been in place for many years. This simply relates to training of employees who would work on these projects and it is a, in fact, a safety project or safety program which we believe will be a benefit to workers in Illinois."

Black: "Would this prevent a nonunion contractor who bids on a road contract from... and meets all the applicable standards on prevailing wage... My fear is that this gives... a union contractor, who didn't get the bid, the ability to come in and question every skilled worker on that job site. For example, you may have... a con... a bulldozer operator, a heavy equipment operator with 30 years experience, but since he's nonunion, doesn't have a journeyman's card. The unsuccessful bidder who might be a member of the Union Building Trades and Construction Council would come in and say, I question whether or not that bulldozer operator has been sufficiently trained to operate that on this public works project. And the same could go on for the lead carpenter, the lead cement finisher... all of these people may be nonunion members but with years, decades of experience. There's something... there's something that just jumps out at me at this Bill that says this can... this can be used to then try and disqualify any nonunion worker on a job site quoting the fact that they didn't go through the apprenticeable training program therefore on the face of everything, they're not qualified to do the work on... the project."

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

36th Legislative Day

3/27/2003

Flider: "Representative Black, while certainly I... I understand why you might... see... see it that way... and it... it certainly... I don't know that it would necessarily be the unions or the union contractors who would be scrutinizing this. I think that it would, in fact, be our local government or... and State Government who'd be scrutinizing this. I don't think that that is the intent. In fact, that the intent here is safety and to ensure that workers are out... are working under safe conditions and having been trained to do so."

Black: "Well, what... what are we trying to solve here? Is... is there a glaring problem in the existing construction industry that this Bill addresses?"

Flider: "Well, we... we believe that we are working here to ensure the safety of the worker."

Black: "Well, anybody with any sense that's in the construction business, whether you're union or nonunion, particularly in Illinois, would have to stress workplace safety. Our workers compensation rates almost... they'll put you out of business if you don't run a safe org... a safe operation. You won't last long. I mean, what... what's, I guess, what is the specific genesis of this Bill? What... what problem are we addressing or is this just another attempt to tighten things down so that you're either on the... you're either on the approved bidder's list or you're not? I... I don't... I don't see what the problem is you're trying to solve here."

Flider: "Well, this legislation would require that those who bid for state projects would be required to have their

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

36th Legislative Day

3/27/2003

employees involved or having have completed a... a training program. And so, simply what we're trying to do is ensure the safety of the worker. And we're certainly not trying to exclude anybody. Again because, anybody is eligible to go through this program."

Black: "Well... well let me give ya... let me give ya a hypothetical and you... you answer the question. This would only be and this is purely hypothetical because I... I can't envision any circumstance in which my brother would probably ever hire me to go back to work in the family business. I get a Christmas card from him every year that says, 'write when you find steady work.' But anyway, I... I'm... I'm still a fairly good pipefitter. And I... I can run a gas... a gas main, you know, not... not an industrial what... what your company would... would run. But I, three-quarter to an inch iron pipe I can measure a thread and put together a... a gas line. I can do it... I... I haven't done it years, but I think I can probably still do it fairly well. If... if he got... if my brother got into a real bind on a job, say at a public building this summer and he said I... I could use your help on a Saturday morning if you'd run a hundred and fifty foot of gas line for me down in the basement that we'll hook up at the meter, I'd really appreciate it. Would I be able to go on that job site and do what I haven't done in years, but I still know how to do?"

Flider: "Well, I would suggest, Representative Black, that if... if you were certified as having been through a... an apprenticeship a training program, if the bidder for that

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

36th Legislative Day

3/27/2003

job has certified its employee as having gone through that program that in fact, that that would be... not to be a problem. And that is the... that is the way this would work as I understand it."

Black: "Well, that's what scares me, Representative, because when I did that for a living I was never certified. My dad taught me how to do that. Obviously, our product liability insurance and all the other insurance policies we were required to have to do business in the State of Illinois, if I made a mistake we were gonna be held responsible. But I was never certified as a pipefitter. I was never a journeyman. I was never in an apprenticeable program. The ability to do that was taught to me by my father. So, it... it seems to me that what you're doing is saying you... you take an old... an old retread like me, that if I wanted to go back and do something that I did 40 years ago just to help out my brother or... or maybe, you know, god forbid there may be life after the General Assembly and I might have to go back to work. I... if... from what you're telling me, I'm gonna have to go to an apprenticeable program even though I may not join the union in order to be able to be a pipefitter that I was pretty good at 40 years ago."

Flider: "Representative, this... this Bill pertains to participation in such a program. And therefore, the bidder or the... the respons... the bidder who would be bidding for a job would be responsible for its employees being trained."

Black: "All right. Well, let me ask you a question about a company that you worked for and my grandfather retired

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

36th Legislative Day

3/27/2003

from, Illinois Power. If Illinois Power contracts... let... let's say that you have a underground gas main and you have to move it because of highway construction. And... and your own maintenance crews in the cutbacks, you know, you just don't have the... the staff. No public utility has the staff they did 30 years ago. So, you go out and you and you contract with a company to move the gas line. Now, is it Illinois Power's responsibility to make sure that the employees of the subcontractor have all been through these apprenticeable or training programs or is it up to these contractor? In other words, who's gonna enforce this?"

Flider: "Again, Representative Black, I would say that with regard to my... with regard to companies like Illinois Power or any other utility, and I know for a fact with Illinois Power they have very strenuous training programs. And so, therefore, the safety of the worker is always paramount and that's the thing that we're trying to get to here. But again, this... this legislation would require participation in safety training and programs."

Black: "What's the... what's the enforcement mechanism?"

Flider: "Well, a prospective bidder would not be able to bid on a contract unless they comply with the provisions of the law."

Black: "I wouldn't be able to bid for what reason?"

Flider: "On a state project."

Black: "Okay. And what's the reason that I wouldn't be able to bid?"

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

36th Legislative Day

3/27/2003

Flider: "Because you are not participating in a... in an authorized apprenticeship training programs."

Black: "Representative, if... should this Bill become law and we find out that it absolutely and positively discriminates against, that's not the right word, scratch that. It absolutely and positively inhibits the ability of a nonunion contractor to bid and... and receive state contracts, would you be willing to come back and amend the law?"

Flider: "Representative, I don't think we're going to find that that's the case because again, we do have nonunion contractors whose... employees have participated in these programs."

Black: "All right. Well, that didn't really answer the question. But... I... I appreciate your indulgence. Mr. Speaker, to the Bill. This Bill obviously will get tons of votes. But again, I can't separate myself from my background. I... I know people who have been in the bridge construction business for years and years, decades. One in particular who's name I won't mention but it's a family-owned business, sons and daughters of the founder now run it. They are experts at building what we call timber bridges on township roads. There... they've been doing it for years. I don't know if they... if they and their employees have gone through one of these training programs, I kind of doubt it. They... they've been doing it for years. They know how to do it. They do it probably as well as any company in my area. I... there's just something

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

36th Legislative Day

3/27/2003

about this Bill that I think is going to inhibit their ability to suc... be a successful bidder on a township bridge project in the future. I always thought one of the things we wanted to do with public money was to encourage the highest number of bidders and get the most competitive price that we can. Now, obviously, I know that's really not the case anymore. But I always thought that we should be responsible with public money. I think that this Bill simply is another way to nail shut and... and eliminate certain contractors who choose to not belong to one of the construction trades unions. I think it's designed primarily to inhibit their ability to do public business. And that is not in the best interest of the public. The fewer bidders we have, the higher the price. Look at any highway construction project in your district. How many times do you see six, seven, eight bidders. Usually, you're lucky if you get two. And I don't think that's a good way to do business. I know it'll pass. I know the con... the Sponsor, I've known him for years. He's well intended. But I... I will not vote for this Bill."

Speaker Madigan: "Ladies and Gentlemen, this Bill is on the Order of Standard Debate. Mr. Flider has spoken as a proponent. Mr. Black has stood as a respondent. There will be four more speakers, two proponents and two in response. The next person seeking recognition is Mr. Parke. Mr. Parke, can we presume that you're in response? Mr. Parke."

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

36th Legislative Day

3/27/2003

Parke: "Thank you, Mr. Speaker. Will the... To the Bill. Ladies and Gentlemen, I think Representative Black has done a fine job of explaining that this has more teeth to it than the Sponsor either understands... I'll just say than he understands. The opportunity for a nonunion contractor to have some kind of a... an apprentice program or some kind of a program of... of training may or may not be the same standard that a union contractor would have. The fact of the matter is this Bill is gonna cost more money. Nonunion contractors are probably gonna lose contracts. And therefore, the bidding on contracts will not be as competitive as if it wasn't. In addition, Ladies and Gentlemen, the business community of this state is in opposition of this Bill. So, it's pretty straightforward that they believe that this is gonna cost Illinois business and Illinois taxpayers in the long run more money. I stand in opposition to this. And if you are... if you think that we are supposed to be trying to create jobs in this state and to con... to encourage business to stay here in this state that this is not the kind of legislation that we should be providing. Our Governor, in his State of the State, said he wanted to make this more of a business friendly state. In fact, this is contrary to that. And I would ask you to vote 'no' on this legislation."

Speaker Madigan: "Ladies and Gentlemen, again this Bill is on the Order of Standard Debate. We've had one proponent. We've had two in response. There are three people seeking recognition. Mr. Joe Lyons, Mr. Hartke, Mr. Morrow and Mr.

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

36th Legislative Day

3/27/2003

Flider who has already spoken in debate. So, let me remind you there'll be two more proponents to the Bill. And as I look at the names Joe Lyons, Hartke, and Morrow, I suspect they may be proponents. But there's only space for two. The next person seeking recognition was Mr. Joe Lyons."

Lyons, J.: "Thank you, Speaker, and Ladies and Gentlemen of the House. I'll be brief, Speaker, so we won't belabor this issue. I stand in strong support of this issue 'cause I passed this out of here two out of the last four years that this Bill came up. In fact, this was my Bill in committee and Bob wanted to run with it, so I said fine take it, it's a good pro-labor issue. It's good for the State of Illinois. It's good for people who need to go to work. And it's good for the people who... who will participate in this. So, this... this Bill was brought to me yesterday was a beautiful breakfast by the carpenters who came down here northeast... Northwestern Illinois carpenters brought this to me, I think my freshman or sophomore year. I was glad to take the Bill. It made sense then, it makes sense now. I think this has gotten 90, maybe a 100 votes out of here the last couple times that we've run this. I encourage everybody on both sides of the aisle to take a look at this thing carefully. And vote 'aye' for the Bill."

Speaker Madigan: "Mr. Morrow has advised the Chair that he will stand in response. Mr. Morrow, in response. And then we'll go to Mr. Hartke and he'll be the last person. Now, Mr. Morrow, in response. State your question."

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

36th Legislative Day

3/27/2003

Morrow: "Yes, thank you, Mr. Speaker. I know that you're very talented, but I didn't know that you're into mind reading. I'm not in favor or opposed to the Bill. I just have some questions to ask of the Gentleman, would he yield?"

Speaker Madigan: "Sponsor yields, Mr. Morrow."

Morrow: "Representative Flider, I'm kinda confused about the language in your Bill. You're not trying to preempt bidding, are you?"

Flider: "No, Sir, I am not."

Morrow: "Okay. Would this Bill still fall under the... under the requirements of MAFBE and... of the Minority and Female Act?"

Flider: "Would absolutely... would absolutely continue to have the requirements of the Act. Yes."

Morrow: "Okay. To the Bill. I don't know how I'm gonna vote on this Bill. I need to figure it out, you're right, because just for the knowledge of the Members of the Body, as the Chairman of the Advisory Board over Solider Field, I've had a lot... I've had to fight very hard to increase minority and female participation on Soldier Field. And some of the people that are hindering me in my job in increasing minority participation and female participation have been unions. So, maybe right now my comments are directed toward the AFL-CIO and the other trade unions out there, which always seem to rely on my vote when they want my vote to pass public works projects. When you want my vote to pass public works projects, but then you fight against the inclusion of my people in your union. That has to stop. Now, I told the unions that you need to hold off

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

36th Legislative Day

3/27/2003

passin' any of your union Bills this spring until you sit down and work out something with Illinois Legislative Black Caucus that increases minority and female participation on all construction projects. Eventually, you know, several years... what three years ago or four years ago, we passed the Illinois FIRST Program. Has it increased minority and female participation? No. We passed McCormick Place, which is gonna be comin' on line next spring. Is it gonna increase female and minority participation? I doubt it. Eventually, the Mayor of the City of Chicago is going to come down here and ask us to consider the expansion of O'Hare. Is it going to increase minority and female participation? I doubt it. So, you want my vote, but you don't want my people. I didn't... I didn't ask for any applause."

Speaker Madigan: "Mr. Morrow. Mr. Morrow, let the Chair advise our guests in the gallery that demonstrations such as that are not permitted under the House Rules. So, thank you."

Morrow: "Well, I was going to say, Mr. Speaker, I didn't need their help, I'm on a roll."

Speaker Madigan: "Right. So, and Mr. Morrow, you're concluding your remarks, is that the case?"

Morrow: "Yeah, I'm concluding my... my remarks, Mr. Speaker, because I've been talking about the unions. Well, there's another entity in this fiasco and it's the contractors. You also asked for my vote 'cause you make money off the votes that when we create public works projects because you want to participate in them. But you, also, don't include

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

36th Legislative Day

3/27/2003

my people. I thought two weeks ago when I had... I requested a meeting with the unions and the contractors I could finally get them both in the same room and hear them both tell the same lies. Well, they didn't come in the same room together, and not because I think they're at opposite ends of the spectrum, I think they're both in bed together. Either you get your act straight, your contractor and your unions and increase minority and female participation or we're going to start showing our strength and voting 'no' on all union Bills and voting 'no' against all public works projects. Thank you, Mr. Speaker."

Speaker Madigan: "The Chair would again admonish our guests in the gallery. You are guests of this chamber. Demonstrations are not permitted. Final speaker will be Mr. Hartke."

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

Speaker Madigan: "Sponsor yields."

Hartke: "Representative, Flider I have a question. This piece of legislation requires that all state contracts be awarded only to those contractors who have accepted and are on an approved list who have accepted the Responsible Bidder Act. Is that correct?"

Flider: "That is correct."

Hartke: "The Responsible Bidder Act requires that all those individuals who work for that contractor... or a number of individuals who work for that contractor to be trained in their specific field. Is that correct?"

Flider: "That is correct."

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

36th Legislative Day

3/27/2003

Hartke: "Certain apprenticeships, certain journeyman, so forth. That's good and great because my entire career, I've heard by individuals in my district say that in order to expand a... the economy in an area what you need... what you need is a good, qualified workforce. And I voted for this Bill last year and caught a lot of flak for it in a campaign. But I have real concerns about this simply because that training is not available all across the state. Am I correct?"

Flider: "I don't know the answer to that. But, I think..."

Hartke: "I think I do, and I think that the training is put forth by unions to allow only so many individuals to take this training. They say their school is full or they don't qualify. And so many of my good, skilled workers who are nonunion workers and contractors who they work for are not allowed to bid on state jobs or local jobs, simply because if this law passes, they would have to have this responsible bidder provision and accept that. Is that right?"

Flider: "Well, they definitely would need to train their workers through an apprenticeship program, yes."

Hartke: "Excuse me, I didn't hear you."

Flider: "They would definitely need... definitely need to have their workers trained, yes."

Hartke: "Yes. Well, and I think that's good and great because I think good, skilled workers have less accidents and are more efficient in the job and contractor should look at training their employees. And, I know the Federal Laborer Act has put forth several requirements where contractors

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

36th Legislative Day

3/27/2003

can train their own employees, provided they follow these provisions of the Federal Labor Act. Is that correct?"

Flider: "I'm sorry, I could not hear you."

Hartke: "I think that contractors can train their own workers if they use the guidelines set forth by the Federal Labor Act."

Flider: "Yes, that is the case."

Hartke: "Many times, that's very difficult. In my local county the county board was urged to accept the Responsible Bidder Act locally and they rejected that Act. But because I voted for that here in the State Legislature it was felt that I was calling my workers unqualified, unskilled workers. And that was not the case at all. But under this piece of legislation, every worker would... who... or contractor who accepts a state contract or bids for a state contract would be required to have the Responsible Bidder Act in place. Now, I do believe that I'd be prepared to vote for this provided that our junior colleges throughout the State of Illinois had a broad range of these programs available so that they could become qualified and trained and skilled in the occupation... and... occupation that they're working in. Many carpenters I know and bricklayers and concrete workers, construction workers and ironworkers that work for nonunion contractors for years and they are skilled and they should be able to be grandfathered into this system, but not under this Act. And so for that reason, I'm going to vote 'no' on this piece of legislation. Not that I'm antiunion, not that I'm

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

36th Legislative Day

3/27/2003

anticontractor, but I do believe that... that there ought to be a training program out there that's more readily available than is now controlled by just certain individuals to limit the number of individuals who would qualify to work under this Act. For that reason I'm voting 'no'."

Speaker Madigan: "Thank you, thank you, Mr. Hartke. And the Chair will digress from the Rules just a little bit by recognizing Mr. Parke, who wishes to correct some earlier information."

Parke: "Thank you, Mr. Speaker. I appreciate that. I have talked to some representatives of the business community and they have informed me that under the Bush administration that there are programs now available that can be... where people can go and get the training for this and that this legislation is not a deterrent to nonunion contractors, that they, in fact, can provide training for nonunion members and so therefore, I will be changing my vote and supporting the legislation."

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? Have all voted who wish? Three people have not voted. Mr. Fritchey, did you wish to vote? The Clerk shall take the record. On this question, there are 59 'ayes' and 34 'noes'. And Mr. Flider, did you wish to put the Bill on the Order of Postponed Consideration?"

Flider: "Yes, I would, Mr. Speaker."

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

36th Legislative Day

3/27/2003

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Postponed Consideration. Mr. Hartke in the Chair."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 3021?"

Clerk Rossi: "House Bill 3021 is on the Order of House Bills. Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purpose of an Amendment at the request of the Sponsor. The Chair has an announcement. On the Agreed Bill List voting slip that you passed out... that was just passed out and is on your desk, House Bill 3081 has been removed from that list. It is not on the Agreed Bills List anymore. Ladies and Gentlemen, we're prepared to vote on the Agreed Bill List. You're requested to vote 'yes' on this Roll Call. Mr. Clerk. The voting is open. All those in favor signify by voting 'yes'. Have all voted who wish? Mr. Winters. Mr. Clerk, take the record. On page 36 on the Calendar, on the Order of Third Reading, appears House Bill 2996. Representative Pihos. Representative Pihos. 2996. Would you like to hear that Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2996, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hartke: "Representative Pihos."

Pihos: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2996, with its Amendment, simply repeals the repeal date for the KidsCare Children's Health Insurance Program, which is currently set to sunset on July

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

36th Legislative Day

3/27/2003

1, 2003. The 90th General Assembly had the wisdom to put the original piece of legislation in place and made a strong commitment to a health program that has served children and families in every single county in the... in the state since then. We have seen tremendous success of the program. Although we know that KidCare will be included in the Governor's budget, as we heard by his commitment to the program in his speech, we need to safeguard this program in case the budget is not in place by July 1. Rather than putting children and families at risk, it is time to make a total commitment and simply not have to come back each year to extend this program. I have no opposition to this Bill and I would be happy to answer any questions at this time."

Speaker Hartke: "Is there any discussion on House Bill 2996?"

The Chair recognizes Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, if the 90th General Assembly had the wisdom to put a... a sunset on this Bill, why do you want to change it?"

Pihos: "Because each year we come back and we extend that date by one more year. And it was suggested to me by the Human Services Committee that it's just time for us to give this full commitment to the program. We have seen its success, we know the Governor is committed to the program. He, in fact, referred to adding 20 thousand more slots. And so it would be easier not to have to address it each year."

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

36th Legislative Day

3/27/2003

Parke: "So, therefore, you're... what you're saying is that you know better than the Sponsor of the original Bill. You simply... he said that we should revisit it every year, but you're saying that you know better. Is that... is that what you're trying to say here?"

Pihos: "Not really, but I suspect now that this Bill has had time to be in place and we see its success, that the Sponsor would, although I have not asked that Sponsor, would concur that it needs to be continued."

Parke: "Now, Representative, is this similar to any other Bill that you've put up so far?"

Pihos: "I'm sorry, I couldn't hear."

Parke: "Is this Bill similar to other legislation that you've put in?"

Pihos: "No, it is not."

Parke: "And how many other Bills have you put in? Is this the... is this your first Bill?"

Pihos: "Well, the first Bill in my life is actually my husband, but next to that..."

Parke: "Aww."

Pihos: "This is my first official Bill in the House, except for my three Bills on the Agreed List."

Parke: "You must be a Yankee 'cause you didn't say Beel. All right. And so, won't this cost the taxpayers a lot of money?"

Pihos: "No, I mean, I think that money is already a line item that's in place. And if you go to the Bill itself, it's always dependent on the available funds."

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

36th Legislative Day

3/27/2003

Parke: "And what does this... I mean, if you're ju... all you're gonna do is change the date. Now, are you going to repeal any date and make this just an ongoing appropriation? Or..."

Pihos: "Yes."

Parke: "Does this... does this have to be funded first? Does this... does this... are you requiring us to fund this program before we pay our pensions?"

Pihos: "No."

Parke: "Are you making us do this first instead of education?"

Pihos: "I don't think so."

Parke: "Well, how are you gonna... what are you doing? How are you gonna make this something that's ongoing?"

Pihos: "Well, the Bill is dependent on the available funds. That's the way the original Bill reads, that it's dependent on the original funds. This, of course, are federally matched dollars. We currently have 2 thousa... 209,106 recipients being served in 110 counties across the state."

Parke: "And this... is this a mandatory appropriation line item or if we didn't have any appropriations, could we cut this out?"

Pihos: "I don't think it's a mandatory appropriational line item. The Bill says it... it's contingent upon available funds."

Parke: "So, it's subject to appropriation?"

Pihos: "Yes."

Parke: "And so what we..."

Pihos: "The underlying Act is subject to appropriation."

Parke: "And we don't... so we don't have to renew it every year?"

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

36th Legislative Day

3/27/2003

Pihos: "We will not, in accordance with this Bill the way it's written."

Parke: "Are you afraid that if it doesn't have to be appropriated every year that it may not get appropriated one year?"

Pihos: "I think it's included as a line item in the budget, so I think it's something that's going to be subject to appropriations every year, no matter what. But right now our Governor has made his full commitment to add 20 thousand new slots to it. So, I think it's something that we concur there're people that would like to see this continue. It's been successful, it's served the families and children of the state well."

Parke: "Well, I think it's good. I'm glad that your husband's name is Bill and not Sue or something like that."

Pihos: "I am, too."

Parke: "So, very good. Thank you."

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

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

Speaker Hartke: "To the Bill."

Delgado: "I want to commend the Sponsor. This came in front of my Human Services Committee and could.. I think it's a wonderful idea to repeal the date. It's a technical change, basically. Because why should we have to continue to come back and waste the state's time and the taxpayers' money on something that's so important. KidCare will be around forever. We have to continue to help those children

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

36th Legislative Day

3/27/2003

who are uninsured, those moms and dads who have children stuck in the systems, be it with DCFS, be it that they're under... strongly under the poverty line. And I think that we will save the taxpayers big dollars in the long run so that we don't have to continue to sit down in committee. This will exa... we want to see this thing expand to FamilyCare. So, I want to congratulate our freshman, Representative Pihos, for bringing that to our committee, it flew out. And I would hope that everybody understands that this is a technical change that will benefit the best interests of the child. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, I just have a... you are aware that if this program is not appropriated because of the repealer, then it... it goes away, it disappears."

Pihos: "Correct. Correct."

Black: "So I assume, then, that you will be working to make sure that the appropriation is made this year. Because if it isn't, then the program disappears. I mean, that's... that's one of the inherent dangers in what you're doing."

Pihos: "And I would assume that the Governor is going to present it to us in his budget since he's already pledged 20 thousand more slots to this program. I would presume that it's..."

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

36th Legislative Day

3/27/2003

Black: "I'm sorry."

Pihos: "...already under consideration."

Black: "Who?"

Pihos: "Governor Blagojevich, in this speech in the House pledged 20 thousand more slots to this program."

Black: "Oh, oh. I saw his picture on a milk carton this morning. He's... yeah, Spring... Springfield Dairy had it on there. I... I'll be out looking for him. Thank you very much for mentioning... I had forgotten who he was."

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

Pihos: "The children of Illinois thank you for your consideration and I hope you will join me in giving your 'yes' vote to this Bill."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2996?' 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? Representative Flowers. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 33 on the Calendar, on Third Reading appears House Bill 1182. Representative Collins. Out of the record. On page 13 on the Calendar, on the Order of Third Reading, appears House Bill 2376. Representative Flowers. Representative Flowers. Representative Flowers, would you like to call

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

36th Legislative Day

3/27/2003

this Bill? Out of the record. On page 32 of the Calendar, appears House Bill... 36 on the Calendar appears House Bill 3060. Representative Ryg. Out of the record. On page 32 on the Calendar, on the Order of Third Reading, appears House Bill 386. Representative Novak. Out of the record. On page 28 of the Calendar, on the Order of Second Reading, appears House Bill 3486. Representative Bailey. Mr. Clerk, read the Bill. Yes, Representative Bailey."

Clerk Rossi: "House Bill 34..."

Speaker Hartke: "Go ahead, Representative Bailey."

Bailey: "A second Amendment has been filed..."

Speaker Hartke: "Okay."

Bailey: "...just now on..."

Speaker Hartke: "We'll take that Bill out of the record."

Bailey: "...on 3486. Thank you."

Speaker Hartke: "On page 11 on the Calendar, on the Order of Second Reading, appears House Bill 2215. Representative Brosnahan, are you ready on Amendment #1? Out of the record. On page 2 on the Calendar, on Second Reading appears House Bill 9. Representative Capparelli. Out of the record. On page 28 of the Calendar, on the Order of Second Reading, appears House Bill 3407. Representative Forby. Out of the record. On page 7 on the Calendar, on the Order of Second Reading, appears House Bill 1256. Representative Giles. Representative Giles. Out of the record. On page 22 on the Calendar, on the Order of Second Reading, appears House Bill 2784. Representative Hoffman. Mr. Hoffman. Out of the record. On page 28, on

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

36th Legislative Day

3/27/2003

the Order of Second Reading, appears House Bill 3427. Representative Kelly. Representative Kelly. Out of the record. On page 30 on the Calendar, on Second Reading appears House Bill 3656. Representative Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3656, a Bill for an Act relating to insurance. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 5 on the Calendar, on the Order Second Reading, appears House Bill 520. Representative Miller. Out of the record. On page 27, on the Order Second Reading, appears House Bill 3396. Representative McKeon. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3396, a Bill for an Act concerning labor relations. Second Reading of this House Bill. Amendment #1 was adopted in... No. Floor Amendment #1 has been approved for consideration."

Speaker Hartke: "Representative McKeon on Floor Amendment #1."

McKeon: "Thank you, Mr. Speaker. Floor Amendment #1 is a technical Amendment that cle... cleans up some ambiguous language so that it's clearer who the reference groups that are being referred to within the language of the Bill. And Leadership on both sides of the aisle have agreed to this language as clearly a technical Amendment. I urge your adoption of Floor Amendment #1."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is,

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

36th Legislative Day

3/27/2003

'Shall the House adopt Floor Amendment #1 to House Bill 3396?' 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."

Speaker Hartke: "Third Reading. On page 21 on the Calendar, on the Order of Second Reading, appears House Bill 2772. Representative Saviano. Representative Saviano. Out of the record. On third priority, on page 6 on the Calendar, on Second Reading appears House Bill 1102. Representative Daniels. Representative Daniels. Out of the record. On page 22 on the Calendar, on the Order of Second Reading, appears House Bill 2809. Representative Kosel. Representative Kosel. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2809, a Bill for an Act in relation to nursing. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 15 on the Calendar, on the Order of Second Reading, appears House Bill 2573. Representative McAuliffe. Out of the record. On 33 on the Calendar, on the Order of Second Reading, appears House Bill 1208. Representative Acevedo. Out of the record. On page 14 on the Calendar, on Second Reading appears House Bill 2522. Representative Berrios. Out of the record. On page 24 on the Calendar, on Second Reading appears House Bill 3113. Representative Boland. Mr. Boland. 3113. Out... Mr. Clerk, read the Bill."

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

36th Legislative Day

3/27/2003

Clerk Bolin: "House Bill 3113, a Bill for an Act concerning elections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On Second Reading, appears House Bill 120. Mr. Brunsvold. House Bill 120. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 120, the Bill's been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No further Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. On page 5 on the Calendar, on the Order of Second Reading, appears House Bill 528. Mr. Franks. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 528, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Franks, has been approved for consideration."

Speaker Hartke: "Mr. Franks on Floor Amendment #2."

Franks: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is now an agreed Bill. This was a Bill and what it does is it allows... Right now in growing areas there are impact fees paid by developers. There was a recent Supreme Court case that indicated that those fees that are paid by the developers could only be used for land acquisition. In areas where it's growing quickly, many times the schools have enough land, but they'd rather use the money to actually construct a school or to add on to an existing

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

36th Legislative Day

3/27/2003

school. This Bill would clean... would allow school districts to spend those impact fees for construction or addition instead of just land acquisition. I'd be glad to answer any questions."

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

Lyons, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to alert this chamber this is not an increase in fees. This is not a fee increase. This merely allows schools the flexibility of the impact fees that are already paid. They are already paid. This is not an increase. And it allows them the flexibility and the use of those funds. This is good legislation, it helps school districts. And I would urge an 'aye' vote."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 528?' All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 12 on the Calendar, on the Order of Second Reading, appears House Bill 2356. Mr. Fritchey. It's on Second Reading. Would you like to move it to...? 2356. Mr. Osterman. Mr. Osterman. Out of the record. On page 4 on the Calendar, on the Order of Second

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

36th Legislative Day

3/27/2003

Reading, appears House Bill 343. Representative Jakobsson.  
Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 343, a Bill for an Act concerning  
patient rights. Second Reading of this House Bill.  
Amendments 1 and 2 were adopted in committee. Floor  
Amendment #3, offered by Representative Jakobsson, has been  
approved for consideration."

Speaker Hartke: "On Amendment #3, Representative Jakobsson."

Jakobsson: "Amendment #3, I'd like to move... it clarifies...  
Thank you, Mr. Speaker. It clarifies a patient's rights  
when participating in a program that offers free or reduced  
medicines. And it... it clarifies their rights with  
pharmaceutical companies."

Speaker Hartke: "Is there any discussion on Floor Amendment #3?  
Seeing that no one is seeking recognition, the question is,  
'Shall the House adopt Floor Amendment #3 to House Bill  
343?' All those in favor signify by saying 'aye'; opposed  
'no'. In the opinion of the Chair, the 'aye' have it. And  
the Amendment is adopted. Further Amendment?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 16 on the Calendar, on  
the Order of Second Reading, appears House Bill 23... or,  
excuse me, 2636. Representative McGuire. Mr. Clerk, read  
the Bill."

Clerk Bolin: "House Bill 2636, a Bill for an Act concerning  
transportation. Second Reading of this House Bill. No  
Committee Amendments. No Floor Amendments. No Motions  
filed."

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

36th Legislative Day

3/27/2003

Speaker Hartke: "Mr. McGuire."

McGuire: "Mr. Speaker, I've been asked by the people who brought this Bill to me to put that on hold temporarily."

Speaker Hartke: "Okay."

McGuire: "Thank you."

Speaker Hartke: "Take this Bill out of the record. On page 22 on the Calendar, on the Order of Second Reading, appears House Bill 2866. Representative Reitz. Out of the record. On page 36 on the Calendar, on the Order of Second Reading, appears House Bill 3058. Representative Pihos. Representative Pihos. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3058, a Bill for an Act relating to schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Pihos."

Pihos: "Thank you, Speaker and Ladies and Gentlemen of the House. House Bill 35... 3058 amends the Boundary Changes Article of the School Code. The change in the Bill requests that there be the same requirements to dissolve a small district, defined as under 5 thousand residents, as those required of a larger school district. Under the current statute at language, a small school district can be dissolved simply by a petition signed by a majority of registered voters without the vote of the registered voters in the district. And I believe the boundary changes should occur consistently across the state and every district, regardless of size, should be subjected to the same rules. It is simply a matter of democratic principle that no school district be dissolved without the registered voters

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

36th Legislative Day

3/27/2003

having an opportunity to decide on the fate of their school district by vote. I would entertain any questions at this time."

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... first of all, let me congratulate the Sponsor for calling the Bill. It's... we've... we've been out here 15 minutes with nothing going on. So, at least it kind of breaks up the fun and frivolity we were having, Mr. Speaker, watching you go through the Calendar trying to figure out what you could call. But, I digress, will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, what's the genesis of this Bill?"

Pihos: "Well, it originally generated in past formation from a district that had been dissolved by its residents. But this is just my observation because this particular district is in my area and they were dissolved simply by a petition of a thousand voters."

Black: "And did they ask you to file this legislation?"

Pihos: "Actually, no."

Black: "Oh, you just took it upon yourself?"

Pihos: "Well, it's something that has been... as a school board member, this was brought to my attention in years past. And I had spoken to them during the course of my campaign and I was interested in the fact that the electorate had no sayso in this process and concern. This will not impact them in anyway, their case has been tied up in the court

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

36th Legislative Day

3/27/2003

for seven years and it's currently in the Appellate Court. But I was concerned that a district whose voters did not want to be dissolved, at this point, had been in court for seven years and spent almost \$3 hundred thousand on legal fees."

Black: "I... I just wanted to know the genesis of the Bill, I got a... a got a court citation. What was the... what was the name of the district that... that precipitated this legislation?"

Pihos: "Puffer-Hefty District 69."

Black: "I'm sorry, what?"

Pihos: "Puffer-Hefty District 69."

Black: "Puffer..."

Pihos: "Hefty."

Black: "...Hefty..."

Pihos: "You got it."

Black: "...District 69."

Pihos: "Yes."

Black: "Sounds like a company that makes trash bags. Are you... What is it that... there's a... there's as an actual school district named Puffer-Hefty 69?"

Pihos: "There is."

Black: "I think that was an old..."

Pihos: "After Henry Puffer."

Black: "I think that was an old Elvis song. I'll have to check with the Governor. I think it was very popular back in, oh gosh, '58 or '59. Puffer-Hefty. What happened to the Puffer-Hefty District?"

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

36th Legislative Day

3/27/2003

Pihos: "Well, Puffer-Hefty still exists but they have had to spend \$3 hundred thousand in legal fees over the past seven years trying to stay open as a school district."

Black: "Well, they're a lot less hefty then they were then, weren't they? All right. Well, Mr. Speaker, this is our chance. Before noon, let's strike a blow for the Puffer-Hefty District #69. Boy, I wish I had a diploma from that school. I'd hang that little rascal on my wall. I'm all for the... Let's... This is one for Puffer-Hefty. I can't wait to vote for it."

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

Pihos: "I appreciate your consideration of this Bill and hope you will support it with a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3058?' 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 this question, 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 page 36 on the Calendar, on the Order of Third Reading, appears House Bill 3060. Representative Ryg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3060, a Bill for an Act concerning health insurance coverage. Third Reading of this House Bill."

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

36th Legislative Day

3/27/2003

Speaker Hartke: "Representative Ryg."

Ryg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3060 amends the Illinois Insurance Code to require coverage for rehabilitation therapy for brain injuries. As amended, it also requires the Department of Insurance to conduct a study of the effective coverage for cognitive rehabilitation therapy on the costs of insurance and healthcare, patient results, improvements in patient care and quality of life. The study will cover the years 2004 to 2006, with a report due to the General Assembly and the Governor by March 1, 2007."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, there's no way that I can make light, nor would I want to, of what you're attempting to do. For someone who has suffered a serious head injury and needs rehabilitative services, there's just nothing... nothing to make light of. And it's... it's very difficult situation if you find yourself in and find your insurance coverage doesn't cover it. However, at some point... and you're young enough, you're gonna be here enough years, I have a hunch, it might be... it might be time to just pass a Bill that says medical insurance companies will cover every conceivable illness, accident, tragedy. We're getting there, we're just doing it... we're just doing it a body part or an

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

36th Legislative Day

3/27/2003

illness at a time. And at some point we might as well just pass a Bill that says you're gonna have to cover everything, even things that haven't... haven't yet been discovered. And I... and I'm not making light of your Bill, it's a very, very, serious problem, but I'll just simply revise and extend my remarks. Every time we do this, and we've done at least four of these in the last month, the cost of covering the risk goes up. In order to cover the risk the insurance company must raise the premium. And every time... I wish I could find it. I've got a... I have a sheet of paper in here, if you'll bear with me for about five seconds. Every time a premium goes up the result is that absolute opposite of what we try to do here. This was... this was in the USA Today newspaper, February 20, '03. How a small business deals with increasing health costs. 19 percent will reduce or eliminate a pay raise or a bonus, 16 percent of them will postpone capital purchases, 10 percent will reduce other benefits available to personnel, 6 percent of them will initiate a hiring freeze and 6 percent will have to lay off employees in order to pay the premium costs for those employees that are left. I... I've made the point, I won't belabor it. This is a serious issue, a very serious problem. God forbid that any of us would ever be in need of these services from a serious head injury. But at some point gonna have to face up to the fact that every time we ask a company to cover a new risk, the cost goes up, the premium goes up, and the net result is more people go without insurance rather than the desired

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

36th Legislative Day

3/27/2003

result, is that more people would have insurance. It's a... a serious... you bring a very serious issue to the front. I know it will pass with more than enough votes to get out of the House. But in good conscience, having grown up in a small business environment, knowing how difficult it is for a small business owner and operator today to try and pay the premiums without putting more of the burden on his or her employees to the ever increasing cost of healthcare, at some point, that business operator just won't offer the plan anymore. Not that they don't want to, they simply can't afford it. So, it's for that reason, and that reason alone, I'll vote 'no'."

Ryg: "Thank you."

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

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Lady's Bill. You know, poor, poor, poor insurance companies. Poor them, they would have to take the risk. But everybody knows the insurance company is a risky business, that's the reason why they got into the business. And we... They're not giving us anything. We are paying for these services. And I agree with the last speaker, what we have been doing is by body parts by body parts, disease by disease. But maybe, as he stated, what we should do is mandate that insurance company cover us from the top of our head to the bottom of our feet. Because, quite frankly, when we go and... when we are employed by these companies, we don't

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

36th Legislative Day

3/27/2003

negotiate with our employers, with the insurance company. They're in the room making those negotiations. But we are paying for insurance that we think that we have because it's coming out of our paychecks. And then when we need it we find out that it's not there. Imagine, if you may, driving your vehicle and you are in a car accident. You are hit with... in the front of your car as opposed to the back of your car. And then you go to your insurance company because you want to get your... you want to file a claim and you want the car to be fixed. The insurance company is gonna tell you, 'I'm sorry, but the rear is covered but the front isn't.' That's crazy. I encourage everyone to please support House Bill 3060. Thank you."

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

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

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen, again, another good idea. I don't think anybody can argue that we want people that have brain injuries or problems to be covered. But I will reiterate what Representative Black has said, that all it does is it costs the business... I mean, it just continues to make the cost of healthcare in this state prohibitive. Every time we have a well intended Sponsor put up a Bill that mandates that certain insurance coverage must be... is mandated to be included in the plan, the cost of that plan goes up. When an employer has to decide whether he's gonna keep the doors open or he's gonna provide healthcare

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

36th Legislative Day

3/27/2003

benefits, he is going to drop the healthcare benefits. And then we're gonna stand on the floor and say woe is us. How many more unemployed pe... uninsured people do we have in this state? When people start leaving their... moving their businesses out of here and moving them into Iowa and into Wisconsin and Indiana, we're gonna wonder why that's happened. Well, right here on the floor of the House, day after day, you're making the cost of doing business in this state prohibitive. Ladies and Gentlemen, the cost on this is more than a million dollars. It will be passed onto the... to the employers who always foot the bill for this. The employers foot the bill on this. And on top of that, there is a deficit, a huge deficit, on the unemployment insurance rate. Now you're talking about including the minimum wage, you want to increase that. I mean, how much more are you gonna dump on the small businesses of this state before they decide that there's a better place to do business in surrounding states? I rise in strong opposition to the Lady's legislation."

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

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

Speaker Hartke: "To the Bill."

Stephens: "Well, I'll tell you how much further we're gonna go. It should come as no surprise to most of my colleagues that I had a brain injury about thirty-some years ago. That's why I act the way I do, Representative. And I'll tell you what I think we need to do. I think we need to do whatever

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

36th Legislative Day

3/27/2003

it takes. I wasn't allowed to come back to the United States, I had to stay in Japan until I could do one little thing with my fingers. I had a brain injury, and so my left side was partially paralyzed. And they said to me, as an incentive, Representative, you remember this, if I could just touch my fingers with my thumb. And that incentive, that extra little bit that your Bill calls for... we shouldn't have to worry about insurance being cut off at a certain period. We should talk about legislation like yours, that does whatever it takes to put... to make that person whole. The... you have taken a courageous stand. There are people who are opposed, many of my friends are opposed to your Bill. They have a right to be wrong. I support your legislation in the strongest terms. And I told you... I... I told you in committee that we're gonna pass this Bill. Now, we've got to find a right-thinking Senator and a Governor who will sign it. And I appreciate the work that you've done on it."

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

Ryg: "Thank you. I do have sensitivity to the cost and the impact on small businesses, and that is why the Amendment was proposed, to do a study of the effects of this Bill on insurance coverage and patient care. And I think it's very important to recognize that when we talk about cost, every dollar spent on therapy equals \$35 saved in medical cost. Based on the fiscal impact to the State of Illinois alone, that would transfer to \$94.5 million in savings in medical

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

36th Legislative Day

3/27/2003

costs, should cognitive therapy not be available to persons with brain injury. Thank you very much. I'd appreciate your support."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3060?' 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 this question, there are 81 Members voting 'yes', 27 Members voting 'no', and 8 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 120?"

Clerk Rossi: "House Bill 120 is on the Order of House Bills. Third Reading."

Speaker Hartke: "Move that Bill back to the Order of Second Reading for the purpose of an Amendment at the request of a Sponsor. On page 34 of the Calendar, on the Order of Third Reading, appears House Bill 2104. Representative Kosel. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2104, a Bill for an Act regarding schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker, Ladies and Gentlemen... Gentlemen of the House. This is a Bill that repeals a Section of the School Code. It was placed in the School Code in 1997, that deals, literally, with part of my district and part of Representative Kelly's district. It... it only... it deals with deannexation and annexation of school districts within

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

36th Legislative Day

3/27/2003

160-acre piece. And there is really no need to have it in the School Code anymore and would ask for your approval of this Bill. Thank you."

Speaker Hartke: "Is there any discussion on House Bill 2104? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2104?' 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 this question, 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. On page 32 on the Calendar, on Third Reading appears House Bill 213. Representative Turner. Mr. Turner. Out of the record. On page 34 on the Calendar, on the Order of Third Reading, appears House Bill 1548. Representative Wait. Mr. Wait. Out of the record. On page 36 on the Calendar, on Third Reading appears House Bill 3117. Mr. Wait. Out of the record. On page 33 of the Calendar, on the Order of Third Reading, appears House Bill 1375. Mr. Burke. Out of the record. On page 31 on the Calendar, on the Order of Third Reading, appears House Bill 132. Mr. Capparelli. Mr. Capparelli. Out of the record. On page 35 on the Calendar, on Third Reading appears House Bill 2311. Representative Feigenholtz. Out of the record. On page 37 on the Calendar, on the Order of Third Reading, appears House Bill 3479. Representative Flider. Mr. Clerk, read the Bill."

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

36th Legislative Day

3/27/2003

Clerk Bolin: "House Bill 3479, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hartke: "Representative Flider."

Flider: "Yes, thank you, Mr. Speaker. House Bill 39 prohibits a school district, university or community college from providing a student's name, address, telephone number, social security number, e-mail address or other personal identifying information to a business organization or financial institution that issues credit or debit cards. In our... in our era of protecting people's identity and in an era where we are doing our best not to provide information, which it should... is not authorized to be provided. I think this legislation is sound legislation. It originally came at the request of a constituent of former Representative Julie Currie. And I'm sponsoring this Bill and I would encourage your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3479?' 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. Hoffman. Have all voted who wish? Mr. Clerk, take the record. On this question, 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. On page 33 on the Calendar, on the Order of Second Reading, appears House Bill 1208. Representative Acevedo. Out of the record. On

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

36th Legislative Day

3/27/2003

page 31 of the Calendar... on page... on... on page 31, on Third Reading appears House Bill 176. Representative... Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 176, a Bill for an Act concerning animal cremation services. Third Reading of this House Bill."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. House Bill 176 codifies the IEPA's current policy regarding pet crematoriums, in terms of local citing and permits as waste handling facilities. This Bill provides that a companion animal is not waste under the EPA Act. This was heavily supported by the EPA, they wrote the legislation. And it is just to more clearly define what a companion animal is and that this is not a waste transfer facility."

Speaker Hartke: "Is there any discussion? Is there any discussion on House Bill 176? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 176?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk. Mr. Parke. Mr. Clerk, take the record. On this question, there 114 Members voting 'yes', 2 people voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 33 on the Calendar, on Third Reading appears House Bill 1272. Representative Hoffman. Out of the record. On page 35 on

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

36th Legislative Day

3/27/2003

the Calendar, on the Order of Third Reading, appears House Bill 2498. Representative Giles. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2498, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hartke: "Mr. Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I present to you House Bill 2498, which is... which I have presented before this Body several times. What this piece of legislation does is it amends the Unified Code of Corrections. It provides that a prisoner who is serving a sentence for a crime committed as the result of the use of or abuse of or addition to alcohol of drug or a controlled substance shall receive no good time credit until he or she participates in and complete a substance abuse treatment program that is approved by the Department of Corrections. The language in this piece of legislation is permissive. I've worked with the Department of Correction to continue to keep that same language. We have been working on this several years, we will continue to do so. But the real genesis behind this piece of legislation is that too many of our young men and women who are incarcerated, they get out of... they get out of the Department of Corrections, they have not participated in a drug or alcohol program, the very things that led them to being incarcerated. And oftentimes they have not acknowledged that they have a problem. They come back into our communities and.. and still have the same problem. They go back in..., of course,

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

36th Legislative Day

3/27/2003

we label that as recidivism, in and out of the penal system, without acknowledging there's a serious problem. As I stated once before on this House Floor, these individuals are not coming back to Mars, they're coming back to our communities, they're our neighbors next door. And they continue to have the same problem. We... we would like to continue to keep this dialogue to address this problem that there is a problem. That... that the department at the State of Illinois is willing to begin to correct... to address this situation. And I ask... urge for your 'aye' vote. And I will try to entertain any questions."

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

Stephens: "The Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Stephens: "You've almost got that down. Representative, are there any costs affiliated with this Bill, the passage?"

Giles: "At this time, Representative, when I presented this... at this time, no, there is no cost. The departments say... expressed to me that they can't administer this program within the department within the budget at this current time. They are doing this, at this particular time, as... as we speak. But what we're trying to do is simply say that... that they should go through this program. Many have opt out in doing so. But what we're trying to say, they need this particular type of education."

Stephens: "I think..."

Giles: "Two years ago, before I presented this legislation..."

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

36th Legislative Day

3/27/2003

Stephens: "...that's a great idea. Go ahead."

Giles: "...we had the language that they 'shall' do it. The department expressed to me, at that time, it was such of a fiscal note that I didn't want to get into a fighting match with the Department of Corrections 'cause I really want some substance to come out of this. So we took out the 'Shall' legislation, we put in the 'may'."

Stephens: "What a day I'm having today. I... I had a brain injury Bill earlier and I had a brain injury, now we're doing a recovery Bill with... for drugs and alcoholism and I... I've been through that. Have you ever gone through a drug rehab program?"

Giles: "Have I gone through one or have I..."

Stephens: "Tough question on the House Floor. Let me tell you that I have, Representative."

Giles: "No, I haven't gone through one but I... I got family members who have."

Stephens: "And those programs really are the essence of recovery. And, matter of fact, I'm convinced myself that there is no recovery without two things. First of all, the worship of God. And secondly, a solid program like AA or NA. And the program that Corrections currently has, they use Corrections staff to administer. I'm... I'm sure there's some merit to that, but I'm not sure there's much merit to it if those staff are not, themselves, in recovery. The... you just can't teach recovery out of a book. The best... well, the program that's been around the longest and made the most people sober is Alcoholics Anonymous. It's the

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

36th Legislative Day

3/27/2003

classic 12-step program. AA is modeled on it. There are other programs, even Overeaters Anonymous has programs with a 12-step program. I think that... beyond my previous remarks, someone who wants to be in recovery or wants to recover has to first of all, make their own commitment. And... and secondly, just follow the simple steps and try to get... you know, we're only sober one day. We can always use tomorrow, we can always use a drink tomorrow. We just need to get through one day. So, I appreciate you bringing this Bill before us. Because, as I understand it, what it does is if you participate, that's the only way you're going to build up any other good time. And I think that sends a great message to those that are in our facilities and it sends a great message to the taxpayers, that we'd like them to help earn their own way back to the streets of... of Illinois. So, Representative, thank you for bringing this Bill before us."

Giles: "Representative Stephens, I truly appreciate your remarks. And first and foremost, individuals cannot change, from my perspective, unless they have Christ in their life, unless they have a truly religious or spiritual base. However, as you stated, what we... what we have to do is begin to, from the State of Illinois, to say, hey, there is a problem, we're looking at the number of recidivism. There is a problem and it has to be addressed. This is one way to begin to address. Hopefully, some of these individuals will acknowledge that they have a problem. And then, as you stated, some of the AA, the Alcoholic

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

36th Legislative Day

3/27/2003

Anonymous programs, and various other programs that are out there, that they will continue their treatment and get into these programs and truly get... get the proper aid that they need to get back in mainstream society. But, however, also, what this piece of legislation does, it... it simply... individual won't lose their good time credit if... if... let's just say if the department... if there's a overflow and... and the lines are filled to get into this program, they won't lose it. They will go into an educational program, an alternative program the department has, until that slot becomes available or that bed becomes available."

Stephens: "I will boldly make this... this statement, any where in any corrections facility in Illinois that there's a need for one person to have treatment, whether alcohol or drug abuse related, we will be there. The twelfth step in all these programs is that we shall be available for the next unlucky soul."

Giles: "Representative, thank you..."

Stephens: "But just let us know."

Giles: "Thank you for your compassion."

Stephens: "Thank you."

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

Davis, M.: "Thank you. Thank you, Mr. Speaker. Representative Giles, I commend you for bringing this legislation forward. However, I do have a couple of concerns. Number one is what happens when there are no programs available or there's an extensively long waiting list?"

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

36th Legislative Day

3/27/2003

Giles: "As I've stated, what... what happens, that individual will go into an al... alternate education program until there is a slot available for that individual... into... into the program to complete that program to receive their... their good time credit."

Davis, M.: "Well, will this lengthen their stay in being incarcerated because they've been unable to get into these programs?"

Giles: "Representative, that's a good question. No, it will not. Time sensitivity is... is of a factor, the department knows that. They will be admonishing that time... they will be monitoring that time frame of that respective inmate."

Davis, M.: "But listen carefully now, if I have not been able to get into a program and had I been able, I would have received time for good behavior. And had I been allowed to be in a program, I would be released. But because the program was crowded and I couldn't get good credit time, won't that extend my incarceration?"

Giles: "Representative Davis, once again, it will not. If... if there is no time available that inmate will... will enter into an educational program. And... and if that... if for some reason that... that particular individual cannot get into one of the drug... alcohol... drug programs or alcohol treatment programs prior to his or her time incarcerated, that educational program that that individual is in will suffice. The key here is to make sure that that individual enroll themselves into a program, that they go to some type of a program. And if they do not... if they make... do not

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

36th Legislative Day

3/27/2003

make that attempt, they will not receive the good credit... the good conduct credits."

Davis, M.: "Okay, Representative, I'm gonna support your Bill. But I would ask that you have someone in the Senate put a caveat there of when these programs are available. And the only reason I mention that is there are too frequently when the programs are not available or the educational programs are not available. So, we need to make sure that if we're going to make this a caveat for release, that at least the person has an opportunity to participate in those programs. So, if you will do that in the Senate, we'll be happy to forward this good piece of legislation to the Senate. And I will vote 'aye' and I encourage others to do so."

Speaker Hartke: "Fur...fur..."

Giles: "Thank you, Representative. But let... let me just make a clarification. Is that that inmate will... will not lose their time frame of... of being released. Good credit conduct... good conduct credit is something that they earn in order to get out a day or two early because they have shown that initiative. And what we're saying that they simply won't get that initiative unless they enter a drug or a alcohol treatment program. It... it does not have any contingent on their date of release."

Speaker Hartke: "Further discussion? There are still six people seeking recognition. Representative Linder, Rose, Parke, Molaro, Rita and Flowers. Representative Molaro."

Molaro: "Will the Representative yield?"

Speaker Hartke: "The Representative will yield."

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

36th Legislative Day

3/27/2003

Molaro: "Thank you, Mr. Speaker. It... You know, I don't want to belabor this Bill, but I do have to have it explained to me 'cause I'm a little confused. So, someone gets arrested and they get charged with some crime... and I'm reading the Bill here, it says, 'for a crime committed as a result of the use of, abuse of, or addiction to alcohol.' Okay, how is that defined? I don't know what that means. So, in other words, if... if someone was selling ecstasy, but that... they... they get caught for selling ecstasy, but it's not in their system and there's no evidence that they're abusers. In other words, I don't know of a crime that is the result of the use of, abuse of, or ada... addiction to. I don't know of any crime that that would apply to. I just have no idea how that would be defined. In other words, just because I'm selling ecstasy doesn't mean I'm abused... I'm... And I could be where I'm convicted of armed robbery and I guess a witness could come up and say, 'five days ago I saw him, you know, using cocaine.' I mean, I don't know how you would do that. Because in any trial, the use of alcohol or abuse of alcohol is irrelevant. I mean, I don't know if you find out at sentencing. I'm just trying to figure out how... what that means. I don't know if staff or anybody could help you on that."

Giles: "Representative, that's a valid question. But I think what we're trying to get at here, for instance, if an individual is incarcerated because of the sale of ecstasy, as the example that you're mentioning, that individual may not be addicted to a substance when that individual is

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

36th Legislative Day

3/27/2003

arrested or somehow in the penal system. I think the Department of Corrections would make that determination if that individual is addicted to a substance. I think what we're trying to do here is if it's been diagnosed that you are... you do have an addiction problem, because you are in the correctional facility because of alcohol or addiction, there's a problem. Say if there's spousal abuse and... and you've known... you are an alcohol, there's been some acknowledge there that you drink too much and you get incarcerated, and that's... that's part of the scenario. Then what we're simply saying in this piece of legislation, that before you can receive what we call a benefactor here, and that is good... good conduct credits, that you must go through a program. Now, if an individual doesn't have a substance abuse or an alcohol problem, that that individual does not qualify for the... the good conduct credit, according to this program."

Molaro: "Well, I... I just gotta point this out. Because that was a... that was a good answer, but you know, when you're convicted of certain crimes in this state, certain crimes tell you whether you can get good time or not, we've done that. And the prison system talks about certain crimes. So if you're convicted of aggravated battery then you don't wind up going to certain places and certain things. I'm just reading your Bill, that's all I'm doing is reading the Bill. So, if... if staff and the other Representatives could just listen to this 'cause I... it's a great idea. I just... I just... the way it's written, here's what it says, that the

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

36th Legislative Day

3/27/2003

prisoner who is serving a sentence for a crime committed as a result of the use or abuse of alcohol or contro... So, you're committing the crime as a result. So someone has to make that determination. It's not whether you're an abuser or not, they can determine that in prison. It's not whether or not you have a problem, they can determine that in prison. So if you are saying anybody who goes to prison who's an abuser or has a problem, they don't get good time until they do it. That makes sense. But what you're saying here is that this applies to only, only a prisoner who is serving a sentence for a crime committed as a result of the use or abuse or addiction to alcohol. There is no such crime. Nothing exists that you're sentenced as the result of a crime committed because of the abuse or use of alcohol. There's no such crime. The Bill, as I read it, makes no sense."

Giles: "Representative, I've just been informed by a colleague and staff... give me a little help on this, that if an individual is arrested on, let's just say, a gun charge. When that individual is brought into that facility, that individual is assessed at that particular time. And if... if the individual that's doing that assessment feels like that individual should go into a drug program... drug treatment program or alcohol treatment program at that particular time..."

Molaro: "But... but... Representative, I must..."

Giles: "...that individual..."

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

36th Legislative Day

3/27/2003

Molaro: "I must interrupt you. Staff's gotta listen to this. Trying to make the Bill... you know, in other words, when you're assessed, you're assessed. But you're not sentenced for the crime as a result of the use or addiction to alcohol. In other words, you're making it say here that it was serving a sentence for a crime committed as the result of the use of alcohol. If he's there for armed robbery, he's not sentenced for a crime that has the result of the use of alcohol. If he's assessed that he might be a druggie, what is he's clean that day? What if when he commits the robbery he's clean, there's nothing in his system? He's 100 percent sober. You can't say he was sentenced as a result... sentenced for a crime committed as a result of alcohol abuse. He was sentenced for a crime that's committed. The crime must be committed as the result of alcohol or drug use. And none... the example you made is not the example. It's not correct."

Giles: "Okay, Representative. I believe I think I know where you're going with this. Once again, let's... let's take it from the top. The individual is incarcerated because of a... let's use the gun."

Molaro: "All right."

Giles: "Because of a possession of the a gun. That individual goes to a correction facility and that individual is assessed at that time. At that time, that individual could... that... that facility could say, 'well, you need to go into a drug/alcohol...' That individual asks series of questions, how many times you drink a week or

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

36th Legislative Day

3/27/2003

whatever. And that individual... they assess that individual go into a drug/alcohol treatment program. So, that individual would be... would apply... would be applicable here. Let's just say if that individual has no history of drinking or... or alcohol... no history of drinking or drug abuse, that... that then... at that particular time, that individual will not be subjected to this program. That individual will... will..."

Molaro: "Representative, I... this is partly my fault 'cause maybe I'm not making this clear and I'm gonna stop now because it... it's my problem not making is clear. In your example, okay, this Bill would absolutely not apply. You're talking about someone who's assessed later that they have an alcohol program. At any assessment station, I don't care if it's in a police station or at the Department of Corrections. So, if you say he's assessed to have a drug problem, then this makes sense. But that's not what the Bill says. The Bill says the crime has to be committed as a result of alcohol abuse. That's what the language said. In your armed robbery, the armed robbery was not committed as a result of alcohol abuse, he might have been clean that day. It's... yours says must a crime committed as a result of alcohol abuse. And I'm just saying the language is incorrect. What you're saying and what you're trying to do makes a world of sense, but I'd take a look at this language if I were you. That's all."

Giles: "And Rep... Repr..."

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

36th Legislative Day

3/27/2003

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

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

Speaker Hartke: "The Sponsor will yield."

Rose: "Representative, how long does the average drug treatment program take? I guess there probably is no average. As it... as long as it... as it takes. Is that probably right? I mean, as long as it takes. Because I mean, drug treatment is a life long process. Is that correct?"

Giles: "Representative, that's correct. I believe that the Department... Department Corrections has guidelines as... as far as the length or the time frame of a particular program. And I'm sure that... that also correlates with the time frame that that inmate is incarcerated, as well."

Rose: "I guess what I'm getting at here is... and I'm with ya on this. I've actually, every intention on voting 'aye'. My... my point, though, is that what happens if we get someone in, maybe step 6 of the 12 step program and, lo and behold they're paroled? And let me give you an example. Let's assume you've got a Class IV obstruction of justice. You have a first offender come into the system, gets placed on conditional discharge, blows that, gets probation, blows that, comes back around, gets intensive probation, blows that. And then we do what we should've done in the first place, which is give him a one-year sentence to DOC. He goes there, he gets 6 months the top because he's a first time offender at DOC, so he's down to 6 months. Then he gets day for day, so he's down to 3 months. Well, he could

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

36th Legislative Day

3/27/2003

be in and out before his treatments over. And we could have someone, at their very most vulnerable on step 4 or 5, that we're taking out of the program and putting them into the community and, possibly, back into a worse environment than which they came from. My point is to the... to the Sponsor, perhaps in the Senate you could consider making this part of a condition of parole, that if they are in a drug treatment program when their parole comes up, that then, as a condition of that parole, they would have to continue the drug treatment on the outside of the correctional center. Do you understand my concern?"

Giles: "Representative, I believe I do. I think what... And I appreciate those comments. I think what we're trying to do here is simply to get an inmate... see, sometimes inmate, they opt out of actually... you know, in order to be cured of any alcohol or drug, first there has to be a... it has to be a reform within yourself. You have to have... go through a point in which you will admit that you have a problem. What we're trying to do here is to... to have inmates to acknowledge that they have a problem by going through a program. What we're saying here, in order to... in order to... if you are convicted on alcohol charges or... or an addiction problem... related problem, that in order for you to get good ti... good conduct credit, that you must go through a program. Now, if you don't... if you do not go through that program, according to the Department of Correction's guidelines, that you just simply won't receive a good time... good conduct credit. That means that you will not get the

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

36th Legislative Day

3/27/2003

benefits of that program. Now, that doesn't say you're gonna be... you're not gonna get released on time, but... but you won't..."

Rose: "If... If I may..."

Giles: "...get the benefactor."

Rose: "I... I... I understand that. And actually, it's a great idea. It's something as a prosecutor, I'm absolutely in support of. My concern, again, is that when it's moved to the Senate, we ought to look at making this also a requirement if they've been paroled. Because we could take someone out of the prison system while they're in the middle of this treatment program, they may be on step three, they may be on step four, they maybe on step seven, but then all of a sudden they're out. They may be back in the same, ya know, drug environment they came from, yet we haven't put any requirements in the parole for them to stay in treatment and to stay getting the help that they need. And so, that... that's my concern. I would just ask that as this moves to the Senate that you would take that up over there. That we... that if someone is going to be paroled or get out in the process of being in this program, that that be a requirement of parole as well."

Giles: "Representative, I... I think that's an excellent point to entertain and I will talk to you further. And... and hopefully we can address that in the Senate."

Rose: "Thank you, Mr. Speaker."

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

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

36th Legislative Day

3/27/2003

Rita: "Will the speaker yield?"

Speaker Hartke: "The Sponsor will yield."

Rita: "What I... what I'm trying to understand here, Representative Giles... over here... is that upon the intake, will they be asked the... the questions, and if it was determined at the time that the addiction was the cause of the crime, then they would be entered into this program?"

Giles: "I..."

Rita: "Or..."

Giles: "I believe, getting back to one of our later colleagues, the question that was asked if they were arrested because of related alcohol or drug addiction, I believe that sets the premise."

Rita: "So... so, what you're... you guys were using some examples. But, say someone was picked up on a theft because they were stealing to get the money to support their addiction, would be a result of their crime, was result of their habit or addiction."

Giles: "That's correct."

Rita: "And... and this is what you're trying to address in this, to help the individual get the education that is needed to put them back as a productive citizen in society."

Giles: "Representative, that is correct."

Rita: "Okay. I'm in agreeance and I sent over a slip to cosponsor this."

Giles: "Thank you. Thank you, Representative."

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

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

36th Legislative Day

3/27/2003

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

Speaker Hartke: "The Sponsor will yield."

Graham: "I stand in support of this Bill. Coming from a social services environment and dealing with individuals who have been carcerate... incarcerated because of the acts that they committed while they were under the influence, I do understand the technical question that Representative... that my fellow Representative asked. But people who work in that environment do understand what you're trying to do. Maybe there needs to be some tweaking, but coming from that environment, I understand when someone has been convicted of a crime, having been under the influence, and them needing to go to the... to the program. Whether or not a person is using the drugs or selling the drugs, they probably all need to participate in a program so they all know... understand the impact of what they're doing. But there is a fine line in the Bill, which people who are not in that environment would interpretate the Bill as being incorrect. But the people who work in that environment would understand what it is that you're trying to do with the Bill. It is an excellent piece of legislation, but I do think that for people who are unfamiliar with the arena that you're trying to address would misunderstand what you're trying to gun at. But people who work there would understand that people who have been convicted because of the abuse of alcohol or... or substance abuse, having committed a crime, they would understand that. So there is

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

36th Legislative Day

3/27/2003

a fine line, and we're bound by interpretation at this point. It's a good piece of legislation, but I do agree that there is just a little bit that will clear up the minds of others who have not participated... who are not... don't live in the communities that we live in, that understand what it is that you're trying to do. So..."

Giles: "Repr... Representative, thank you for those comments. And I will address the previous speaker that... that brought up that point. And we will try to tighten it up in the Senate to make sure that it is a clear understanding. But I... I do agree that the individuals that do work in this arena understand exactly, they know how to administer. They're doing this at some degree right now. We're just simply saying that this good credit... this good conduct credit, they have to earn it."

Graham: "Right."

Giles: "They have to get into the program, it has to be acknowledged and that they have to earn it."

Graham: "Absolutely. Would you please an... me... add me as a cosponsor to your Bill?"

Giles: "Thank you. I sure will, Representative."

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

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, I just want to point out that I... I think we have a problem with your Bill. And if you look at page 7, line... I'm sorry, page 6. I'm sorry, page 6. You

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

36th Legislative Day

3/27/2003

said all along that you wanted... that it was gonna read 'may'. But on this one, on line 22, it says, 'the General Assembly shall receive no...' It's not a... it's not a choice. You got 'shall' there. I don't think that's what you... according to what you said, that's not what you want. So, I think you may have had this printed wrong. And you may want to change that because you said 'may' and it says specifically in line 22, 'the General Assembly shall receive no good conduct service until he or she participates'. So it's not a choice."

Giles: "Representative, could you repleat... repeat that line again?"

Parke: "Line..."

Giles: "Because see, what I did was work with the Department of Correction and we've been going back and forth. And they signed off on this language and I just want to make sure."

Parke: "Well, if... if you just read line 22 down, '...or alcoholism to alcohol or a controlled substance are committed on or after the effective date of this amendatory Act of the 93rd General Assembly shall receive no good conduct credit until he or she participates and completes the substance abuse treatment program.' So it's not a matter of 'may'. It's mandatory, it says 'shall'. That means they have to. So, you said that you wanted it to be 'may', and so I think it's wrong... you have... the wording is wrong. So, you may wanna get an Amendment and change that."

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

36th Legislative Day

3/27/2003

Giles: "What I will do, Representative, is work with the Sponsor in the Senate to make sure that's addressed. Once again, like I... as I've stated, each year I have not moved this legislation without working with the Department of Corrections on it. And so we... we held it for a while to make sure that they would address all of their concerns. And the language... the genesis of the language is permissible and not mandatory, from my perspective and, of course, from the Department of Correction's perspective."

Parke: "Okay. Well, again, I... I think you have a good Bill, but it's... I think you need to make sure it says what you want."

Giles: "Thank you, Representative."

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

Flowers: "Thank you, Mr. Speaker. I would like to commend the Representative Giles on his legislation. Because Representative Giles, I, like you, know that a mind is a terrible thing to waste, even a mind that's wasted in our prison system, more importantly. But I have to ask you this, does these programs exist today?"

Giles: "Representative, yes, they do."

Flowers: "So, they do have G.E.D programs and substance abuse programs in the prison today? Because I thought... I thought, we had eliminated those programs."

Giles: "No, Representative. We do have some of those programs within the system. We need more, but we do have some of

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

36th Legislative Day

3/27/2003

those programs in the system. We don't have enough but we do have some at this current time."

Flowers: "Okay, it is my understanding that... Now, is this Bill... first of all, is this Bill applicable to all the prisons in this state?"

Giles: "Representative, yes, it is."

Flowers: "Because it is my understanding that these programs it... for those few that does exist, if they exist, but you say they do, that there may be only seven of them throughout the entire state. So, my question to you, if I sign up for it... for the program, the drug abuse program, this is... is this dealing with G.E.D. and drug abuse or just drug abuse?"

Giles: "At this current time, this particular program is dealing with alcohol and drug substance abuse treat... right... treatment."

Flowers: "Okay, so if I were to sign up for the alcohol and the substance abuse program, I can get my good time, despite the fact that it may be crowded and I can't get in, but if I sign up I qualify for my good time."

Giles: "That's correct, Representative. You will not lose your good conduct credit if you go through the program. The Department of Correction ha... have assessed you and you... you voluntarily enter yourself into that program, you will not lose your good conduct credit."

Flowers: "Now, Rep..."

Giles: "Even if you're on a waiting... if you're on... you will be placed on a waiting list. Nine times out of ten, that

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

36th Legislative Day

3/27/2003

individual will go through... go to one of those educational programs that the Department of Corrections offers..."

Flowers: "Representative..."

Giles: "...until there is available slot for you to enter that drug or alcohol program... treatment program."

Flowers: "Representative, my question is, please, if I sign up but because... I know it's crowded, but I have signed up, will I maintain... will I still be able to get my good time?"

Giles: "You..."

Flowers: "Despite the fact that I know that it's crowded, but I did sign up. I am not in it, but I did sign up for it."

Giles: "Representative, you... that individual would be eligible for good conduct credit."

Flowers: "Now, if I want to sign up but because I know it is crowded, there's a long waiting list, and I'm only sentenced for six months, and I don't sign up, do I get my good time?"

Giles: "Representative, at... at the entrance of that facility, a counselor of the department itself will make that assessment and you have to volunteer to go into the program. If you volunteer, even though you may be placed on a waiting list if there's no availability, if you sign up voluntarily, you will not lose your good conduct credit."

Flowers: "No, Rep... I just want to ask... I want for the intent of the legislation... I'm doing six months time, I know there's a long waiting list. But when it's time for me to go into the program I will be out of prison. I'm asking you, if I

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

36th Legislative Day

3/27/2003

want to sign up and if I don't sign up, will I not be able to use or be able to earn the good time?"

Giles: "Representative, the program doesn't work that way. And I know what you're getting at. You... you are placed on the waiting list, even if there's a long line... there's a long list, there's no availability, there's no bed available. You are in the program. You may not... if... if there is a wait, the Department of Correction will make that assessment, you will go into an educational program. So, therefore, you will not lose this good conduct credit. You will not lose it."

Flowers: "Representative, my final and last question. If I know that if I sign up for this program and I know that the... I'm gonna sign up for this program only to get the good time because I know it's such a backlog because there are so few programs in the institution, so few people to exercise the program, so everybody that walk in the door are gonna eventually sign up for the program just to get good time. Thank you, Representative."

Giles: "Well, Repr... Representative, when you first come in you... you are in an environment in which you do have the good conduct credit when you first come in. I think what... what you're asking if... if that individual may somehow fool the whole system by saying, 'I want to be in this program knowing that I'm gonna only... knowing there's a long waiting list and that I know I'm gonna be out in six months. I've gotten away without entering into the program.' That will not be the case. As I stated, if you are on that waiting

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

36th Legislative Day

3/27/2003

list and... and the department has not placed you into one of those beds to begin the actual program, you will be... you will go to an educational program. You will go to an alternate program. And if you don't make a good effort to be into that program then you will not receive the good conduct credit."

Speaker Hartke: "Ladies and Gentlemen, there are still two people seeking... one person seeking recognition. But the Chair would like to make an announcement first. Earlier today we voted on Agreed Bill List #2, please turn in your slips by 1:00. It is now 12:30. Please turn in your slips on Agreed List #2 by 1:00. Thank you. Further discussion? The Chair recognizes Representative Mulligan."

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

Speaker Hartke: "The Sponsor will yield."

Mulligan: "Representative, this a very interesting Bill. And I noticed that you recognized alcohol and substance abuse as things that should be on here, but you do not recognize the addiction of problem and compulsive gambling. And quite frankly, many people are in prison because of that. But the state chooses not to track that either through probation or any other way because they do not want to point to the fact that we're raising tax dollars on the backs of people who have addiction. And those people sometimes, when they go to prison, as many people do when they're in prison, come out and have a hard time finding a job. So then it's, therefore, they go right back to the way they think they can make money, which is their

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

36th Legislative Day

3/27/2003

addiction, a problem of compulsive gambling. I would like very much to see this added when it comes out of the Senate to have that addiction included. Because we do pay for money to treat couns... to have counselors. And it would be a perfect way to track the problem and compulsive gamblers who directly have both white collar crime and other kinds of crime attributed to them, which is not recognized in your Bill. And I think that would be a very good addition. I will vote for your Bill currently, but I would like the record to reflect, and that's why I'm speaking to it, that perhaps the Senate Sponsor would consider adding that to the Bill, because I think it's a problem in this state and I think it's a problem for people who cause crimes because of the fact that they've embezzled, they've extended themselves to take money in order to feed that addiction."

Giles: "Representative, I think you have brought up a very interesting concept, something that I probably, personally, can entertain. Naturally, I will continue to work with the Department of Corrections. But I think, at this current... at this present time, the Department of Correction probably don't have the staff nor the capacity to work with, as we call in this society, white collar crime. But that's something that I will truly look into. And I know exactly where you're going and I'm on that same page. And so, I will... I will definitely talk to the Senate Sponsor and talk to the Department of Corrections to see if that's something that could be applicable to this piece of legislation."

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

36th Legislative Day

3/27/2003

Mulligan: "I think it would be very interesting to find that out. I think there are a lot of people that are in prison that we do not understand the reason that it is problem and compulsive gambling that got there. We see it in the newspapers, we find out about it from individual families that come to us with problems. And we choose to ignore it and only put a very small amount of funding in it. But I think it is very interesting. And unless you have a double addiction, if you're a problem and compulsive gambler like alcohol or substance abuse on top it, it's very hard to get treatment. So, I think it is very interesting that we caused part of this problem, with the increased gambling that we have in this state, but we do not treat it as a prob... as an addiction along with the other two."

Giles: "Thank you for your comments."

Speaker Hartke: "Further discussion? Representative Molaro, for what you reason do you seek recognition? You've alre... Thank you. Mr. Giles to close."

Giles: "Thank you. I truly appreciate debate on this piece of legislation. Maybe it's early in the day and we... we have more questions. I presented this Bill now three times before this Body. The last two times it... it flew out of here and hopefully... I'm hoping to get a favorable vote this particular time. But let me just simply say, once again, I think the genesis of this piece of legislation is to... is to get individuals that have been incarcerated because of the result of these particular crime... any crime that deals with alcohol or drug abuses to... to make sure that these

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

36th Legislative Day

3/27/2003

individuals acknowledge that there is a problem. That's... that's the first step. Once again, as I stated in some of my opening statements, that these individuals are gonna come back to our community and commit the same crimes under the auspices of what we call recidivism. And we're trying to... we're trying to save the state some money on the front side instead of the back side, and that is we continue to build more prisons just to house individuals and we can begin to address some of these problems. There is numerous of problems, as the previous... one of my previous colleague just mentioned about gambling. That is truly a problem and an addiction in this state. And that's something that we truly want to... hopefully, that we will address in this State of Illinois. But at this particular time, this is something that the department is doing. This is something that's before us right now that we can address. The Department of Corrections is willing to work with this Body and all bodies to... to... to address this situation. And I will continue to push this measure forth until we get some sound legislation that will... will have some teeth and begin to do exactly what... what the intended language says. And at this particular time, I urge an 'aye' votes from colleague."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2498?' 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 this question,

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

36th Legislative Day

3/27/2003

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. Representative Novak in the Chair."

Speaker Novak: "On page 13 of the Calendar, Representative Howard on House Bill 2391. Mr. Clerk, read the Bill. Excuse me, Mr. Acevedo. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2391 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Howard, has been approved for consideration."

Speaker Novak: "The Lady from Cook, Representative Howard."

Howard: "Thank you, Mr. Speaker. Amendment #3 will become the Bill. This Bill was drafted, in large part, by and with the help and advice of the Cook County State's Attorneys Office and the State Police. This Amendment eliminates any objections to this Bill. Those individuals who work with me were integral in achieving a Bill that all parties feel is workable. I'll tell you what it does. First of all, sealing is for misdemeanors records only and it would exclude sex crimes, crimes of violence and drunken or drugged driving."

Speaker Novak: "Excuse me, Representative Howard. Could we have a little order in the chamber, please, for the Lady to make... present her Bill? Thank you."

Howard: "No felony records would be sealed. People must wait three years after the disposition of their case for sealing to occur, and during that time they must remain conviction

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

36th Legislative Day

3/27/2003

free. Law enforcement and prosecutors would have full access to the sealed files. Nothing in this Bill changes what they have access to or what they can do with past records. The state's attorney has a chance to object to the sealing. They would be notified by the clerk that a person is eligible. If an objection is lodged the court would make the decision. Sealed records would... would be... would not be reviewed by employers nor may employers ask about sealed records. Applications must reflect that an applicant need not disclose sealed records. Ultimately, good people, this Bill is about creating opportunities for persons whose past mistakes are standing in the way of employment opportunities. It is saying that if you make a mistake but keep a clean record for three years, after review by the states attorney and the court, your record could be sealed and you would have a fresh chance to prove yourself. That is the Amendment. I ask for support."

Speaker Novak: "Thank you, Representative Howard. Further discussion? The Lady from Grundy... the Lady from Iroquois, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. I think you're the first person that's gotten that right. Ladies and Gentlemen of the House, I would like to rise in support of this Amendment. As Representative Howard mentioned, she's put a lot of work into this, working with the various law enforcement officials. And this does have a lot of safeguards to make sure that these records are still accessible to law enforcement. And it operates the same

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

36th Legislative Day

3/27/2003

way that currently, you have 410, 710 nonreporting probation for some drug offenses. We have supervisions for DUIs on a first time so that you still re... retain your driving privileges and you still... it's not reported, usually, to your insurance, but if you are arrested again you are treated as a second time offender because law enforcement retains those records. This would operate the same way. It would provide for people to have an opportunity to have some misdemeanor records sealed. These are not any crimes of violence, so battery would not be included, domestic battery would not be included, the offense of DUI would not be included. No felonies, whatsoever, would be included in this. This is a small, limited number of misdemeanors that are going to be sealed after a three-year period of time. Two years and six months goes by, and that, I think, is a great opportunity for individuals to have demonstrated that they are not going to be getting in trouble again. That they have had maybe an error in judgment, they had a problem with the law, they have cleaned that up, and now they are trying to move forward. And they are attempting to become productive members of society. This will allow them to have that opportunity in those circumstances where their crimes did not include violence, did not include alcohol, where they were not a risk of safety of... the risk of safety of others. I know that Connie has put a tremendous amount of work into this. She's been very thoughtful in making sure that law enforcements still have access to these records, while at

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

36th Legislative Day

3/27/2003

the same time allowing people to get a fresh start. And I would urge my colleagues to support her in this Amendment. Thank you."

Speaker Novak: "Thank you, Representative O'Brien. Further discussion? The Lady from Cook, Representative Hamos."

Hamos: "Thank you. Will the Sponsor yield? Representative Howard, for purposes of legislative intent, how does this Bill apply to people who might have been convicted of a misdemeanor two years ago or anytime before the effective date of this Act?"

Howard: "It does not preclude a person applying for the... the sealing process. The State's Attorneys Office will look at the particulars of the case and they will make a determination about whether or not that person can get their records... records sealed."

Hamos: "So people who anytime before this Bill have had a record might be able to utilize this new law?"

Howard: "That is correct."

Hamos: "And I..."

Howard: "They must noti... they must themselves, though... if we are successful in getting this legislation passed, they must initiate the process by going to the clerk's office."

Hamos: "And I stand in strong support of this legislation and I think all the people who are here with us as guests today do too. This is one of the most in... important issues facing a district like mine. I hear about this over and over, especially from the ministers in my district who are confronted with parishioners or people in our community who

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

36th Legislative Day

3/27/2003

have served their time. They have repaid society their... the debt that they owe, and their... from that point on are not able to get jobs. This Bill is really... Representative O'Brien talked about what this Bill doesn't include, but what this Bill does include is the opportunity for people to get jobs, to become self sufficient and to get reintegrated in our society. This is one of the most important Bills that we can do this year. And I really commend the Sponsor for all the very hard work she has put into this for years now to get it to this point. And I'd recommend a strong support."

Speaker Novak: "Thank you, Representative. Further discussion? The Lady from Kane, Representative Patricia Lindner."

Lindner: "Thank you, Mr. Speaker. Will the Sponsor yield? We have determined that this does not apply to any crimes of violence, including domestic violence, is that correct?"

Howard: "That is correct."

Lindner: "And could you tell us that... some of the misdemeanors that it would apply to?"

Howard: "Disorderly conduct and retail theft would be a couple that would be eligible for this."

Lindner: "All right..."

Howard: "Possession of marijuana, I'm told, is as well."

Lindner: "And there is... in retail theft there is a limit that if it's a retail theft over a certain amount of money that it would be charged as a felony rather than a misdemeanor, is that correct?"

Howard: "That's correct."

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

36th Legislative Day

3/27/2003

Lindner: "So, it wouldn't apply..."

Howard: "And you should... you should also know, Representative Lindner, that the Illinois Retail Merchants are with me on this Bill."

Lindner: "Yeah. So it wouldn't apply to any retail thefts of... of a lot of money?"

Howard: "Not... not anything that has to do with felony, of courts, not a lot of money."

Lindner: "All right. And there is a provision in the Bill that it is up to the person who wants their record sealed to start this process, is that correct?"

Howard: "They will be notified that they are eligible for this opportunity. They, then, would come to the clerk's office and start the process."

Lindner: "And both the State's Attorneys Office and law enforcement are neutral on this Bill?"

Howard: "That's correct."

Lindner: "All right. To the Bill. I, too, want to commend the Sponsor. I've been on the Criminal Law Committee for years and years and I know that this Bill has come before us before. I want to commend Representative Howard for working with the state's attorneys and the law enforcement community to craft a good Bill that we can finally pass. And I thank her for that."

Speaker Novak: "Thank you, Representative. Further discussion? The Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Howard..."

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

36th Legislative Day

3/27/2003

Speaker Novak: "She yields."

Delgado: "...when you first brought this Bill a few years ago I know that it was a long journey, a journey that took you through your district. And I remember the summer you called me and said, 'Representative Delgado, I have all these wonderful young men and women coming into my office asking for jobs and I'm totally overwhelmed that they feel like they can't get a job because they have a little mark on their record. Now they're 20, now they're 19, and they've been clean all this time. And we have to do something about that.' And I want to commend you. Because I'm a former parole and probation officer and I didn't come up with this wonderful idea. And so, with the work you've done, to be able to walk through, go in front of a judge with a probationary order, to have completed your contract, I believe, having seen it in other states already, that the judge as he that in on the jacket, that jacket goes to the clerk's office, the clerk enters his information, and then expungement can be dealt with right there. 'Cause many of our young men and women, the only contact they have with the criminal justice system was an incarceration. And as we know, once upon a time a great man fell three times. And this is... we have to have the same mercy and the same compassion for our young people. If they fall, pick themselves up, dust them off, and move forward with a family, with a faith, and with a job. And you have helped us, in Illinois, bring it all the way from Harrisburg to Chicago, we're finally gonna have not justice by geography,

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

36th Legislative Day

3/27/2003

but equal justice. So, my question to you Ma'am, isn't it true that this legislation will not only... excuse me. I'm gonna have someone expunged here in a second. But we need to be able to say that we're trying to give young people a second chance. Not criminals, not people who have... who want to come out there and... and mug their neighbor. I don't care if they're black, white, or Latino, Asian, male or female. They come in every creed. So now, in Illinois, you are helping us change the future for many young people. So now when they go downstate we're gonna make sure they're going to basketball games. I rise in strong support. I'm a sponsor of this Bill. Representative Howard has worked diligently on this legislation. She has worked with state's attorneys around this coun... around this state, including our wonderful one Dick Devine over in Cook County. At the same time she's worked with the Legislators, she's worked with the chiefs of police, she's worked with her community, she's worked with her churches. If we've ever seen a more consensus piece of legislation, it is this one. So, make sure your search your hearts. Don't vote because you're a former police officer, don't vote 'no'. Don't vote 'no' because you're a former FBI agent. Don't vote 'no' because you're a former probation officer. Don't vote 'no' because you used to be a correctional guard. Vote because this is the right thing to do. And remember, these are our friends, these are our families, they're Illinois. Let's do the right thing."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you, Mr. Delgado. One final reminder, Ladies and Gentlemen, you have ten minutes to turn in your yellow slip with respect to the Agreed Bill List. You have ten minutes. Thank you. Further discussion? The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I rise to give strong support of this piece of legislation. Representative Howard has worked tirelessly on this piece of legislation and simply because that she... she is... she has been elected to represent her people. I will support this legislation strongly because I am sent here to represent my constituency, my people as well. I... I have a... this is personal to me because I'm working with a young lady and... oftentimes, for some reason or not, I'm asked to be a mentor to young... young people. And I have a young lady that I've been working for about three years. This young lady diligently come to my office and called me, and I've given her my personal cell phone number. She called me very often asking is there any job opportunities, is there any job opportunities? She calls me often because this individual want to work, this individual truly wants to work. But two years ago... you know what I found out? I found out she was so embarrassed because she had a small problem on her record. Something that was minor, something that she did when she was very young, and she was very embarrassed about it. And at that particular time, she came to me as an adult. She had acknowledged that there was a small problem and she, of

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

36th Legislative Day

3/27/2003

course, repented, and now she is working her way to be a viable and productive individual in our society. And I did everything possible to try to give her those opportunities, those educational opportunities, employment opportunities, all the opportunities that we benefit so freely today. And because of that one little mistake as a... as a youth, it is very difficult and it is very, very hard for that individual to be given an opportunity. And so, I rise to support Representative Howard and many others that will vote for this legislation because this... this is truly what it is about. And that is creating and giving people opportunity, especially individuals that have made a small mistake in society. Each and every one of us can pull a lot... pull out of our closet and find a small mistake that we would like to change or like to give back. And someone gave us another chance or an opportunity to be all that we can be. And that's what this legislation does. As my... as the previous speaker spoke, this does not in any form or fashion allow a hardened crimina... criminal to... to be able to be released on our streets and to be able to expunge something that, I believe, that is repealable. What this does is give our young individual who have a change of heart and a change of lifestyle to say, 'I want to be a part of mainstream society, I have something to give back. I want to be a mentor, I want to educate someone else. I want to, ultimately, give somebody else an opportunity.' So, I rise in strong support and I urge all my colleagues to put an 'aye' vote on this legislation. Thank you."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you, Mr. Giles. Further discussion? The Lady from Cook, Representative Cynthia Soto."

Soto: "Speaker... Thank you, Speaker and Members of the House. I, too, rise in strong support of this legislation. As you recall last year, when I rised in strong support of the last legislation, it brought tears to my eyes. It brought tears to my eyes because... and I... I'm gonna go back. It was brought to my attention... is this personal to you? Is this the reason why it brings tears to your eyes? No. I said no, that's not the reason why. It... and the reason why it brought tears to my eyes is because look at... look at the faces up here. Look up and look at everybody that is trying to make a difference and change their life. I have to mention, on piggy-back... piggy-backing on everybody else's statement. Because you've heard, I can go on and on and say the same thing over and over, but you heard it already. I just want to say, please find it in your hearts. Because a lot of these people that are sitting up there also live in your district and they're here and asking also for your support. Again, I rise in strong support of this Bill. And again, I have so much respect for Representative Howard and I commend her for this legislation. And anything I can do for you, I am here to help you. Thank you."

Speaker Novak: "Thank you, Representative. Further discussion? The Gentleman from Cook, Representative Arthur Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I rise, too, to commend the Sponsor of this

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

36th Legislative Day

3/27/2003

legislation and just to let her know that it's been a long time coming. Having been around here 23 years, this is not the first time we've brought this issue to the table. It certainly is not the plate that we expected to be served but we certainly appreciate at least starting with the salad. Let me start by saying that I have... I represent a district that has been, by all the statistics and information I've received from the Department of Correction, that the largest percentage of people who are released from the department are sent back to my district. Now, I don't think there's a correlation in the fact that they left from my district and went to the Department of Correction, but once they're released from the department they come back to North Lawndale. And so many of them are, in fact, in my office on a daily basis saying, 'Look, I want a second chance, can you help me? Can you help me get started again? You know, Arti... it was a bogus charge.' On and on and on. But those people are released to my district. And I have to just, you know, as Cynthia said earlier, you feel like crying because there's not a lot that we can do. This legislation will at least be a... a small step in trying to be able to help the few. There's still a lot more we need to do. The irony here is that I could file for bankruptcy, I could go a million dollars in debt and, you know, check the credit card and just run out and buy everything and commit a million-dollar crime, file for bankruptcy, and in seven years I can start over again. A kid in my neighborhood gets stopped on a corner with a

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

36th Legislative Day

3/27/2003

\$10 bag of crack, he's got a felony and there's nothing he can do for the rest of his life. And I think that it's, again, a great small step. There's more that we need to do to this legislation but we appreciate the Assembly. And I'm assuming that we're going to get the support today for this Bill. We appreciate your efforts in at least helping us go a small step towards making life the way it should be, making productive humanvid... productive human beings out of individuals who made a mistake. And I, again, want to commend the Sponsor and ask that everybody vote 'aye' on this legislation. Thank you."

Speaker Novak: "Thank you, Mr. Turner. Further discussion? The Gentleman from Lake County, Representative Mathias."

Mathias: "Mr. Speaker, will the Representative yield? I just heard Representative Turner mention something about felonies. Am I correct that in... in my analysis that this Bill does not apply to felonies."

Howard: "You are correct, it does not apply to felonies. I think Representative Turner is... is wishfully thinking."

Mathias: "Okay. So, this Bill applies, then, to..."

Howard: "Misdemeanors."

Mathias: "...misdemeanors only?"

Howard: "Only."

Mathias: "Does it apply to all misdemeanors or are there any limits on the misdemeanors that it applies to?"

Howard: "Nothing that has to do with violence, sex crimes, DUI."

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

36th Legislative Day

3/27/2003

Mathias: "So, if you have a DUI or any, let's say a battery or domestic battery, this does not apply to that?"

Howard: "It does not apply, there... those are exempt."

Mathias: "Okay, I... in that case, and after reading the Bill, I think it's a good Bill and I will support it."

Howard: "Thank you."

Speaker Novak: "Mr. Black."

Black: "Mr. Speaker, in all due respect of the Sponsor, this... this Bill is gonna get 115 votes. We've debated the Amendment long enough that... in the time we've been debating this Amendment, 15 hundred juveniles have become adults. I'd move the previous question."

Speaker Novak: "The Gentleman moves the previous question. All those in favor say 'aye'. The Motion carries. Representative Howard to close."

Howard: "I just certainly hope... are you asking me to close on the Amendment? Yes. I certainly hope that everyone will say 'aye' on the Amendment."

Speaker Novak: "Thank you. The Motion on Floor Amendment #3... 3 is all those in favor say 'aye'; all those opposed... The Motion carries. The 'ayes' have it. And the Amendment is adopted. Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2391, a Bill for an Act in relation to expungement of criminal records. Third Reading of this House Bill."

Speaker Novak: "The Lady from Cook, Representative Howard."

Howard: "Well, I think that we have discussed it thoroughly. You know all about the Bill. I think we're talking about

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

36th Legislative Day

3/27/2003

individuals having a second chance in some instances. We're saying that people do make mistakes, because we know that they put erasers on pencils because people make mistakes. So what we're saying is that we would just hope that those of us today can understand that you... you can atone, you can... you can be redeemed, and you can start again. I... I would hope that all of my colleagues would vote 'yes' for this legislation."

Speaker Novak: "Thank you, Representative Howard. And the question is, 'Shall House Bill 2391 pass?' All those in favor vote 'aye', all those opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. And on this question, there are 94 'yesses', 12 voting 'no', 7 voting 'present'. And having reached the Constitutional Majority required, House Bill 2391 is hereby passed. Thank you. Please, we can't have... please, everyone in the audience, have a seat. Please refrain from clapping. Thank you. On page 33 of the Calendar there is House Bill 1-2-0-8. Representative Acevedo. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1208, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Novak: "The Gentleman from Cook, Representative Acevedo."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1208 defines the meaning of drug paraphernalia by adding the phrase 'homemade or

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

36th Legislative Day

3/27/2003

manufactured' to modify the phrase 'all equipment products and materials of any kind'. It also changes the words from peculiar... 'particular' to 'associated with' throughout the Bill in reference to drug paraphernalia and the manufacture and use of marijuana. I'd be happy to answer any questions."

Speaker Novak: "Thank you, Mr... Mr. Acevedo. And on that question, the Gentleman from McLean, Representative Brady. Representative Dan Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I certainly rise in support of this piece of legislation and wish to thank Representative Acevedo for working with me while I was drafting and working on a similar Bill. We were able to put both of these pieces of legislation together, dealing with 'homemade manufactured', as well as 'manufactured products' on sale. And that's what the crux of this Bill does. It takes out of the market place products that used to be disguised, at least manufactured products, under the terminology of tobacco products when they're used for nothing more than drugs in the smoking of drugs. So I'd be happy to answer any questions. And once again, I want to thank the Representative for working with me on this legislation and allowing my Amendments to go to the Bill."

Speaker Novak: "Thank you, Mr. Brady. Further discussion? Hearing none, the question is, 'Shall House Bill 1208 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. And the voting is open. Have all voted who

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

36th Legislative Day

3/27/2003

wish? Have all voted who wish? Have all voted who wish?  
Mr. Rose. Mr. Rose, have you voted? Clerk, take the  
record. And on that question, there are 115 voting 'yes',  
0 voting 'no', 0 voting 'present'. And having reached the  
required Constitutional Majority, House Bill 1208 is hereby  
declared passed. Mr. Wait, for what purpose do you rise,  
Sir?"

Wait: "I... I'd like to pull House Bill 1548 and put it back on  
second, please."

Speaker Novak: "Mr. Clerk, would you please place House Bill  
1548 on Second Reading? Thank you, Mr. Wait. Okay. Third  
Reading. The Lady from Champaign, Representative  
Jakobsson."

Jakobsson: "Thank you, Mr. Speaker. My vote didn't register on  
House Bill 2391 and I want to be recorded as voting 'yes'."

Speaker Novak: "The record will reflect that. Thank you. Mr.  
Wait, on page 36 of the Calendar there is House Bill 3117.  
Mr. Wait. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3117, a Bill for an Act in relation to  
sex offenders. Third Reading of this House Bill."

Speaker Novak: "Mr. Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. House Bill 3117 simply would require registered sex  
offenders to report to the Illinois State Police any  
Internet registration and any e-mail accounts that they  
have. As we know, a lot of people, pedophiles, are on the  
Internet these days. This would just make it easier to  
find out who they are. Be happy to answer any questions."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you. Any discussion? Seeing none, the question is, 'Shall House Bill 3117 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Cross. Mr. Turner. On this question, there are 115 votes voting 'yes', 0 voting 'no', and 0 voting 'present'. And having reached the required Constitu... Constitutional Majority, House Bill 3117 is hereby declared passed. On page 34 of the Calendar there's House Bill 1648. Representative Coulson. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1648, a Bill for an Act concerning the Comprehensive Health Insurance Plan. Third Reading of this House Bill."

Speaker Novak: "Ms. Coulson."

Coulson: "Thank you, Mr... thank you, Mr. Speaker. House Bill 1648, as amended, permits the Comprehensive Health Insurance Program, or CHIP, to offer a prescription drug only product to higher income seniors. It is subject to the approval of the CHIP Board and availability of funding. What this Bill does is to permit the CHIP staff to continue to investigate the feasibility of providing a higher income senior prescription drug insurance program. And I can answer any questions."

Speaker Novak: "Thank you, Representative. Any discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Speaker. Sponsor yield?"

Speaker Novak: "She yields."

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

36th Legislative Day

3/27/2003

Mautino: "Thank you. Appreciate your... your willing to work with us and with the committee on this Bill. I know you've been spending a lot of time working with the CHIP Board. I think you've... I know it's still a work in process, correct?"

Coulson: "Yes, it is."

Mautino: "Okay, and we're gonna... we just ask that you have... take the opportunity to talk with BlueCross and BlueShield and see how that's going to affect those rates. But I... I appreciate how hard you've been working on it. And do stand in support of your Bill."

Coulson: "Thank you. And I... I do want to say that we would like to continue moving discussions forward because they're... as we all know, the senior prescription drug issue is an major problem. In this case, we're trying to fill one of the holes at the higher level income to try to provide an insurance product available, which is not currently on the market. And we will be working with the BlueCross BlueShield and any other companies that would be interested in being able to help us with this product. Thank you."

Speaker Novak: "Thank you, Representative. Further discussion? Seeing none, the question is, 'Shall House Bill 1648 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Boland, do you wish to vote? On this question, there are 115 voting 'yes', 0 voting 'no', and 0 voting 'present'. And having

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

36th Legislative Day

3/27/2003

reached the required Constitutional Majority, House Bill 1648 is hereby... hereby declared passed. Take the record. On page 4 of the Calendar... on page 4 of the Calendar, on Second Reading, Representative Bailey from Cook, House Bill 506. Take the Bill out of record, Mr. Clerk. On page 32, Rep... the Gentleman from Cook, Representative Burke, on House Bill 468. Do you wish to call the Bill? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 468, a Bill for an Act concerning professional regulation. Third Reading of this House Bill."

Speaker Novak: "Mr. Burke."

Burke: "Thank you, Mr. Speaker. House Bill 468, very simply, makes the manner in which program hours are calculated for graduation from a cosmetology program consistent with that of the Esthetician and Nail Technician Act technical changes. The reason for the change, it's been recommended by the Federal Accrediting Commission to make cosmetology programs consistent throughout the country. This would make recipro... reciprocity easier if an applicant attended an out-of-state school or community college. And it has been at the request of the Illinois Department of Professional Regulation inserting language, requiring a quorum for decision making by Barber, Cosmetology, Esthetics and Nail Technology Committees. And it amends the grandfather provision for the Electrology Licensure Act by lowering the continuing education hours needed to be grandfathered in from 75 to 30. And this will still be in

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

36th Legislative Day

3/27/2003

addition to the three years experience electrologists need to qualify for the grandfather provi... provision. I'd be happy to answer any questions."

Speaker Novak: "Thank you, Mr. Burke. Further discussion? The Gentleman from Cook, Representative Parke."

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

Speaker Novak: "He yields."

Parke: "Representative, did you say that it is increasing the hours required to... for their annual graduation... I mean, for their graduation requirements?"

Burke: "No, Sir. It'd be lowering the continuing education hours from 75 to 30."

Parke: "And did anybody object in committee on this legislation?"

Burke: "No, Sir."

Parke: "Did... and so, as far as you know, there's no opposition to this and that no groups have come to you and said that they have a problem with it?"

Burke: "No opposition."

Parke: "Okay. And this sort of puts us in line with... this is a federal mandate? I don't understand why the Federal Government would get involved in this issue."

Burke: "If it... if this change would not be affected literally those that are licensed..."

Parke: "Paul... Paul..."

Burke: "...those that are licensed under this Act would have only one opportunity to take a federally-offered accreditation test. And it's rather... rather difficult for those in our

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

36th Legislative Day

3/27/2003

state to have to make travel arrangements and take the examination out-of-state. So, it's basically to forward them the chance to continue to excel in their chosen profession."

Parke: "Well, I... I presume since nobody objected to your legislation that it must be okay. I just, for the life of me, can't understand why the Federal Government would get involved in this. It's just... it's beyond me."

Burke: "Well, okay."

Parke: "Thank you."

Speaker Novak: "Further discussion? The Gentleman from Jackson, Representative Bost."

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

Speaker Novak: "He will yield."

Bost: "Representative, you say right now the required number of hours for continuing education per year are what?"

Burke: "I beg your pardon, Representative. I didn't hear your question."

Bost: "The number of hours right now are... is how much, per year?"

Burke: "Fifteen hundred hours."

Bost: "Now, that's for graduation. Now, does this do anything with the continuing education hours?"

Burke: "That's what we're talking about. The continuing education is being reduced..."

Bost: "Okay..."

Burke: "...from 75 to 30."

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

36th Legislative Day

3/27/2003

Bost: "From 75 to 30. Okay. What... you say the people that brought this to you is the Department of Professional Regulations?"

Burke: "They are in support of the legislation but, indeed, it was the professionals that practice under the Act that have moved for this initiative."

Bost: "Okay, so they... they have moved to... to bring the hours down, and I have no problem with that. Is it possibly the reason why they're doing this is because we changed the rules and regulations on what we actually accept here in the State of Illinois when it comes to cosmetology training? To the point that a lot of our courses that are actual real training... for instance, if the person is registered in California and might be registered in New York and they're very well respected, they can't always get registered here in the State of Illinois because of some regulations we have. And so, they might be putting on a course in, say, Paducah, Kentucky or St. Louis, Missouri and those hours don't actually qualify to... to give credit hours to our cosmetologists, is that correct?"

Burke: "That's right. That's right."

Bost: "Okay. So, I think... I think a bigger problem we're dealing with is... is not that... and that's fine, we're reducing the hours. I understand that. But the real problem we're dealing with is, we, in the State of Illinois don't accept a lot of the best quality of education for our cosmetologists. Instead, we ask... and people... and I can give you an example of this. We actually have one case

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

36th Legislative Day

3/27/2003

where a person that actually teaches proper haircutting techniques or... or new programs like this, and that's what they specialized in from California, can't get... get credit hours... or, can't be qualified as credit hours. However, but someone who teaches aroma therapy here in the State of Illinois can qualify, though it has nothing to do with the profession. Have you... did... I didn't know if you knew that or not."

Burke: "I didn't know you were so expert in this particular area, Representative."

Bost: "Well, just... Mr. Speaker, to the Bill. I will be voting..."

Speaker Novak: "To the Bill."

Bost: "...present' on the Bill because, those of you that don't know, my wife and I that... this is a business that we're in. And the problem in the State of Illinois and the concerns in the State of Illinois is we've put some education requirements in place for continuing education but then do not allow the best of the best the opportunity to provide that education here in the State of Illinois, so we're reducing the hours required. So, I just wanted to make that comment. Thank you."

Speaker Novak: "Thank you, Mr. Bost. The Gentleman... Further discussion? The Gentleman from Vermilion, Bill Black."

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

Speaker Novak: "He yields."

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

36th Legislative Day

3/27/2003

Black: "Yes, and before I ask a question, just let me say that... how... I want to echo the thoughts of Representative Bost, who is an outstanding cosmetologist. Look what he's done to my hair. I just... he just does an excellent job. By the way, Representative, who is your cosmetologist? Your hair always looks wonderful."

Burke: "In my case, it's a barber, Representative."

Black: "I... I always thought you and Jim Edgar probably went to the same barber. There's never a hair out of place. Is it industrial strength hairspray?"

Burke: "Actually..."

Black: "How do you do that?"

Burke: "Did you ever hear of the Flowbee?"

Black: "Actually, to get to the point before I forget what the point was, I'm just an old country boy, what is an electrologist?"

Burke: "I am certain you don't have any need for this profession, Representative, but it is the individual that would permanently remove hair, unwanted human hair."

Black: "I never had that problem."

Burke: "But I..."

Black: "But I... I thought it was somebody who hooked up a air conditioner. I just wanted to make sure I knew what we were doing. Representative, on the only serious note that I will probably address all day, the gentleman... the barber shop, as we call it in my district, where I go, keeps a newspaper article, it's several years old... four or five years old now. I will bring a copy to you. He points out

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

36th Legislative Day

3/27/2003

that one of the big problems in this state is that there just is no regulation or inspectors out there anymore. And there was an article, I believe, in the Tribune... excuse me, perhaps the Sun Times, that there are literally thousands of people out there cutting hair, styling hair, who have no license whatsoever. And that it used to be we would actually go and inspect the shop or the salon to make sure the person therein had a license, it was current. And he maintains that they just don't do that anymore. And if that's the case, maybe it's something you can work on later on. I'll try and get you a copy of that article. Because he... every time he renews his license his point is, 'Why bother? I haven't seen anybody from DPR in almost 20 years.' And the article goes on to say that in... in the Chicago/Metro area there were, literally, thousands of people who have opened shops who do not have a license. And if that's true then, obviously, I think that's a problem that we... we need to look into. And I know I can count on you to look into that, with my help, of course."

Burke: "Absolutely."

Black: "And I will probably be joining my colleague, Representative Bost, in voting 'present' because his argument sounded very rational to me."

Speaker Novak: "Thank you, Mr. Black. Any further discussion? Hearing none, the question is, 'Shall House Bill 468 pass?' Excuse me, Mr. Burke to close."

Burke: "Thank you, Speaker. Let me just conclude by suggesting that this legislation, when passed, would create less of a

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

36th Legislative Day

3/27/2003

hardship on electrologists who have been practicing for a great number of years but may have not kept track of their continuing education credit hours. Without this change the only way for one to qualify, under the grandfather provision, would be to have to fly out-of-state, take an exam that is only given once a year. The number 75 was originally put in the Act in error because every 5 years electrologists need 75 continuing hours to maintain national certification. This translates to 15 hours per year. Since the grandfather provision will be in effect for almost 2 years, 30 continuing education hours is a much more prudent requirement. I would certainly ask for the Body's favorable consideration."

Speaker Novak: "Thank you, Mr. Burke. And on that question, on House Bill 468... 'Shall House Bill 468 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Ms. Lyons. Eileen Lyons. Clerk, take the record. On this question, there are 109 voting 'yes', 4 voting 'no', 2 voting 'present'. And having reached the required Constitutional Majority, House Bill 468 is hereby declared passed. On page 6 of the Calendar there is... there is House Bill 1104. The Gentleman from DuPage, Representative Daniels. Mr. Daniels. Clerk, read the Bill, please."

Clerk Bolin: "House Bill 1104, a Bill for an Act concerning the Department of Human Services. Second Reading of this House

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

36th Legislative Day

3/27/2003

Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. The Lady from Cook, what reason do you rise, please?"

Mendoza: "I rise on a point of personal privilege, Mr. Speaker."

Speaker Novak: "State your point, please."

Mendoza: "I'd like to address the gallery up there and have my colleagues recognize Hubbard High School Junior ROTC Battalion. They won first place in the city drill competition. Young people up there. Let's give them a round of applause. They..."

Speaker Novak: "Welcome to the General Assembly."

Mendoza: "Yes, right up there. The boys' drill team is also ranked second in the country. They're rated as one of the top 5 junior ROTC units out of 105 units in the Midwest. And we also have the City Corps Commander for the Chicago Junior ROTC, Claudia Morales, give us a wave, who commands over 9 thousand cadets in the city and has a 4.8 GPA. So, let's give her a big round of applause. Say hello."

Speaker Novak: "Welcome to the Illinois House of Representatives."

Mendoza: "Thank you."

Speaker Novak: "Thank you, Representative. On page 7 of the Calendar there is House Bill 1414. Representative Pankau, do you wish to call the Bill? Mr. Clerk, read the Bill, please. No? Take it out of the record? Mr. Clerk, take the Bill out of the record. On page 32 of the Calendar

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

36th Legislative Day

3/27/2003

there is House Bill 4... 416. The Lady from Cook, Representative Collins. Annazette Collins. Is she in the chamber? Representative Collins. Out of the record. On page 3... 33 of the Calendar there is House Bill 1166. The Gentleman from Cook, Representative Colvin. Marlow Colvin. Do you wish to call the Bill? Clerk, read the Bill, please."

Clerk Bolin: "House Bill 1166, a Bill for an Act concerning voter registration. Third Reading of this House Bill."

Speaker Novak: "Mr. Colvin."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I present to you House Bill 1166, which is a provision that would simply allow for voter registra... voter registrar to be available on the campus of every high school for the first ten school days of May. The intent behind the Bill, simply, is to make sure that every individual has access to the right to vote at the earliest age possible. I think most of us here would agree that in participating in a political process is not only important, but it's an American right and a duty. And thus, a Bill like this, which is totally permissible by the principal of the school in terms of who can actually do the voter registrations, is very important as well. And by that, with the Amendment that we adopted to this Bill yesterday, simply will allow for the principal to make any individual to come into the school that they deem fit to be dep... deputy registrars, they could be a teacher, a counselor, a student group. It could also be for a parent group who

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

36th Legislative Day

3/27/2003

could come into the school to also register kids to vote.

I would be happy to take any questions on this Bill."

Speaker Novak: "Thank you, Representative. Any... any discussion? Hearing none, the question is, 'Shall House... Excuse me, Mr. Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. The Gentleman is certainly well-intentioned. There are any number of people who can be school regi... voter registrars in the State of Illinois. I am, I believe most everybody in this chamber is probably eligible to register people to vote. I've been a precinct committeeman for more than 35 years. And there're any number of people who can serve in this capacity. I simply rise in opposition... and again, obviously the Bill is gonna pass. But until... until the General Assembly and the State of Illinois makes it a priority to, one, change fundamentally how we fund education; two, then follow through and make sure we fund education equitably and fairly throughout the State of Illinois; and three, that all of our schools are performing at the grade test level or above, I just simply cannot, in good conscious, vote for another mandate on education personnel. They are hired to educate our children. Now, some would argue that they don't do that job as... as well as we'd like. And that's not the argument here. I think, having been a teacher for 20 years, they certainly do the best they can with the resources they have and sometimes, an ever diminishing lack of parental environment. That was not the case when I

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

36th Legislative Day

3/27/2003

taught many, many, years ago. You simply cannot continue to put more and more mandates on school personnel that are not related to the educational goals and objectives of our children. There are any number of people that schools can ask or invite to come into the school to do voter registration. The county clerks will do it gladly, the Board of Election Commissioners will do it gladly, the political parties will cooperate and... and staff a registration booth in those schools five days a week for as long as you want during the registration period, if that's what you want to do. But to take somebody away, even if it only takes a half an hour a day or an hour a day, to take someone away from the most important aspect of their job, the full attention and... and their skills devoted to administering, running a school system and administering and trying to teach our children, I can't, in good conscience vote for this Bill. Everybody says education is their number one priority during the campaign, but as soon as the campaign is over education seems to fall somewhere between number one and number ten. We are at a crisis in this state in public education funding and in those who want to go into the profession of teaching. Please, let those who have entered the field of education concentrate on doing the best they can at educating our children. And let those charged with the responsibility of registering voters, and that can be any of you in this room, and you can go out and sign up dozens of others who can go to the schools, let them worry about registering voters. Let

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

36th Legislative Day

3/27/2003

educators worry, concentrate, and then let us hold them accountable for educating our children. That's their first, foremost and primary duty. And I cannot, in good conscience, vote for what I consider to be a mandate on school personnel to take some of their time away from their most important task to then register voters. That is not their primary task, that is not why they went into education, and I don't think that's the way the School Code is established and decides and has indicated that they want our schools to do. So, it's for that reason, certainly with all due respect to the Sponsor, that I'll vote 'no'."

Speaker Novak: "Thank you, Mr. Black. The Gentleman from Cook, Mr. Lang. Representative Lang, further discussion."

Lang: "Thank you, Mr. Speaker. You know, I agree with everything the prior speaker said, except his conclusion. It is the responsibility of teachers to teach, it is the responsibility of principals to administer. But part of a good education is understanding about government. And part of a good education is learning how to be a good citizen. And part of having a good education is learning the importance of voting in our society. That's why less than 50 percent of the people bother to come to vote. So, while I agree with the former speaker who talked about how we have let education down in this General Assembly, I agree with him. And while I heard him say that we haven't given it enough attention or focus, I agree with him. And while I heard him say we put mandates on schools too often, I agree with him. But this is not much of a mandate. This

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

36th Legislative Day

3/27/2003

simply says let's register people who can be registered to vote to do so. So they can be involved in their community, so they can be involved in government. So they can understand what we're all about here and what they're all about in Washington. We always talk about how we wish more people voted. We talk about how we wish we could do something about the fact that when we changed our laws to allow 18-year-olds and 10-year-olds and 20-year-olds to vote, they remained the group that has the smallest voter turn out. We can do something about that with this kind of Bill. And so I applaud the Sponsor for an excellent Bill. And I look forward to all of you supporting it."

Speaker Novak: "Thank you. Further discussion? Representative Dunkin."

Dunkin: "Thank you, Mr. Speaker. I, too, rise in support of this legislation. Back in the early '80s when I was in high school, probably with a number of Members here in this... this distinguished Body, Lou Lang included, there was a young man who came around and talked about... talked about the importance of us, who were 17 at the time, getting registered to vote. And I was in the audience when this... this fellow student of mine came by and strongly encouraged us to do the right thing. And that led to me getting that much more involved in this... the legislative or the student government process. I got involved outside politically and obviously, here today. The education of what we do, the importance of voting, it starts either at home, in the community, but especially in the schools. It's a very

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

36th Legislative Day

3/27/2003

interesting feeling when you go to some of these high schools, let alone some of your eighth grade, but especially the high schools, when a lot of folk don't even have an idea of what the House of Representatives or the Senate does, either at the state level or the national level. They have no clue. And that's a very, very, humbling feeling when you're standing in front of these classes, especially when they're about to take their Constitution test or they're trying to recall the value of what we do as House Members. So it's very, very, vital that we get the ball rolling on educational programs very much that's to what speaks to what we are about right here. And I think you are have... have that much more confidence and understanding to what we are doing down here and the importance of our great democracy here in Illinois and the United States. Vote 'aye'."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Representative Lyons. Representative Lyons."

Lyons, J: "Thank you, Speaker, Ladies and Gentlemen of the House. Lou kind of took the words right out of my mouth in agreeing with everything our esteemed Member from Vermilion spoke on the issue of educating children. But this is certainly not a mandate, as overwhelming. As a father of a daughter who just turned 18 and voted in the last election in Chicago, my daughter Ellie came up with the idea, 'Dad, what a shame they don't register kids in high school before they go off to pursue their careers or go off to college.' What greater education we give kids than to give them

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

36th Legislative Day

3/27/2003

appreciation for the right to vote and to get involved in the whole process. For us not to vote for this would be a... a disservice and be disingenuous to everything we stand here as Legislators. Marlow, you've got a great piece of legislation here. For schools that get involved with this further the democratic process that we, obviously, are having our mettle tested worldwide by the system that we are supporting. It's a great Bill, vote 'aye'."

Speaker Novak: "Further discussion? The Gentleman from Rock Island, Mr. Boland."

Boland: "Thank you, Mr. Speaker. I rise in support of this Bill. I'm very happy to cosponsor it and thank the Sponsor for bringing it before us. Not too long ago we passed legislation that helps our senior citizens by voting absentee. And we all know probably, that by statistics or if we took a government class or just observing elections, we know that the younger age groups are the least likely to vote. But political science studies have shown us that if you can get those young people voting right away when they turn 18, then they continue that habit all through the rest of their life. The longer that it takes between 18 and 21 or 25 or 30, by the time they... they're out there raising families and so forth, the more difficult it is to get young people involved. So, I think we're making some great progress here in the State of Illinois and this is a great step forward. Incidentally, we're not the leaders in this. There's a couple of states, Michigan and Georgia, that actually give voter registration cards to their high school

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

36th Legislative Day

3/27/2003

graduates. When they graduate with their diploma they also get a voter registration card. So, this is an important step forward. I think it's gonna really get more of our young people involved. We've passed past legislation in the past that I sponsored that... along with, then, Senator Lisa Madigan, to allow young people in high school to be election judges. This is a great way of getting them involved early and getting them into positive activities, showing them that they can make a difference in the world. Please vote 'aye' on this."

Speaker Novak: "Further discussion? The Gentleman from Cook, Representative Mike McAuliffe. Mr. McAuliffe."

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

Speaker Novak: "Sponsor yields."

McAuliffe: "Representative, I understand what you're trying to do here. What would happen, correct me if I'm wrong, what if a school district, the voters or the administrators, live in a different county? How would they be able to register people? Say the school's in Cook County but all the administrators are from DuPage County, could they register those people to vote?"

Colvin: "Representative, what the principal is allowed to do under the... the thrust of this Bill is to bring in groups from the community to register people to vote, whether they be the League of Women Voters, whether they be a Cub Scout organization, a parent/teacher group, anyone from the community that the principal deems appropriate to come into

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

36th Legislative Day

3/27/2003

the school for a couple hours a day to register kids to vote."

McAuliffe: "I understand what... I understand what you're trying to do but if... if that's your case in point, a deputy register could go in a just do that anyways without us having to pass legislation."

Colvin: "But the... the intent of this Bill is to bring the po... is... the attempt to bring in, as soon as possible, all of those individuals who are, quite frankly, eligible to drive a car, eligible to fight in the wars, eligible to buy a pack of cigarettes, literally, to participate in the political process. And that is, simply, bringing them into the political process at a... at... at the earliest point possible."

McAuliffe: "Mr. Speaker, to the Bill. I've probably..."

Speaker Novak: "To the Bill."

McAuliffe: "I've registered over 2 thousand people, ever since the deputy registrar program started, on a firsthand basis. I've gone to somebody's doorstep that were eligible to register to vote and they choose not to. I'd like to see everybody register to vote, but there are gonna be people in the school system that choose not to register. I don't know what the retribution would be on that. The other thing I don't like about this type of Bill is we're gonna put schools into competition where they're gonna force people to register, and I don't think that's something that we should do. Even though I believe everyone should register to vote, if they choose not to that's their

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

36th Legislative Day

3/27/2003

choice. And that's why I'm gonna vote 'no' on this legislation. Thank you."

Speaker Novak: "Thank you, Mr. McAuliffe. Further discussion? The Gentleman from Lake, Representative Beaubien. Mark Beaubien."

Beaubien: "Yes, will the Sponsor yield?"

Speaker Novak: "Sponsor yields."

Beaubien: "Yes, I'm gonna be supporting your Bill but I'd just like to point out some of the unintended consequences. District 220 is in four different counties. Now, if you're trying to administrate that program you... I just wanted to point out that there are some problems that they may want to address in the Senate."

Speaker Novak: "Mr. Colvin. Further discussion? Hearing none, Mr. Colvin to close."

Colvin: "Thank you, Mr. Speaker. Simply, in closing I think several Gentlemen who spoke on this Bill couldn't have said it any better than myself. This Bill, in and of itself, in high schools, is a civics lesson. It's real... literally about getting involved in the political process. To have some say, including all of us who sit in this room who make policy decisions and pass laws that impact the laws in which they receive funding for education everyday. It is important that we make sure that all of our young people in the State of Illinois have access to the right to vote. Quite frankly, when I was in high school I registered to vote right inside my high school when I turned 18. And I've been voting ever since. And I think the intent of

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

36th Legislative Day

3/27/2003

this Bill, simply, is to get kids to register to vote at a very early age. I think study after study has proven that individuals who register to vote at the age of 18, who become involved in the political process, are more likely to vote for the entire span of their life. So, I simply urge all of you to vote 'aye'. Thank you."

Speaker Novak: "Thank you, Mr. Colvin. And the question is, 'Shall House Bill 1166 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Ms. O'Brien. Have all voted who wish? Lou Jones. Clerk, take the record. On this... on this Bill there are 69 voting 'yes', 42 voting 'no', 4 voting 'present'. And having re... reached the required Constitutional Majority, House Bill 1166 is hereby declared passed. On page 3 of the Calendar there is House Bill 3553. The Lady from Cook, Representative Currie. Clerk, read the Bill."

Clerk Rossi: "House Bill 3553, a Bill for an Act concerning air pollution. Third Reading of this House Bill."

Speaker Novak: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill is a shell Bill. The reason to try to move it along is that there are discussions between those people who seek air pollution permits from the Environmental Protection Agency and that agency in respect to the appropriate level of fees that should be charged. I am told that those discussions are going well. They are, in fact, going. And this Bill would become the available reservoir if the

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

36th Legislative Day

3/27/2003

discussions bear fruit. This will not come back to us at all if they don't. So, my understanding is that there is nobody who is opposed to this. This will only be used in the event that there is a negotiated agreement between the people who apply for these permits and the agency. I know some of you don't like voting for shell Bills but if there is agreement that we ought to change that fee schedule so that those who apply for the per... permits pay a fairer share of the cost of doing the work that's required to grant them. I hope you will support this measure. And again, I can assure you that this will not become something that is not agreeable, both to the industry and to the agency."

Speaker Novak: "Thank you, Representative. Any discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I, too, rise in support of the Bill. As many of us know, there is this reluctance to vote against shell Bills. This Bill is out there to allow the business community to set their own fees, there is nothing in this legislation. If there is a fee increase that the business sector would agree to at some point, it would have to come back to this chamber and you would vote on the substance of that legislation. You would allow yourselves that opportunity to vote 'yes' or 'no'. This allows the business community to keep their negotiations going with the administration and the EPA to resolve an issue that's very important to them as well. So, I would urge an 'aye' vote. And if you have any recalcitrance

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

36th Legislative Day

3/27/2003

about voting for this Bill, do not be concerned. If you're worried about fee increases, you can vote against those fees at a future date."

Speaker Novak: "Thank you, Mr. Granberg. Further discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen..."

Speaker Novak: "To the Bill."

Parke: "...the Sponsor's been straightforward. The Lady has indicated that this is a shell Bill, that fees could be on it. So, if you vote for this Bill and it comes back with fees on it, you will be recorded as a vote for a fee increase. So be careful, make sure you're voting the right way for... for what you believe."

Speaker Novak: "Further discussion? Hearing none, the question is, 'Shall House Bill 3553 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. On this Bill, there are 60 voting 'yes', 54 voting 'no', 1 voting 'present'. And having reached the required Constitutional Majority, House Bill 3553 is hereby declared passed. Ms. Pankau, are you... do you still want to keep your Bill out of the record? House Bill 1414. Okay. On page 35 of the Calendar there is House Bill 2553. The Gentleman from Madison, Representative Steve Davis. Is Steve Davis in the chamber? Has anyone seen Steve Davis? Okay. On page 37 in the Calendar there is House Bill 3671. The Gentleman

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

36th Legislative Day

3/27/2003

from Cook, Mr. Will Davis. Mr. Davis, do you wish to call your Bill? Is Mr. Davis in the chamber? No, he's not. On page 36 of the Calendar there is House Bill 3-0-2-1. The Lady from Cook, Representative Feigenholtz. Is Mrs. Feigenholtz in the chamber? Take that out of the record, please. On page 41 on the Calendar is House Bill 485. The Lady from Cook, Representative Flowers. Do you wish to call your Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 485 has been read a third time, previously and is on the Order of Consideration Postponed."

Speaker Novak: "Representative Flowers, do you wish to call this Bill? We're waiting for an answer, Representative."

Flowers: "I'll think about it and I'll get back with you, Sir."

Speaker Novak: "Mr. Clerk, take the..."

Flowers: "No, take it out..."

Speaker Novak: "Bill out of the record. On page 4 of the Calendar is House Bill 344. The Lady from Champaign, Representative Jakobsson. Do you wish to call your Bill? House Bill 344. Take it out of the record. On page... on page 36 of the Calendar House Bill 30... there's House Bill 3021. The Lady from Cook, Representative Feigenholtz. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 3021..."

Speaker Novak: "Do you wanna move it to Third? Take the... take the Bill out of the record. Second Reading. We're gonna move some Bills from Second to Third Reading. On page... on page 24 there is House Bill 3082. The Gentleman from Cook, Representative Joyce. Is Representative Joyce in the

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

36th Legislative Day

3/27/2003

chamber? Out of the record. On page 31 of the Calendar there is... there is House Bill 44. The Gentleman from Cook, Representative Lyons. Do you wish to move your Bill? Oh, excuse me. Out of the record. We'll come back. On page 27 of the Calendar there is... there is House Bill 3398. The Gentleman from Will, Representative McGuire. Do you wish to move your Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3398, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. On... Mr. Brady, for what reason do you seek recognition?"

Brady: "Point of... point of personal privilege, Mr. Speaker."

Speaker Novak: "Please state your point."

Brady: "Ladies and Gentlemen, my fellow colleagues of the House of Representatives, I'd like to introduce up in the gallery, if the ladies would stand, the Illinois Wesleyan nursing students who are here for their political action day. From Illinois Wesleyan University in Bloomington, the nursing students from Wesleyan. Stand up, ladies. Wave to us. Thank you."

Speaker Novak: "Welcome to the House of Representatives, ladies. Thank you, Mr. Brady. On page 4 of the Calendar there is House Bill 244. The Gentleman from McHenry, Mr. Franks. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 244 has been read a second time, previously. Amendment #1 has been adopted to the Bill. No

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

36th Legislative Day

3/27/2003

Motions have been filed. No further Floor Amendments approved for consideration."

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

Clerk Rossi: "House Bill 244, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Novak: "Thank you. The Gentleman from McHenry, Mr. Franks."

Franks: "Thank you, Mr. Speaker. I want to thank Representative Black for removing the fiscal notes that he had filed yesterday. This is the Bill we talked about yesterday on making it a repository to be able to get drugs back, that haven't been used, to be able to save the state money and help those with... who can least afford it get some prescription drugs. In committee yesterday, one of the pharmacists who testified that this could save approximately \$20 million a year. As I had stated previously, there is some work that needs to be done in the Senate side. When I talked to the people who had some problems with it they wanted to choose the Senator, they did, Carol Ronan, they'll work with Carol over on the Senate side with some liability issue, which Representative Lyons had brought forward. And we've agreed to ho... move it over there, let them work on it. If we can't get it worked out it'll die. But I think this is something that we should get done as soon as possible. So I'd ask for an 'aye' vote."

Speaker Novak: "Thank you. Further discussion? Hearing none, the question is, 'Shall House Bill 244 pass?' All those in

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

36th Legislative Day

3/27/2003

favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. On this question, there are 112 voting 'yes', 0 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, House Bill 244 is hereby declared passed. The Gentleman from Whiteside, Representative Mitchell, on House Bill 2352. Representative Mitchell. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 2352, a Bill for an Act to implement the federal No Child Left Behind Act of 2001. Third Reading of this House Bill."

Speaker Novak: "Mr. Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2352 is the culmination of, probably, a full... a full summer's work with the... the task force called accountabil... assessment and accountability. Through this work we have aligned our state testing program with the No Child Left Behind legislation from the Federal Government. It encompasses several things. Beginning in 2005-2006 school year, it requires the state board to annually test all pupils in grades 3, 4, 5, 6, 7 and 8 in reading and mathematics, all pupils in grades 3, 4, 6 and 8 in writing, 4 and 7 in biological sciences and physical sciences, grades 5, 8 in social sciences. The changes that we've made in this legislation will result in moving from the required 25 hours of state testing to no more than 40 hours of state testing, probably won't take that long.

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

36th Legislative Day

3/27/2003

There... there is some cushion built in. And there is some ungo... ongoing discussion with the Illinois Education Association regarding this matter. I'd be happy to answer any questions in this regard."

Speaker Novak: "Thank you, Mr. Mitchell. Is there any discussion? Hearing none, the question is, 'Shall House Bill 2352 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Kurtz. Have all voted who wish? Clerk, take the record. On this question, there are 114 voting 'aye', 0 voting 'no', 2 voting 'present'. And having reached the required Constitutional Majority, House Bill 2352 is hereby declared passed. Yes, for what reason do you rise, Mr. Meyer?"

Meyer: "Thank you, Mr. Speaker. My switch didn't work on House Bill 244 and I'd like the record to reflect that I would've voted 'yes' on that Bill."

Speaker Novak: "Thank you, Mr. Meyer. The record will reflect that, thank you. On page 31 of the Calendar there is House Bill 44. The Gentleman from Cook, Representative Joe Lyons. Mr. Lyons. House Bill 44. Out of the record. On page 37 of the Calendar there is House Bill 3543. Representative David Miller. Mr. Miller, are you ready to call your Bill? House Bill 3-5-4-3. Out of the record. On page 33 of the Calendar there is House Bill 1171. The Gentleman from Cook, Mr. Molaro. Mr. Molaro, do you wish to call your Bill? Out of the record. We're gonna move a few Bills from Second to Third Reading now. Representative

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

36th Legislative Day

3/27/2003

Jakobsson, do you wish to move your Bill from Second to Third Reading on House Bill 344? Give me a sign. Do you wish... Out of the record. On page 24 of the Calendar there is House Bill 3082. Representative Kevin Joyce in the chambers? Out of the record. On page 35 of the Calendar is House Bill 2461. The Gentleman from Cook, Mr. Morrow. Charles Morrow. Is Charles in the chamber? Out of the record. On page 36 of the Calendar there is... there is House Bill 2818. The Gentleman... Mr. Phelps. Brandon Phelps on House Bill 2818. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2818, a Bill for an Act in relation to townships. Third Reading of this House Bill."

Speaker Novak: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 2818 is an initiative of the township officials of Illinois. It's passage would greatly help down... townships, providing them with greater flexibility in their financial planning. With all local governments feeling the pinch of tough economic times, this Bill will help townships avoid the need to seek increased tax dollars in order to meet the ever increasing demands they are facing. And I'd be happy to answer any questions that there are."

Speaker Novak: "Mr. Phelps, could you take this Bill out of the record for a second, please? Please. Take it out of the record, Mr. Clerk. There was a little confusion, Mr. Phelps. I'm... Mr. Clerk, read House Bill 2818, please."

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

36th Legislative Day

3/27/2003

Clerk Bolin: "House Bill 2818, the Bill's been read a third time, previously."

Speaker Novak: "Thank you, Mr. Clerk. The Gentleman from Saline, Mr. Phelps. Please continue with your presentation."

Phelps: "Well, this is just a Bill that the township officials of Illinois would like to have with the flexibility and some economic bad times right now to try to give them the flexibility to on some payments that they have, instead of five years to ten years, instead of one year to ten years. So, I'd ask for a... Answer any questions you have."

Speaker Novak: "And on that question, the Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Is there any referendum involved?"

Phelps: "Representative, on the... Currently, township is required to go to a referendum if it wants to lease a town hall or multipurpose senior center for more than five years. What this Bill will do, Representative, it would raise the requirement to lease of more than ten years."

Mulligan: "But not to borrow money for ten years?"

Phelps: "Yeah, if... yeah, if right now the... if you... currently, the townships can borrow money, instead of for one year, what this Bill would do, it would raise the limitation to ten years."

Mulligan: "But does it specify an amount of money?"

Phelps: "I'm sorry."

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

36th Legislative Day

3/27/2003

Mulligan: "Does it specify an amount of money? Townships, currently, cannot enter into flood agreements, can't do... can't do a whole lot of things that other things in the state can do. But to borrow money with no specified amount for ten years obligates both future township trustees who may be elected by the public and the public to amounts of money that are in excess of who knows what if you have no specified amount. I think that's a long time to obligate someone with no referendum."

Phelps: "We're just... this Bill just allows to the extension of the time that they have the money to pay it back. And so it just extends the amount of time that they can pay the loan back. It gives them some flexibility, some breathing room right now so..."

Mulligan: "But I'm asking, specifically, is there any amount of money that they are..."

Phelps: "No."

Mulligan: "So they could borrow a million dollars and have ten years to pay it back when townships don't have those authorities in some areas and I... and, in some instances, aren't obligated for more than a small amount of roads in unincorporated areas?"

Phelps: "There's no... there's no specific limitation on it, Representative, that I am aware of. But I can check and see and let you know."

Mulligan: "So, without referendum they can borrow any amount of money for up to ten years? If you're unsure, I would... I would think that that, what I just specified to you, would

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

36th Legislative Day

3/27/2003

re... would mean that most people here should have a 'no' vote. You cannot let somebody just have... borrow any amount of money for up to ten years with no referendum. And if you can't be more specific, perhaps you'd like to take the Bill out of the record and determine what the current law is, or you can let us all vote on it. Actually, Representatives on your side are hoping that we vote the Bill down. I... I am giving you the... the opportunity to take it out of the record and either explain it better. But to borrow that... any amount of money for up to ten years in township government does not seem very feasible."

Phelps: "No, Rep..."

Mulligan: "And Representative Scully is hoping that you will get the trophy. And need... need I say more about this Bill? I doubt it."

Speaker Novak: "Thank you, Representative. Further discussion? The Gentleman from McHenry, Representative Franks."

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

Speaker Novak: "He yields."

Franks: "Mr. Phelps, are you familiar with the Century Club?"

Phelps: "Yes, I am. Yes, I am very much aware of that. Thank you."

Franks: "Okay, I just... has there ever been a freshman who's been a member of this esteemed club?"

Phelps: "Not... I don't know."

Franks: "Oh, Miller was a freshman when he was. Oh, that's... that's... I think you can join a very august body with this

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

36th Legislative Day

3/27/2003

type of Bill. And I want to echo the previous speaker's concerns with this. In this Bill..."

Phelps: "Yeah."

Franks: "...does this allow for a township to borrow money for any reason for up to ten years?"

Phelps: "It just gives them... extends the time that they have to pay it back."

Franks: "For anything?"

Phelps: "Right."

Franks: "Well, what worries me, don't you think this could have real ability for abuse? Because if... there's no limit on how much they can borrow, correct?"

Phelps: "Yeah, and... and Representative, there is no opposition to this Bill. The lending institutions would do this."

Franks: "I'm not questioning from a banker's perspective, I'm looking at this from a taxpayer's perspective. When... yeah, I could understand the banker's would love this Bill 'cause it's more money for them. But if we have a budget with a township, what does the... the effect of this, basically, would say is, regardless of what our budget is, we can go borrow ourselves silly and have ten years to pay it back because there's no limitation, correct?"

Phelps: "Correct."

Franks: "And what we're not... and what bothers me about this, because you're not requiring a referendum for us to borrow addit... having additional borrowing power, you're just saying that they can borrow regardless, correct?"

Franks: "Correct."

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

36th Legislative Day

3/27/2003

Franks: "Okay. Well, to the Bill."

Phelps: "Not changing... yeah, not changing anything, just extending the time. That's it."

Franks: "I understand. Well, to the Bill then. What this... what this basically does is allows unfettered ability for a township to borrow money be... well beyond their terms. And it's also a real question of accountability. I believe that the taxpayers should be the one to determine the indebtedness for a township and where we're... and how much they're willing pay. I don't think we should be giving townships blank checks and that's what this Bill does. And I'd urge a 'no' vote."

Speaker Novak: "Thank you, Mr. Franks. Further discussion? The Gentleman from Cook, Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I hate to argue with my esteemed seatmate, but when he's wrong he's wrong. Ladies and Gentlemen, this Bill just simply takes the time the townships have now and extends it. I understand the former speaker's concerns but if you support township government and you take a look at the problems of township government you're aware that there are many townships in the state that really have some severe financial problems and can't raise the funds necessary to build their buildings, take care of their social work activities, or to deal with the problems of senior citizens or young people. The important... the most important portion of this Bill enables them to build buildings and to... to fix their buildings, but there certainly is another component.

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

36th Legislative Day

3/27/2003

But all Representative Phelps is doing is to extend the period of time. It already is allowed in the law to do this. He's not making any changes in the substance of the law, only in the length of time to pay the money back. For those reasons, I think you should support this legislation. The Members of this floor have consistently supported township government. This is simply an extension giving township boards the option of doing what they need to do to take care of their citizens."

Speaker Novak: "Thank you, Mr. Lang. Further discussion? The Gentleman from Lake, Mr. Sullivan. Ed Sullivan."

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

Speaker Novak: "To the Bill."

Sullivan: "My esteemed colleague over there, Representative Lang, has already made the point, but I want to make another point. In a referendum there's a tax increase. For them to continue to borrow this money they have to have it within their levy. So, they're not gonna be increasing their levy expenditures. So, this is not gonna increase taxes. This is just an extension of the time to pay for the monies that they're gonna borrow. This is already in the law, we're just extending the time not increasing the taxes, 'cause that's all gonna be based on the levy. And hopefully, you're gonna have some people that can make sure that, you know, you're not... you're not over extending yourself. It... you... you just can't do that with the present levy structure. Thank you."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you, Mr. Sullivan. Further discussion?  
The Gentleman from Randolph, Mr. Reitz. Mr. Reitz."

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

Speaker Novak: "He yields."

Reitz: "Representative, does this... does this incre... increase  
the debt... the debt ceiling for any type of township? Does  
it expand their borrowing ability?"

Phelps: "Yes. Oh, expand their borrowing... no. No, no, no,  
no."

Reitz: "Okay, well. To the Bill."

Speaker Novak: "To the Bill."

Reitz: "To the Bill. You know, I... I think the Representative  
has... has a very good Bill. Some of the other  
Representatives talked about it. All this does is change  
the number of years. It... it just... there... there are certain  
projects that are costly enough that this will allow  
townships to capitalize on borrowing and enable to  
capitalize on the... the low interest rates that are out  
there right now. I think this is a very good Bill. We'd  
appreciate your support. And he doesn't want a trophy.  
Thanks."

Speaker Novak: "Thank you, Mr. Reitz. Further discussion? The  
Gentleman with the trophy from Cook County, Mr. Scully."

Scully: "Thank you, Mr. Speaker. I relinquish my time to the  
Representative Franks."

Speaker Novak: "Mr. Franks."

Franks: "Thank you, Mr. Speaker. In due re... in all due respect  
to the previous speakers, there is no limitations in this

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

36th Legislative Day

3/27/2003

Bill on how much they can borrow. So, if you move it out to ten years and you don't have a limitation, what you're doing is giving them a blank check, which is gonna be a tax increase. So, again, I'd argue strenuously for a 'no' vote on this. Because otherwise, we aren't doing our job and we're letting the people get money... it's not even a back door referendum. It's not even a referendum. You're saying extend the time and borrow as much as you want. You know, we've done it here in this state before and we're \$5 billion in debt. We don't need to do that to the townships as well."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Parke. Terry Parke."

Parke: "Thank you, Mr. Speaker."

Speaker Novak: "You're welcome."

Parke: "Top of the day to you. Just one question, I'm looking at the Roll Call on this Bill, Representative Phelps, and I don't mean to embarrass you but our Roll Call shows that you voted 'no' on your own Bill. Do you know why?"

Phelps: "No. No, I don't."

Parke: "Okay, well perhaps..."

Phelps: "I don't believe that I did."

Parke: "...perhaps it was mismarked. I just was curious."

Phelps: "See, they say..."

Parke: "But it's been a... it's been noted that it's the official Roll Call."

Speaker Novak: "Mr. Parke, do you have a que..."

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

36th Legislative Day

3/27/2003

Phelps: "Representative Parke, it says ours is 19 and 0 on the Roll Call."

Parke: "I'm sorry, what did you just say?"

Phelps: "It says on our analysis that it's 19 to 0 on our Roll Call through local government."

Parke: "Okay. All right, I was just kind of curious. Thank you."

Speaker Novak: "Thank you, Mr. Parke. Further discussion? The Gentleman from Adams, Mr. Tenhouse. Arthur Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. My background, when I... before I came down here was with township government. And I certainly have the utmost respect for the Sponsor, as well as anyone that's involved with township government. But this is too much, it really is. To start talking about being able to say that you don't have to repay funds that are being borrowed from the town fund to any other fund, where, right now you know and I know that has to be repaid before the end of the fiscal year. Now you're saying you're gonna give them ten years to do that, besides the fact that you can go out and borrow funds from banks or whatever institution may want up to a ten-year period. I... I just find that this is just too much. And you're asking... you're putting way, way, way too much responsibility in the hands of the trustees without really showing any accountability and I have a real problem with this Bill. I'm gonna be voting 'no'."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Lang."

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

36th Legislative Day

3/27/2003

Lang: "Mr. Speaker, my name was mentioned in debate so, as a point of personal privilege."

Speaker Novak: "You're right. Proceed. Proceed, Mr. Lang."

Lang: "Thank you. M... Mr. Speaker, townships already have the right to borrow money. This simply gives them a little more time to pay it back. And for those who are on the floor talking about how this is too long, for those on the floor to talk about their support of township government and for those on the floor to talk about local control, this is local control. You're giving the township officials who are elected in your area, the right to make decisions for themselves. We hear a lot on this floor about not giving mandates to local governments. We hear a lot on this floor about not telling other forms of government how they should run their business. This Bill allows local form of government, townships, to make their own decisions about how they're going to handle their finances. To do anything other than to vote 'aye' is to fly in the face of our stated goals on the floor of this House, which is to tell local governments to run their own affairs. That's all this Bill does. This cries out for an 'aye' vote."

Speaker Novak: "Thank you. And last, but not least, the Gentleman from Madison, who is now in the chamber, Representative Steve Davis. Representative Davis."

Davis, S.: "Thank you, Mr. Speaker. To the Bill. I rise in support of this Bill. Regardless of what my colleague and my good friend from McHenry has said, this is not a tax

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

36th Legislative Day

3/27/2003

increase Bill and this will not lead to a tax increase. And I think that many people are confusing the term borrowing with the term of anticipation warrants. And what township governments do, and especially small township governments do, because of the tax cycle, they are not able to collect their tax monies on time. And many, many times they have to go out and anticipate. And under current law, they have to pay back the anticipation warrants within a one-year period. I can tell ya that right now, in Madison County, we are still waiting for the Illinois Department of Revenue to give us a multiplier on our tax extension. So many times the failure of our township governments to be able to receive tax monies in order to pay their Bills is not the township's fault. Currently, the problem in... in Madison County, and for some of the township governments and our school districts, is the fact that the Illinois Department of Revenue is not doing their job in a timely manner. These are tax anticipation warrants that are being borrowed against future tax revenues. Those are tax revenues that are levied by the township governments, it is not tax increase money. So I think that if anybody in this chamber thinks that this is a tax increase Bill, they are wrongly mistaken. I'm a former township official, I've... I've participated in many, many years of borrowing monies on anticipation warrants. And that's exactly what this is. This is simply another means for the townships to be able to continue to function in the State of Illinois. I would ask for your 'ayes'... 'aye' vote and support on this Bill."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you, Mr. Davis. Any further discussion?  
Hearing none, the que... Mr. Phelps to close."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the  
House. This is an initiative by the township officials of  
Illinois to give local governments the ability for  
flexibility and some breathing room in tough economic  
times. Right now, there are currently no limitations re...  
either, right now. All this is, like I said, during tough  
economic times, it's giving the local governments the  
flexibility and breathing room. So I'd as... urge an 'aye'  
vote."

Speaker Novak: "Thank you. And on that question, 'Shall House  
Bill 2818 pass?' All those in vo... 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? Representative Jakobsson. Clerk, take the record.  
Mr. Phelps."

Phelps: "I would ask for this to be on Postponed Consideration,  
please."

Speaker Novak: "The Bill would be so... placed on Postponed  
Consideration. We're gonna move a couple Bills from Second  
to Third and Third... one has to be moved back from Third to  
Second. On page 32 of the Calendar there is House Bill  
416. Representative Collins. Clerk, read the Bill,  
please. What's the status of the Bill, please?"

Clerk Rossi: "House Bill 416 is on the Order of House Bills-  
Third Reading."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Please place that back on Second Reading. Thank you. On page 24 of the Calendar there is House Bill 3082. The Gentleman from Cook, Representative Joyce. Do you wish to call... move your Bill? Clerk, read the Bill, please. House Bill 3082."

Clerk Rossi: "House Bill 3082, a Bill for an Act in relation to procurement. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. On page 4 of the Calendar there is House Bill 436... excuse me. On page 35 of the Calendar is House Bill 2461. Mr. Morrow, do you wish to move your Bill, Mr. Morrow. Clerk, read the Bill."

Clerk Rossi: "House Bill 2461, a Bill for an Act concerning property transactions. Third Reading of this House Bill."

Speaker Novak: "Mr. Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 24... 246... 61 creates the Transportation and Toll Highway Property Transaction Act. The purpose of this Act is to monitor the acquisition of property by the Illinois Department of Transportation and the Illinois State Tollway Authority. I'd be glad to answer any questions on this Bill."

Speaker Novak: "Thank you, Mr. Morrow. Is there any discussion? The Gentleman from Vermilion, Representative Black. Mr. Black."

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

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

36th Legislative Day

3/27/2003

Speaker Novak: "He yields."

Black: "Representative, would you amend the Bill on its face to give all roads north of I-80 to the toll way?"

Morrow: "I'm sorry, I couldn't hear you, Representative Black."

Black: "Would you be willing to amend this Bill on its face to give all state roads north of I-80 to the toll way?"

Morrow: "Well, I don't... I don't think what you're talking about deals with this Bill, Representative Black. But... but just to give you a just... you know, this Bill has been around before. Just to let you know, the cost of properties acquired by the Illinois Department of Trans... Transportation associated with ongoing toll way highway projects is approximately... approximately \$51 million. That's money that could be in the road fund to finance some of the roads that are going through your district, Representative Black."

Black: "You know, with \$51 million I could probably get rid of all the gravel roads left in my district. You know it? That sounds like a heck of a deal to me. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Lake, Representative Mathias. Mr. Mathias."

Mathias: "Yes, thank you, Mr. Speaker. Will the Representative yield?"

Speaker Novak: "He yields."

Mathias: "Can you tell me exactly what does your Bill do?"

Morrow: "What... what... what I found out several years ago, Representative Mathias, is that the Illinois Department of Transpor... Transportation has been like the state agency for

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

36th Legislative Day

3/27/2003

land acquisition, especially when it comes to acquiring land that would then be used for a toll way use. And I feel that the Illinois... Illinois Tollway Authority should reimburse the Illinois Department of Transportation for land acquisition. As I just previously stated, this is the fiscal note that I was given by the Illinois Department of Transportation that they have acquired \$51 million worth of land that has been designated toll way use. And all I'm saying is that the Illinois... Illinois Tollway Authority should reimburse IDOT for \$51 million of land acquisition. The purpose of IDOT is not to purchase land to be used for... for other agencies, so I feel. And that's... and that's the gist behind House Bill 2461."

Mathias: "So this would apply to all previously purchased land by IDOT, as opposed to any future land purchased by IDOT?"

Morrow: "Yes. Yes."

Mathias: "And tell me, right now there may be land that may be considered for future toll way use but, obviously, the toll way hasn't built on that land yet. At what point would IDOT have to reimburse the... the Tollway Commission under your Bill?"

Morrow: "Representative Mathias, you've got a group of people in front of you and I... I can't get... and I could not hear you. Can you repeat that?"

Mathias: "At what point does IDOT have to reimburse the toll way? If you say that there was a lot of land that was purchased already for IDOT, in your opinion, for toll way use, but since the toll way is not using it at the present

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

36th Legislative Day

3/27/2003

time, at what point would IDOT have to reimburse the toll way?"

Morrow: "No, IDOT... IDOT doesn't have to reimburse the toll way.

The toll way needs to reimburse IDOT for land acquisition."

Mathias: "So, in other words, they would have to reimburs... but at what point would they have to reimburse them?"

Morrow: "Well, my Bill doesn't address that. But I would hope that in some kind of timely fashion that they should reimburse them."

Mathias: "But I mean, some of that land, right now, is not... is land that was purchased for contemplation of future use, but may not be used in the future for a toll way, for..."

Morrow: "And... and..."

Mathias: "...for IDOT, or anything else. At what point would the toll way be responsible when they haven't built the road yet?"

Morrow: "Well, let's put it... your question is... is... is... is valid. If they purchase some land that was intended for toll way use but is not used by the toll way, then they should not be reimbursed. I agree with you on that. "

Mathias: "So it should only be at the point that the toll way starts to build on it?"

Morrow: "That's correct."

Mathias: "Now, sometimes the toll way system and IDOT work hand in hand to... for example, the Route 60 bridge, which I know some of the Members in the Assembly are... are trying to get IDOT to... to improve that bridge. Well, how do you determine which part of the land is something that IDOT

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

36th Legislative Day

3/27/2003

would need, for example, intersections, bridges? There's... there's... it's not so simple that because it's a toll way. There's also that one of the reasons that IDOT built... buy some of this land is because they're gonna use it for their own purposes, also."

Morrow: "That... you know what, my... that... that is not addressing my Bill. And maybe, if it's up to the... to the will of this Body that this Bill gets passage and sent over to the Senate, I will be ame... amenable to looking at some language to address that."

Mathias: "To the Bill."

Speaker Novak: "To the Bill."

Mathias: "I... I don't see a problem in doing this with future land use but I do see a problem with this with property that IDOT has already purchased, on behalf of either themselves or the toll way, because it's not clear yet the land hasn't been used yet. So, I would urge a 'no' vote on this Bill."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Mr. Parke. Terry Parke."

Parke: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen..."

Speaker Novak: "To the Bill."

Parke: "...do you really want to mess around with how the toll way and the IDOT interrelate to their charges? I mean, on one hand, I understand the problem the Sponsor of this Bill has, on the other hand, IDOT does give planning money to... to I... the toll way gives planning money to IDOT. They work

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

36th Legislative Day

3/27/2003

hand in hand. This is gonna affect downstaters. I think there's gonna be diversion money out of the road fund to the toll way. I just don't think that that is necessarily what we want to achieve here. I don't think now's the time to be messing around with... with these... with this Bill. So, I would rise in opposition to it."

Speaker Novak: "Thank you. Further discussion? Seeing none, Mr... Mr. Morrow to close."

Morrow: "Yes, thank you, Mr. Speaker. I don't see where this... one... one of the previous speakers says that this would divert monies out of the road fund. It doesn't divert money out of the road fund, it's putting money back into the road fund. We're talking about \$51 million in land acquisition by the Illinois Department of Transportation that is now being used by the toll way. They've already diverted money from the road fund to purchase land for the toll way. We're saying, 'toll way authority, pay it back.' Now, many of you have road projects out here that the Governor's Office is saying won't be funded. This is \$51 million in which we can fund some of your projects in the Department of Transportation. It is not the job of Illinois Department of Transportation to be a realtor. I thought they were a road builder, not realtors. This Bill only addresses the toll way. There are other state agencies that the Department of Transportation has purchased land for that is now being used by other state agencies. I didn't address that. This has nothing to do with the Illinois Department of Transportation giving

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

36th Legislative Day

3/27/2003

monies to the toll way for planning or environmental studies or anything else. This is saying that if you... if the toll way authority is gonna use this property for the purpose of a toll way that they should reimburse that la... the amount of money spent on land acquisition for a toll way back to the Department of Transportation. I urge 'green' votes on this Bill."

Speaker Novak: "Thank you, Mr. Morrow. And the question is, 'Shall House Bill 2461 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Daniels. Clerk, take the record. On this question, there are 70... 79 voting 'yes', 36 voting 'no', 0 voting 'present'. And having reached the required Constitutional Majority, the House Bill 2461 is hereby declared passed. On page 3 of the Calendar there is House Bill 220. The Lady from Peoria, Representative Slone. Clerk, read the Bill."

Clerk Rossi: "House Bill 220..."

Speaker Novak: "Oh, excuse me. Mr. Clerk, take the Bill out of the record. On page 33 of the Calendar there is House Bill 1119. The Gentleman from Cook, Representative Turner. Clerk, read the Bill, please."

Clerk Rossi: "House Bill 1119, a Bill for an Act relating to higher education student assistance. Third Reading of this House Bill."

Speaker Novak: "Mr. Turner. Mr. Turner on House Bill 1119."

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

36th Legislative Day

3/27/2003

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 1119 is a Bill that has... it amends the Illinois Higher Education Student Assistance Act and it changes the name of the Illinois Incentive for Access Grant Program. It gives it a new name and it changes it to the Silas Purnell Illinois Incentive for Access Grant Program. The purpose of these grants is that they provide a maximum amount per applicant per year, is a thousand dollars. And this is given to students with an expected family contribution between zero and five hundred dollars. This... this... the grant is a form of assistance that would be administered by the Illinois Student Assistance Commission and it provides this small ty... stipend for students. A little more information about Silas Purnell. He's a man who is currently 78 years of age who spent many... most of his adult life, some 34 years, dedicating his life towards helping putting students in college. And I can't tell you the numbers of students that have been involved or have received college education as a result of his work. I'm even certain that there's probably one or two here in the chamber today who had some involvement with Silas over the years. And so we feel that it would be fitting that we also name... or rename the Illinois Incentive for Access Grant to the Silas Purnell Illinois Incentive for Access Grant Program. And I move for the adoption of House Bill 1119."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you, Mr. Turner. And on that question, any discussion? The Gentleman from Cook, Mr. Morrow. Charles Morrow."

Morrow: "Yes, Thank you, Mr. Speaker. I rise in very strong support of House Bill 1119. For those of you that didn't have the pleasure and the opportunity of knowing and meeting Silas Purnell, he was... he was a man amongst men. I am a product of Silas Purnell. When I was in high school... everyone has dreams of where they would like to continue their higher education, I wanted to go to MIT, Massachusetts Institute of Technology. My parents didn't have the money. I ended up going to Ada S. McKinley, they were located in the projects, on 28th and Dearborn. And I met Mr. Purnell. And he said, 'son, you don't need to go to MIT, you can go to IIT. And not only can you go to IIT, I'll make sure that you get the money to go to IIT.' Silas Purnell has sent countless of thousands of young men and... and women to college. He is a... he is giant in the African-American community. And Representative Turner, I'm about to bring back a slip because I want to be added as cosponsor on House Bill 1119. I urge my colleagues to put 'green' votes on this Bill. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Cook, Mr. Dunkin. Ken Dunkin."

Dunkin: "I, too, rise in support of this Bill... this legislation. Silas Purnell, certainly what Charles Morrow and Representative Turner pointed out is a huge, huge benefit and asset to the Chicago community. He has

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

36th Legislative Day

3/27/2003

actually sent over 60 thousand, 60 thousand underprivileged kids who would not otherwise have an opportunity to actually attend colleges and universities. Most families... most of the families that he has helped have been families such as mine, you know, poor families growing up in the projects, in very, very, challenged communities. This man has a legacy and a huge, huge, following of a great deal of people today who are in higher government, people like Charles Morrow, people like myself, Ken Dunkin. A number of individuals who are doing a number of different professions in this great country are there because of someone like Silas Purnell played a major role, a major role, in seeing to it that they graduated. And that's what he's known for, helping students to graduate. I worked with him for a number of years when I was on the Board of... when I was a... the director of the Boys and Girls Clubs in the Robert Taylor Housing director. This man is very, very committed, still is at 78. He has a very, very gregarious and outgoing personality. And this Bill is definitely worth an 'aye' vote. I urge... I strongly urge your support for Silas Purnell. Thank you."

Speaker Novak: "Further discussion? The Gentleman from DuPage, Representative Biggins. Robert Biggins."

Biggins: "Yes, thank you, Mr. Chairman. I don't know about the Bill but I do have a question of the Chair."

Speaker Novak: "Yes."

Biggins: "The previous speaker uses..."

Speaker Novak: "Your question is?"

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

36th Legislative Day

3/27/2003

Biggins: "The previous speaker did a fine job eloquently talking about this Bill, but he used his own name in debate. Does that mean he gets to speak again?"

Speaker Novak: "You know, Mr. Representative, that's a very good question. I don't know if it's in our Rules but I'm sure... sure Mr. Turner likes to hear himself talk."

Biggins: "Not Mr. Turner."

Speaker Novak: "He does an excellent job. Oh, it was Mr. Dunkin."

Biggins: "Not... not our good friend, the Sponsor of the Bill. It was the Gentleman that preceded him... preceded me. Anyway, I'm with him."

Speaker Novak: "Thank you. Further discussion? The Gentle... Mr. Davis. Will Davis."

Davis, W.: "Thank you, Mr. Speaker. I, too, rise in support of this legislation. Like many others have... who have come across the path of Silas Purnell, I, too, have come across his path. Though he didn't help me get into college, as a recruiter for Southern Illinois University, I had the opportunity to work with him to ensure that many other predominantly... more other students, predominantly minority students, got into school. So, I, too, str... rise in support of this legislation. Silas Purnell is a great man, he's helped a lot children get into school. And indeed, our country is much greater today because of everything that Silas Purnell did. So, I ask other Members of the Body to support this legislation. Thank you."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you. Further discussion? Mr. Wirsing.  
Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. I've... I supported this Bill in... in committee on the Higher Education Committee. And basically I wanted to see it get on the floor for debate and discussion. And as we've... we've moved through the... the process since... since we passed that Bill out of committee I think I needed to stand and speak relative to the Bill. I fully support the concept and what the... the Sponsor is doing with this legislation. Remembering that there already is a program in existence that is a grant program for low-income freshmen into our higher education system that's been in place since 1996. This is just creating an expansion of that, putting more dollars into that program. And I think it... it has proven to be a very successful program. But I do need to raise the issue that as we look at this legislation, because this issue was raised in committee, is that it... it does have a pretty good price tag on it. And... and I know the Sponsor, as we talked in committee, was setting this out that the program wouldn't... wouldn't go into place and affect the... the cost of the... of the legislation wouldn't affect the budget until... until '05. And I know his attempt here is, and I... and I hope he's right, that by '05 we'll have a better economy and can... would be able to fund this program. I don't know if I'm making any sense but I like the concept, I think it's something that has value for all students who would qualify across the state. And I think that's... that's one of the

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

36th Legislative Day

3/27/2003

reasons I support this. I'm raising the issue about the cost of it in trying to deal with the current '03 budget, putting together the '04 budget, and hoping that the '05 is... we're... we're in good enough shape to fund that. As I said, I voted for it in committee to get it out of committee here. I think I'm gonna end up voting 'present' on it today, though. Thank you."

Speaker Novak: "Further discussion? Hearing none, Representative Turner to close."

Turner: "Thank you, Mr. Speaker. The previous speaker was absolutely right. This program is subject to the appropriation this year, in terms of the availability of funds. I'm assuming that it will be funded at the same level that it currently is being funded in the '03 budget. It's our hope that, if there is an increase in funds, that certainly a percentage of it will go towards the implementation of this program. But we do understand that there are fiscal constraints. Realizing that if it is funded at the same level, with the increase that we're asking in terms of doubling the grant from five hundred to... to a thousand, we do realize that that will cut back the number of students who are eligible. But it's our hope that we not only address this program, but as the government speaks on April 9, that we will be able... or, he will tell us that we will not only have money for this program but how we will also be able to continue the MAP Program, because I think it is just as important in terms of trying to make certain that students achieve those goals

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

36th Legislative Day

3/27/2003

of... their higher education goals. And again, the other part of the Bill dealing with Silas Purnell, we can't say enough about him. And we would just hope that the Body is respectful enough and... and willing to go along with that change, and keeping in mind that this will be subject to appropriation. With that, I move for the adoption of House Bill 1119."

Speaker Novak: "And on that question, the question is, 'Shall House Bill 1119 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. McKeon. Representative Kurtz. Clerk, take the record. On this question, there are 89 voting 'yes', 0 voting 'no', 26 voting 'present'. And having reached the required Constitutional Majority, House Bill 1119 is hereby... hereby declared passed. Mr. Clerk, what is the status of House Bill 3398?"

Clerk Rossi: "House Bill 3398 is on the Order of House Bills-Third Reading."

Speaker Novak: "Mr. Clerk, please take that back to Second. The Lady from Cook, what reason do you rise, please?"

Jones: "Thank you, Mr. Chairman. A point of personal privilege."

Speaker Novak: "Speak your point, Representative."

Jones: "I would like for the House to give a round of applause to three very important people to me and to our community in Chicago. We have Useni Perkins, who is the Director of the... Director at Chicago State University, we have Haki

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

36th Legislative Day

3/27/2003

Madhubuti who heads up the Third World Press and a very special welcome to the daughter... the daughter of Gwendolyn Brooks, Nora Brooks. Would you please standup."

Speaker Novak: "Welcome... welcome to the House of Representatives. Thank you. On page 35 of the Calendar there is House Bill 2298. Representative Coulson. Is Representative Coulson in the chamber? Out of the record. On page 11 of the Calendar there is House Bill 2229. Representative Millner, do you wish to move your Bill to Third Reading? Clerk, read the Bill, please."

Clerk Rossi: "House Bill 2229, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Novak: "Third Reading. On page 37 of the Calendar there is Represen... there is House Bill 3-5-3-0. The Gentleman from Cook, Representative Colvin. Representative Colvin, do you wish to call your Bill? Third Reading. Do you wish to call your Bill? Out of the record. Okay. On page 3 of the Calendar there is House Bill 206. Representative Davis, Monique. Do you wish to call your Bill? Clerk, is there an Amendment to this Bill?"

Clerk Rossi: "House Bill 206 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Novak: "Representative Davis on Floor Amendment #1."

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

36th Legislative Day

3/27/2003

Davis, M.: "Thank you, Mr. Speaker. Floor Amendment #1 merely says that if a person is under a protection... a violation of any protection order they will go before a criminal court and not to domestic court. And that... it's one word that's changed throughout the Bill that says that people who violate orders of protection go before the criminal court. That's all."

Speaker Novak: "Thank you. Any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And the Amendment's adopted. Third Reading. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. Thank you. On page 3 of the Calendar there is House Bill 230. The Gentleman from Winnebago, Representative Winters. Representative Winters, do you wish to call your Bill?"

Clerk Rossi: "House Bill 230, a Bill for an Act amending the Agricultural Areas Conservation and Protection Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Novak: "Thank you, Mr. Clerk. Floor Amendment #1 by Mr. Winters."

Winters: "Floor Amendment #1 is really technical, it would state that agriculture should carry out... the Department of Agriculture will carry out subject to appropriation in the Senate program. There's a couple of the wording languages

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

36th Legislative Day

3/27/2003

including 'willful and wanton conduct' under the nuisance provisions. Would urge its adoption."

Speaker Novak: "Any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Novak: "He yields."

Black: "Thank you. Representative, it'd be a lot easier for me to ask questions and get an answer if we could somehow get this Governor to appoint a Secretary to the Department of Agriculture, ya know. Now, I don't know who that would be, I'll... I'll accept whoever the... I'll accept whoever the Governor appoints, within reason. But I'm serious, we were in harvest when he was elected, now we're getting ready to plant, there are all kinds of issues like this that affect the family farm, the big farm and we can't get anything out of IDOA. Now, I do know the Department of Agriculture had some concerns with your underlying Bill. Can you tell me specifically how this Amendment addresses the concerns expressed to you by the then representatives of the Department of Ag? I'm not sure whether they're still around, but they were at the time."

Winters: "Certainly, and again, we have... we have had some difficulty getting decisions from the Department of Agriculture, which I'm sure an appointment would solve that immediately. But the major concern that they had, we had in the original language in the Bill we had incentive programs if a farm was placed in the ag areas that would've

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

36th Legislative Day

3/27/2003

allowed additional incentives for agri... conservation practices. What we did with the Amendment is make that subject to appropriation. They already do have... those practices can be subsidized to the Soil and Water Conservations Districts using state funding through the C2000 Grants. What we are going to be able to do with this legislation is increase those incentives, but it is subject to appropriation. And with that Amendment the Department of Agriculture asked for then they have removed their opposition."

Black: "Now, as... as former Majority Leader used to... Jim McPike used to say, are you a farmer?"

Winters: "Well, I gave one finger to my agricultural practices and I still do spray and harvest every year?"

Black: "Did you... did you plant that finger or what'd you do with it?"

Winters: "You don't wanna know where it is."

Black: "Oh. Let me ask you a question. When my daughter lived in the Aurora-Naperville area and I wa... Between the two of you wouldn't make a good pianist."

Winters: "Now, what was that? What?"

Black: "And neither... and neither one of us..."

Winters: "I resemble a..."

Black: "...can play five card stud. Holy mackerel. Where's OSHA when you need him? Well, I've never... I've never been given the... so many fingers in my life on a simple Bill. Now I've lost my train of thought. What's new? What train?"

Speaker Novak: "Mr. Black, your question, please."

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

36th Legislative Day

3/27/2003

Black: "Well, I had it right in the tip tongue 'til you interrupted me. Oh, I know, when my daughter used to live in the Aurora-Naperville area and we would go up to visit, I mean it... it just amazed me as I would go up Route 59 once or twice a month, what used to be a 60-acre field of beans all of a sudden was a subdivision. And I'm not kidding. I mean, it was just continual residential and strip mall construction. Now, if I were farming in that area and let's say that I could afford the pressure on the price of the land because, ya know, these guys were being offered thousands of dollars an acres, but I wanted to maintain that family farm, now let's say I had 225 acres. And regardless of the fact that I was surrounded by residential development, by strip malls, et cetera, would this Bill enable me or help give me the ability to continue operating that farm in what is rapidly becoming an urban environment?"

Winters: "I would hate to be technical, but if you... you mentioned 225 acres, that would not allow that to happen unless it is in counties of over 600 thousand population. One of the parts of this Amendment is that the ag areas throughout the state require a minimum of 350 contiguous acres unless you're in a county of over 600 thousand. This was a... the Amendment was a provision that the Lake County Farm Bureau wanted to add to reduce that minimum requirement from 350 acres to 100 acres if the county had over 600 thousand population. They felt in Lake County that there were viable agricultural operations. In some

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

36th Legislative Day

3/27/2003

cases they're more what we might as a downstater think of as entertainment farming, where it might be a pumpkin patch or an orchard or other forms of direct marketing, but they felt that a hundred acres was a large enough area to sustain an agricultural practice but it was very difficult to put together the 350 acre minimum that the original ag areas law..."

Black: "Right."

Winters: "...required."

Black: "I do have a gentleman in my district that... that probably has less than a hundred acres and he's gone to an alternative crop in strawberries, pick your own. And he's doing very well. This would then enable him to continue that operation in some way, shape, or form, rather than just be gobbled up by urban sprawl. Right or wrong?"

Winters: "Well, again, in the urban areas there's a... there will a hundred acre minimum with this Bill, in the nonurban counties of less than 600 thousand it would still require 350 acres. I'm trying to make that clear."

Black: "Okay."

Winters: "But it does offer some provisions that he could go together with a neighbor. And in Danville you could put together 350 acres with several neighbors and then they would have certain advantages in dealing with local governments, in dealing with zoning petitions..."

Black: "I think that's what..."

Winters: "...and make that a more viable farming practice."

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

36th Legislative Day

3/27/2003

Black: "And that's what's very important. And if I read the Bill correctly, Dave, it would also give me some protection against what I consider to be slap or nuisance suits. If I'm out planting and I want to get started at 4 o'clock in the morning, which is not unusual to plant or to harvest, then I have some protection under this Bill about the... the ever growing number of nuisance suits that say, hey, we don't want that tractor out there until 8 o'clock in the morning and we don't want you operating out there after 5 o'clock at night. Does it give me some protection so that I can still continue to farm?"

Winters: "And... and probably the biggest protection is that as a designated agricultural area, when someone moves into that township, into that rural community, they would almost be on record as noticing there may be grain operations where the dryer runs 24 hours a day. When I was farming full-time we often would try to run our tractor as late as we could stand to stay awake at night, get a few hours of sleep and hit it early in the morning because we have a very critical planting window. Again, if somebody gets up at 7 in the morning to go to work and they don't like the tractor running outside their bedroom window, if it is an ag area they would be on notice that..."

Black: "Okay."

Winters: "...those are the expect..."

Black: "Yeah."

Winters: "expected and accepted practices."

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

36th Legislative Day

3/27/2003

Black: "And I think that's long overdue and I congratulate you on that. My last question, and I remember what my late Senator always told me, who was a farmer, Senator Woodyard always said, 'now whatever you do, William, don't... don't disturb my ability to sell my land if that's in fact what I choose to do.' If I'm in this protected zone, do I still have the right to sell my land to a developer if that's what I choose to do?"

Winters: "You do, but you would wanna remove it from the ag area, because they would have restrictions on rezoning it if it is..."

Black: "Okay."

Winters: "...in an ag area. What we're doing is..."

Black: "Okay."

Winters: "...changing some of the guidelines on renewing the ag areas. The initial ag area setup by Senator Maitland had an eight-year initial period and then ten-year anniversaries where you would re-up."

Black: "Okay."

Winters: "We are changing that to a standard ten-year. It would come up for an anniversary every ten year... or its ten-year anniversary would then require them to re... re-up and it gives them an opportunity to pull it out at that point. But for that ten-year planning period then, they would... they would be pledging, making a pledge to the county and to their neighbors that they will stay as an agricultural area."

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

36th Legislative Day

3/27/2003

Black: "Dave, I really appreciate your work on this and I know it's difficult in the highly urbanized areas to... to... to still focus on agriculture. We all used to live on the farm and less than two percent now are directly involved in that. But for some of my urban colleagues, I hope you understand that what you get at the supermarket doesn't come from the supermarket, it comes from farmers. Everything you eat, most everything you wear, food and fabric and fiber is a direct result of somebody involved in agriculture. And I just hope that it can continue to be a viable economic factor in a state that at one time was purely an agrarian state and even with our urban sprawl, I think if somebody wants to continue to farm we should do everything we can to let him or her do that. And I appreciate the work you've done on the Bill."

Speaker Novak: "Thank you, Mr. Black. Further discussion? The Gentleman from Cook, Mr. Miller. David Miller."

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

Speaker Novak: "He yields."

Miller: "Representative, I have a few questions here. Let me just get to the specifics. How would this affect land acquisition in Peotone for possibly a third airport?"

Winters: "I'm not sure. I don't believe that county is over 600 thousand. So if landowners of 350 acres would choose to make an ag area there, they are basically stating that their intention is to move forward with it as an agricultural area. I'm not aware of any ag areas in, is it Will County..."

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

36th Legislative Day

3/27/2003

Miller: "Correct."

Winters: "...at this point. And I think that they would have to have... they will have to have, as they currently do, this language doesn't change the fact that the county board has to approve an ag area. So, if a county board does not want one they can block it at the county level."

Miller: "Okay. There's something in the Bill which talks about eminent domain, I believe in the original Bill. I was just reading here in our analysis."

Winters: "Are we dealing with the Amendment or the entire... the entire Bill?"

Miller: "Is that... Okay. We'll just deal with the Amendment. Okay. All right. So, you're saying that the county... the county... local county would still... they essentially state whether land could be used for other purposes than agriculture? Am I..."

Winters: "Well, the current ag areas we're not... I don't believe we're changing the current ag areas legislation in... in say the Peotone area, if that's where you're... you're angling or asking the questions about. The county board still has to approve the ag areas."

Miller: "Okay. Thank you."

Speaker Novak: "Further discussion? The Lady from Lake, Representative May."

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

Speaker Novak: "He yields."

May: "Yes, I have a question, as I was listening to debate I thought this sounded awfully familiar. Early this Session

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

36th Legislative Day

3/27/2003

I passed out Bill 1285, which includes the language of changing it from three hundred and fifty acres to a hundred acres in counties over six hundred thousand, which really means Lake and DuPage because Cook is Home Rule. But I was just surprised at this language. Were you aware that I had a Bill?"

Winters: "I was and we never know what the Senate will do with any particular Bill that we pass out, so the idea was to offer two chances of getting that legislation. I did talk to the Lake County Farm Bureau and they.. they mentioned that you had this stand-alone Bill to do that, but we did put this provision in in case for some odd reason the Senate would chose not to pick up a.. your Bill."

May: "Okay. Well, I think that they're receptive to my Bill, Senator Garrett is carrying it and I'd be.. welcome you as a cosponsor on that Bill. And I.. I'm glad that we had a more thorough debate on this, because a couple of farmers had voted against it and I think as someone who grew up on a farm and now lives in a more urbanized area, this really does preserve the family farm such as the one that my grandfather had. We're gonna get, I think, another 60 farms that will be covered under this, under Lake County. So, I will support it and I hope that you'll sign on, ya know, in, ya know, in support of mine."

Winters: "Absolutely."

May: "I know you did. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Teutop.. I mean Effingham, Mr. Hartke. Charles Hartke."

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

36th Legislative Day

3/27/2003

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

Speaker Novak: "He yields."

Hartke: "Representative Winters, if... if this 100 acres is designated as an agricultural land preservation area, what effect would that have on the property taxes on that piece of property?"

Winters: "On the property taxes it would not have any effect. As I'm sure you're well aware, the ag area... or the ag assessment basically deals with the soil types that are there and then a rolling average of crops and interest rates. So, we have it... we do not have a market value assessment on our properties. This would have no effect on how those properties are assessed for property taxes."

Hartke: "Well, I... I think it would because if it's designated as agriculture land, would it not fall under the Agriculture Assessment Act?"

Winters: "It... it already would. Any land that is currently farmed and is used for farming purposes is assessed as farmland, to my knowledge."

Hartke: "But the value of that land may be greatly increased if it's being encroached upon by certain subdivisions. Correct?"

Winters: "The market value may, but the assessment would not change."

Hartke: "So, the assessment is the agricultural assessment, the same as other farmlands?"

Winters: "Correct. It does not change how it would be assessed."

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

36th Legislative Day

3/27/2003

Hartke: "Okay. Thank you."

Speaker Novak: "Mr. Hartke. Any further questions? Okay. Any further questions? Hearing none, the... Mr. Winters to close."

Winters: "This is primarily a technical Amendment, again with the provision for the urban counties to downsize. I would urge the adoption of the Amendment."

Speaker Novak: "Thank you. And the question is, 'Shall Floor Amendment #1 to House Bill 230 be adopted?' All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it. And the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Novak: "Third Reading. On page 35 of the Calendar, there is House Bill 2298. Representative Beth Coulson, do you wish to call your Bill? Do you wish to call your Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2298, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Novak: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. House Bill 2298 amends the School Code and requires the sex education materials and instructions to advise pupils of the provisions of the Abandoned Newborn Infant Protection Act as well as provide information about responsible parenting and the availability of confidential adoption services. As you know, we passed the Abandoned Newborn Infant Act and have wanted to continue to get more information out to people

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

36th Legislative Day

3/27/2003

about how they can in a crisis save... save a baby's life.  
And I would encourage your 'yes' vote."

Speaker Novak: "Thank you. Is there any discussion? The Lady  
from Cook, Representative Flowers."

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

Speaker Novak: "She yields."

Flowers: "Representative Coulson, there was an article not too  
long ago in one of the city newspapers regarding this  
legislation. Do you recall what it said?"

Coulson: "I have it right here in front of me, it's about four  
columns long. So, I'm not sure exactly what part you're  
interested in."

Flowers: "Well, I saw a shorter one, so I don't recall that  
one. But there was one that basically stated that this  
wasn't working, number one, and number two, it was not  
advertised properly. Do you recall reading that or is that  
in the column in which you have?"

Coulson: "As we mentioned when we passed this Bill originally,  
if we can save one baby's life this is worth it. And in  
the State of Illinois in the last year, three babies have  
been delivered to either a hospital or a fire station and  
their lives have been saved. So, I think that this Bill is  
working, it could probably work better if more people had  
the information about it. And that's what this Bill is  
trying to do, is to make sure people are aware that if  
they're in a crisis that a safe place to drop off a baby  
that they do not want is a fire station or a hospital,  
rather than a dumpster."

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

36th Legislative Day

3/27/2003

Flowers: "So, is this a mandate?"

Coulson: "This a... yes, this requires the schools to include it in their sex education curriculum that's already included in their curriculum."

Flowers: "So, the way of advertising to the state would be through the school curriculum that for those young girls who happen to get pregnant if you all don't want your baby you can drop it off here."

Coulson: "Well, that's not exactly the way they would be wording it. What we're asking is to provide in sex education classes..."

Flowers: "Well, that's already going on, right?"

Coulson: "...information... Right. ...information on the adoption process, adoption services, as well as the final and last resort which would be the Abandoned Baby Act."

Flowers: "So, now what curriculum, let me just use the Chicago school system, I know some schools and they have less than four hours of education through the entire day, the school starts at 8 o'clock and school is out at 1:30. So, now they would be in violation of State Law. So, now what should they take out of the school system, should it be reading, write, math, comprehension, to talk about what to do in case you have a baby and if you want to abandon it? So, at what point do you think they should do that?"

Coulson: "I think I heard most of what you said, basically, this isn't requiring anything to be taken out. There's already... it says that when they have a sex education course that they should include material on this. As a teacher

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

36th Legislative Day

3/27/2003

myself, it would probably take a handout and/or a small maybe five minutes maximum to present this information. It's not asking us to take any reading or writing or math out of any curriculum."

Flowers: "You know what else, Representative, that I really remembered about reading that legis... reading the news article, it stated there that there was no concern about the mother. It almost as if it was... you wanted the child to completely or whoever the person was, there was no encouragement of getting any type of assistance or encouragement in case they did not want to abandon their baby, in case they wanted to keep their child, there was no place... there is no place for them to go other than, they have a choice, you can either put it in a dumpster or either you can abandon a baby, but there was no body there to talk to them or give them..."

Coulson: "That's..."

Flowers: "...another choice other than."

Coulson: "That's not true. In the original Bill..."

Flowers: "I'm just saying what the article..."

Coulson: "Well, the article..."

Flowers: "...the news article."

Coulson: "...is probably talking about Bills in other states, in our... in our law we very carefully crafted it so that mothers would be encouraged to use the adoption system. This is a last resort, it is not their first resort, that they would be encouraged to use the systems that are already in place."

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

36th Legislative Day

3/27/2003

Flowers: "But I'm talking about..."

Coulson: "We were very careful about that in our law. I cannot speak for the other laws and these articles were written in New York and other states. So, I don't believe they know what our law is."

Flowers: "Now, in regards to our law, does it state what a young person to do if she finds out that she's pregnant and where she could go?"

Coulson: "I'm sorry?"

Flowers: "In our law, that you passed last year or a year and half, whatever, does it indicate where a young mother could go or young mother-to-be in case she wanted some type of assistance with her pregnancy? Because it, again, the Bill if I remember correctly, some of the concerns that I've heard about the legislation is that it encouraged women to not let anyone know that they're pregnant, because it's something to be ashamed of and the more... the most important thing is that someone want their baby, not necessarily to help them."

Coulson: "The... the original law, as well as this law, really suggests that adoption services are the way that any young mother should go if that happens. The only part of this Bill is just allowing... allowing the... we have some sound effects over here. The only part of this Bill is to allow, in cases of a crisis, rather than having a baby in a dumpster, to have the baby be able to be safely delivered to a hospital or fire station. We're not encouraging it, we are and very much so in both this law and the other law,

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

36th Legislative Day

3/27/2003

are encouraging adoption and in... but in a crisis, having an option."

Flowers: "Representative, also I'm reminded that another problem with the Bill, because if a woman were to have the baby in the hospital she could not then... the baby would not be considered abandoned in the hospital if she just wanted to leave it in the hospital. And so, is that still in the legislation?"

Coulson: "I'm sorry, I was interrupted and I'm s... and... having a hard time hearing."

Flowers: "If a mother went to the hospital and had her baby and walked out the hospital, would that be considered an abandon baby or would DCFS or someone go after that mother if she had her baby in the hospital?"

Coulson: "If she had her baby in the hospital and just disappeared?"

Flowers: "Under your legislation, if a mother had her baby in the hospital, she want to walk away after delivering the child without talking to anyone, without answering any one's questions, she just wanna walk away. Is that allowed under your Bill?"

Coulson: "The Bill we're looking at right now is just talking about including information about adoption and the safe Abandoned Baby's Act in courses in the high school, it doesn't have anything to do with whether a mother could leave a hospital or not."

Flowers: "No, I'm talking about your previous Bill. See, it's the prev... I understand what you're trying to do with this

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

36th Legislative Day

3/27/2003

part of the Bill in regards to the advertisement and the encouragement and getting the word out there to the young women who happen to get pregnant, this is what you can do if you want to abandon your baby as opposed to throwing it in a dumpster. But... but prior to getting there, we're talking about prenatal care, prior to getting there we're trying to prevent women from becoming criminals thinking they are in compliance with your legislation. And so, I'm asking for edification, because I really don't remember if a mother had a baby in the hospital and she walks out and leave that child, is that baby considered abandoned or is that mother considered to be charged with a crime for abandoning that baby? Which one is it?"

Coulson: "No, actually, Mary, that's part of the reason for this Bill is so that that baby is safe, the whole point is to make sure that baby's safe. If the baby's in the hospital already there can't be any charges of abuse or neglect and that baby would be safe. They would immediately then be put into the system and the mother is given a certain amount of time, and I don't remember the details, to then come back if she stills wants that baby, but would have to prove that she was going to be able to take care of 'em."

Flowers: "So, just for a point of clarification and just to make sure I have the right intent of the previous Bill that would have an effect on this legislation here. If I were to get pregnant and yeah, at my age I could do that. If I were to get pregnant and go to the hospital and leave my

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

36th Legislative Day

3/27/2003

baby there, I don't have to answer to anyone, I could just leave my child there and no one will come looking for me. Is that... am I right?"

Coulson: "I would hope that... that would not have to happen, but yes, if you felt that instead of taking your baby home you could leave your baby at the hospital."

Flowers: "I, too, would hope..."

Coulson: "They're at least safe."

Flowers: "I, too, would hope that that would never have to happen to any mother or any child, because we all know the importance of bonding with a mother. But I just want... because so many women have heard about this legislation and they have asked me and I needed to talk to you and ask you. Once again, if I have that baby in the hospital..."

Coulson: "Which would be the preference."

Flowers: "...and I just walk away and leave her in the hospital, I don't have to worry about DCFS or no other child protection agency come looking for me? Because often times we've heard about those types of incident and those women were criminalized because..."

Coulson: "And the... that was our point of this Bill is to not criminalize a young mother just because she chooses to have her baby kept safe in a hospital or fire station. That was the point of the Bill originally."

Flowers: "Well, ya know, Representative, ya know... To the Bill. I really... I understand what it is that you're trying to do, I..."

Speaker Novak: "To the Bill."

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

36th Legislative Day

3/27/2003

Flowers: "...as I stated last year, I didn't agree with the way you structured the Bill and I surely don't agree with the way that you're trying to advertise the Bill. Because what you're doing with this legislation because I'm a older mother and I may want to abandon my baby, I'm not in the school. This legislation here, you're focusing in on younger women who might have to suffer something like this and I don't recall in the previous legislation that there was any talk about prenatal care or any talk about if they'd have to go to the hospital they can leave their babies, different things like that. Because you said if the baby's healthy and there's no indication you can leave it at the steps, leave it at the firehouse, I'm sorry and leave it at the hospital without any questions asked, but that's not necessarily as I understand it. But anyway, I think this is not a very good piece of legislation. Thank you."

Speaker Novak: "Further discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Novak: "Sponsor will yield."

Black: "Representative, I haven't heard so much talk about sex education since my daddy talked to me about 53 years ago, but that's not re... that's not to the point. I had a letter from a school board member in my district, very, very well-reasoned letter and all he wanted to know was at what point in the curriculum do you want to add this? If it was

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

36th Legislative Day

3/27/2003

in the elementary curriculum he had some problems, if it's in the high school curriculum he certainly had less concern about that."

Coulson: "My understanding, and we've basically amend the School Code that requires when they teach sex education. The materials would advise the pup... the students of the provisions of this Ac... of the Act that we passed last year, as well as the adoption procedures and my understanding is that is usually done at the secondary level, the sex education courses. I haven't... I used to teach this ar... in this area, but that was 20 years ago, I believe they still keep it at the high school level."

Black: "All right. That... so, I... I could rea... I could reasonably assure this gentleman that your intent is that it be taught at the secondary level and not the elementary level?"

Coulson: "Correct."

Black: "All right. Thank you."

Coulson: "When they're teaching..."

Black: "Thank you."

Coulson: "...this curriculum."

Speaker Novak: "Thank you. Further discussion? The Lady from Cook, Representative Feigenholtz."

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

Speaker Novak: "To the Bill."

Feigenholtz: "One of the previous speakers has some concerns about this Bill and she and I have been in committee where both the underlying and the original Abandoned Newborn

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

36th Legislative Day

3/27/2003

Infant Act passed. And I think that some of her concerns are legitimate. I think that when women who are pregnant and feel that they are in trouble and are not prepared to parent a child are in a situation that some of them feel very, very desperate. And I have to agree with the Sponsor who has really worked hard at taking Acts from around the state and incorporating language that involves opportunities for birth mothers who change their mind to have time to reconsider what they've done. If you speak to experts at the... at adoption agencies around the State of Illinois who deal with these wom... you... some of these young women, they often are able through adoption counseling to send those mothers home with their babies. But unfortunately 11 times last year in the State of Illinois a very special subset of women, women who even denied the fact that they were pregnant, women who feared many, many things beyond the scope of being able to walk into an adoption agency, to be counseled. Women who wanted to conceal their pregnancies to the point where their children died. Many of those women, I know one in particular served time in prison for doing this. So, I think that although the prev... one of the previous speakers has... her spirit is in the right place and I totally agree with her that these baby's if possible, if there is adoption counseling, should stay with their mothers, and often they do if they're counseled. But the ones that we can't address we are giving them an option so that we can save their lives. So, as difficult as this prospect is for me, because I, too,

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

36th Legislative Day

3/27/2003

believe that these baby's should go home with their mothers, I think that we have to think about the subset and support this Bill. And I recommend an 'aye' vote."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Cook, Representative Joyce."

Joyce: "Sponsor yield?"

Speaker Novak: "Sponsor yields."

Joyce: "Representative Coulson, I just have a couple questions to clarify after listening to Representative Flowers. My understanding of this Bill is that you are just extending the existing curriculum in schools today. Is that correct?"

Coulson: "That's correct. We're just asking them to explain the laws of the State of Illinois in the curriculum."

Joyce: "And the two points that you're trying to make and add to the curriculum is that... is more responsible parenting information and available adoption services... or adoption services that are available to those young women that may be in a tough situation that may not think they can raise their baby at that point."

Coulson: "And... and that... that's what the Amendment says, the original Bill also includes that the safe abandoned baby Infant Protection Act, I should say, safe Infant Protection Act is also included in that curriculum as a final resort."

Joyce: "Well, obviously there are some other issues on this Bill, but I think this is only helping existing young women that may be in a tough situation, so I don't see the problems that a lot of other people may see with this Bill."

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

36th Legislative Day

3/27/2003

And I think it's something that there's a... definitely a great social injustice that sometimes some women have to go through their situation alone, but you're trying to help them with this Bill. And I support this Bill and you'll have my vote."

Coulson: "Thank you."

Speaker Novak: "Thank you. Further discussion? The Gentleman from Whiteside, Mr. Mitchell."

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

Coulson: "Yes."

Mitchell, J.: "Representative Coulson, there is no intent with this legislation to add any cost whatsoever to the individual school districts of the State of Illinois, is there?"

Coulson: "No, there's not. This should not be at all... there shouldn't be any expense. It's basically to add the information to what's already in... a curriculum that's already in place."

Mitchell, J.: "If there are districts and I'm not sure that there are in this day and age, but with the diversity in the State of Illinois, if there are districts that do not have a sex education curriculum, does this mandate that then they have to add sex education curriculum to their curriculum so that they could give out this information?"

Coulson: "No, this is in the case that there is sex education curriculum in their program that this would be included in that curriculum."

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

36th Legislative Day

3/27/2003

Joyce: "So, this is not necessarily..."

Coulson: "It's not mandated."

Joyce: "This is not necessarily a mandate on every school district or every high school in the State of Illinois, it's only a mandate within the health curriculum itself or the sex ed curriculum, to be more specific?"

Coulson: "Correct."

Joyce: "Okay. Ladies and Gentlemen of the House, there's a couple of us here that have served as... as superintendents of schools and we've talked about this, we talked about it in committee with the concerns of mandates on public schools but in this case, I think this is a mandate that is well-warranted. When you look at it and take away the language of this Bill or what this Bill is asking for sex education curriculums to do, you still have that same curriculum, you have the teaching of abstinence, you have the teaching of birth control, you have good parenting skills, you have all of the things that are there, but for that one child in an instance of fear or an instance of ignorance decides that the only way out of their situation is to leave that child in a place where that child is doomed to become another fatality. If one child in the State of Illinois can be saved with this legislation then this is a mandate that I can stand up and support. The Lady has crafted the Bill so that it is not a burden on school districts and it could be one that saves one of our grandchildren, you never know. I rise in support of this legislation. Thank you, Mr. Speaker."

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

36th Legislative Day

3/27/2003

Speaker Novak: "Thank you, Representative. Further discussion?"

The Lady from Cook, Representative Davis. Monique Davis."

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

Speaker Novak: "Sponsor will yield."

Davis, M.: "Representative, I'm sure you are aware that even with the previous Bill we passed we had 11 abandoned babies in Illinois. Now, I do believe that this legislation, hopefully, will eliminate, reduce or get rid of those kind of numbers. How will it do it? Well, let me just say, according to the Bill, a school district that teaches family life or sex education will include the fact that there is a Bill that the State of Illinois has sponsored that if you are in some trouble of that nature and you wish to not take your baby, there are other options, you don't have to hide the fact, you don't have to lie, you don't have to kill this precious, innocent life. As Sara said, you can have it... put it up for adoption, as someone else said, you don't have to be criminalized because you feel you're unable to care for this new life. As other states have done, they make sure that young people who find themselves pregnant know of the options available to them. When a person abandons a baby in a garbage can in an alley in the freezing weather, it is out of fear, it is terrible, tremendous fear that something in their life will be so drastically changed that they cannot recover. This legislation says, say a school like Tesla. Tesla is a school in Chicago for pregnant girls. It's a school that counsels them about how to be a good parent. And in your

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

36th Legislative Day

3/27/2003

legislation the school will now also give these young girls advice on what to do if you really cannot or refuse to keep this child. And this in my opinion, Mr. Speaker, will save the lives of innocent babies. Will it solve all the problems? Certainly not, nothing that we do here does solve all the problems, but it's a darn good step in the right direction. Tesla is an excellent school who will certainly be using this information that we have provided for them today. And I urge a 'yes' vote."

Speaker Novak: "Thank you, Rep... Representative Davis. Further discussion? The Gentleman from Crawford, Representative Eddy."

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

Speaker Novak: "To the Bill."

Eddy: "Ladies and Gentlemen of the House, I have consistently since the time I've been here fought against mandates to school districts, to school curriculums, however, I stand in strong support of this. Because this is an educational mandate that will provide children at a crucial time, at a critical time whenever they are looking for and seeking information to answer important questions that relate to the sanctity of life, an avenue in order to respect the sanctity of life. I definitely congratulate the Sponsor of this Bill. This is something our children need. And under normal circumstances this type of a mandate is something that I would not be in favor of, but there are times when the subject matter is so important that our children, it is

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

36th Legislative Day

3/27/2003

vital to their development that they receive the instruction that this is one of those times. Thank you."

Speaker Novak: "Thank you. Further discussion? Seeing none, Representative Coulson to close."

Coulson: "Thank you all for your encouragement. And I would just like to mention the Sun Times had an editorial and I'm gonna quote from it, 'ideally all children should be carried to term and raised to adult happiness by their natural parents or an adoptive parent when possible, but we recognize that some young women are overwhelmed and their judgment skewed by the birth of a child. If a child... children are unwanted their parents should receive counseling and place the child in an appropriate agency, but that doesn't always happen. Safe haven laws are designed to prevent tragedies. And I would just like to say that we have saved three babies lives in the State of Illinois in the last year. I hope that we can save more. And I appreciate your 'aye' vote. Thank you."

Speaker Novak: "And the question is, 'Shall House Bill 2298 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative O'Brien. Have all voted who wish? Clerk, take the record. On this question, there are 112 voting 'yes', 0 voting 'no', and 2 voting 'present'. And having reached the required Constitutional Majority, House Bill 2298 is hereby declared passed. With respect to the Agreed Bill List #2, Supplemental #1, March 27, 2003. With

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

36th Legislative Day

3/27/2003

regards to the Agreed List #2, Supplemental #1, the Clerk has certified that all Bills and Resolutions have received a sufficient number of votes and therefore, the Bills and Resolutions not including House Bill 3081 and House Bill 2526 contained on Agreed List #2, Supplemental #1 have received the required Constitutional Majority, and are hereby declared passed. On page 3... 35 of the Calendar there is House Bill 2553. That Gentleman from Madison County, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2553, a Bill for an Act concerning nursing. Third Reading of this House Bill."

Speaker Novak: "Mr. Davis."

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. House Bill 2553 as presented in committee started off as being a very simple addition to the qualifications necessary to get testing for nurses in the State of Illinois. And what it did was add a line in there that would allow future... nurses who were getting ready to graduate to go ahead and test prior to graduation. And in committee there was testimony that perhaps some of the deans of some of the nursing schools may have a problem with the wording of the Bill as it was drafted. And since that time the department has been working with the nurses association and the Illinois Health Care Association to come up with some agreed language, mostly technical language to take care of some problems. But to this point, they have not been able to come up with agreed language. However, what I would like to do is move this Bill over to

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

36th Legislative Day

3/27/2003

the Senate and allow them to continue to work to try to come up with some agreed language that everybody can live with and amend this Bill in the Senate and it'll be back over here in the House with a Senate Amendment and we can go ahead and pass it on concurrence. So, I would happy to answer any questions on the Bill, but once again, this Bill will be amended in the Senate. I'd appreciate an 'aye' vote."

Speaker Novak: "Thank you, Mr. Davis. Is there any discussion? Hearing none, the question is, 'Shall House Bill 2553 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. On this question, there are 109 voting 'yes', 0 voting 'no', 3 voting 'present'. And having reached the required Constitutional Majority, House Bill 2553 is passed. On page 29 of the Calendar there is House Bill 3562. Representative Steve Davis, do you wish to move your Bill to Third Reading? Clerk, call the Bill."

Clerk Bolin: "House Bill 3562, a Bill for an Act concerning economic recovery. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. On page 24 of the Calendar is House Bill 3073. The Gentleman from Cook, Representative Delgado. Do you wish to move your Bill to Third Reading? Clerk, call the Bill, please."

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

36th Legislative Day

3/27/2003

Clerk Bolin: "House Bill 3073, a Bill for an Act concerning education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. On page 15 of the Calendar there is House Bill 2568. Representative Franks, do you wish to call your Bill? 2568. Mr. Clerk, read the Bill, please."

Clerk Bolin: "House Bill 2568, a Bill for an Act concerning state procurement. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Novak: "Third Reading. On page 11 of the Calendar there is House Bill 2202. The Lady from Cook, Representative Hamos, on House Bill 2202. Do you wish to move your Bill to Third Reading? Out of the record. On page 13 of the Calendar there is House Bill 2386. The Lady from Cook, Representative Howard. Is Representative Howard in the chamber? Representative Howard. On House Bill 2386, do you wish to move your Bill to Third Reading? Oh, yeah, there is an Amendment. Mr. Clerk. Out of the record. On page 23 of the Calendar is House Bill 2791. The Gentleman from Cook, Representative Joyce. House Bill 2971. Are you prepared to move your Bill to Third Reading? Out of the record. On page 10 of the Calendar is House Bill 2187. Representative Nekritz. Representative Nekritz. Out of the record. On page... on page 16 of the Calendar there's House Bill 2630. The Gentleman from Cook,

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

36th Legislative Day

3/27/2003

Representative Osterman. Harry Osterman. Is Mr. Osterman in the chamber. Out of the record. On page 5 of the Calendar is House Bill 710. The Gentleman from Cook, Representative Rita. Out of the record. On page 37 of the Calendar there's Rep... there's House Bill 3313. Representative Slone. Representative Slone. Clerk, read the Bill."

Clerk Bolin: "House Bill 3313, a Bill for an Act concerning the state budget. Third Reading of this House Bill."

Speaker Novak: "Representative Slone."

Slone: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 3313 was passed in a similar version last year. It would require the Bureau of the Budget to develop program objectives and performance measurements for state programs and agencies and gradually put those into the state budget and use them in the state budget in fiscal years 2007 and thereafter. We have reviewed this with the Bureau of the Budget and also with the Comptroller's Office who... and they are working already jointly on developing these performance measures. The fiscal note on the Bill shows that there would be minimal fiscal impact. I'd be happy to answer any questions and I'd appreciate your support."

Speaker Novak: "Thank you, Representative Slone. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Permission to ask the question while seated?"

Speaker Novak: "Certainly."

Black: "Thank you very much."

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

36th Legislative Day

3/27/2003

Speaker Novak: "It's been a long day."

Black: "Oh. Thank you. Representative, this has an administrative cost and yet I see the Bureau of the Budget and the comptroller's often... comptroller's Office have taken no position. Have they taken no position or have they just not bothered to tell us what it is?"

Slone: "No, they've bothered to tell us what it is, Representative Black, but... and we have checked this with both offices. They are basically already doing this. This simply puts in statute a process that's already begun and gives 'em a deadline for incorporating it into the actual budget documents that we see."

Black: "Well, other than increasing the paperwork load of the agencies that are not at anywhere near optimum staffing level, what does this Bill do? It just barely got out of the House last year when we weren't in this crisis."

Slone: "Representative Black, you're probably more familiar than I am with the way the state budget is presented to us and as you know, it does do categories of expenditure for the agencies and long lists of staff, but doesn't give us a whole lot of clarity as to what the objectives of the agency are with respect to its particular programs, nor how the agency plans to allocate resources to meet those objectives. This Bill, again, would move along a process that's already going on to try and tie the budget documents to the actual program objectives and performance measures."

Black: "We had staff contact the Bureau of the Budget and the Comptroller's Office to get their reaction to this Bill and

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

36th Legislative Day

3/27/2003

we still haven't heard a word from either one of them. Now, is that because they're understaffed or they just don't choose to answer? That's unusual. When you have... when you have legislation that directly impacts two state agencies, for them just not to bother to return calls from either the House Republican Staff or the House Democrat Staff is not the usual method of operation around here. Now either they don't care or they haven't paid any attention to the legislation or they're so understaffed they haven't even read the memo. Which of the three do you think it might be?"

Slone: "Representative Black, I have in my hand the fiscal note from the Bureau of the Budget on this. If you don't have it, I'd be happy to take the Bill out of the record and share that with you."

Black: "Well, we have a balanced budget note Act, but we don't have the fiscal note."

Slone: "Mr. Speaker, could we take the Bill out of the record."

Black: "I know we're all... we're austere, I think we're supposed to... supposed to share because of the paper, we're short on paper."

Speaker Novak: "Mr. Clerk..."

Black: "So, if you'd share with our staff, our staff will share with your staff, we'll all share together, at 4 o'clock this afternoon we'll sing kumbaya and hopefully adjourn."

Speaker Novak: "Mr. Clerk, please take the Bill out of the record. On page 31 of the Calendar there is House Bill 57.

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

36th Legislative Day

3/27/2003

Representative Lang, the Gentleman from Cook. Clerk, read the Bill."

Clerk Bolin: "House Bill 57, a Bill for an Act concerning state employee health benefits. Third Reading of this House Bill."

Speaker Novak: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. As many of you know for some years I've chaired the House Mental Health Committee and before that a House Mental Health Task Force. We worked long and hard on many issues dealing with mental health. One of those issues related to what we call parity, it means that health insurance policies should be covering mental illness to the same extent it covers physical illness. Now, unless you're still in the dark ages you understand that mental illness is a real problem in our society today and that mental illness strikes one in four families in Illinois. The issues surrounding mental health are just as important as the issues surrounding physical health. Last year, the General Assembly passed a Bill that was what I would call a mini Bill, it dealt with some small issues relative to mental health parity. It was not a complete Bill and in fact, I think it was a mistake to pass the Bill we passed. This Bill is not a complete answer either. This is not complete mental health parity in every insurance policy sold in Illinois. This policy'd require mental health parity for state employees. That's what the Bill does. It's an important piece of legislation

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

36th Legislative Day

3/27/2003

for the mental health of state employees and their families. I would ask your support."

Speaker Novak: "Is there any discussion? Seeing none, the question is... Excuse me, the name just came up. Representative Black from Danville. Mr. Black."

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

Speaker Novak: "Sponsor yields."

Black: "Representative, this only impacts the state group employees health insurance. Right?"

Lang: "That's correct, Sir."

Black: "It does not impact any private, self-insured or any other policy, just the state group policy?"

Lang: "I would like to include them..."

Black: "I know you would."

Lang: "...but this is one small step. This is state employees."

Black: "I know you would. Look, we let you get into the left lane yesterday, now let's not run it in the ground. Do you... Have you seen the fiscal impact to add this coverage to the State Employees Group Health Insurance Program?"

Lang: "I have read the fiscal note but I want... but if you look at the fiscal note carefully..."

Black: "As well, you should."

Lang: "...it does refer to a cost. But if you look at the components, those components relate to the cost of employees not the costs for the state group health plan. So, it talks about maybe larger copays, it talks about

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

36th Legislative Day

3/27/2003

other issues that relate to the state employees themselves, not the state health plan."

Black: "How many millions of dollars are we short right now in paying employees' health claims of the fiscal year that ends June 30th?"

Lang: "Well, I don't have that number. But since you have a piece of paper in front of you perhaps you do."

Black: "We're about a hundred and twenty-two million dollars short right now. And CMS... CMS estimates that this coverage, just on state employees, will cost \$14 million."

Lang: "But again, Mr. Black, if you'll read the fiscal note carefully."

Black: "I'm reading it very carefully."

Lang: "The fiscal note says that the revised benefit structure could require members to absorb a greater out-of-pocket coinsurance. It could change limits on number of visits, which would increase costs to be passed onto members. And it might cause a rebidding, which would reflect new benefits with self-funding arrangements. So, while it talks about \$14 million, it's not a state cost. It refers to costs that members, who avail themselves of the mental health coverage in the policy, might be forced to absorb on their own. This is not a state cost of \$14 million."

Black: "Well, I'm... I'm sorry, Representative, I... I didn't know. You mean the state employees will pay for the cost, not... not the state employees' health program. The employees themselves are gonna pay for it."

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

36th Legislative Day

3/27/2003

Lang: "Well, if... it is optional to go to a mental health provider, they don't have to choose to do it. But if they choose to do it there may be additional costs, as the result of parody, which cause the employees to have to pay greater co pays, et cetera. There's no question about that. I can't do much about that. But I do want to point out that the amount you're suggesting and the amount that's in the fiscal note is not a number that is coming out of GRF. It's not a number that is going to cost the taxpayers of the State of Illinois that particular sum of money."

Black: "Well, Representative, I... I love to play the semantics game with you because I find it personally invigorating, even though you are a world class Jeopardy player, as I recall. The fact remains... To the Bill, Mr. Speaker. The fact remains that to rebid the contract and cover the costs it... no matter if you read the fiscal note upside down or right side up, it... it adds about a \$14 million cost. We currently are \$65 million behind in the payment of claims, as of this date. And it is expected to get much worse before the end of the fiscal year. Anyone who works for the state and is covered by a state group health insurance policy, including, I would... I might add, Members of the General Assembly, anybody who has gone through the last year of the ups and downs and difficulties of this state may, and I don't mean this in a... in an off-handed way, it'll be taken as such but I don't mean it that way, anybody who has survived the last year probably is in need of some mental health counseling. Many people have not

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

36th Legislative Day

3/27/2003

survived. There have been thousands of layoffs, there have been hundreds of honorable dismissals, 11 thousand people took early retirement. It has been a very difficult year and there is no question that some people probably have or may need to consult some mental health counseling. The problem is, as with so many of the Bills we've passed before we see the budget outline is, that all of these things will take resources from the state budget. And I... I would voted for this in a second if the Governor tells me on April the 9th that he has a plan to... to pay for this additional coverage and to get the employees health insurance premiums. Currently, as of today, \$65 million are awaiting payment that they don't have money to pay the claims. Medicaid providers are owed \$1.5 billion as we sit here today. This can't continue. Again, if the Governor can give me some reasonable assurance on April 9th that we can add this, that he will in fact, add it to the budget... it is a reasonable coverage that I think many of us, who have gone through this and next fiscal year, would probably need to use. But until I can see those figures from the Governor I intend to vote 'present'."

Speaker Novak: "Thank you. Further discussion? The Gentleman from McHenry, Representative Franks."

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

Speaker Novak: "To the Bill."

Franks: "The only criticism I can have with this Bill, it doesn't go far enough. I wish we had... that this would make private insurance companies cover it as well. The

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

36th Legislative Day

3/27/2003

criticism I have with the previous speaker's analysis of the fiscal note is when I... is that the fiscal note doesn't take into account at all the cost savings to the state. Assuming worst case scenario, that there could be a \$14 million hit to our budget, that does not take into effect all the days of work that we'd be saving with people who are healthy. There is absolutely no reason to continue tacitly or explicitly allowing for the discrimination of people with mental health disabilities. If someone had a broken arm or a broken leg we wouldn't even be talking about this. But it's because it's something they can't see, that there's something stigmatized, that we're not gonna cover someone's mental health issues. I wrote my thesis in graduate school on the discrimination by insurance companies with mental health. It's time to stop the discrimination. This is a very important Bill. And hopefully next year we'll be able to expand it farther, to all insurance companies. But we owe it to the employees of this state to start on the right track. And I really applaud Representative Lang for his years of effort on this issue. And I encourage everyone to vote 'yes'."

Speaker Novak: "Thank you. Further discussion? The Lady from Cook, Representative Mulligan."

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

Speaker Novak: "He yields."

Mulligan: "Representative, I've served with you on Mental Health Task Force and I'm very open to mental health coverage. My concern, once again, goes to the financial

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

36th Legislative Day

3/27/2003

part of it. And although some of the questions you answered Representative Black, I... I looked up what the Bill says. And basically it says, 'The program of health benefits shall include benefits for treatment of mental illness. The benefits provided for treatment of mental illness may not permit treatment limitations or financial requirements on the benefits for treatment of mental illness. If similar limitations or financial requirements are not imposed on benefits for treatment of other conditions.' So, does that mean that it will be optional? It doesn't appear to me that it would be optional. It means... it appears that it won't be optional and you won't be charged extra unless there's a total increase in premiums."

Lang: "Well, basically, what the... what all of that stuff that you read, Representative, means is that if there's a copay for one there needs to be a copay..."

Mulligan: "Right."

Lang: "...for the other in equal amounts."

Mulligan: "Or if there's a limitation?"

Lang: "That's really all it says. And of course, mental health coverage, while is in the policy, the use of the coverage is optional. No one has to use it. And so we're talking about people with real needs here who have coverage under the policies. But to have them not be able to access the coverage is (a), stigmatizing and (b), discriminatory. And it says... what we have today says as public policy that we

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

36th Legislative Day

3/27/2003

don't think mental health coverage is an important as physical health coverage."

Mulligan: "Well, I think it's discriminatory not to have coverage for contraceptives because it actually, basically, goes, mainly, to women more than it does to men. And I would find that to be very discriminatory. But on the other hand, in looking at the big picture from what the Economic and Fiscal Commission has given us in information about how far we are behind in the state plan and what it's gonna cost us, I inquired about various increases in the cost of health insurance to employees, based on what their salary would be, just on the outside chance that we may have to go there. Because what we're looking at that covers the state's financial burden is not going to be adequate, no matter what kinds of plans we put together. And in that discussion, I was told that any discussion, about increase in premiums as far as union employees would go, would not come up until they negotiated on their contract again. Now, my question to that is if this benefit goes into effect is this part of their contract, so if there was an increase they would have to pay it? Or would just nonunion employees of the state have to pay any increases? Or would just nonunion members get the benefit of the mental health services?"

Lang: "Representative, no one, before this moment in the discussion of this Bill in committee or since, has mentioned union negotiations with me as an issue relative to this Bill. I think you raise an interesting point, but

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

36th Legislative Day

3/27/2003

neither the union nor the administration has come to me and said well, this is gonna be an issue in union negotiations. And so no one's asked me to move the Bill forward on that basis or change the Bill on that basis or hold the Bill on that basis. So my..."

Mulligan: "Well, perhaps..."

Lang: "...my idea here is that in today's society, with 25 percent of the families in Illinois having a mentally ill family member, we cannot afford as a state not to pay some attention to this. And so we have to assume that 25 percent of our state employees have a family member that needs mental health coverage."

Mulligan: "I understand that and I'm... I'm very open to this type of change in the policy, as you know. My concern, before this even came up, was the total cost and how far we are... and where we're off in the budget on the additional costs for th... the state health insurance, which was considerable. So in... in investigating ways of trying to make up that shortfall... because there are many things in the budget that we're all voting for. And at some point there's gonna be a big template laid out that says what can we cover and what can't we cover. The Department of Insurance pointed out to me that there was a difference in the union employees because their benefits were negotiated. So, number one, when would this go into effect? Number two, would... would... if it does increase would you feel that it's appropriate that all employees pick up an increase? You know, I would be willing to have this coverage for

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

36th Legislative Day

3/27/2003

another \$10 a month, if that... if that were so. Or if I felt, particularly, my family members... or it would benefit other family members for being the pool, but maybe not everyone would. Or maybe some people would, according to how... what their salary is, that would be the appropriate increase. Do you find that would be appropriate?"

Lang: "Well, first, in answer to your first question, the Bill does not have an immediate effective date. So we're talking July of next year, I presume. I think that's how this works. Second, if in the negotiations it's determined that mental health coverage should be an option that employees can pay for, that's fine with me. Mental health parity does not mean that we have to cover mental health. It simply says that if the policy covers mental health it has to cover mental health under the same parameters and conditions that it covers physical health. So, if in the next union contract it is determined, for whatever reason, that it's only gonna be a physical health policy and that mental health coverage would be available as an option, that's a separate issue than this. That's all right with me if that's what they determine. All this Bill says is that if there is mental health coverage that's part of the policy it should have equal weight to physical health coverage."

Mulligan: "So you're not directing the State Department of Insurance or CMS to go out and negotiate for mental health benefits in our insurance policy?"

Lang: "Well, this... well..."

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

36th Legislative Day

3/27/2003

Mulligan: "My understanding, if you pass the Bill, is that that would be the case."

Lang: "Under the current policy, under the current union contract, under the current arrangement with state employees if this Bill were to pass they would have to change the policies to afford parity. However, if this is not going into effect for sometime a new union contract may come into... I don't know what the timing is on that. And if it's appropriate to renegotiate that issue, then that's something they'll renegotiate. All we say here... this Bill does not say there must forever and for all time be mental health coverage on the policy, although I think there should be. This Bill says that if there is mental health coverage there ought to be parity. Because if there is not, Representative Franks was right on the button. A broken arm is covered but emotional issues are not. And I think we all know, and you know from being on the committee with me, that mental health issues are sometimes much more serious than medical... than physical issues."

Mulligan: "So do you feel that this Bill is not directing the state plan to cover mental health or is this giving them an option? The way you're putting it is, if they decide to do mental health then it has to be on a parity with other forms of healthcare."

Lang: "Well..."

Mulligan: "But you're not... aren't you stating, by passing this Bill, that you're mandating that we include mental health coverage for state employees?"

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

36th Legislative Day

3/27/2003

Lang: "No, this does..."

Mulligan: "And would..."

Lang: "This does not mandate mental health coverage. It says that while we have mental health coverage in the policy there should be parity. If in the next contract with the union... if in the next contract there's a... an agreement and a determination that mental health coverage should be optional, then sobeit. This Bill does not require mental health coverage."

Mulligan: "Nor would it require mental health coverage for retirees who currently have state health insurance?"

Lang: "This requires that while there is mental health coverage in the policy that there be parity. So as long as there is mental health coverage in the policy there ought to be parity. If at some point in the future they... they make the serious mistake of taking mental health coverage out of the policy and they make it an option then parity would not be required. This simply says that while mental health coverage is in the policy there ought to be parity."

Mulligan: "All right, thank you."

Speaker Novak: "Further questions? The Lady from Cook, Representative Mary Flowers."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's Bill. You know, people that are mentally ill, they are human, too. They are entitled to the healthcare that any of the rest of us may be entitled to that our insurance may cover. But more importantly, the part that amazed me is that so many

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

36th Legislative Day

3/27/2003

children are in our system because DCFS has accused their parents of being mentally ill. And so therefore, these children could never be reunited with their parents because they don't have the parity or the money or the insurance that's necessarily... that's needed, according to DCFS, to be made whole. So, Representative, I applaud you with this legislation. And for the benefit of the children, I hope it pass. Thank you."

Speaker Novak: "Thank you. Further... any further discussion? Seeing none, the question is, 'Shall House Bill 57 pass?' All those in favor vote 'aye'... Mr... Mr. Lang, did you want to close? All those in favor vote 'aye'; all those opposed say 'no'. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. On this question, there are 87 votes voting 'yes', 1 voting 'no', 24 voting 'present'. And having reached the required Constitutional Majority, House Bill 57 is hereby declared passed. Repr... Representative Turner in the Chair."

Speaker Turner: "On page 37, on the Order of Third Reading, we have Representative Slone on House Bill 3313. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3313 has been read a third time, previously."

Speaker Turner: "The Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. Once again, I'd be happy to answer any questions on House Bill 3313, for Mr. Black, whether he is seated or standing,

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

36th Legislative Day

3/27/2003

nobody seems to know whether I'm seated or standing, so it only seems fair, or from any Member."

Speaker Turner: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Mr. Speaker, it's good to see you in the Chair. If I keep my remarks brief do you think we can adjourn shortly?"

Speaker Turner: "Shortly."

Black: "I hope so, I mean... Let me just say this about the Bill. Budget performance measures. With the situation the state's in that's an oxymoron if I've ever seen it. But if it'll help and it'll get us outta here, I'll vote 'yes' for anything in the next five minutes. Let's go get some... let's go have dinner. We... we're going over the Calendar for the ninth and the tenth and the twelfth time on each page. I mean, my God, pretty soon we're gonna call a Bill to make Mickey Mouse the official greeter. Geewhiz. Let's... let's vote on this oxymoron Bill then let's go out and get a leisurely dinner, a good night's sleep and come in tomorrow and once again keep the world safe for democracy."

Speaker Turner: "And with those comments, Representative Slone to close."

Slone: "Thank you, Mr. Speaker. And thank you, Mr. Black. And I would appreciate your 'aye' votes."

Speaker Turner: "The question is, 'Shall House Bill 3313 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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

36th Legislative Day

3/27/2003

The Clerk shall take the record. On this question, there are 110 voting 'aye', 3 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 36 of the Calendar, we have Representative Smith on House Bill 3183. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3183, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Turner: "Representative Smith, the Gentleman from Fulton."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is an initiative of the State Universities Retirement System. The Bill has no fiscal impact. It is intended primarily as a technical cleanup of existing language in the State Universities Article of the Pension Code. In particular, the substantive items of this Bill provide for more flexibility and QILDRO orders, which are qualified Illinois domestic relations orders. And this simply clarifies some of the existing language on QILDRO's, which is in the University Retirement Section of the Pension Code. I know of no opposition and again, as I said, this is a... a from the trustees of the University Retirement System. It has no fiscal impact on the State of Illinois. Be happy to answer any questions."

Speaker Turner: "Seeing no questions, the question is, 'Shall House Bill 3183 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish?"

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

36th Legislative Day

3/27/2003

Have all voted who wish? The Clerk... the Clerk shall take the record. On this question, there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Lyons. For what reason do you rise?"

Lyons, J.: "Point of personal privilege, Mr. Speaker."

Speaker Turner: "State your privilege."

Lyons, J.: "It's always nice to see one of our most famous alumni come back and visit us. Once every two years we raise our right hand and swear to him, God and country that we're gonna do the best job we can. Former Member, former Leader of this... of this distinguished Body, Appellate Court Judge Alan Greiman. Alan, welcome home, Judge."

Speaker Turner: "Judge Greiman, welcome. On page 27 on the Calendar we have House Bill 3298. Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3298..."

Speaker Turner: "The Gentleman from Bureau, Representative Mautino. I'm sorry."

Clerk Rossi: "House Bill 3298, a Bill for an Act concerning the Comprehensive Health Insurance Plan. Third Reading of this House Bill."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill we amended yesterday and Floor Amendment 2 became the Bill. And it has... has the effect of allowing many of those, up to 12 thousand Illinois citizens who lost their jobs due to foreign trade, foreign trade agreements

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

36th Legislative Day

3/27/2003

to enroll in the state's Comprehensive Health Insurance Program. This would be into Section 7 of... or excuse me, Section 15 of the CHIP program, which would mean there would be no preexisting conditions. Under these guidelines the Federal Government would give those enrollees the ability to drop COBRA plans and enter into Section 15. Would also pay or give tax credit for 65 percent of the premium to be paid by those employees. And additionally, would provide about \$2 million to the state's Comprehensive Health Insurance Program pool. This program is... it is timely for those of us who have lost steel mills. This would have an impact in Hennepin, also with Northwest Steel and Wire, the LTV plants, Laclede, Firestone. And what it does is take those people who are either in the Pension Guarantee Board who have lost their positions and lost their insurance and allow them to buy in at a rate that is affordable. Currently, those retirees and these people are from the ages of 54 to 64, non-Medicare eligible. They've seen their premiums go from \$300 per month up to in some cases 1200 or \$2500 per month. So this is... it's an excellent program and be happy to answer any questions that you have."

Speaker Turner: "Are there any questions? Seeing none, the question is, 'Shall House Bill 3298 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The Clerk shall open the roll. 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

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

36th Legislative Day

3/27/2003

114 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Jackson, Representative Bost. For what reason do you rise?"

Bost: "In... inquiry of the Chair."

Speaker Turner: "State your inquiry."

Bost: "About three Bills ago, maybe I misunderstood the debate, I thought that we were all gonna vote 'yes' and go home?"

Speaker Turner: "You misunderstood the debate."

Bost: "Did I misunderstand?"

Speaker Turner: "That happens sometimes here."

Bost: "Yeah, it does happen sometimes. I'm confused, I guess."

Speaker Turner: "On page 13 we have House Bill 2386. Representative Howard. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2386, a Bill for an Act concerning HIV/AIDS education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been approved for consideration."

Speaker Turner: "The Lady from Cook, Representative Howard."

Howard: "Thank you, Mr. Speaker. Amendment #1 just makes this whole program subject to appropriations."

Speaker Turner: "Are there any questions? Seeing none, the question is, 'Shall Amendment #1 to House Bill 2386 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

36th Legislative Day

3/27/2003

Speaker Turner: "Third Reading. On page 8 we have House Bill 1533. Representative Winters. Read the Bill, Mr. Clerk. Out of the record. Page 12, House Bill 2268, Representative Delgado. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2268, a Bill for an Act to create the Health Care Justice Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. For the Members edification, we're on Second Readings currently and so we will be moving those Bills to Third. We hope that you're prepared as your name is called. On the or... page 29, House Bill 3518, Representative Fritchey. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3518, a Bill for an Act concerning tobacco. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner: "Third Reading. Page 6, House Bill 1091, Representative Lou Jones. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1091, a Bill for an Act in relation to minors. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Page 12, House Bill 2319, Representative Lang. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2319, a Bill for an Act in relation to courts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

36th Legislative Day

3/27/2003

Speaker Turner: "Third Reading. Page 28, House Bill 3452, Representative McGuire. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3452 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire, has been approved for consideration."

Speaker Turner: "You wanna discuss Amendment #1, Representative McGuire? The Gentleman from Will, Representative McGuire, on Amendment #1."

McGuire: "...Speaker. I believe Amendment #1 is from DHS and it says something like transmission lines or something. I don't have the... Do you have the Amendment there, Sir?"

Speaker Turner: "Yes, I do and so do you now, Representative."

McGuire: "Oh, here we go. Thank you. Information transaction line, that's what it's... it's a high-class word for lines that only the employees use. I'd like you to adopt that Amendment, please."

Speaker Turner: "The Gentleman from Will, Representative Meyer. For what reason do you rise?"

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

Speaker Turner: "He indicates he will."

Meyer: "Representative, my records indicate that you had agreed in committee to hold this Bill on second and propose an Amendment which would make it subject to appropriations. And according to our records we don't see that that's contained in your Amendment."

Speaker Turner: "The Gentleman from Will, Representative McGuire."

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

36th Legislative Day

3/27/2003

McGuire: "Yeah, I'll take the Bill out of the record and Jim and I will talk. I'm not quite sure what he's talking about, but we'll straighten it out. Okay."

Speaker Turner: "Get that..."

Meyer: "Thank you."

Speaker Turner: "Get that transmission straight. On page 9 we have House Bill 1608. Representative Phelps. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1608, a Bill for an Act concerning veterans. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner: "Third Reading. On page 15 we have House Bill 2605. Representative Younge. Read the... She's not here. On page 6 we have House Bill 1091. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1091 is on the Order of House Bills-Third Reading."

Speaker Turner: "It's Representative Jones' request that that Bill be brought back to Second Readings, Mr. Clerk, so if you would place that Bill on the Order of Second Reading. On the Order of Second Reading, we have House... House Bill 2412. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2412, 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 Sullivan, has been approved for consideration."

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

36th Legislative Day

3/27/2003

Speaker Turner: "The Gentleman from Lake, Representative Sullivan, on Amendment #1."

Sullivan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 outlines certain guidelines for any private entity that contracts with the State's Attorneys Office for a diversion program. The language in the Amendment has two parts, first was done at the request of the Illinois Retail Merchants Association to ensure that the continued... that they continue to use existing statutes, which would authorize triple damages. The second, or other part of the Amendment, considers other business groups interested in assuring fair and consistent treatment of people that write bad checks. I'm open to any questions."

Speaker Turner: "Are there any questions? Seeing none, the question is, 'Shall Amendment #1 to House Bill 2412 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Turner: "Third Reading. We have House... On the Order of Second Reading, we have House Bill 3407. Representative Forby. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3407, a Bill for an Act concerning business transactions. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Forby, has been approved for consideration."

Speaker Turner: "The Gentleman from Franklin, Representative Forby. Representative Forby. Representative Forby. Out

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

36th Legislative Day

3/27/2003

of the record. On the Order of Second Reading, we have House Bill 1338. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1338, a Bill for an Act in relation to airports. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Turner: "The Gentleman from Madison, Representative Hoffman, on Amendment #2."

Hoffman: "Yes, Amendment #2 actually becomes the... the Bill. Essentially, what this would do is it would allow for military facilities to have a secure zone around them that would limit the type of development around them. This is for Scott Air Force Base in our area."

Speaker Turner: "The Gentleman from Fayette, Representative Stephens."

Stephens: "Even though I live in Fayette, I still represent a portion of Madison and St. Clair County..."

Speaker Turner: "Well, now last week you told me it was Fayette when I said Madison, today it's Madison and Fayette? Anyhow, you're the guy we wanna hear from."

Stephens: "Mr. Speaker, you drew the district, you should know it better than I."

Speaker Turner: "Proceed, Representative."

Stephens: "We... we support the Bill on this side of the aisle."

Speaker Turner: "The Gentleman from Will, Representative Meyer. For what reason do you rise?"

Meyer: "Yes, would the... would the Sponsor yield."

Speaker Turner: "He indicates he will."

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

36th Legislative Day

3/27/2003

Meyer: "Representative, your first... your original Bill, I believe contained quick take, just for clarification, does this Amendment contain that?"

Hoffman: "That no longer is part of the Bill."

Meyer: "Okay. Thank you."

Speaker Turner: "Seeing no further questions, the question is, 'Shall Floor Amendment #2 to House Bill 1338 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Turner: "Third Reading. The Gentleman from Cook, Representative McGuire, on House Bill 2658. Read the Bill, Mr. Clerk. Gentleman from Will."

Clerk Bolin: "House Bill 2658, a Bill for an Act..."

Speaker Turner: "Out of the record. On the Order of Third Readings, we have House Bill 206. Representative Monique Davis. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 206, a Bill for an Act concerning domestic violence. Third Reading of this House Bill."

Speaker Turner: "The Lady from Cook, Representative Davis, on House Bill 206."

Davis, M.: "Thank you, Mr. Speaker. House Bill 206 merely says that when a person violates an order of protection that he or she will be... the law will be enforced in criminal court. Currently, when an order of protection is violated the violator may go to domestic violence court, but this legislation is in place, hopefully to prohibit the... the

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

36th Legislative Day

3/27/2003

fact that some people don't respect an order of protection and putting the lives of their victims in jeopardy. So, this Bill will put teeth into the law and place those who violate the order under the criminal court. And I ask for an 'aye' vote."

Speaker Turner: "The Gen... the Lady from Cook, Representative Hamos. For what reason do you rise?"

Hamos: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Hamos: "Representative Davis, it's appropriate that my husband is on the Floor today, he's too busy talking to be listening, however. Can you... can somebody nudge him?"

Davis, M.: "Surely, your husband..."

Hamos: "Okay."

Davis, M.: "...would never violate an order of protection."

Hamos: "Well, let me... let me..."

Davis, M.: "I know Alan Greiman and he would never..."

Hamos: "Okay."

Davis, M.: "...do that."

Hamos: "My... my husband, Alan Greiman, used to be a Legislator many years ago and in fact was the Sponsor of the original Illinois Domestic Violence Act, something that he was very proud of. And I think that when we first talked about it and I was very much involved as an advocate on domestic violence years ago and the issue really for domestic violence victims we heard, we knew and we really experienced is that many times they would like an order of protection but are reluctant to pursue a case as a

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

36th Legislative Day

3/27/2003

prosecution, as a criminal case. This Bill takes away the option for domestic violence victims to use the civil courts and it requires them to go into the criminal court. And I'm wondering what... whether somebody brought this to you and what the background of this is and why you think..."

Davis, M.: "The Illinois..."

Hamos: "...that we should be taking away that option?"

Davis, M.: "Okay. The Illinois Association of Domestic Violence brought this to me and asked me to put this onto our current law. It changes one word in the current law and it said instead of 'may' go into criminal court it's 'shall' go into criminal court. It changes nothing with the current existing law except that one word."

Hamos: "Well, it's a mandatory... it's a mandatory criminal enforcement."

Davis, M.: "Yes, it is, Representative, and I'm glad you're bringing this question up, because so often a victim doesn't want to pursue the criminal aspect of a person violating a protection order. But as you know, many women have lost their lives recently because someone had no respect for the order of protection."

Hamos: "So, it was the coalition that brought this to you?"

Davis, M.: "The coalition brought this to me."

Hamos: "Okay. Thank you."

Davis, M.: "That's this Amendment."

Speaker Turner: "The Gentleman from Will, Representative Meyer.

For what reason do you rise?"

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

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

36th Legislative Day

3/27/2003

Speaker Turner: "She indicates she will."

Meyer: "Representative, I've been looking through your Bill, on its face it looks to me like it's a good Bill. I do have a question, is there any opposition to this Bill?"

Davis, M.: "I'm so... No, there is no opposition."

Meyer: "Okay. At one point, we were... we indicate here that the Criminal Standards Board had some opposition. Have you worked with them?"

Davis, M.: "The original Bill, there was an original Bill and the Coalition Against Domestic Violence objected to my Bill in reference to training and so forth, because they felt in some cases the original Bill was duplicitous or not strong enough. So, they felt that just putting teeth into the current legislation would do all the things we needed to have done. I think we passed a number of pieces of legislation to more strongly enforce domestic violence policies. And this Bill says the only thing changed is if an order is violated, if you are a person who is under the order of protection and you're not to go near a person's job or go into their home and you violate that order, this Bill says you will go to criminal court to have your case heard."

Meyer: "Thank you for clarifying that and I would stand in support of your Bill, recommend that those Members on our side of the aisle support it also."

Davis, M.: "Thank you very much, Representative..."

Speaker Turner: "The Gentleman from Lake, Representative Mathias. For what reason do you rise?"

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

36th Legislative Day

3/27/2003

Mathias: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Mathias: "I am assuming that today if you violate an order of protection if that... let's say that order was entered by a divorce court, I assume that you have the option of going back to that divorce court and asking for sanctions or going to a criminal court. Is that correct?"

Davis, M.: "That is correct. It's 'may', currently."

Mathias: "So, now you're taking away the right of... of that litigant to go back to the divorce court. Is that correct?"

Davis, M.: "Yes, we are."

Mathias: "And by doing that, in other words, now we're leaving it up to the state's attorney to determine whether or not to prosecute the case in the first place and issue a complaint based on the evidence that is presented as opposed to the attorney for the litigant who may bring a motion before the divorce court and basically will have to have a hearing based on his motion. Is that correct?"

Davis, M.: "Well, I believe that the current legislation or the current law as it exists today would allow that perpetrator to go back to divorce court or to go into what... civil court, maybe."

Mathias: "But that would be at the option of the victim, not at the option of perpetrator."

Davis, M.: "Well, this says if the perpetrator violates this very serious order then that person will face a criminal court. And the reason we thought this was necessary,

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

36th Legislative Day

3/27/2003

Representative, is because as you know, they may have in the newspaper or on the news that a person lost her life or his life even though the perpetrator was under an order of protection. So, in other words, it didn't mean very much to that perpetrator, but if that perpetrator knows, Representative, that I'm not gonna go to the divorce lawyer to hear this case, I'm gon... I'm a criminal, when I violate an order of protection, that's a criminal act. And it also... it jeopardizes the lives of wives, children and that's the reason the Illinois Domestic Violence Coalition asked me to put this into this legislation to put strength into an order of protection."

Mathias: "Ya know, unfortunately, at least in my experience, I find that going... when we go to... once you get into the criminal courts, victims seem to tend to be less... unless of course there's a serious violation and even in those cases I find the victims tend to sometimes be afraid to prosecute, ya know, their spouses, their boyfriends. And they, in a number of cases and I know we have a lot of state's attorneys that could tell us, in a number of cases drop the charges where they would be less likely to do it in a divorce court situation. It just seems to me you're taking away a remedy from a victim instead of adding to a remedy, because they have that remedy now to go to the court, where now you're taking that away from able... enabling them to go to the divorce court. So, it... it just seems to me, it may be my logic is wrong, that you're hurting the victim instead of helping the victim because

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

36th Legislative Day

3/27/2003

now you're foreclosing an avenue that that victim can use and sometimes that victim doesn't wanna go into a criminal court, they'd rather have it settled in the divorce court."

Davis, M.: "You're right."

Mathias: "Also..."

Davis, M.: "Sometimes... sometimes the victim doesn't even wanna press charges."

Mathias: "Right, I understand that, but when they do they're more likely to dismiss 'em in a divorce cour... in a, sorry, in a criminal court than in a divorce court. Also, and I'm not sure about the answer to this, maybe somebody else can answer it. Once you're in a criminal court the bur... the... in order to find somebody guilty in a criminal you must do it beyond the reasonable doubt. However, in a... as a violation of an order of protection, and I may be wrong, the burden of proof may only be the preponderance of the evidence because you're violating a court order and it's not a criminal it's a civil proceeding. So, sometimes you may have a situation were you don't have enough evidence to convict someone in a criminal court, but you may have enough evidence to find 'em guilty in a fact in a divorce court and again, you're foreclosing that remedy."

Davis, M.: "Well, the Domestic Violence Coalition felt that many times a woman doesn't have the financial wherewithal to get an attorney to pursue a criminal case and therefore no one pursues it and she remains a victim. So, they felt that if this were the law then the prosecutor would become

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

36th Legislative Day

3/27/2003

the attorney to pursue the case for those who could not afford to see that this was enforced."

Mathias: "I can understand that if before this law there was no option to go to criminal court and that option was put in several years ago when it made it a crime to violate an order of protection, which was not always the law. I don't remember what year they added it, but they have that option now. It just seems to me wh... anytime you foreclose an option to a victim that you're not helping the victim. But I may be wrong. Thank you. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Cook, Representative Delgado. For what reason do you rise?"

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

Speaker Turner: "She indicates she will."

Delgado: "Representative Davis, can you help me understand why the training mechanisms were removed from the Bill?"

Davis, M.: "Because the Illinois Domestic Violence Coalition felt that it was duplicitous, that that training already occurs and we didn't want to financially burden any of our police authority."

Delgado: "Do you know that..."

Davis, M.: "They felt..."

Delgado: "Thank you for that answer. Are you aware that in certain municipalities and cities domestic train... domestic violence training in academies amount to anywhere from four to eight hours out of an academy training. Are you aware of that?"

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

36th Legislative Day

3/27/2003

Davis, M.: "You said they have to have eight hours of training?"

Delgado: "I'm suggesting, Representative, that men... all they're getting is four to maybe eight hours of domestic violence training."

Davis, M.: "Well, the State Police felt that they do the training and some of the other police officials felt they do the training and, ya know, at a time in which we're under a budget crunch we didn't want to affect anyone's budget."

Delgado: "So, I mean... because the training would address both the safety of the police officer, as well as the securing of the family, so it's ver... they would behoove the Chica... they would behoove police agencies, State Police, et cetera to protect their officers by giving them comprehensive training in domestic violence and domestic violence prevention. So, I was very curious because this is such a wonderful Bill and what we've made out of it is a technical change, which is very important change to take it to criminal level. Because I believe that and I would hope that the Illinois Association of State's Attorneys are... will be listening, because I think that part of the situation of encouraging women to file it out of civil level versus going to the criminal level and making these spouses, these men if you will, if we wanna call 'em that, more accountable and make 'em 'pay the cost to be the boss', as someone says in this chamber."

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

36th Legislative Day

3/27/2003

Davis, M.: "And you know, Representative, a lot of women who are... become victims of domestic violence, they're not familiar with the court process, the court procedures and many times they're really at a loss for how to pursue, even in light of being financially capable, which many of them are not."

Delgado: "Yes and I'm quite aware of it. My question, I guess, to finalize is, I would like to work with you in the future on sitting down with procedures and trainings because you know in judicial law we've been talking very much about trying to cutback on these type of lack of understanding. And I wanna give you an example. We had a gentleman named Jorge Guillen who died because police went to home when his daughter called the Chicago Police to inform that there was a domestic violence situation and her daddy was sick and so when the police arrived they found a 5'4 Guatemalan... Honduran gentleman waving a board and when they saw this gentleman waiving the board. They went in knowing they were responding to a domestic violence call, subdued him, they took him down to the floor in a small apartment and they wound up killing him, not knowing that he was experiencing a schizophrenic episode and was under a hospital watch. So, Mr. Guillen is dead and in that case they were actually calling to get assistance, but because of the gesturing and really in my belief, the lack of standards of training, these unfortunate officers who, by the way, are some good officers, 'cause I knew some of them... I know some of them, had a reaction based on the call

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

36th Legislative Day

3/27/2003

that they were answering. So, I wanna join you in the future in looking at the other part of this Bill so that we can protect our police officers and make sure we protect the families, too."

Davis, M.: "Thank you, Representative Delgado. I'll be very happy to work with you in reference to training. In fact, we can have some meetings with the State Police and other police officials, because it is to the benefit of the citizen if those who, first of all, receive that call know how to handle that call and pursue the conclusion to that call as well as the officers who are responding. I'll be happy..."

Delgado: "And, Mr. Speaker, I just wanna go to the Bill, real quickly. I would also suggest that there's many CBO's, community-based organizations, that would be willing to partner with the Illinois State Police and other agencies to provide pro bono type training and seminars in their training academies and they can be... they can be qualified to be able to come into the academy so that we don't strain our budget and have advocates of the community come in and give 'em this training so they'd get more than four hours. Thank you, Mr. Speaker."

Speaker Turner: "The Gentleman from Cook, Representative Fritchey. For what reason... reason do you rise?"

Fritchey: "Will the Sponsor yield?"

Speaker Turner: "She indicates she will."

Fritchey: "Representative, and not to belabor the point of the former Mayor of Buffalo Grove. Yeah, I've got a lot of

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

36th Legislative Day

3/27/2003

respect for the group that brought the Bill to you, I've carried their legislation before and I don't think I've ever not supported one of their initiatives. My concern is a lot of times when we have the best of intentions what we try to enact may not further those intentions. I look at the analysis and it jumps out at me and ya know, I don't wanna misstate anything."

Davis, M.: "I hope you're looking at the analysis with the Amendment and not the original Bill."

Fritchey: "It's not my first year here. The analysis, in part, says that... I wanna find the right part, Representative. Ya know what, I can't find the right part, but essentially, it says that it may preclude a lot of civil actions by individuals. And the... and the... and the..."

Davis, M.: "I'm sorry, I couldn't hear you."

Fritchey: "There's a... there's a... there's an inference that the measure, if it were to become law, may result in barring or reducing certain civil actions by victims. Do you know why the analysis would say that?"

Davis, M.: "It would in the sense, Representative, that many of the women who are suffering from domestic violence they need someone to do this for them."

Fritchey: "I... I... here, I found the part I was looking at, so just to be fair, let me just quote from the analysis, 'presently the law bars doing both criminal and civil prosecution of a violation. If the latter, referring to the civil, is barred by collateral estoppel or double jeopardy, this Amendment may result in the preclusion of

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

36th Legislative Day

3/27/2003

numerous civil actions. I know you well enough to know that it's not your intention to preclude a victim of domestic violence from any remedies that she has today under the law. And I... and I guess... so I guess I'm wondering when I see that and I know the group that brought the Bill to you and I know you well enough, how do we give the interpretation that we may in fact be limiting the rights of women who are victims of domestic violence?"

Davis, M.: "The contempt will not be able to be done, someone else will have to do that for them, but the violation of the protection would come under the Criminal Code."

Fritchey: "Correct, but to the extent that there is a bar in certain situations from coterminous actions, meaning, bringing civil and criminal action together, if one may result in a double jeopardy or an estoppel argument and if we... and if we mandate that certain remed... and if we mandate that certain remedies now must be brought criminally, that criminal action will in... that criminal action will act as a bar to the civil action."

Davis, M.: "Okay. Yeah, the... the... the coalition wanted it this way and they wanted it this way to provide protection for women who are suffering from domestic violence. Ya know, sometimes, Representative, a person moves away from a home, they may even move away from the state, they may be running with their children, they have totally upset their lives and many of them cannot financially afford to have an attorney to pursue this... this perpetrator who is pursuing them and just ignoring this order of protection. So, it...

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

36th Legislative Day

3/27/2003

it... what it does say is, it will give, I believe it will give the victim two bites at the apple, maybe you don't want to do that."

Fritchey: "I... and I hope you realize that I do mean this with the utmost respect, today under the law, they had those two rights at the apple, by mandating and I don't wanna beat this analogy into the ground, but by mandating what one of those bites at the apple must be, we are in fact running the risk of not giving them that second bite at the apple. Under the law today they can proceed civilly, they can proceed criminally. In certain circumstances where you do proceed criminally you may then well be barred from the alternative remedy, by mandating the criminal action we may be limiting this. And you and I could go back and forth in circles on this and I don't mean that disrespectfully, I think our relationship's too good for that. More and more we tend to see very well-intentioned Bills and you and I discussed one yesterday, Bills that have the best of intentions. And when you look at this Bill and you look at the intention it's a unanimous Bill coming out on intention. But the courts aren't bound by intentions, the remedies and the lawyers and victims and perpetrators aren't subject to intentions, they're subject to the laws that we enact. My concern is that we are not trying to take a step forward and in tact... in fact taking a step backwards. When you talk about women not having the financial resources and I don't wanna just say women, but when you talk about victims of domestic violence not having

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

36th Legislative Day

3/27/2003

adequate financial resources, we've tried as a Legislature, we've tried as local governments to give them legal assistance, to give them avenues that they can go to to help them get the protections that they need, to get the remedies that they need to preserve not only their rights, but to preserve their very life. And we know how often we have seen women die trying to enforce the very orders that are meant protect them. And I, Monique, I don't wanna belabor this anymore than I have. I would ask and I trust you enough and I trust the coalition enough that they really look at this more when it goes across, I mean, it's gonna across the way with a lot of votes, but that they really take a look at what they are doing really matches up with what they're trying to do. That's all I'll ask. Thank you."

Davis, M.: "Thank you, Representative. I believe what they're trying to do is give women who are financially unable to hire an attorney and go into the court system and pursue justice for them, so by leaving it up the state's attorney it takes it out of the hands of the victim and hopefully, gives some protection. But I agree, we can work with this, we'll work on this, I agree with ya."

Speaker Turner: "Seeing no further questions, the question is, 'Shall House Bill 206 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 111 voting 'aye', 2 voting

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

36th Legislative Day

3/27/2003

'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Second Reading, we have House Bill 2658. Representative McGuire. Representative McGuire. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2658, a Bill for an Act concerning bonds. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire, has been approved for consideration."

Speaker Turner: "The Gentleman from Will, Representative McGuire, on Amendment #1."

McGuire: "Thank you, Mr. Speaker. We have an Amendment that we'd like to adopt, but I'd like to say something before we get too confused on this. This Bill was 2968 a week or so ago and due to some problem in the drafting of the Bill it had the wrong Act and so it's been redrafted and now it's House Bill 2658. I'd like to make sure no one is confused, because it was 2968, not it's 2658, but it's the same Bill. And we do have an Amendment that we'd like to adopt."

Speaker Turner: "And on the Amendment, you want to say what?"

McGuire: "The Amendment actually probably becomes the Bill, but it changes from one Bill number to the other and it just goes on to say that what we're trying to do with the Bill. And I think the Amendment is because we had to change the Bill number."

Speaker Turner: "Sounds good to me. The question is, 'Shall Amendment #1 to House Bill 2658 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the

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

36th Legislative Day

3/27/2003

opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Turner: "Third Reading. Mr. Clerk, what's the status of House Bill 75?"

Clerk Bolin: "House Bill 75 is on the Order of House Bills-Second Reading."

Speaker Turner: "Third Reading. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 75, a Bill for an Act concerning state finance. Second Reading of this House Bill. No... Committee Amendment #1 was adopted. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Yes, Mr. Speaker, I've noticed Senator Syverson in the middle aisle for the last hour while we've been conducting the people's business. Perhaps he could enlighten us. It's my understanding that the Senate passed 250 Bills today on one Roll Call, so if he could tell us how we could do that you could just put the whole Calendar one Roll Call and we could go get something to eat. All right."

Speaker Turner: "I'll ask Senator Syverson to come down and consult the Chair on that Representative."

Black: "Well, and since Senator Syverson was never a Member of the House, is it okay for him to be on the House Floor?"

Speaker Turner: "We could take a Roll Call on that. Do you want a Roll Call or a voice vote?"

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

36th Legislative Day

3/27/2003

Black: "Well, I... I noticed it takes three House Members to talk to one Senator to try and figure something out, there's... there's a lesson there somewhere."

Speaker Turner: "Your comments are well-taken. Mr. Clerk, Agreed Resolutions."

Clerk Bolin: "House Resolution 139, offered by Representative Raymond Poe. House Resolution 145, offered by Representative Franks. House Resolution 146, offered by Representative Kelly. House Resolution 153, offered by Representative Myers. House Resolution 154, offered by Representative Myers. House Resolution 155, offered by Representative Jones. House Resolution 156, offered by Representative May. House Resolution 157, offered by Representative Kosel. House Resolution 158, offered by Representative Kosel. House Resolution 159, offered by Representative Kosel. And House Resolution 160, offered by Representative Kosel. House Resolution 161, offered by Representative Cross. House Resolution 163, offered by Representative Mulligan. House Resolution 164, offered by Representative Krause. House Resolution 165, offered by Representative Krause. And House Resolution 166, offered by Representative Watson."

Speaker Turner: "With that, Representative Hannig moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it. And the Agreed Resolutions are adopted. The Gentleman from Clinton, Representative Granberg. For what reason... Allowing perfunctory time for

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

36th Legislative Day

3/27/2003

the Clerk Representative Hannig moves... Representative Granberg, for what reason do you rise?"

Granberg: "Than... oh, thank you, Mr. Speaker. I just wanna point out to the Body and to the Speaker and to Representative Joyce how, let's see, what time does Indiana... what time does Notre Dame play tonight and we're adjourning as opposed to Illinois and we..."

Speaker Turner: "Representative Joyce moves that the House stand adjourned 'til Friday, March 28, at the hour of 10:00. All those in favor say 'aye'; all those opposed say 'no'. And the House stands adjourned until Friday 10 a.m. on March 28."

Clerk Bolin: "The House Perfunctory Session will come to order. First Reading of Senate Bills. Senate Bill #1, offered by Representative Fritchey, a Bill for an Act concerning schools. Senate Bill 22, offered by Representative Lang, a Bill for an Act in relation to schools. Senate Bill 108, offered by Representative Frohlich... Froehlich, a Bill for an Act concerning corrections. Senate Bill 130, offered by Representative Pihos, a Bill for an Act concerning the children's health insurance program. Senate Bill 167, offered by Representative Froehlich, a Bill for an Act in relation to parenting. Senate Bill 568, offered by Representative Bost, a Bill for an Act in relation to vehicles. Senate Bill 216, offered by Representative Holbrook, a Bill for an Act in relation to civil procedure. Senate Bill 240, offered by Representative Dunkin, a Bill for an Act concerning home repair fraud. Senate Bill 242,

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

36th Legislative Day

3/27/2003

offered by Representative Nekritz, a Bill for an Act in relation to criminal law. Senate Bill 272, offered by Representative O'Brien, a Bill for an Act in relation to vehicles. Senate Bill 306, offered by Representative Feigenholtz, a Bill for an Act in relation to public aid. Senate Bill 330, offered by Representative Reitz, a Bill for an Act in relation to vehicles. Senate Bill 359, offered by Representative Jim Meyer, a Bill for an Act concerning health facilities. Senate Bill 361, offered by Representative Madigan, a Bill for an Act concerning environmental safety. Senate Bill 424, offered by Representative Giles, a Bill for an Act in relation to criminal law. Senate Bill 496, offered by Representative Biggins, a Bill for an Act in relation to taxes. Senate Bill 607, offered by Representative Mathias, a Bill for an Act in relation to taxes. Senate Bill 633, offered by Representative Forby, a Bill for an Act in relation to aging. Senate Bill 689, offered by Representative Molaro, a Bill for an Act in relation to gambling. Senate Bill 703, offered by Representative Lang, a Bill for an Act in relation to governmental ethics. Senate Bill 808, offered by Representative Mathias, a Bill for an Act in relation to health. Senate Bill 877, offered by Representative Jim Meyer, a Bill for an Act regarding schools. Senate Bill 86... Senate Bill 886, a Bill for an Act concerning cable television, offered by Representative Pankau. Senate Bill 1034, offered by Representative Jim Meyer, a Bill for an Act concerning freedom of information. Senate Bill 1044,

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

36th Legislative Day

3/27/2003

offered by Representative Lang, a Bill for an Act in relation to taxation. Senate Bill 1166, offered by Representative Reitz, a Bill for an Act concerning farm development... farm development. Senate Bill 1330, offered by Representative Franks, a Bill for an Act relating to public utilities. Senate Bill 1353, offered by Representative Munson, a Bill for an Act in relation to transportation. Senate Bill 1364, offered by Representative Miller, a Bill for an Act in relation to public aid. Senate Bill 1373, offered by Representative May, a Bill for an Act concerning property taxes. Senate Bill 1403, offered by Representative Wirsing, a Bill for an Act relating to schools. Senate Bill 1408, offered by Representative Winters, a Bill for an Act concerning transportation. Senate Bill 1431, offered by Representative Jones, a Bill for an Act in relation to property. Correction. Senate Bill 1431, offered by Representative Saviano, a Bill for an Act in relation to property. Senate Bill 1525, offered by Representative Hassert, a Bill for an Act in relation to gambling. Senate Bill 1884, offered by Representative Froehlich, a Bill for an Act concerning criminal law. First Reading of these Senate Bills. Introduction of Resolutions. House Resolution 147, offered by Representative Miller. House Resolution 162, offered by Representative Sommer. And House Joint Resolution 27, offered Representative Watson. These Resolutions are referred to the House Rules Committee. Introduction of Senate Bills. Senate Bill

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

36th Legislative Day

3/27/2003

1758, offered by Representative Madigan, a Bill for an Act concerning revenue estimates. Senate Bill 1759, offered by Representative Madigan, a Bill for an Act concerning truth in budgeting. Senate Bill 1765, offered by Representative Madigan, a Bill for an Act to create a commission to study tax expenditures in Illinois. Senate Bill 20, offered by Representative Madigan, a Bill for an Act in relation to executive agencies. Senate Bill 31, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. Senate Bill 35, offered by Representative Madigan, a Bill for an Act in relation to budget implementation. Senate Bill 36, offered by Representative Madigan, a Bill for an Act concerning bonds. Senate Bill 37, offered by Representative Madigan, a Bill for an Act concerning finance. Senate Bill 701, offered by Representative Madigan, a Bill for an Act concerning wineries. Senate Bill 702, offered by Representative Madigan, a Bill for an Act in relation to governmental ethics. Senate Bill 706, offered by Representative Madigan, a Bill for an Act in relation to governmental ethics. Senate Bill 709, offered by Representative Madigan, a Bill for an Act regarding business corporations. Senate Bill 710, offered by Representative Madigan, a Bill for an Act concerning limited liability companies. Senate Bill 711, offered by Representative Madigan, a Bill for an Act concerning partnerships. Senate Bill 712, offered by Representative Madigan, a Bill for an Act in relation to financial regulation. Senate Bill 713, offered by

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

36th Legislative Day

3/27/2003

Representative Madigan, a Bill for an Act concerning accounting. Senate Bill 719, offered by Representative Madigan, a Bill for an Act concerning conveyances. Senate Bill 723, offered by Representative Madigan, a Bill for an Act concerning conveyances. Senate Bill 724, offered by Representative Madigan, a Bill for an Act concerning the compensation of State and local officers. Senate Bill 726, offered by Representative Madigan, a Bill for an Act in relation to executive agencies. Senate Bill 728, offered by Representative Madigan, a Bill for an Act in relation to civil procedure. Senate Bill 729, offered by Representative Madigan, a Bill for an Act in relation to civil procedure. Senate Bill 735, offered by Representative Madigan, a Bill for an Act in relation to executive agencies. Senate Bill 738, offered by Representative Madigan, a Bill for an Act concerning the departments of State government. Senate Bill 739, offered by Representative Madigan, a Bill for an Act concerning agriculture. Senate Bill 740, offered by Representative Madigan, a Bill for an Act concerning the comprehensive health insurance plan. Senate Bill 742, offered by Representative Madigan, a Bill for an Act in relation to executive agencies. Senate Bill 744, offered by Representative Madigan, a Bill for an Act concerning schools. Senate Bill 746, offered by Representative Madigan, a Bill for an Act in relation to education. Senate Bill 748, offered by Representative Madigan, a Bill for an Act concerning higher education. Senate Bill 750,

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

36th Legislative Day

3/27/2003

offered by Representative Madigan, a Bill for an Act in relation to higher education. Senate Bill 751, offered by Representative Madigan, a Bill for an Act in relation to education. Senate Bill 755, offered by Representative Madigan, a Bill for an Act respecting higher education. Senate Bill 759, offered by Representative Madigan, a Bill for an Act in relation to education. Senate Bill 763, offered by Representative Madigan, a Bill for an Act in relation to education. Senate Bill 764, offered by Representative Madigan, a Bill for an Act with regard to education. Senate Bill 769, offered by Representative Madigan, a Bill for an Act concerning banking. Senate Bill 771, offered by Representative Madigan, a Bill for an Act in relation to banking. Senate Bill 773, offered by Representative Madigan, a Bill for an Act concerning banks. Senate Bill 774, offered by Representative Madigan, a Bill for an Act concerning budgeting. Senate Bill 776, offered by Representative Madigan, a Bill for an Act in relation to the regulation of professions. Senate Bill 777, offered by Representative Madigan, a Bill for an Act in relation to child care. Senate Bill 778, offered by Representative Madigan, a Bill for an Act concerning child labor. Senate Bill 783, offered by Representative Madigan, a Bill for an Act in relation to insurance. Senate Bill 785, offered by Representative Madigan, a Bill for an Act in relation to taxation. Senate Bill 787, offered by Representative Madigan, a Bill for an Act in relation to courts. Senate Bill 788, offered by Representative Madigan, a Bill for an

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

36th Legislative Day

3/27/2003

Act in relation to courts. Senate Bill 792, offered by Representative Madigan, a Bill for an Act in relation to the Attorney General. Senate Bill 794, offered by Representative Madigan, a Bill for an Act concerning State audits. Senate Bill 796, offered by Representative Madigan, a Bill for an Act concerning employment. Senate Bill 797, offered by Representative Madigan, a Bill for an Act concerning employment. Senate Bill 798, offered by Representative Madigan, a Bill for an Act concerning family law. Senate Bill 800, offered by Representative Madigan, a Bill for an Act in relation to aircraft. Senate Bill 802, offered by Representative Madigan, a Bill for an Act in relation to airports. Senate Bill 821, offered by Representative Madigan, a Bill for an Act concerning the Governor. Senate Bill 823, offered by Representative Madigan, a Bill for an Act concerning the executive branch. Senate Bill 825, offered by Representative Madigan, a Bill for an Act concerning guardianship and advocacy. Senate Bill 827, offered by Representative Madigan, a Bill for an Act in relation to insurance. Senate Bill 829, offered by Representative Madigan, a Bill for an Act regarding highways. Senate Bill 831, offered by Representative Madigan, a Bill for an Act concerning historic preservation. Senate Bill 833, offered by Representative Madigan, a Bill for an Act in relation to taxes. Senate Bill 841, offered by Representative Madigan, a Bill for an Act concerning taxes. Senate Bill 842, offered by Representative Madigan, a Bill for an Act concerning taxes.

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

36th Legislative Day

3/27/2003

Senate Bill 843, offered by Representative Madigan, a Bill for an Act in relation to municipal government. Senate Bill 844, offered by Representative Madigan, a Bill for an Act concerning local government. Senate Bill 852, offered by Representative Madigan, a Bill for an Act in relation to sanitary districts. Senate Bill 857, offered by Representative Madigan, a Bill for an Act in relation to financial regulation. Senate Bill 858, offered by Representative Madigan, a Bill for an Act in relation to the Secretary of State. Senate Bill 861, offered by Representative Madigan, a Bill for an Act concerning assistance to citizens. Senate Bill 862, offered by Representative Madigan, a Bill for an Act in relation to aging. Senate Bill 864, offered by Representative Madigan, a Bill for an Act concerning citizen benefits. Senate Bill 865, offered by Representative Madigan, a Bill for an Act in relation to sports facilities. Senate Bill 867, offered by Representative Madigan, a Bill for an Act in relation to the State Comptroller. Senate Bill 869, offered by Representative Madigan, a Bill for an Act in relation to state employees. Senate Bill 871, offered by Representative Madigan, a Bill for an Act to amend the State Finance Act. Senate Bill 874, offered by Representative Madigan, a Bill for an Act regarding finance. Senate Bill 916, offered by Representative Madigan, a Bill for an Act concerning open lands. And Senate Bill 918, offered by Representative Madigan, a Bill for an Act in relation to the regulation of professions.

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

36th Legislative Day

3/27/2003

Senate Bill 919, offered by Representative Madigan, a Bill for an Act concerning professional regulation. Senate Bill 920, offered by Representative Madigan, a Bill for an Act regarding sanitary districts. Senate Bill 924, offered by Representative Madigan, a Bill for an Act concerning the regulation of professions. Senate Bill 926, offered by Representative Millner, a Bill for an Act concerning the regulation of professions. Senate Bill 928, offered by Representative Madigan, a Bill for an Act concerning professional regulation. Senate Bill 929, offered by Representative Madigan, a Bill for an Act concerning professional regulation. Senate Bill 930, offered by Representative Madigan, a Bill for an Act in relation to the regulation of professions. Senate Bill 931, offered by Representative Madigan, a Bill for an Act concerning veterinary medicine. Senate Bill 932, offered by Representative Madigan, a Bill for an Act in relation to the regulation of professions. Senate Bill 933, offered by Representative Madigan, a Bill for an Act concerning employment. Senate Bill 934, offered by Representative Madigan, a Bill for an Act in relation to employment. Senate Bill 936, offered by Representative Madigan, a Bill for an Act concerning employment. Senate Bill 938, offered by Representative Madigan, a Bill for an Act concerning probate law. Senate Bill 943, offered by Representative Madigan, a Bill for an Act in relation to State procurement. Senate Bill 945, offered by Representative Madigan, a Bill for an Act concerning criminal procedure.

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

36th Legislative Day

3/27/2003

Senate Bill 946, offered by Representative Madigan, a Bill for an Act in relation to criminal law. Senate Bill 947, offered by Representative Madigan, a Bill for an Act concerning criminal law. Senate Bill 955, offered by Representative Madigan, a Bill for an Act to amend the Election Code. Senate Bill 956, offered by Representative Madigan, a Bill for an Act concerning employment. Senate Bill 958, offered by Representative Madigan, a Bill for an Act in relation to labor. Senate Bill 963, offered by Representative Madigan, a Bill for an Act concerning commercial transactions. Senate Bill 969, offered by Representative Madigan, a Bill for an Act in relation to taxes. Senate Bill 976, offered by Representative Madigan, a Bill for an Act regarding vehicles. Senate Bill 978, offered by Representative Madigan, a Bill for an Act in relation to vehicles. Senate Bill 980, offered by Representative Madigan, a Bill for an Act in relation to wildlife. Senate Bill 984, offered by Representative Madigan, a Bill for an Act in relation to labor relations. Senate Bill 989, offered by Representative Madigan, a Bill for an Act in relation to public aid. Senate Bill 992, offered by Representative Madigan, a Bill for an Act in relation to criminal law. Senate Bill 994, offered by Representative Madigan, a Bill for an Act concerning human services. Senate Bill 1000, offered by Representative Madigan, a Bill for an Act in relation to environmental protection. Senate Bill 1005, offered by Representative Madigan, a Bill for an Act concerning environmental

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

36th Legislative Day

3/27/2003

protection. Senate Bill 1013, offered by Representative Madigan, a Bill for an Act concerning higher education. Senate Bill 1014, offered by Representative Madigan, a Bill for an Act in relation to education. Senate Bill 1021, offered by Representative Madigan, a Bill for an Act relating to higher education. Senate Bill 1215, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1216, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1218, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1219, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1221, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1223, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1225, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1227, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1231, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1233, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1235, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1237, offered by

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

36th Legislative Day

3/27/2003

Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1239, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1241, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1243, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1245, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1247, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1248, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1249, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1251, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1253, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1255, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1258, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1262, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1264, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1266, offered by

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

36th Legislative Day

3/27/2003

Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1268, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1271, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1273, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1276, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1278, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1282, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1283, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1285, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1287, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1289, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1291, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1292, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1293, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1296, offered by

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

36th Legislative Day

3/27/2003

Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1298, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1301, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1303, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1305, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1307, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1309, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1311, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1314, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1316, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1318, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1319, offered by Representative Hannig, a Bill for an Act making appropriations. Senate Bill 1553, offered by Representative Madigan, a Bill for an Act concerning education. Senate Bill 1557, offered by Representative Madigan, a Bill for an Act concerning aging. Senate Bill 1559, offered by Representative Madigan, a Bill for an Act

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

36th Legislative Day

3/27/2003

in relation to agriculture. Senate Bill 1560, offered by Representative Madigan, a Bill for an Act concerning agriculture. Senate Bill 1567, offered by Representative Madigan, a Bill for an Act in relation to airports. Senate Bill 1598, offered by Representative Madigan, a Bill for an Act in relation to the General Assembly. Senate Bill 1599, offered by Representative Madigan, a Bill for an Act in relation to the General Assembly. Senate Bill 1604, offered by Representative Madigan, a Bill for an Act concerning bonds. Senate Bill 1605, offered by Representative Madigan, a Bill for an Act concerning bonds. Senate Bill 1606, offered by Representative Madigan, a Bill for an Act in relation to gaming. Senate Bill 1607, offered by Representative Madigan, a Bill for an Act in relation to gaming. Senate Bill 1610, offered by Representative Madigan, a Bill for an Act in relation to horse racing. Senate Bill 1611, offered by Representative Madigan, a Bill for an Act in relation to transportation. Senate Bill 1620, offered by Representative Madigan, a Bill for an Act in relation to health. Senate Bill 1621, offered by Representative Madigan, a Bill for an Act in relation to health. Senate Bill 1626, offered by Representative Madigan, a Bill for an Act in relation to local governments. Senate Bill 1631, offered by Representative Madigan, a Bill for an Act in relation to the Metropolitan Water Reclamation District. Senate Bill 1634, offered by Representative Madigan, a Bill for an Act concerning utility taxes. Senate Bill 1638, offered by

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

36th Legislative Day

3/27/2003

Representative Madigan, a Bill for an Act in relation to insurance. Senate Bill 1641, offered by Representative Madigan, a Bill for an Act concerning the military. Senate Bill 1645, offered by Representative Madigan, a Bill for an Act concerning employment. Senate Bill 1650, offered by Representative Madigan, a Bill for an Act concerning juveniles. Senate Bill 1656, offered by Representative Madigan, a Bill for an Act concerning space needs. Senate Bill 1657, offered by Representative Madigan, a Bill for an Act in relation to libraries. Senate Bill 1666, offered by Representative Madigan, a Bill for an Act in relation to unemployment insurance. Senate Bill 1668... Senate Bill 1668, offered by Representative Madigan, a Bill for an Act in relation to health in the workplace. Senate Bill 1676, offered by Representative Madigan, a Bill for an Act in relation to local government. Senate Bill 1680, offered by Representative Madigan, a Bill for an Act in relation to criminal law. Senate Bill 1684, offered by Representative Madigan, a Bill for an Act in relation to governmental ethics. Senate Bill 1689, offered by Representative Madigan, a Bill for an Act in relation to the State Treasurer. Senate Bill 1691, offered by Representative Madigan, a Bill for an Act in relation to the Supreme Court. Senate Bill 1699, offered by Representative Madigan, a Bill for an Act concerning open meetings. Senate Bill 1701, offered by Representative Madigan, a Bill for an Act in relation to pensions. Senate Bill 1704, offered by Representative Madigan, a Bill for an Act in

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

36th Legislative Day

3/27/2003

relation to public employee benefits. Senate Bill 1705, offered by Representative Madigan, a Bill for an Act in relation to public employee benefits. Senate Bill 17... Senate Bill 1725, offered by Representative Madigan, a Bill for an Act concerning taxation. Senate Bill 1733, offered by Representative Madigan, a Bill for an Act in relation to utilities. Senate Bill 1736, offered by Representative Madigan, a Bill for an Act concerning special districts. Senate Bill 1740, offered by Representative Madigan, a Bill for an Act concerning civil procedure. Senate Bill 1742, offered by Representative Madigan, a Bill for an Act concerning bioterrorism. Senate Bill 1743, offered by Representative Madigan, a Bill for an Act concerning economic development. Senate Bill 1745, offered by Representative Madigan, a Bill for an Act in relation to tobacco. Senate Bill 1897, offered by Representative Madigan, a Bill for an Act in relation to governmental ethics. Senate Bill 1901, offered by Representative Madigan, a Bill for an Act in relation to executive agenc... a Bill for an Act in relation to executive agency reorganization. Senate Bill 1903, offered by Representative Madigan, a Bill for an Act concerning the state budget. Senate Bill 1904, offered by Representative Madigan, a Bill for an Act in relation to state employment. Senate Bill 1909, offered by Representative Madigan, a Bill for an Act concerning coal development. Senate Bill 1912, offered by Representative Madigan, a Bill for an Act concerning human services. Senate Bill 1913, offered by

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

36th Legislative Day

3/27/2003

Representative Madigan, a Bill for an Act concerning the executive branch. Senate Bill 1914, offered by Representative Madigan, a Bill for an Act concerning finance. Senate Bill 1915, offered by Representative Madigan, a Bill for an Act concerning violence prevention. Senate Bill 1920, offered by Representative Madigan, a Bill for an Act concerning revenue. Senate Bill 1921, offered by Representative Madigan, a Bill for an Act in relation to agriculture. Senate Bill 1923, offered by Representative Madigan, a Bill for an Act in relation to state collection of debts. Senate Bill 1924, offered by Representative Madigan, a Bill for an Act in relation to bonds. Senate Bill 1934, offered by Representative Bost, a Bill for an Act concerning econ... economic development. Senate Bill 1935, offered by Representative Madigan, a Bill for an Act in relation to taxes. Senate Bill 1936, offered by Representative Madigan, a Bill for an Act in relation to taxation. Senate Bill 1937, offered by Representative Madigan, a Bill for an Act concerning taxes. Senate Bill 1943, offered by Representative Madigan, a Bill for an Act in relation to airports. Senate Bill 1944, offered by Representative Madigan, a Bill for an Act in relation to local governments. Senate Bill 1945, offered by Representative Madigan, a Bill for an Act in relation to sports facilities. Senate Bill 1946, offered by Representative Madigan, a Bill for an Act concerning mass transit. Senate Bill 1949, offered by Representative Madigan, a Bill for an Act concerning schools. Senate Bill

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

36th Legislative Day

3/27/2003

1951, offered by Representative Madigan, a Bill for an Act in relating to education. Senate Bill 1953, offered by Representative Madigan, a Bill for an Act concerning education. Senate Bill 1955, offered by Representative Madigan, a Bill for an Act regarding schools. Senate Bill 1957, offered by Representative Madigan, a Bill for an Act in relation to education. Senate Bill 1960, offered by Representative Madigan, a Bill for an Act in relation to higher education. Senate Bill 1784, offered by Representative Madigan, a Bill for an Act concerning public moneys. Senate Bill 1869, offered by Representative Madigan, a Bill for an Act concerning family law. Senate Bill 1872, offered by Representative Madigan, a Bill for an Act concerning employment. Senate Bill 1962, offered by Representative Madigan, a Bill for an Act in relation to technology. Senate Bill 1971, offered by Representative Madigan, a Bill for an Act relating to higher education. Senate Bill 1972, offered by Representative Madigan, a Bill for an Act with respect to higher education. Senate Bill 1973, offered by Representative Madigan, a Bill for an Act with respect to higher education. Senate Bill 1974, offered by Representative Madigan, a Bill for an Act with respect to higher education. Senate Bill 1975, offered by Representative Madigan, a Bill for an Act with regard to higher education. Senate Bill 1976, offered by Representative Madigan, a Bill for an Act respecting higher education. Senate Bill 1977, offered by Representative Madigan, a Bill for an Act respecting higher education.

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

36th Legislative Day

3/27/2003

Senate Bill 1978, offered by Representative Madigan, a Bill for an Act respecting higher education. Senate Bill 1979, offered by Representative Madigan, a Bill for an Act respecting higher education. Senate Bill 1980, offered by Representative Madigan, a Bill for an Act in relation to higher education. Senate Bill 1988, offered by Representative Madigan, a Bill for an Act concerning grain. Senate Bill 1991, offered by Representative Madigan, a Bill for an Act in relation to public safety. Senate Bill 1993, offered by Representative Madigan, a Bill for an Act in relation to whistleblowers. Senate Bill 1994, offered by Representative Madigan, a Bill for an Act in relation to unemployment insurance. Senate Bill 1995, offered by Representative Madigan, a Bill for an Act in relation to unemployment insurance. Senate Bill 2003, offered by Representative Madigan, a Bill for an Act concerning boards and commissions. Senate Bill 922, offered by Representative Madigan, a Bill for an Act in relation to child support. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session now stands adjourned."