

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

113th Legislative Day

May 9, 1990

Speaker McPike: "The House will come to order. The Chaplain for today is Father John Ossola, from the Cathedral Of The Immaculate Conception. Father Ossola is a guest of Representative Mike Curran. The guest in the balcony rise and join us for the morning prayer."

Reverend John Ossola: "Heavenly Father You are a just and loving Father of all. Be present with us today as we gather in Your name to work for the benefit of the people of the State of Illinois. Give us wisdom to see Your law courage to defend Your truth, and humility to accept Your will. May we always look to You for guidance and inspiration ever mindful that we are here to do Your will, and to serve each other. We ask this for Your son our Lord, Jesus Christ."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Ropp."

Ropp - 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 McPike: "Roll Call for Attendance. Representative Matijevich."

Matijevich: "Yes, Mr. Speaker. Bruce Farley, is excused at this moment he is in Loyola Medical Center scheduled for open heart surgery, and we give him our best."

Speaker McPike: "Representative Piel, do you have any excused absences?"

Piel: "Morning, Mr. Speaker. Yes, Representative John Hallock, is excused this morning."

Speaker McPike: "Thank you. Take the record Mr. Clerk. 116, Members answering the Roll Call a quorum is present. Although it certainly doesn't look like there's a 116 Members in. House Bills Third Reading. Agreed

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Resolutions."

Clerk O'Brien: "Senate Joint Resolution 165, offered by Representative Black. Senate Joint Resolution 166, Richmond. House Resolution 1653, Weller; 1654 Matijevich - et al; 1656 Daniels - et al. House Joint Resolution 127, Hultgren; 128 Kubik; and 129 Kubik."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker these are all congratulatory. I move the adoption of the Agreed Resolutions."

Speaker McPike: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 130, offered by Representative Johnson."

Speaker McPike: "Representative Matijevich. Oh, I'm sorry. Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 1655, offered by Representative Trotter with respect to the memory of Alderman Keith Alonzo Caldwell. And House Resolution 1657, offered by Representative Balanoff with respect to the memory of Bennett H. Brown."

Speaker McPike: "Representative Matijevich, moves the adoption of the Death Resolutions. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Death Resolutions are adopted. On the Speaker's Table Page 33 of the Calendar, on the Speaker's Table Short Debate appears House Resolution 1392, Representative Davis. Out of the record. House Resolution 1584, Representative Lang."

Lang: "Thank you, Mr. Speaker. House Resolution 1584, urges President Bush to call a White House Conference on Aging. The Older Americans Act in 1987 requires that there be a White House Conference on Aging in 1991. This requires a

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significant planning stage for people from all 50 states will appear in Washington. There was a White House Conference on Aging 10 years ago, which was very helpful in determining priorities for that for this past decade for senior citizens, and one will be required again in '91. We have money in our budget in the State of Illinois for this conference and so that we can do significant planning. We would...this Resolution would call on the President to set the date so that planning can take place. And I urge it's adoption."

Speaker McPike: "Is there any discussion of the Resolution? Mr. Piel, would you like to discuss the Resolution."

Piel: "I think it's a good Resolution. We have no problems with it, Mr. Speaker."

Speaker McPike: "The question is, 'Shall the House Resolution 1584, be adopted?' All in favor of the Resolution say 'aye', opposed 'no'. The 'ayes' have it, and the Resolution is adopted. Page 32, of the Calendar. Consent Calendar, Third Reading. Mr. Clerk, read the Bills."

Clerk O'Brien: "Consent Calendar, Third Reading, Second Day. House Bill 3117, a Bill for an Act designating the square dance as the American folk dance. Third Reading of the Bill. House Bill 3214, a Bill for an Act to amend the Foreign Banking Office Act. Third Reading of the Bill."

Speaker McPike: "Take the Consent Calendar out of the record. Supplemental Calendar #1. Alright, obviously the Bills on the Supplemental Calendar #1 have been agreed to by the Committee Chairman and the Minority Spokesman. If a controversial Amendment is adopted to any of these Bills they will go off of the agreed list. If you would like to knock a Bill off the agreed list, we would suggest that you discuss it with your own Leadership. The first Bill is House Bill 893, Representative Steczko. Read the Bill Mr.

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Clerk."

Clerk O'Brien: "House Bill 893, a Bill for an Act to establish a Joint Legislative Reference Bureau. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 950. Read the Bill Mr. Clerk."

Clerk O'Brien: "House Bill 950, a Bill for an Act to amend Mental Health Developmental Disability Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 951, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 951, a Bill for an Act to amend the Mental Health Development Disability Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Third Reading. House Bill 952, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 952, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 953, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 953, a Bill for an Act to amend the Code of Criminal procedure. Second Reading of the Bill. No Committee Amendments"

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 954, read the Bill,

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Mr. Clerk."

Clerk O'Brien: "House Bill 954, a Bill for an Act to amend the Abused and Neglected Long Care Facilities Residents Reporting Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1055, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1055, a Bill for an Act in relation to the adoption of persons. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1483, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1483, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Kirkland."

Speaker McPike: "Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. Floor Amendment #1, becomes the Bill and it implements the federal requirement set up in the Family Support Act of 1988, by changing current law to simply require that if the court deviate from the guidelines either above or below for child support based on consideration of specific relevant factors in the statute or any other..."

Speaker McPike: "Yes, Mr. Kirkland. Well, looks like your

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microphone broke. Why don't you try Mr. Harris',
microphone."

Kirkland: "Just finish up...or any other relevant factors that
shall make express written finding for doing so."

Speaker McPike: "Alright, is there any discussion on this? Being
none the question is, 'Shall Amendment #1 be adopted?' All
those in favor say 'aye', opposed 'no'. The 'ayes' have it
the Amendments adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. And if the electrician could
check Mr. Kirkland's microphone, we'd appreciate it.
House Bill 1550, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1550, a Bill for an Act to amend the
Condominium Property Act. Second Reading of the Bill. No
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1916, Representative
Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1916, a Bill for an Act Condominium
Property Act. Second Reading of the Bill. No Committee
Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Representative Black for what reason do rise?"

Black: "Well, thank you very much, Mr. Speaker. An inquiry of
the Chair, we're trying very diligently to follow along
with you this morning. And we're going down page 2, and we
cannot for the life of us find out what call your on. On
Supplemental. That will answer the question, thank you."

Speaker McPike: "Third Reading. Alright, House Bill 2173, read
the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2173, a Bill for an Act in relation to

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interior design profession. Second Reading of the Bill.
Amendment #1, was adopted in committee."

Speaker McPike: "Any Floor...any other Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Alright, the Bill has to remain on...Second
Reading because there is no fiscal note filed.
Representative Woolard in the Chair."

Woolard: "Thank you, Ladies and Gentlemen of the House. Mr.
Speaker, it's indeed a pleasure to have with me a
contingent of people from my district representing the City
of Herrin. Probably most of you are aware of the fact that
you were a very vital part in a very significant endeavor
in a city a few years ago, and that was one of the success
stories of the Civic Center Authority. The Herrin Civic
Center Authority not only was successful in being built, it
is very successful in serving the needs of the community of
Herrin. But what here for today is to recognize one of the
oldest and consistently best radio stations in the State of
Illinois. WJPF radio station has continuously been in
service to the people of my district for the last 50 years,
and we're celebrating that together with them today in the
City of Herrin. Bob Ferrari is a representative from the
radio station. Would you like to say something Bob?"

Bob Ferrari: "Larry, again I thank you very much for this honor
and I've said many times that I'm only the caretaker of
WJPF and there are many men that went before me...Charlie
Cook and many others, and we really appreciate the honor
that you have bestowed upon us Larry, and appreciate it
very much."

Woolard: "We're very honored to have a lot of good people from
the City of Herrin with us. The Mayor Ed...also is here.

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Mayor would you like to say something. Thank you, very much for your time."

Speaker McPike: "Representative McPike in the Chair. Representative Steczko here? There's a fiscal note that we need on House Bill 2173, on the yellow calendar, that remains on Second Reading. House Bill 2296, read the, Bill Mr. Clerk."

Clerk O'Brien: "House Bill 2296, a Bill for an Act to conform the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Alright, there's an Amendment that's been filed two minutes ago on the Bill so, it's not printed. Out of the record. House Bill 2822, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2822, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. No Committee Amendments"

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Mulcahey."

Speaker McPike: "...Read the...Mr. Mulcahey, on the Amendment."

Mulcahey: "Thank you, Mr. Speaker. Amendment #1 is a...an Amendment that was requested by the Department of Conservation to put the Bill in order. It simply provides that any species that are already existed to be hunted in the State of Illinois just be exempt from the..."

Speaker McPike: "Is there any discussion on the Amendment?"

Mulcahey: "...surrounding states, and I move for the adoption of the Amendment."

Speaker McPike: "Representative Piel on the Amendment."

Piel: "The Bill before the Amendment goes in would...include or exclude the hunting of dove?"

Mulcahey: "Prior to the Amendment would exclude, this would now include."

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Piel: "In other words right now this Amendment...those cute little cooing dove, you know, you can go out and kill them."

Mulcahey: "Well, that's already in the Illinois Code right now they can be hunted in Illinois. It may not apply to any...maybe Iowa or Wisconsin. And the Bill simply said that any species that is protected within the surrounding states would also be protected in Illinois. The problem was we had elk straying all the way Nebraska into Iowa they came to Illinois one was killed a couple of years ago simply because they were not protected,,,this will simply indicate that..."

Piel: "So, if they could fly from Wisconsin they Can't...as soon as they got across the Illinois Border we could shoot them here"

Mulcahey: "If we didn't have the Amendment, yeah."

Piel: "What about if they land on the State Capitol Building, cause I know it's a lot, these some of them are pigeons, but there might be a dove there. You can't is there a certain restrictions there?"

Mulcahey: "Well, it'll be same as it is right now, that's why we have the Amendment. The Same as the existing law is right now, we got change and put it back."

Piel: "Do you think we should shoot these cute little doves. Okay."

Mulcahey: "I don't give a damn what we do what we do with them, quite frankly. Is a..."

Speaker McPike: "Questions is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendments adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2873, read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 2873, a Bill for an Act to amend an Act in relation to organization. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2900, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2900, a Bill for an Act to the Natural Resources Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2903, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2903, a Bill for an Act designating a state soil. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2918, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2918, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2944, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2944, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

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Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3015, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3015, a Bill for to amend the Civil Administrative Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments? No Floor Amendments. Representative Santiago, there's a fiscal note requested on your Bill, you have to file that fiscal note so we can move it to Third Reading."

Santiago: "Okay."

Speaker McPike: "So, the Bill stays on Second Reading. House 3027, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3027, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Hartke."

Speaker McPike: "Representative Hartke, read the Amendment #1. Mr. Hartke it's your Amendment. Representative Cullerton. Cullerton."

Cullerton: "I understand he wants to withdraw the Amendment."

Speaker McPike: "Alright, want to withdraw the Amendment."

Cullerton: "Yes."

Speaker McPike: "The Amendments withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3040, Representative Ewing. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3040, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

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Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3063, read the Bill,
Mr. Clerk."

Clerk O'Brien: "House Bill 3063, a Bill for an Act to amend the
Emergency Medical Service Systems Act. Second Reading of
the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3070, read the Bill,
Mr. Clerk."

Clerk O'Brien: "House Bill 3070, a Bill for an Act to amend an
Act to revise the law. Second Reading of the Bill. No
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3072, read the Bill,
Mr. Clerk."

Clerk O'Brien: "House Bill 3072, a Bill for an Act to amend the
Revised Uniform Limited Partnership Act. Second Reading of
the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3112, read the Bill,
Mr. Clerk."

Clerk O'Brien: "House Bill 3112, a Bill for an Act to amend the
Code of Civil Procedure. Second Reading of the Bill. No
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3150, read the Bill,
Mr. Clerk."

Clerk O'Brien: "House Bill 3150, a Bill for an Act to create the

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office of voluntary action. Second Reading of the Bill.
No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3155, read the Bill,
Mr. Clerk."

Clerk O'Brien: "House Bill 3155, a Bill for an Act to amend an
Act providing protection for public safety. Second Reading
of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative
Cullerton."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes...This is...Amendment suggested by the Illinois
Rifle Association and the National Rifle Association with
this Amendment they are...either in support of in case of
the Illinois Rifle Association are neutral on the case of
the National Rifle Association. It changes the multiple
velocity from 350 feet to 700 feet per second."

Speaker McPike: "Any discussion? Representative Piel."

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

Speaker McPike: "Yes."

Piel: "Now, what...want you clarify a little bit as far as
Amendment #2 goes, now this includes a BB gun into the
Amendment or into the Bill?"

Cullerton: "Yes, this was a Amendment that...was agreed to in
committee by the Representative...Lobbyist for the National
Rifle Association and the Illinois Rifle Association. And
what the Bill does is to say that certain BB guns which are
not defined as firearms, so you don't need a F.O.I.D. card,
can be sold to 13, 14 and 15 year olds and the purpose of

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the Bill is to say that certain of these high powered air rifles or you're going to have to get a F.O.I..D. card and the only point of the Amendment is to define which weapons you can still sell to 13 year olds and which ones require a F.O.I.D. card. So, in determining which weapons we're going require the F.O.I.D. card we decided to do it by what's called muzzle velocity or the speed at per second that a projectile travels."

Piel: "Thank you, very much."

Cullerton: "We agreed to a 700..."

Speaker McPike: "Any further question?"

Piel: "No, further questions. Thank you."

Speaker McPike: "The questions is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendments adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3181, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3181, a Bill for an Act to amend an Act in relation to natural resources. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3200, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3200."

Speaker McPike: "Representative Giglio in the Chair."

Clerk O'Brien: "A Bill for an Act to amend an Act in concerning annexation. Second Reading of the Bill. No Committee Amendment."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Giglio: "Third Reading. House Bill 3242, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3242, a Bill for an Act to amend the archaeological Resources Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3254, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3254, a Bill for an Act in relation to clerks of courts. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3288, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3288, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3306, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3306, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3310, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3310, a Bill for an Act to amend an

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Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3412, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3412, a Bill for an Act to amend an Act concerning courts. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Dunn."

Speaker Giglio: "House Bill, Amendment #1. Representative Cullerton."

Cullerton: "I think we'd better wait for the Sponsor on this one."

Speaker Giglio: "Pardon."

Cullerton: "I think we'd better wait for the Sponsor, Representative Dunn on this Amendment."

Speaker Giglio: "Alright, take the Bill out of the record Mr. Clerk. House Bill 3454, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3454, a Bill for an Act to amend the township law. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, Representative Dunn is in the chamber let's go back to House Bill 3412. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3412, a Bill for an Act to amend an Act concerning courts. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative

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Dunn."

Speaker Giglio: "The Gentleman from Decatur, Representative Dunn on Amendment #1 to House Bill 3412. Representative Dunn."

Dunn: "This Amendment is...in response to a finding by the auditor general with regard to the substance of this legislation and provides that...the provides for appointment as secretary and other support staff, and strikes language regarding a limitation with regard to a four secretaries and two messenger clerks."

Speaker Giglio: "Any discussion on the Amendment? Hearing none. All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendments adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 3454, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3454, a Bill for an Act relating to the use of credit cards. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Floor Amendments, or are there any Motions filed?"

Speaker Giglio: "House Bill 3475, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3475, a Bill for an Act relating to the use of credit cards. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Were there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Harris."

Speaker Giglio: "The Gentleman from Cook, Representative Harris on Amendment #2."

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Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 non controversial Amendment it brings this Bill and this legislation in conformity with federal law in terms of when the notification has to be put on the billing statement, and I would move adoption."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Cook, Representative Piel."

Piel: "I'm sorry, Mr. Speaker. We can't hear him. Could he speak up...you know go through the Amendment one more time, please?"

Speaker Giglio: "Representative Harris."

Harris: "Did the Gentleman ask me to repeat what I just said?"

Piel: "You can't hear me."

Harris: "I'd certainly be happy too. The underlined Bill requires that notification of change in credit terms be put on the billing statement. What Amendment #2 does species that the time at which it has to be put on the billing statement, in other words 30 days ahead of time which brings it in conformity with federal law."

Piel: "Thank you, very much."

Speaker Giglio: "Further discussion? All in favor of the Amendment signify by saying 'aye', opposed 'nay'. Representative Harris."

Harris: "Just for point of...just for point of clarification, it's Amendment #2 And not Amendment #12. Thank you."

Speaker Giglio: "Alright, the...all in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 3478, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3478, a Bill for an Act to amend the

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Code of Civil Procedure. Second Reading of the Bill. No
Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House 3492, Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 3492, a Bill for an act to amend the
Public Utilities Act. Second Reading of the Bill.
Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative
Klemm."

Speaker Giglio: "Representative Flinn. Klemm. Excuse me.
Representative Klemm, on Amendment #2 to House Bill 3492."

Klemm: "Thank you, Mr. Speaker. Amendment #2 simply corrects the
language in the Bill to conform with my promise to the
committee. In the interpretation of the original language
of the Bill it appeared as if a TDD device
telecommunication device would be given to any person who
had a speech impairment. This clearly clarifies the fact
that you have to have telephone service and it's in keeping
with my promise to the committee."

Speaker Giglio: "Any discussion on the Amendment? Hearing none.
All those in favor signify by saying 'aye', opposed 'nay'.
In the opinion of the Chair the 'ayes' have it. The
Amendments adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 3506, Mr. Clerk, read
the Bill."

Clerk O'Brien: "House Bill 3506, a Bill for an Act in relation to
radiation protection. Second Reading of the Bill.

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Amendments #1 and 2 were adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "Motion to Table Amendment #2, offered Representative Myron Olson."

Speaker Giglio: "Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker. Yes, I wish to conform we have filed a Motion to Table Amendment #2, that is a agreed Motion and I would move for adoption of the Bill."

Speaker Giglio: "Amendment #2, is Tabled. Representative Cullerton."

Cullerton: "Okay. So, this going to be amended in the Senate. Okay that's the second...we can make this the second test case then Representative. We have Representative Hannig had a Bill yesterday where he was going to promise to amend it in the Senate, and your going to promise to amend this in the Senate and we'll just make a note of this...to we'll see if they come back."

Speaker Giglio: "Representative Olson."

Olson, M.: "Yes, I thank the Representative for making that Motion there is a draft going around between various concerned agencies that it has been put together, but it will be amended in the Senate."

Cullerton: "Who is...could you tell me who the Senate would be?"

Olson, M.: "We haven't picked a Sponsor. Well, Maitland, Dale Swinford said it'll be Senator Maitland."

Cullerton: "Senator Maitland?"

Olson, M.: "Yes."

Cullerton: "Do you feel confident..."

Olson, M.: "I'm extremely confident about Senator Maitland."

Cullerton: "...knowing that Senator Maitland the Sponsors of the Bill and that you have to rely upon him to put an Amendment on and send it back."

Olson, M.: "I'm extremely confident about Senator Maitland. I

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mean it's been raining. The crops are growing. He's in an especially for humor."

Cullerton: "Well, I think we're going to have to re-evaluate your position on a lot of issues then if that's the way you want to look at this."

Olson, M.: "I'm going to send a transcript of this tape over to Senator Maitland. Is that Okay?"

Cullerton: "Okay, so this is definitely coming back on concurrence. You can assure us of that. Okay, thank you"

Olson, M.: "Thank you."

Speaker Giglio: "Further discussion? All those in favor of tabling the Amendment #2 to House Bill 3506 signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have. The Amendment has been tabled. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On Page 5 of the Calendar 3518. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3518, a Bill for Act to amend Civil Administrative Code. Second Reading of the Bill. No Committee Amendments."

Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3573, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3573, a Bill for an to amend the Illinois Vehicle Code. Second Reading of the Bill. No committee Amendments.'

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3590, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3590, a Bill for an Act to amend the

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Controlled Substance Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative
Didrickson."

Speaker Giglio: "The Lady from Cook on Amendment #1 to House Bill
3590."

Didrickson: "Yes...Thank you, Mr. Speaker. This Amendment is an
agreed to Amendment. It would take the pharmacist out of
the Bill and...the Department of Alcohol and Substance
Abuse and the pharmacist has agreed to this it an needed
Amendment."

Speaker Giglio: "Is there any discussion on the Amendment? Has
this been printed and distributed Mr. Clerk? Mr.
Clerk...there's some question on the Amendment, take the
Bill out of the Record for the time being. Mr. Clerk we'll
hold the Bill on Second Reading after it's been read a
second time. Read the Bill a Second time Mr. Clerk."

Clerk O'Brien: "House Bill 3590, a Bill for an Act to amend the
Illinois Controlled Substance Act. Second Reading of the
Bill."

Speaker Giglio: "Alright, hold this Bill on Second Reading Mr.
Clerk. House Bill 3598, Representative Capparelli. Mr.
Clerk, read the Bill."

Clerk O'Brien: "House Bill 3598, a Bill for an Act to amend the
Illinois Vehicle Code. Second Reading of the Bill.
Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendment?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3603, Mr. Clerk, read
the Bill."

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Clerk O'Brien: "House Bill 3603, a Bill for an Act to amend an Act relating to secular textbooks. Second reading of the the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3628. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3628, a Bill for an Act to repeal the Illinois Neighborhood Corps Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3639, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3639, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3658, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3658, a Bill for an Act to amend an Act in relation to prompt payments by the state. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3679, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3679, a Bill for an Act to amend the

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Uniform Commercial Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Giglio: "Were there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3710, Mr. Clerk, read
the Bill."

Clerk O'Brien: "House Bill 3710, a Bill for an Act in relation to
the rights and interest of multiple party deposit accounts.
Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3711, Mr. Clerk, read
the Bill."

Clerk O'Brien: "House Bill 3711, a Bill for an Act to amend the
Radiation Protection Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3717, Mr. Clerk, read
the Bill."

Clerk O'Brien: "House Bill 3717, a Bill for an Act to amend the
Environmental Protection Act. Second Reading of the Bill.
Amendment #1, was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3718, Mr. Clerk, read
the Bill."

Clerk O'Brien: "House Bill 3718, a Bill for an Act to amend the
State Finance Act. Second Reading of the Bill. No
Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3719, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3719, a Bill for an Act to amend an Act in relation to asbestos. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3722, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3722, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendment?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3725, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3725, a Bill for Act to amend the State Officers and Employees Money Disposition Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3736, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3736, a Bill for an Act to amend the Boat Registration and Safety Act. Second Reading of the

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Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3739, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3739, a Bill for an Act in relation to Vermilion County Conservation. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendment?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3799, Mr. Clerk, read the...House Bill 3749, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3749, a Bill for an Act to amend the Barbers, Cosmetology and Esthetics Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3799, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3799, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3811, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3811, A Bill for an Act to amend certain Acts in relation to child support. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

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Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Alright, the Bill has been read and we'll hold it on second, there's a fiscal note requested. Hold the Bill Second Reading Mr. Clerk. House Bill 3815, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3815, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3817, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3817, a Bill for an Act to amend an Act providing for a system of probation. Second Reading of the Bill. Amendment #2 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Kirkland."

Speaker Giglio: "Representative Kirkland on Amendment #3."

Kirkland: "Thank you. First of all Mr. Speaker, if I may I would seek leave of the Assembly to table Committee Amendment #1, and then withdraw Amendment Floor Amendment #2."

Speaker Giglio: "One was tabled in committee, Representative Kirkland."

Kirkland: "I'm sorry."

Speaker Giglio: "Amendment #1 was tabled in committee."

Kirkland: "It was already tabled?"

Speaker Giglio: "Yes."

Kirkland: "Alright, then withdraw Amendment #2."

Speaker Giglio: "Two was adopted in committee, now you want to

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withdraw."

Kirkland: "Then it looks like we need to table...two was adopted in committee."

Speaker Giglio: "Yes."

Kirkland: "Then we need to table Amendment #2."

Speaker Giglio: "The Gentleman ask leave to table Amendment #2, to House Bill 3817. All those in favor of tabling the Amendment #2 to House Bill 3817, signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #2 is tabled. Are there further Amendments Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Kirkland."

Speaker Giglio: "Representative Kirkland, on Amendment #3."

Kirkland: "Alright, Well, I believe Amendment #3, simply renames a term that was used in the original Bill, gives it another name. The...what the Bill does not otherwise change."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from DeKalb Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Countryman: "What's the difference between Amendment #2 and Amendment #3?"

Kirkland: "Quick question John. Good question. Well, we put Amendment #2 on

Countryman: "Well, we put Amendment #2 on in committee and that's what I thought you wanted." I thought we had not done that. I

Kirkland: "I thought we had not done that. I thought this was a Bill that..." thought this was a Bill that..."

Countryman: "So, you're thinking they may be the same."

Kirkland: "They may be the same, yeah. But I know Amendment #3 is correct"

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Countryman: "But there's nothing in three that wasn't in two, is that what you're... alright thank you."

Speaker Giglio: "Further discussion on the Amendments? Hearing none. All those in favor of the Amendment, Representative Homer."

Homer: "Thank you, Mr. Speaker. I want to ask the Gentleman if he would take the Bill out of the record so we can read the Amendment."

Kirkland: "Alright, lets do it."

Speaker Giglio: "Mr. Clerk, take the Bill out of the record. We will let Representative Homer discuss it with Representative Kirkland. Take it out of the record. House Bill 3828, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3828, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3829, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3829, a Bill for an Act in relationship to security deposits. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Kubik."

Speaker Giglio: "Representative Kubik."

Kubik: "Mr. Speaker could we hold this particular Bill we have another Amendment that needs..."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. House Bill 3830, Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 3830, a Bill for an Act to create a home environment living program. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendment?"

Clerk Leone: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3834, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3834, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Matijevich and Hannig."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, withdraw any Amendments I have on this Bill. Withdraw any of my Amendments on this Bill."

Speaker Giglio: "The Gentleman ask leave to withdraw Amendments #1 thru 3. The Gentleman have leave? All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendments are withdrawn. Are there further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Countryman."

Speaker Giglio: "Representative Countryman on Amendment #4."

Countryman: "Thank you, Mr. Speaker. Amendment #4 makes various technical clarification to the Bill's original provisions changes nothing in substance and has been...at the request of several of the people who we have negotiated this Bill with."

Speaker Giglio: "Any discussion on the Amendment? Hear...Representative. Mr. Clerk, has the Amendment been

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printed and distributed? The Clerk informs the Chair that Amendment has been distributed. Is there any discussion on the Amendment? The Clerk informs the chair that the Amendment was printed and distributed...is there any further discussion on the Amendment? Amendment #4 to House Bill 3834. Hearing none all those in favor of the Amendment signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendment?"

Clerk Leone: "Floor Amendment #5, offered by Representative Cullerton."

Speaker Giglio: "Representative Cullerton on Amendment #5 to House Bill 3834. The Gentleman from Cook Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker. Amendment #5 is identical to House Bill 3857, which passed out of the Insurance Committee...requires...each association and industrial insured captive insurance company to submit an annual report of its financial condition to the Department of Insurance."

Speaker Giglio: "Any discussion on the Amendment? Hearing none. All those in favor of the Amendment signify by saying 'aye', opposed 'nay. In the opinion of Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk let's return to House Bill 3817, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3817, a Bill for an Act providing for a system of probation. It has been read a second time previously. Floor Amendment #3 is being offered by Representative Kirkland."

Speaker Giglio: "Amendment #3, all those in favor of the

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Amendment #3 to House Bill 3817, signify by saying 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. For House Bill 3847, Mr Clerk read the Bill."

Clerk Leone: "House Bill 3847, a Bill for an Act regarding contracts relating to artistic and creative services. Second Reading of the Bill. There are no Committee of Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3857, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3857, a Bill an Act to amend the Illinois Insurance Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Matijeich."

Speaker Giglio: "The Gentleman from...Mr. Cullerton. Representative Cullerton."

Cullerton: "Yes, Mr. Speaker I'm the Sponsor of the Bill. Before we with...Amendment #1...oh I'm sorry, go ahead that's fine."

Speaker Giglio: "Representative Matijeich."

Matijeich: "Speaker, I'm withdrawing one and I'm going with two and three."

Speaker Giglio: "Gentleman ask leave to withdraw Amendment #1 to House Bill 3857. All those in favor signify by saying 'aye', opposed 'nay'. The Gentleman from DuPage Representative McCracken."

McCracken: "If we don't withdraw the Amendment, will this make it harder for you to pass an IPAC Amendments later on? Or do

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you have two and three ready in case you can't table one or withdraw one."

Matijevich: "I already withdrew one."

McCracken: "No, no it's not over. He hasn't declared it."

Matijevich: "Oh, I thought I, if I withdraw it, I withdraw it."

McCracken: "Oh, alright okay."

Speaker Giglio: "Gentleman that has withdrawn Amendment #1. Hearing none Amendment #1 is withdrawn. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2 offered by Representative Matijevich and Hannig."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 would require insurance company's to offer motor vehicle insurance to good drivers at a reduced rate. These rates would be 20 percent below the rate which would otherwise have been paid for the same coverage. Every person who has been licensed to drive a motor vehicle for the previous three years and has had during that period no convictions for a moving violation shall be qualified to purchase the 20 percent good driver discount from the insurer of his or her choice. The rate charged for a good driver discount shall be at least 20 percent below the rate the insured would otherwise had been charged for the same coverage. Mr. Speaker, Ladies and Gentlemen of the House I would appreciate support for Amendment #2."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from DuPage, Representative McCracken."

McCracken: "Well, this will make a nice innocuous Bill on the agreed list. A Bill which will not remain on the agreed list I'm afraid."

Matijevich: "We know that."

McCracken: "This is another purported public policy statement

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from IPAC, the Democratic front organization. IPAC never endorses Republicans, do you know why? It's not because they don't like us on the merits, its because their money comes from Democrats only. They are a sham, a public policy sham and for to long the press has accorded them more credibility than they deserve. We never see a reference to the fact that all their money come from Democratic organizations. We never see a reference to the fact that all of the people they endorse are always Democrats. Now this is what this Bill does, ready for...this is what this..."

Speaker Giglio: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker point of order. The Gentleman is to confine his remarks to the merits of the Amendment please."

Speaker Giglio: "Points well taken. Representative McCracken."

McCracken: "There are no merits to this Bill that's why I'm talking about the politics. The fact of the matter is it purports to be public policy all it is a Democratic front organization a tool for the Democrats who want to punish industry at every chance they get. What this Bill does is get the General Assembly in the rate making business. Not only do we set rates...not set rates administratively in this state because it hurts private competition in the marketplace but we certainly don't want to micromanage the insurance industry from the floor of the General Assembly, which is precisely what this does. This is more populous 'pap'. IPAC must think the public is stupid, that there are no consequences to controlling business from the floor of the General Assembly. That what we seek to do by this Amendment will not hurt industry. Did you know that we're rate making is controlled in all of the major industrial states. Rates are higher than in Illinois period...period

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especially auto insurance, especially liability insurance. It's absolutely awful public policy and it should not be passed under the guides of some neutral public policy position. It's nothing more than an attack on industry an attack on Republican constituency, attack on business. I urge a 'no' vote. I want a Roll Call vote and I suspect it's to early in the day to have all your people here."

Speaker Giglio: "The Gentleman from...Representative Cullerton. The Gentleman from Ropp, excuse me from McLean Representative Ropp."

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

Speaker Giglio: "Representative Matijevec, will you yield to Representative Ropp? He indicates he will."

Ropp: "Representative Matijevec, where did the figure of 20 percent come from, is that an arbitrary figure or is that some historical data?"

Matijevec: "It's arbitrary but and let me tell you Gordon, if it were one percent you'd be against it."

Ropp: "Well, I haven't decided that for sure..."

Matijevec: "...in committee, you decided it in committee. I know where your coming from. You evidently are on that other side of the aisle that Tom McCracken is talking about. If this is a Democrat versus Republican issue, then let's all Democrats vote 'aye' for it. If it is a Democrat versus Republican issue it means that Democrats favor doing something about high insurance rates. Is that the position..."

Ropp: "Well."

Matijevec: "Is that the position of the Republican Party that you favor these high insurance rates on automobile premiums. We don't."

Speaker Giglio: "Representative Ropp."

Ropp: "Wait, I'm not through yet. I didn't have a chance."

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Speaker Giglio: "I think he was trying to answer your question. Proceed."

Ropp: "Well, all it really took was a yes or no or maybe but, anyway...another question. Why is it that you feel that if we get 20 percent now off for those good drivers, isn't it presumed then that for those people, the rest of the people will ultimately end up paying more insurance?"

Matijevich: "...That is the absolutely untrue, because the facts are that if you look at the lost data in the State of Illinois versus the premium increases, the increases...premium have out distanced lost data by over 20 percent in the last three years. So, we are not taking anything away from the other drivers. We are telling the insurance companies you have increased premiums too high. You haven't looked at lost data, and I think if all of you feel that way that you ought to support this Amendment. It is telling the insurance companies you're making too much money compared to the premiums versus lost data ratio."

Ropp: "Well, I think one of the things that if you check out what some the insurance company's are doing, as I have done. They have attempted to provide for the automobile makers specific data, specific kinds of claims that are helping the manufacturers come up with new innovative parts that will ultimately be cheaper to the consumer, and I think insurance company's in general are attempting to do that. At least I know the largest insurance company in the country is doing that, and I think from that lead we ought to take our hats off to them. I really think that the posture here that you're attempting to...talk about here mandating and to giving a business certain kinds of parameters as to what they may or may not charge, is some what unAmerican and I don't think that the State of Illinois is anywhere close to some of the states you may

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have indicated have excessive insurance rates that some that may have occurred out on the West Coast. And I would certainly urge people on the House Floor to oppose this Amendment."

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

Cullerton: "Yes, would the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Cullerton: "Well, Representative Matijevich, this is my Bill you know. And If I'm going to have to, if this Amendment get on I'm going to have to...try to pass this If I agree with the Amendment. So let me ask you some questions about this."

Matijevich: "Sure."

Cullerton: "I don't want to talk about the politics, I want to talk about the merits of this. Does this...attempt to lower insurance rates for people that have automobile insurance?"

Matijevich: "No, what it attempts to do is...to provide those who have in the last three years shown by their driver experience that they have not received traffic violations that that merits a reduction in the premiums from what they would have been charged. In other words often we hear insurance company's say well if you're a good driver your insurance rates wouldn't be so high you got so many traffic tickets. Then if you have a good driving record it doesn't make any difference really. So, what this is doing is trying to show that good drivers ought to merit some consideration."

Cullerton: "Well, wasn't there recent report submitted by the Department of Insurance to the General Assembly concerning the issue of the Illinois premiums having being increased faster than loses, you hear anything about that?"

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Matijevich: "Yes, that report was issued April 15, 1990 and by the way we mandate that report from the Department of Insurance. What good is it for us to tell the Department of Insurance that we ought to have a report on premiums and lost experience if we don't use the result of that report. And that show that relative to loses incurred in premiums increased 21.1 percentage points more than loses. Nationally the premiums increase only .8 percentage points in other words, we were over charged as consumers by the goodly amount of \$546,000,000 during the last five years."

Cullerton: "Well, now are we the only state in the country that has no form of state oversight over insurance rates?"

Matijevich: "Well, I understand Idaho also does not in anyway...regulate insurance, so us and Idaho we're Idaho's the partner with us. Otherwise, no other state."

Cullerton: "Well, I think you've convinced me it sounds to me like if you...want to vote for lower insurance premiums you'd vote for the Bill, and if you want to have our constituents pay higher insurance premiums you'd vote against it the Amendment. Is that the way you look at it."

Matijevich: "Well, you must be thinking that way because your a Democrat."

Cullerton: "Thank, you Mr. Speaker."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Pedersen."

Pedersen: "Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Pedersen: "You know, Representative in committee IPAC came in with their very selective figures...but we only had their figures. It seems to me that we need a response from other sources there are all kinds of figures everyone plays a statistical game and nobody, nobody really believe IPAC and their figures."

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Matijevich: "Well, Mr. Pedersen, you are a Member of the General Assembly you are a House Member these are not IPAC figures, here's the report. It is not a IPAC report it is a report from the Department of Insurance. Now, if you choose to ignore that because of who you work for and what your employment that's your business but that's your business, but that is not an IPAC report."

Pedersen: "All I'm saying is that there's all kinds of figures out there and your being very selective, isn't that so?"

Matijevich: "Selective how can you say that? The Department of Insurance reports."

Pedersen: "Because it's true."

Matijevich: "It is not their report, it's the Department of Insurance report. You answer this question, how does that make it selective? How does that make it selective?"

Pedersen: "Well, we'll go on another question...we've covered enough on that."

Matijevich: "You can't answer that."

Pedersen: "Aren't you aware that we have had merit rating on automobile insurance for the last 25 years in this state? Why do we have to pass a law when we've already got it?"

Matijevich: "The merit rating does not mandate...premium reductions for good driver, in otherwise words good driver discounts. This is something stronger than that which I think ought to be in the law to show good driver that they ought to have reduced premiums."

Pedersen: "In other words you're going to force everybody to do it, even though 90 percent of the company's out there already are doing it."

Matijevich: "Well, if 95 percent of the company's aren't...are already doing it I'm sure you're not protecting 10 percent of the company's."

Pedersen: "To the Bill."

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Speaker Giglio: "Proceed."

Pedersen: "We went through all of this in committee, I mean we've had the safe driver plan in this state for years, it's very competitive. We have some of the lowest for a state with a big urban center we have some of the lowest rate in the country because we are competitive and we don't have all this regulation that gives jobs to patronage worker's in...the Democratic Party. What we want is competition out there, that's what we've got and that's why have so many insurance companies in this state who provide jobs. We already have a safe driver plan, the way it works is that if you you have a standard rate and if you qualify under these kinds of conditions their talking about even in this Bill we've already got they get a reduction. But of course if they have an accident or a chargeable then it goes up and if they have two then it goes up more and if they have three and then it goes up more. But you know there are company's out there who are very competitive who don't have the merit rate. Their competitive even without the merit rating, and believe or not there are a lot of consumer's and that's what we're really interested in. There are a lot of consumer's are out there who prefer a lower, they prefer these competitive company's so that when they do have a chargeable accident their cost doesn't go up. They rather have it that way, but no, we've got to have more mandates more government to stifle competition in this state. So what we've already got this, it's very competitive and it's just unnecessary. I urge a 'no' vote."

Speaker Giglio: "Further discussion? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. I rise in support of the Gentleman Amendment. If you look at

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the study that the Illinois Department of Insurance has put out you'll see that since 1984 to 1988 losses have gone up 30 percent. But during that same time frame we've seen premiums here in Illinois go up 51 percent. Now some would say, well competition ought to set the price, but the truth is, that here in Illinois and most other places we allow insurance company's to get together and set these prices. They can...they are not bound by the anti-trust provisions that most businesses in our state and our country have to live by. They're different. They get together and set the prices themselves, if we allow them. So, what is the solution? I think we have to look at this realistically and say that if we're not going to repeal their anti-trust exemption then at least we have to some kind of rules. Some kind of way to make the insurance company's act fairly. This is not a, this not a proposal that causes rule making. It's not going to create a great bureaucracy in the State of Illinois. It simply provides for those individuals who over three years have not had an accident, and have not had an violation, a moving violation that they be given some kind of preference. It seems like an awful fair plan to me and I can say I haven't had an accident myself or a moving violation in twelve years, and my rates still go up every year. So, I don't think that we're doing good by allowing this system to continue at it is, and its simply a step forward to give the best drivers those people who have the best record some kind of break and I think we should adopt this Amendment."

Speaker Giglio: "Further discussion? The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, and Members of the House. All the rhetoric that goes on with the IPAC proposals against the insurance industry just not proven true. Every state

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that regulates their insurance right now as higher premiums than the State of Illinois Massachusetts, New York, New Jersey, California. Number one, number two, number three highest rates in the United States of America and Illinois is number 30. Now, that shows that regulations don't reduce premiums. The second thing, the consumer report came out in 1988 a trusted magazine that helps the consumer. Out of the ten largest auto insurance carriers in the State of Illinois there is a difference in premiums with the same family, the same geographical location and the same coverage, the difference in premiums from the number one highest company to the lowest is \$1200 a year in premiums. And if that's price fixing somethings wrong. I suggest the consumer would be doing a tremendous benefit to himself if he shopped his coverage around, thank you."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's been eluded to by the Sponsor of this Amendment that perhaps this is partisan issue. That can not be further from the truth, this is not a partisan issue. The Sponsor of this Amendment has jumped around from various issue to various issue trying to justify his position on this issue in fact, quite frankly, if we interfere with free marketplace with the free enterprise system and not allow competition you will see the rates go through the ceiling. There is a steady growth in the rates of insurance premiums for three reasons. The first is the cost of medical expenses. We all understand that the cost medicine and medical expenses are going up every year, every six months it goes up. Those reflect in your car insurance premiums, the cost of the thefts of cars. We have legislation introduced this year to try and deliberate and help us stop the thefts of cars. That's the second

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cost of car insurance and the reason why it goes up, and the third is the cost of repairs and we have legislation this year to try and slow down the cost of car repairs. So that those three factors do not reflect in higher premiums, Representative Hannig says, well, I'm good driver I haven't had an accident so there, why should my premiums go up. Quite frankly, Ladies and Gentlemen the concept of Insurance is that we pool our resources to take care of those people who unfortunately do have accidents, do have medical expenses and do have their cars stolen. That is what this Bill...Amendment is about that is what all of Representative Matijevec Amendments will be about. He is confused, he is trying to make a point. If you pass these kind of Amendments and they become laws, it will be guaranteed that you will find that your car insurance rates, the rates of the constituents that you have been sworn to uphold will go through the ceiling because that is what's happened in the other states of the United States where they've been monkeyed around with the free marketplace by passing these kind of Bills. This a bad idea. It is introduced by a meaningful Representative on behalf of a group of people called IPAC that only represent a special interest that is partisan has nothing to do with what is good for the consumers of this state. They are not good consumer people, they are anti-consumer. IPAC is anti consumer and those are the people that are trying to cloud this issue. I would ask and respectfully suggest that we should say no to all of these on the name of consumer's that these kind of Amendments do not pass."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Yes, thank you, Mr. Speaker. Just a short question to the Sponsor, if I may. Representative Matijevec, I

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noticed one of the lines here you've got absence of fire insurance coverage alone may not be the basis for determining eligibility for a policy under good driver discount plan. Will that mean that insurance company's if they received a inquiry for a new policy would have to search some how police records or something to find out whether that person has every had a violations or an accident or something, is that what we're doing on that I wonder if you could clarify that?"

Matijevich: "That information is available to insurance company's anyway. This imposes no new obligation on the insurance company."

Klemm: "I don't think your Amendments so bad to be honest with you. But I do have some questions about that. It seems like most insurance policies seem like after you've been with them you quality for good driver. This would ex..well this would eliminate that provision?"

Matijevich: "Well...I don't think anybody ought to be penalized if they have a good driver record. What this is for, example we...as you know we just started under the new mandated insurance law. And let's say someone of their own volition chose not to have insurance. Mainly because they thought that they were good drivers and wouldn't get in an accident, and then they...because of the mandate now have insurance that...shouldn't disqualify them for having three year good driver discount."

Klemm: "Is there any time frame where when you apply for insurance policy for auto insurance that the insurance company would have to respond, I mean do they have enough time to check somebody's record if they have no experience whatsoever with any insurance company or anything like that? I'm trying to see there's some...certain reasonableness for the insurance company's to at least meet

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this mandate, you know."

Matijevidich: "That is not addressed in the Bill."

Klemm: "I don't know."

Matijevidich: "I think that problem can be addressed by the Department of Insurance..."

Klemm: "Alright, I had some concern about that because most insurance company's say that if you, you know been with us and you've got a good driver usually get the good driver's discount and I was wondering if you were allowing that same type of latitude but saying that each insurance company would have to now offer that regardless whether they do now or not. I don't think there's anything wrong that I do have a little concern to be reasonable on other side of the coin...the insurance company's at least get enough time or enough effort to get some, you know track record on these. Thank you."

Speaker Giglio: "The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. This...been a lot of talk about politics but you know, the Democratic Party is the Majority in the House. They're the Majority Members of the committee, and this Bill and it's entirety was presented before the Insurance Committee and that committee and it's wisdom voted the Bill down. There's a very simple reason that the committee voted that Bill down. Yes, you guys like to put out your press releases and IPAC comes in and endorses candidates who are for...some sort governmental rate structure I mean anybody that think that government can, can set rates on anything let's think about what government does for us right now. I mean government got involved in the utility issues and are your utility bills going down? Of course not. Government can't do anything better than private enterprise nothing, nothing

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better than private enterprise. This Bill we are in Illinois an average...a below average state as far as rate payment goes, now I ask Mr. Krammer the demagogue from IPAC if he would like to explain to me what the purpose of the Bill was, and he said he wanted he wanted Illinois to even out with the rest of the nation and pay rates equal to the rest of the nation. Representative you know as well as I do that we rank 30th in automobile insurance rates and Mr. Krammer would like us to pay \$40 more, \$40 more Representative is what this Bill would do. Now, if think that every rate payer in Illinois wants to pay \$40 more so that we can come up to the national average, because you think some government committee can do a better job than private enterprise, well why don't we just amend this Amendment and let Government take over everything because you think that because the Democratic Leadership, Government can do a better job than American's can. Government can't do a better job than American's can, they're doing quite well without your help. Thank you."

Speaker Giglio: "The Gentleman from Cook Representative Levin."

Levin: "Would the Sponsor yield?"

Speaker Giglio: "Indicate she will."

Levin: "Representative, I am wondering if many of the people that are speaking against the Bill have read the Amendments. We're being told that this regulates rates. It sets rates. Doesn't it provide for a 20 percent reduction in what every rate the company has set? You're not telling the company what rate to set, you're saying if the driver has had no claims and no tickets that whatever the rate is he's to get a 20 percent reduction, am I misunderstanding this simple Amendment?"

Matijevich: "As usual you're right, Ellis. By way of that last tire raid I heard, I didn't no if I was hearing it from...I

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don't know if I was I'm answering, I'm answering."

Speaker Giglio: "Order. Let the Gentleman answer the question."

Matijevich: "I'm answering Ellis Levin, I said that last tire
raid I didn't know if I know if I was hearing it from the
right Gentleman. Because I remember in the Consumer
Protection Committee there was some way that the we're going
to regulate pharmacies somehow, where he might benefit.
That was alright was alright for government."

Levin: "To the Amendment, Mr. Speaker..."

Speaker Giglio: "Representative Levin."

Levin: "This is..."

Speaker Giglio: "Mr. Levin, continue."

Levin: "Thank you, Mr. Speaker. I think..."

Speaker Giglio: "Representative Levin, you may continue."

Levin: "Thank you, Mr. Speaker. There are other Amendments that
are filed to this Bill, and it possibly some of the people
on the other side of the aisle are confusing the
Amendments. We are on Amendment #2. Amendment #2 is a
very simple Amendment, it says that if an insured has not
made any claims has had good driving record hasn't had any
accidents, hasn't had any tickets and therefore has not
made any claims in last three year against an insurance
company that they've had to pay out that his rates his or
her rates ought to be reduced. It doesn't say what the
rates are it says that there should be a 20 percent
reduction for this class of customer that has not made a
claim and has a good record. I don't see this as rate
regulation, this simply is something that to me is honesty
and good advertising. Logical honest advertising if you
talk about good drivers and wanting to reward good drivers.
This simply says, if you talk about do that that's all. Is
not rate regulation I don't see the 'bugaboo' that
everybody's talking about here. I would urge adoption of

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this Amendment."

Speaker Giglio: "Further discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. The last speaker got up and asked a rather ridiculous question about whether this was rate regulation when you require the rate that you pay for your auto insurance to go down by 20 percent. I was amazed at the question, I was amazed at the Sponsor response. I would hope that people on the other side of the aisle wouldn't try to hoodwink this Body. It is obvious Mr. Speaker, that when you dictate that a rate goes up or down you're setting rates and an insurance company that is in business their rates are set a level so that can make a profit. When you mandate that they go down one spot they're going to go up another, and if the other side of the aisle can't see that then I would say we're in sad sad shape and they should try and be more truthful and more honest with this side of the aisle because we're just poor country people over here trying to do what's good for the people."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The previous speaker almost had it correct. If the insurance company's go up in one area of their rates...and they do that with great abandon without explanation and not based on any tables or charts or anything else, just because they that know they have the consumer where they want them. So, raise here, raise there, just make sure you can and a legislation that will say that you have to take in the a good history a good risk history and get reductions accordingly seems to make absolute sense to anyone except perhaps Representative Ewing and the

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insurance company's."

Speaker Giglio: "The Lady from Cook, Representative Zickus."

Zickus: "Thank you, Mr. Speaker. I would like to yield my time to Representative Stephens."

Speaker Giglio: "Representative Stephens."

Stephens: "Mr. Speaker, one of the previous Speakers, in referring to my voting record, implied that I had somehow voted for my own interest. Mr. Speaker, I would tell you that the Bill that he's referring to is a Bill that prevents me...prevents me in my pharmacy business from entering into special agreements with...with recipients of insurance or third party prescription plans. Prohibits me from special contracts. Representative that made the comment might do better to focus on the legal profession. If attorneys would make the same deal that I made, which is to limit and prevent myself from entering into special contracts. We wouldn't have any problems. It's not the pharmacist in Illinois that causes the problems. It's the lawyers."

Speaker Giglio: "Representative Matijevecich to close. Representative Matijevecich."

Matijevecich: "Mr. Speaker, Ladies and Gentlemen of the House. All of us have mandated that the Department of Insurance prepare for us, under the Illinois Cross Containment Act, a report regarding the premiums and liabilities incurred losses. And, we have that experience in the Department of Insurance report. Let me sight to you that in 1988 the premiums amounted to \$2 billion 801 million. The incurred losses were \$1 billion 877 million that is almost a billion dollars in difference. Now, I realize there's administrative costs and there are many who think the insurance companies have many administrative costs that are overly burdensome and something could be done about that.

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But what my Amendment refers to is that drivers who have shown through experience that in the last three years that they haven't received driving convictions. That they ought to receive a 20 percent discount. That is the issue and it is very clear. I don't think it has to be muddied any further than that. The issue is: are you for the Illinois drivers to receive that merited discount? They've earned that discount. Do you believe that based on the Cost Containment Report that the insurance companies in Illinois are receiving premiums too high based on the losses. I think they are and they can well afford to provide this discount. Now, one of my leaders, based evidently on the byplay that he's heard here on the floor, offered this quotation. And I'm not sure who it refers to based on our debate here but let me read it. It's a good Republican, Teddy Roosevelt, that made the quotation. And the quote is, 'He has been called a mediocre man but this is unwarranted flattery. He is a politician of monumental littleness.' Now, if the shoe fits anybody can wear that. But, what I really want is all of you to vote for this Amendment because it is a good Amendment for good, safe drivers."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed...the Gentleman asks for a Roll Call that's your prerogative. All those in favor of the Amendment signify by voting 'aye', opposed 'nay'. The voting is open. The Gentleman from DuPage, Representative McCracken."

McCracken: "Just to say that I hope the Chair in the future recognizes people...when they seek to be recognized on a point of personal privilege. It was very appropriate in this debate that one of the Member's here be recognized immediately on that point. And I hope you'll do that in

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the future."

Speaker Giglio: "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 47 voting 'yes', 49 voting 'no' and 12 voting 'present'. Representative Matijevich."

Matijevich: "Poll the Absentees."

Speaker Giglio: "Mr. Clerk, Poll the Absentees."

Clerk O'Brien: "Poll of those not voting. DeLeo. Dunn. Kraska. McGann. Ronan. Stange. Terzich and Williams. No further."

Speaker Giglio: "The Gentleman from Macon, Representative Dunn. Mr. Clerk, record Representative Dunn 'aye'. Representative Stange. Representative Stange."

Stange: "Thank you, Mr. Speaker. Somebody stole my key here and we can't vote."

Speaker Giglio: "Mr. Clerk, how is Representative Stange recorded?"

Clerk O'Brien: "The Gentleman's recorded as not voting."

Speaker Giglio: "How...how do you wish...how do you wish to be recorded, Mr. Stange?"

Stange: "Will you vote me 'no' please...'no' please."

Speaker Giglio: "The Gentleman asks to be recorded as 'no', Mr. Clerk. Representative Mati...Representative Martinez...Representative Martinez...Out. Are there further questions on the...Representative Rice. Record Representative Rice as voting 'aye', Mr. Clerk. Representative Homer. Vote Representative Homer 'aye', Mr. Clerk. Representative McCracken."

McCracken: "Would you be surprised if I changed my vote. I'll...seek a verification if it appears to prevail."

Speaker Giglio: "Representative Novak...votes 'aye'. Mr. Clerk, record Representative Novak as voting 'aye'."

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Representative McCracken would you verify Representative... Representative Curran. Vote Representative Curran 'no'. Representative Leverenz were you seeking recognition, Sir?. Leverenz. Representative Noland. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 51 voting 'yes' and 50 voting 'no'. Representative... On this question, there are 51 voting 'yes' and 50 voting 'no'. Representative Klemm. Change Representative Klemm's vote to 'no', Mr. Clerk. On this question, there are 51 voting 'yes' and 51 votes 'no'. Representative Balanoff."

Balanoff: "Mr. Speaker, I'd like to verify some of the negative ones then. So, this Amendment gets on."

Speaker Giglio: "Representative Breslin. Vote Representative Breslin 'aye', Mr. Clerk. Representative Deuchler...no. Deuchler votes 'no', Mr. Clerk. What's the count now, Mr. Clerk? Clerk informs the Chair there's 52 'ayes' and 52 'nos'. Representative LeFlore... Representative LeFlore... Representative LeFlore votes 'aye', Mr. Clerk. And now there's 53 voting 'yes' and 52 voting 'no'. And McCracken asks for verification of the Roll Call. Mr. Clerk, Poll the Absentees. Representative McCracken... Representative Noland."

Noland: "Vote me 'no'."

Speaker Giglio: "Vote the Representative 'no', Mr. Clerk. Representative Leverenz. Is there anybody else that would like to be recognized? On this question, there's 53 voting 'yes' and 53 voting 'no'. And Representative McGann seeks recognition. Representative McGann changes his 'no' vote... from not voting to 'aye'. Change Mr. McGann to 'aye', Mr. Clerk. Representative McCracken. Now there are 54 voting 'yes' and 53 voting 'no'. Representative McCracken asks for a verification. Mr. Clerk, Poll of the

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Absentees. Representative McCracken, does Representative Bowman and Representative Lang have leave to be verified? Leave is granted. Representative White...Jesse White have leave? Okay. Representative Breslin...Representative Breslin asks leave to be verified?"

McCracken: "Yes."

Speaker Giglio: "Representative Flowers have leave, Representative McCracken? Capparelli is in a phone booth. Representative Wolf asks leave to be verified. Mr. Clerk do we...do we have enough people in the chamber? Read the...absentees, Mr. Clerk. Verify the Affirmative."

Clerk O'Brien: "Poll of the Affirmative. Balanoff. Bowman. Breslin. Bugielski. Capparelli. Cullerton. Currie. Davis. DeJaegher. Dunn. Flinn. Flowers. Giglio. Giorgi. Hannig. Hartke. Homer. Hultgren. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Levin. Martinez. Matijevich. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Trotter. Van Duyne. White. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Giglio: "Representative McCracken, are there any questions of the affirmative?"

McCracken: "Thank you. Representative Van Duyne?"

Speaker Giglio: "Representative Van Duyne? Is Representative Van Duyne in the chamber? How's the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative McNamara?"

Speaker Giglio: "Representative McNamara, Representative John McNamara? How's the Gentleman recorded, Mr. Clerk?"

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Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "The Gentleman's in the chamber, Representative McCracken. He's in the front."

McCracken: "Alright."

McCracken: "Representative Laurino?"

Speaker Giglio: "Representative Laurino? Is Representative Laurino in the chamber? How's he recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Ronan?"

Speaker Giglio: "Representative Ronan? Representative Al Ronan?"

McCracken: "He didn't vote I guess. Representative Keane?"

Speaker Giglio: "Representative Keane? Representative Jim Keane? How's the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Steczo?"

Speaker Giglio: "Representative Steczo? The Gentlem...how...Representative Steczo? He's...right here at the door. Representative Steczo? He's...he's talking to a fellow Member at the door."

McCracken: "That's fine."

Speaker Giglio: "Does the Gentl...does Representative have ...Representative Levin have leave to be verified...Representative McCracken?"

McCracken: "Yes."

Speaker Giglio: "Leave is granted."

McCracken: "Representative...Davis? Monique Davis? Is she there?"

Speaker Giglio: "Excuse me, Representative McCracken."

McCracken: "Representative Davis?"

Speaker Giglio: "Davis?"

McCracken: "Monique. You've only got one."

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Speaker Giglio: "Representative Davis in the chamber? How's the Lady recorded, Mr. Clerk?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call."

McCracken: "Representative Trotter?"

Speaker Giglio: "Representative Trotter? Representative Trotter in the chamber? How's he recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Bugielski?"

Speaker Giglio: "Representative Bugielski is in the back of the chambers."

McCracken: "Alright. Representative Novak?"

Speaker Giglio: "Representative Novak is in the center aisle."

McCracken: "Capparelli was verified. Flowers was verified. Representative Young? Anthony Young?"

Speaker Giglio: "Representative Anthony Young? Is Representative Anthony Young in the chamber? How...Representative Anthony Young? He's in the rear of the chambers...Representative McCracken."

McCracken: "Representative Wyvetter Young?"

Speaker Giglio: "Representative Wyvetter Young? Is Representative Young, Wyvetter Young in the chamber? How's...how's the Lady recorded, Mr. Clerk?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call. Representative Ronan, for what purpose do you rise, Sir? Representative Ronan wishes to record...be recorded as voting 'aye', Mr. Clerk. Representative McCracken?"

McCracken: "Representative Hartke?"

Speaker Giglio: "Representative Hartke in the chamber? He's in his chair."

McCracken: "Ah...nothing further."

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Speaker Giglio: "On this question, there are 49 voting...Representative Balanoff."

Balanoff: "Mr. Speaker, I'd like to verify the negative."

Speaker Giglio: "On this question, there are 49 voting 'yes' and 53 voting 'no'. Representative Balanoff."

Balanoff: "Ya...well...I would like to verify the negative votes. I think I got him. I think we've got him. Let's try it. Let's try it. Why not? Let's try 'em."

Speaker Giglio: "The Gentleman asks...Representative Balanoff asks to verify the negative. Read the negatives, Mr. Clerk."

Clerk O'Brien: "Those voting in the negative. Ackerman. Barger. Barnes. Black. Churchill. Countryman. Cowlshaw. Curran. Daniels. Deuchler. Didrickson. Doederlein. Edley. Ewing. Virginia Frederick. Goforth. Harris. Hasara. Hensel. Hicks. Hoffman. Johnson. Kirkland. Klemm. Kubik. Leitch. Mautino. McAuliffe. McCracken. Noland. Bob Olson. Myron Olson. Parcels. Parke. B. Pedersen. W. Peterson. Petka. Piel. Pullen. Regan. Ropp. Ryder. Sieben. Stange. Stephens. Tenhouse. Wait. Weaver. Weller. Wennlund. Williamson. Wojcik. Zickus. No further."

Speaker Giglio: "Any questions of the negative, Representative Balanoff?"

Balanoff: "Yeah, Representative Harris?"

Speaker Giglio: "Representative Harris? Is Representative Harris in the chamber? How's the Gentleman recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Balanoff: "Representative Hicks?"

Speaker Giglio: "Representative Hicks? Is Representative Hicks in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

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Speaker Giglio: "Ah...leave him on he's right by the door, Mr. Clerk. Representative Balanoff."

Balanoff: "Representative Tenhouse?"

Speaker Giglio: "Representative Tenhouse is by his desk."

Balanoff: "Mr. Williamson...Representative Williamson?"

Speaker Giglio: "Represent...excuse me...Representative Brunsvold wants to be recorded as voting 'no'. Representative Brunsvold...would you record Representative Brunsvold as voting 'no', Mr. Clerk. Representative Balanoff?"

Balanoff: "Yeah, Representative Williamson?"

Speaker Giglio: "Williamson? The Lady from Cook, Representative Williamson? Is the Lady in the chamber? She is by the well right in front of us."

Balanoff: "No further. Thank you."

Speaker Giglio: "Representative Van Duyne...Representative Van...Representative McCracken."

McCracken: "He was verified off. We're not on that order any more. He's verifying...he's verifying the negative. He's verifying the negative vote."

Speaker Giglio: "Representative...Representative McCracken, if the Gentleman's in the chamber, he could be recorded as voting so he chooses. He wasn't voting at all. He's in the chamber. He wants to be recorded as voting 'aye', Representative McCracken."

McCracken: "It was to late. No..."

Speaker Giglio: "We're on the roll...we're on the verification. Vote him 'aye', Mr. Clerk."

McCracken: "We're on a different order. We verified it closed that verification of the positive. I don't have any further, so we..."

Speaker Giglio: "Representative Leverenz."

Leverenz: "Record me as voting 'aye'."

Speaker Giglio: "Representative Leverenz? Vote Representative

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Leverenz 'aye', Mr. Clerk. Representative...record Representative Van Duyne as voting 'aye', Mr. Clerk. On this question, there are 51 voting 'yes' and 53 voting 'no'. The Amendment fails. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment Number 3, offered by Representative Matijeich."

Speaker Giglio: "Representative Matijeich on Amendment Number 3."

Matijeich: "Ah...Mr. Speaker, that last vote showed you it wasn't a Democrat and Republican issue. But I did want to withdraw this Amendment."

Speaker Giglio: "Withdraw Amendment Number 3. Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 3859. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3859, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3882. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3882, a Bill for an Act to amend an Act to revise the law in relation to attorneys and counselors. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "Floor Amendment Number 1, offered by Representative Kirkland."

Speaker Giglio: "Representative Kirkland, on Amendment Number 1."

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Kirkland: "Thank you, Mr. Speaker. Amendment Number 1 will...as...will Amendment Number 2 amends Section 508 of the Illinois Marriage and Dissolution of Marriage Act...regarding attorneys' fees. Um...the Amendment Number 1 goes to the issue of whether an attorney seeking fees from his own client...um...has to seek those fees by a certain time or while the action...um...only...can only seek them while the action is pending. The issue comes up because a court case on that very issue said that the attorney had to...had to seek the fees while the case was pending. Um...this law clarifies that in certain situations an attorney can seek fees...um...after the action is over. And that makes since because sometimes the breach of contract for not paying attorneys' fees, that is your own client paying you your fees, doesn't come until long after the case. You may have a situation where you...you...ah...set up a fee schedule for a person to pay those fees long after the case is done. And, the person will breach it quite a ways down the road. So, this just clarifies that those fees can be collected...um...later."

Speaker Giglio: "Any discussion? Further discussion on the Amendment? Hearing none all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment Number 2 offered by Representative Kirkland."

Speaker Giglio: "Representative Kirkland?"

Kirkland: "Um...again, this is a clarification in the same Act regarding the...whether the costs that are allowed to be collected...can include appraisal...the fees in connection with getting...um...marital and non-marital property appraised and evaluated. And...um...some courts have said

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those costs include the appraisal and expense fees other courts have said not. This clarifies that under statute we'd say those are included."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 3897. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3897, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3932. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3932, a Bill for an Act to amend an Act relating to township purchasing. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 3955. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3955, a Bill for an Act...enacting, ratifying and improving of Midwestern Higher Education Compact. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Are there any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 3971. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3971, a Bill for an Act to amend the

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Illinois Insurance Code. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 3994. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3994, a Bill for an Act to amend the Federally Subsidized Housing Preservation Act. Second Reading (sic - Third Reading) of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 4009. Read the Bill."

Clerk O'Brien: "House Bill 4009, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "Floor Amendment Number 1, offered by Representative McAuliffe and Capparelli."

Speaker Giglio: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment Number 1 was suggested by the beer distributors. It's just to clarify the intent of the Bill."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 4035. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4035, a Bill for an Act to amend an

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Act in relation to counties' recorder fees. Second Reading
of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments."

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 4037, Mr. Clerk. Read the
Bill."

Clerk O'Brien: "House Bill 4037, a Bill for an Act to amend the
Illinois Vehicle Code. Second Reading of the Bill. No
committee Amendments."

Speaker Giglio: "Floor Amendments."

Clerk O'Brien: "Floor Amendment Number 1, offered by
Representative Hallock."

Speaker Giglio: "Representative Hallock. Representative
McCracken on the Amendment."

McCracken: "I haven't seen an Amendment. Could we take it out of
the record?"

Speaker Giglio: "Take it out of the record...Leave the Bill on
Second Reading, Mr. Clerk. Amendment...the Amendment's an
effective date, Representative McCracken, January 1, 1992,
Representative McCracken."

McCracken: "I move the adoption of Amendment Number 1."

Speaker Giglio: "The Gentleman moves the adoption of Amendment
Number 1. Any discussion? Hear none, all those in favor
of the Amendment say 'aye', opposed 'no'. In the opinion
of the Chair, the 'ayes' have it. The Amendment's adopted.
Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. 4049, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4049, a Bill for an Act to amend the
Condominium Property Act. Second Reading of the Bill. No
committee Amendment."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

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Speaker Giglio: "Third Reading. 4058, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4058, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. Representative Munizzi, are you seeking recognition? Oh. Third Reading. House Bill 4068. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4068, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 4071, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4071, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4080, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4080, a Bill for an Act concerning various fees. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4081, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4081, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No committee

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Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4085, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4085, a Bill for an Act to amend the Illinois School for the Deaf. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "Floor Amendment Number 1, offered by Representative Ryder."

Speaker Giglio: "Representative McCracken on Amendment Number 1."

McCracken: "Thank you, Mr. Speaker. This is a technical Amendment, I offer it."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed 'nay'. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 4114, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4114, a Bill for an Act in relation to public utilities. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4117, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4117, a Bill for an Act to amend an Act in relation to health care. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Are there any floor Amendments?"

Clerk O'Brien: "Floor Amendment Number 1, offered by Representative Didrickson."

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Speaker Giglio: "Representative Didrickson. Take the Bill out of the record, Mr. Clerk. House Bill 4118, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4118, a Bill for an Act to amend an Act concerning health care. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "Floor Amendment Number 1, offered by Representative Didrickson."

Speaker Giglio: "Out of the record, Mr. Clerk. 4119, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4119, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 4140, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4140, a Bill for an Act to amend the Home Repair Fraud Act. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. 4151, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4151, a Bill for an Act to amend the Code of Civil Procedures. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4152, Mr. Clerk, read

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the Bill."

Clerk O'Brien: "House Bill 4152, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4169, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4169, a Bill for an Act to amend the Illinois Oil and Gas Act. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4202, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4202, a Bill for an Act to amend the Animal Control Act. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4204, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4204, a Bill for an Act to amend the Military Code. Second Reading of the Bill. No committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Giglio: "Third Reading. On page 8 of the Calendar on House Bills, Third Reading, we'd like to read the Bill's for those that want to bring the Bill's back to the Order of Second Reading, for the purposes of an Amendment. So,

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I'll read the Bills and we'll see if we want to bring them back. House Bill 1632, Satterthwaite."

Satterthwaite: "No Amendment."

Speaker Giglio: "House Bill 1817, Representative Trotter. Out of the record. Representative Kubik, 2013. Out of the record. Steczo, 2619. You have an Amendment? Out of the record. House Bill 2965, Leitch. Out of the record. House Bill 2990, Mautino. Out of the record. 3107...excuse me...30...3107...Representative Ewing. Out of the record? Any Amendments? We're reading these Bills to see if they want to bring them back to the Order of Second Reading. Representative...ah...let's back up one, Mr. Clerk. Representative Leitch has 2965. House Bill 2965. The Gentleman asks leave to return the Bill to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? Hearing none, leave is granted. Mr. Clerk."

Clerk O'Brien: "Floor Amendment Number 2, offered by Representative Leitch."

Speaker Giglio: "Representative Leitch, on Amendment Number 2 to House Bill 2965."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment Number 2 is an Amendment which more carefully defines reenactment and was worked out with Representative Cullerton. It defines reenactment, as any assembly for public historical reenactment purposes by an historic military reenactment group, portraying events in military history presented for the purposes of public education and entertainment, provided that any participants utilize historically appropriate uniforms, weapons and accoutrements. I think it's a much better description and I thank Representative Cullerton for working with it on me and would ask for a favorable..."

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Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2990, Representative Mautino. Out of the record. House Bill 3107, Representative Ewing. Out of the record. 3136, Representative McPike. Out of the record. House Bill 3164, Representative Trotter. Out of the record. House Bill 3316, Representative Madigan. Out of the record. House Bill 3528, Representative Parke. Out of the record. 3562. Out of the record. 3591, Representative Barnes. Out of the record. 3856, Representative Ryder. Out of the record. Mr. Clerk...what's the status on House Bill 3736?"

Clerk O'Brien: "House Bill 3736 is on the Order of Third Reading."

Speaker Giglio: "The Gentleman asks leave to bring the Bill back to the Order of Second for the purpose of an Amendment. Does the Gentleman have leave? Hearing none, leave is granted. The Bill's on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Floor Amendment Number 1 is being offered by Representative McCracken."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank...Thank you, Mr. Speaker. This adds an immediate effective date to the Bill. And, I move its adoption."

Speaker Giglio: "Any discussion. Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "There are no further Amendments."

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Speaker Giglio: "Third Reading. Representative Homer, for what purpose do you rise, Sir?"

Homer: "Thank you, Mr. Speaker. May I make an announcement? We have...ah...tonight the Drug Task Force will be meeting in Room 114 at 6:00 o'clock or immediately after Session. And, all Members who have Bills that deal with drugs or have witnesses that you're going to ask to testify tonight. Would you...would the Democratic Members please talk with me. And would the Republican Members please speak with Jerry Weller, who's been appointed the Republican Spokesman on that task force. We will be having testimony with respect to both individual Bills and also with respect to the subject matter of drugs. And we'd like to get an idea as to what witnesses will be there. So, we appreciate your cooperation."

Speaker Giglio: "Representative Frederick, Sir, are you seeking recognition? The Lady from Lake. The next order of business will be the Bills that are on Education on the Special Order, on Second Reading. The first Bill is House Bill 613. Mr. Clerk, read the Bill. Representative McGann. Out of the record. Representative Countryman, 759, Representative Countryman. Do you wish to have this Bill heard? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 759, a Bill for an Act to amend various Acts in relationship to colleges and universities. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any floor Amendments?"

Clerk Leone: "No floor Amendments."

Speaker Giglio: "Third Reading. 1222, Representative Curran. Representative Curran, House Bill 1222. Do you wish to

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have this Bill heard? It's on Second Reading. Out of the record, Mr. Clerk. Representative Cowlshaw, 1382. Is the Lady in the chamber? Out of the record. House Bill 2874, Representative Shaw. Representative Shaw in the chamber? Would you like this Bill called? It's on Second Reading, Mr...Representative Shaw, 2874. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2874, a Bill for an Act to amend an Act in relationship to collegiate athletics. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed with respect to Amendment Number 1."

Speaker Giglio: "Representative Shaw asks that the Bill be taken out of the record. We're on Special Order of Business: Education, Second Reading. Representative Turner, Weaver, Parcells, Curran, Weller, Matijevich, Black, Levin, Wyvetter Younge, McAuliffe, Churchill, Hicks, Satterthwaite, Trotter, Munizzi, Shaw and McNamara. Representative McGann, 3042. Do you wish to hear this Bill, Representative McGann? Out of the record, Mr. Clerk. House Bill 3067, Representative Turner. Representative McGann...Representative McGann changed his mind. House Bill 3042. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3042, a Bill for an Act to amend an Act concerning education. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any floor Amendments?"

Clerk Leone: "No floor Amendments."

Speaker Giglio: "Third Reading. Representative Turner, 3067. Out of the record. Representative Weaver, 3075. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 3075, a Bill for an Act to amend the National Guard Scholarship Act. Second Reading of the Bill. No committee or floor Amendments."

Speaker Giglio: "Third Reading. Representative Parcells, 3119. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3119, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. There are no committee or floor Amendments."

Speaker Giglio: "Third Reading. House Bill 3146, Representative Curran. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3146, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any floor Amendments?"

Clerk Leone: "There are no floor Amendments."

Speaker Giglio: "Representative Curran."

Curran: "...fiscal note this morning...this guy's shaking his head...got a copy of it here. Let's take this out of the record for a few minutes."

Speaker Giglio: "Take it out...the Bill out of the record. House Bill 3158, Representative Weller. Mr. Clerk, read House Bill 3158. Representative Weller."

Clerk Leone: "House Bill 3158, a Bill for an Act relating to Teacher Fellowship Programs. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any floor Amendments?"

Clerk Leone: "No floor Amendments."

Speaker Giglio: "Third Reading. Representative Matijevich, 3421. Out of the record. Representative Black, 3637. Out of the

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record. Representative Levin, 3750...3757. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3757, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any floor Amendments?"

Clerk Leone: "No floor Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, let's return back to...okay...ah...on House Bill 3146. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3146, a fiscal note has been filed to the Bill as amended by Amendment Number 1."

Speaker Giglio: "Are there further Amendments? Is there a State Mandate Tax?"

Clerk Leone: "There is a request for a State Mandate Tax Fiscal Note."

Speaker Giglio: "And who's that by...filed by?"

Clerk Leone: "It's requested by Representative McCracken."

Speaker Giglio: "Representative McCracken moves that...ah...he wants to withdraw the mandate note request. All those in...remove the mandate...ah...Amendment. Mr. Clerk, are there further Amendments?"

Clerk Leone: "There are no more...ah...there are no further Amendments."

Speaker Giglio: "Third Reading. On House Bill 3757...ah...there's been a re...ah...inquired of the Chair. Rather or not a fiscal note has been filed...State Mandate Act...Has there? And there has been. House Bill 3789, Representative Wyvetter Younge. Out of the record. 3864, Representative McAuliffe. Out of the record. House Bill 3909. Out of the record. 3959, Representative Churchill."

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Mr. Clerk, read that Bill."

Clerk Leone: "House Bill 3959, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no committee Amendments."

Speaker Giglio: "Any floor Amendments?"

Clerk Leone: "Floor Amendment Number 1 is being offered by Representative Weller."

Speaker Giglio: "Representative Weller."

Weller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment I discussed with the ah...Bill Sponsor. He's agreed to the Amendment. It sets conditions that as a condition of receiving the scholarship, that the recipient will remain drug free and puts in place an incentive...reward young people for staying away from drugs. I move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from Fulton, Representative Homer."

Homer: "...I said, 'I'm disappointed and I think you probably know why.'"

Weller: "Okay. I withdraw the Amendment."

Homer: "Pardon me?"

Weller: "I'll withdraw the Amendment."

Speaker Giglio: "Withdraw the Amendment, Mr. Clerk. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Hicks, 3989. Out of the record. 4023, Representative Turner. Out of the record. Representative Satterthwaite, 4024. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 4024, a Bill for an Act relating to the University of Illinois. Second Reading of the Bill. There are no committee or floor Amendments."

Speaker Giglio: "Third Reading. House Bill 4036, Representative

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Satterthwaite. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 4036, a Bill for an Act to amend an Act relating to College Savings Programs. Second Reading of the Bill. There are no committee Amendments."

Speaker Giglio: "Are there any floor Amendments."

Clerk Leone: "Floor Amendment Number 1 is being offered by Representative Regan."

Speaker Giglio: "Representative Regan on Amendment Number 1 to House Bill 4036. Representative Satterthwaite."

Satterthwaite: "Thank you, Mr. Speaker, Members of the House. Amendment Number 1 to House Bill 4036..."

Speaker Giglio: "Hold...hold on...no Amendment...Clerk informs the Chair that the Amendment has not been passed out."

Satterthwaite: "It's here."

Speaker Giglio: "Alright. Take it out of the record, Mr. Clerk. It has not been printed and distributed. Out of the record. Representative Trotter, 4087. Representative Trotter. Out of the record. Representative Munizzi, House Bill 4135. Out of the record. 4180, Representative Shaw. 4180. Out of the record, Mr. Clerk. Representative Satterthwaite."

Satterthwaite: "...to table the Amendment rather than have to..."

Speaker Giglio: "Alright. The...ah...Mr. Clerk, go back to House Bill 4038. 4036. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4036, a Bill for an Act to amend an Act relating to col...College Saving Programs. Second Reading of the Bill. There are no committee Amendments."

Speaker Giglio: "Are there any floor Amendments?"

Clerk Leone: "Floor Amendment Number 1 is being offered by Representative Regan."

Speaker Giglio: "The Lady asks to table the Amendment. Any discussion? Representative Piel."

Piel: "Mr. Speaker. The Amendment has been printed and

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distributed. We've got it on our desks. Let's continue with the Amendment. I don't know why they think...don't think its been distributed. We have it right here on our desks."

Speaker Giglio: "Representative Satterthwaite."

Satterthwaite: "It just now arrived on my desk. It was not distributed."

Piel: "Let's go along with the Amendment then."

Speaker Giglio: "Representative Cullerton...Representative Cullerton."

Cullerton: "You ask the...and it does...and we determined...and I want to know who..."

Speaker Giglio: "Representative Piel."

Piel: "Ah...maybe to clarify something. If the Representative thinks that our side of the aisle had the thing...ah...printed. If you would check, the Printing Unit is the only one that has the facilities for printing this type of an Amendment. Its got an LRB number on it. So, obviously, it came through the natural process. Why don't we let the Gentleman present his Amendment. I mean everybody has...I don't know what the big problem is, Mr. Speaker."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Since the Amendment has now been distributed. I withdraw my table."

Speaker Giglio: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Amendment number..."

Speaker Giglio: "You want to take this...you want to table this Amendment?"

Regan: "No, I want to first present it."

Speaker Giglio: "Representative Satterthwaite asks leave to

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table."

Regan: "No, she doesn't. It's just simply lowering the cost of bonds for the school district. If nobody's interested in lowering the cost of...ah...capital development for school systems. Then, I guess, you can play games with this. But, a double tax exemption for school bonds, for buildings, is well needed in many of these areas. I think, that it's a good thing to listen to. The Amendment Number 1 to House Bill 4036, simply gives a double tax exemption to Capital Development Bonds for school districts. This lowers the cost of the interest rates because they're very competitive. The bonding dealers are in favor of this. They'll scramble to buy them bonds. It'll lower the costs. It'll save money for the schools. And, I think, that's what we're after. There's a lot of growth areas around the state that need new buildings for schools. And, I think, that this is a Bill that certainly can...benefit them. And, I ask for a Roll Call. I urge your support of this Amendment, if you support education and lowering the cost to the schools and lowering the property taxes to your citizens. I think, it's a good Amendment. I urge your support."

Speaker Giglio: "Representative Satterthwaite. Representative Satterthwaite."

Satterthwaite: "...Members of the House...I don't know enough about...Amendment to know rather it is a good Amendment or...opposed it as a separate House Bill...did not go through...however...our...already is a mechanism...Illinois Development Finance Authority where they do get the poor rate of interest...tax exempt status. Now rather we should...I can tell you...Amendment on my Bill...oppose the Gentleman's Motion on the basis that it has not been heard in committee."

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Speaker Giglio: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This Amendment was originally proposed as a Bill last year and killed in the Revenue Committee, the House Revenue Committee. In part, because of its fiscal implications...impact...this Bill was opposed by the Department of Revenue. And, as the prior Speaker has pointed out there are alternative methods available...to do their bonding...those of us who support the process of this House should...Amendment 1 to House Bill 40...6."

Speaker Giglio: "Gentleman from Macon, Representative Dunn."

Dunn: "...of the House...I...too rise in opposition to the Gentleman's Amendment ah...for a variety of reasons...among...20 pages long...to determine the impact of...bonding and tax exemption...And it appears to me to affect every school district in the state. Not just those down...but in Chicago...because the Amendment...ah...calls for approval by the Board of Education with the consent of the city...I don't think...but we have a double question here about whether it is wise...secondly, whether...where we have already a serious and large short fall in revenue, whether we want to do...from the State of Illinois...by this...to purchase bonds which are tax exempt...This might be a good Amendment at sometime it's a bad Amendment at this time... A Roll Call vote is requested...I urge...vote."

Speaker Giglio: "Representative Regan to close."

Regan: "Thank you, Mr. Speaker. In closing, I'll just mention 'yes' it does affect every school district in the state. Anybody that's building a building and wants lower cost for their bonding. And the costs, would save \$3000 a million that cost, of course, would come out of our pockets. But, we're talking about a shift. We're talking about a shift

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from income tax to property...away from property tax, this is part of that shift. Let's take care of the educational system and the cost of building new buildings for education. In a...Democratic way an open way which business can bid without going through the hoops of Illinois Department of Financing cap. If it's open to all to bid on these bonds. The costs will be lower. Let's save our school districts some money and vote 'yes'."

Speaker Giglio: "The question is, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. The 'nos' have it. The Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Churchill."

Churchill: "Thank you, Mr. Speaker. I distinctly heard the Gentleman request a Roll Call vote during his opening remarks. And he paused for a second after he did that. There was a legitimate request for a Roll Call vote before this Body...and the Gentleman deserves..."

Speaker Giglio: "Well, I didn't...I didn't hear that. There were a lot of 'nos'. They seemed to overri...over...ah...rule the 'ayes'. So...ah...if you want..."

Churchill: "The Gentleman has requested a Roll Call vote. He has the right to a Roll Call vote. It would be only fair of the Chair to go back and grant him his request."

Speaker Giglio: "Alright. We'll go back and have a Roll Call vote on his Amendment. All those in favor signify by voting 'aye', opposed 'no'. The voting is open. And all those that wish to vote proceed. 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 53...52 voting...Representative Satterthwaite."

Satterthwaite: "I'd like to ah...verify the Roll Call."

Speaker Giglio: "Alright. On this question, there are 52 voting

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'yes' and 51 voting 'no'. And, the Lady requests a verification. Poll of those not voting, Mr. Clerk."

Clerk Leone: "Poll of those not voting. Davis. Harris. Shirley Jones. Krska. Martinez. Mautino. Morrow. Turner. Williams and Wyvetter Younge."

Speaker Giglio: "Representative Regan."

Regan: "Mr. Speaker. I'd like to verify the negatives. In case, that the votes come out the other way, please."

Speaker Giglio: "Mr. Clerk, verify the...read the affirmative."

Clerk Leone: "Poll of those voting in the affirmative. Ackerman. Barger. Barnes. Black. Churchill. Countryman. Cowlshaw. Curran. Daniels. DeJaegher. Didrickson. Doederlein. That's...correction that...that was Deuchler instead of DeJaegher. Didrickson. Doederlein. Ewing. Virginia Frederick. Goforth. Hannig. Hasara. Hensel. Hoffman. Johnson. Kirkland. Klemm. Kubik. Leitch. McAuliffe. McCracken. McNamara. Noland. Bob Olson. Myron Olson. Parcels. Parke. Bernard Pedersen. William Peterson. Petka. Phelps. Piel. Pullen. Regan. Ryder. Sieben. Stange. Stephens. Tenhouse. Wait. Weaver. Weller. Wennlund. Williamson. Wojcik. Woolard. Zickus."

Speaker Giglio: "Representative Stern. Ask leave to be verified, Representative Regan in case we get to that. Representative Stern. He's not here. Representative LeFlore. We're...we're...we're verifying the affirmative vote Representative LeFlore. Are there questions on the affirmative? Representative Mulcahey are you seeking recognition, Sir."

Mulcahey: "Change my vote to 'aye'."

Speaker Giglio: "Change Representative Mulcahey's vote to 'aye'. Representative Satterthwaite."

Satterthwaite: "Representative Ackerman."

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Speaker Giglio: "Representative Ackerman is in his chair."

Satterthwaite: "Representative Wait."

Speaker Giglio: "Representative Wait. Is Representative Wait in the chamber? He's in the back of the chamber."

Satterthwaite: "Representative Barnes?"

Speaker Giglio: "Representative Barnes? Representative Barnes in the chamber? She's in her chair. Representative Santiago? How's the Gentleman recorded? Representative Santiago, Mr. Clerk, how is the Gentleman recorded? Santiago."

Clerk Leone: "The Gentleman...the Gentleman's recorded as voting 'present'."

Speaker Giglio: "Vote the Gentleman 'no'. Representative Satterthwaite?"

Satterthwaite: "Representative...no...she's there."

Speaker Giglio: "Pardon?"

Satterthwaite: "I was going to ask for Representative Doederlein but I see her there...um..."

Speaker Giglio: "Representative Hultgren? Vote Representative Hultgren 'aye', Mr. Clerk."

Satterthwaite: "Representative McNamara."

Speaker Giglio: "Representative McNamara? Is McNamara in...he's in the back of the chamber."

Satterthwaite: "Representative Hannig?"

Speaker Giglio: "Hannig? Is Representative Hannig in the chamber? He's...uh...talking to his...uh...ex-state trooper."

Satterthwaite: "Representative Myron Olson?"

Speaker Giglio: "Myron Olson. Representative Myron Olson is in front of the chamber here."

Satterthwaite: "Wennlund?"

Speaker Giglio: "Wennlund? Is Representative Wennlund in the chamber? Wennlund. How is the Gentleman recorded, Mr. Clerk?"

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Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Hultgren, are you seeking recognition again?"

Satterthwaite: "Representative Noland?"

Speaker Giglio: "Representative Noland is in the back."

'Satterthwaite: "Representative Harris?"

Speaker Giglio: "Harris. Representative Harris in the chamber? How's the Gentleman recorded?"

Satterthwaite: "He's not recorded."

Speaker Giglio: "Representative Satterthwaite?"

Satterthwaite: "No further questions."

Speaker Giglio: "Representative Morrow? Representative Morrow...Morrow...George. Representative Morrow."

Morrow: "Thank you, Mr. Speaker. I don't think I'm..."

Clerk Leone: "...recorded as voting 'no'."

Speaker Giglio: "Record the Gentleman as voting 'no', Mr. Clerk. Representative Granberg. Vote Mr...vote Representative Granberg 'no'. Representative Balanoff 'no'. On this question, there's 53 voting 'no', 53 voting 'yes'. Representative Regan."

Regan: "Yes, I'd like to verify the negative votes."

Speaker Giglio: "Read the negatives, Mr. Clerk."

Clerk Leone: "Poll of those voting in the negative. Balanoff. Bowman. Breslin. Brunsvold."

Speaker Giglio: "Excuse me. Representative...ah...er...Mr. Clerk. Representative Lang and Representative Morrow have lead to be verified, Representative Regan? Proceed, Mr. Clerk."

Clerk Leone: "Representative Bugielski. Capparelli. Cullerton. Currie. DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hartke. Hicks. Homer. Lou Jones. Keane. Kulas. Lang. Laurino.

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LeFlore. Leverenz. Levin. Matijevich. McGann. McPike.
Morrow. Munizzi. Novak. Preston. Rice. Richmond.
Ronan. Ropp. Saltsman. Santiago. Satterthwaite. Shaw.
Steczo. Stern. Sutker. Terzich. Trotter. Van Duyne.
White. Wolf. Anthony Young and Mr. Speaker."

Speaker Giglio: "Questions of the negative. Representative
Regan."

Regan: "Representative DeLeo, please."

Speaker Giglio: "Representative DeLeo? How's the Gentleman
recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Is the Gentleman in the chamber? Remove the
Gentleman from the Roll Call."

Regan: "Representative Flowers."

Speaker Giglio: "Representative Flowers? How is the Lady
recorded...Representative Flowers is in the rear of the
chamber."

Regan: "ah...Anthony Young."

Speaker Giglio: "Anthony Young? Representative Anthony Young?
Is the Gentleman in the chamber? How's the Gentleman
record...he's in the back of the chamber, Mr. Clerk."

Regan: "Representative Williams."

Speaker Giglio: "Representative Williams? How's the Gentleman
recorded, Mr. Clerk? Representative Williams, Mr. Clerk,
how's the Gentleman recorded? The Gentleman is recorded as
not voting. Representative Regan."

Regan: "Representative Jones...L. Jones."

Speaker Giglio: "Representative Lou Jones? Is the Lady in the
chamber? How's the Lady recorded, Mr. Clerk?"

Clerk Leone: "The Lady's recorded as voting 'no'."

Speaker Giglio: "Remove the Lady from the Roll Call and record
Representative Martinez as voting 'no'. Representative
Ewing. Excuse me, Representative Regan. Representative

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Ewing?"

Regan: "Representative Hultgren..."

Ewing: "Mr. Speaker, I have constituents outside. And, I have been here and would like to be...request that I would not be verified off from my positive view on this. Can I have leave to be excused?"

Speaker Giglio: "Representative leave to be verified."

Ewing: "And Mr. Speaker, one of the staff people, on the other side, is yelling, 'we're done with that'. But I know, a few moments ago, we had somebody come back in and get on the Roll Call. So, I don't want them taking me off. Thank you."

Regan: "Representative Leverenz."

Speaker Giglio: "Representative Leverenz is...ah...in the well here."

Regan: "Representative Ronan?"

Speaker Giglio: "Representative Ronan is going back to his seat. Representative Harris, for what purpose do you rise, Sir?"

Harris: "Please record me as 'aye'."

Speaker Giglio: "Record the Gentleman as voting 'aye'."

Regan: "Representative Wolf."

Speaker Giglio: "Representative Wolf? Representative Sam Wolf? How's the Gentleman recorded, Mr. Clerk."

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from the Roll Call and restore Representative Lou Jones back...ah...to the Roll Call as voting 'no'."

Regan: "Representative Turner?"

Speaker Giglio: "Record Representative Turner as voting 'no', Mr. Clerk. Representative Shirley Jones wishes to be recorded as voting 'no'."

Regan: "Representative Krska?"

Speaker Giglio: "I think he's in the other chamber."

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Regan: "Well, that's fine. Take him off...Krska. Representative Trotter."

Speaker Giglio: "Representative Trotter. Is Representative Trotter in the chamber. How's the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Regan: "Representative Granberg?"

Speaker Giglio: "Representative Granberg is talking to the...ah...Chair."

Regan: "That's all, Mr. Speaker..."

Speaker Giglio: "Have all voted who wish that wanted to vote? Loan...Representative Jones? How is the Lady recorded, Mr. Clerk?"

Clerk Leone: "The Lady's recorded as voting 'no'."

Speaker Giglio: "On this...on this question, there are 54 voting 'yes' and 53...Representative...who's seeking recognition? Representative Curran. Change Representative Curran from whatever to 'present'. On this question, there are 53 'yes' and 53 'nos'. And the Motion fails. The Amendment fails. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 4087, Representative Trotter. Out of the record. House Bill 3130...4135, Representative Munizzi. Out of the record. Representative McNamara, 4220. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 4220, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no committee Amendments."

Speaker Giglio: "Are there any floor Amendments?"

Clerk Leone: "Floor Amendment Number 1 offered by Representative McNamara."

Speaker Giglio: "The Gentleman from Cook, Representative

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McNamara."

McNamara: "Thank you, Mr. Speaker. Floor Amendment Number 1 tightens up the language in the Bill to affect only School District 218...ah...in...in...that section of law. Both...ah...Representative Hasara and Representative Curran which would be the only other two Representatives. I think, that would be concerned with this Bill. Both been notified and agree that the Amendment does tighten to eliminate it to one school district."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. We're going to continue on Second Readings. Second Reading, Human Services. 2647, Representative Regan. Would you like to hear that Bill? It's on Second Reading. Human Services. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2647, a Bill for an Act to amend the Child Care Act. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any floor Amendments?"

Clerk Leone: "No floor Amendments."

Speaker Giglio: "Third Reading. Okay. I'd like to read the...ah...Sponsors of the following Bills and perhaps we can save some time. These are Second Readings, Human Services. Cullerton. Curran. Ewing. Currie. Regan. Jones and Hasara. Currie - Williams. Didrickson - Homer - Levin - Breslin - Bowman - Pullen - LeFlore - Bugielski. Human Services, Second Reading. Representative Anthony

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Young in the Chair."

Speaker Young: "...Bill 3058, Representative Cullerton. Out of the record. House Bill 3121, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3121, a Bill for an Act to amend the Children and Family Services Act. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Young: "There's a request for a fiscal note on this Bill. And, it will remain on Second Reading. Rep...out of the record. Representative Keane, in the Chair."

Speaker Keane: "House Bill 3147. Representative McGann on House Bill 3147. Out of the record. House Bill 3330, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3330, a Bill for an Act to amend an Act concerning health care services. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any floor Amendments?"

Clerk Leone: "No floor Amendments."

Speaker Keane: "Third Reading. Representative Curran on House Bill 3121. Mr. C...Mr. Clerk, is the fiscal note been filed?"

Clerk Leone: "Fiscal note has been filed on House Bill 3121."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "There are no...no Motions filed."

Speaker Keane: "Any floor Amendments?"

Clerk Leone: "There are no floor Amendments."

Speaker Keane: "Third Reading. House Bill 3358, Representative Regan."

Clerk Leone: "House Bill 3358, a Bill for an Act to amend the Children and Family Services Act. Second Reading of the Bill. Amendment Number 1 was adopted in committee."

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Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Amendments?"

Clerk Leone: "No floor Amendments."

Speaker Keane: "Third Reading. House Bill 3483, Representative Lou Jones. Out of the record. House Bill 3484, Representative Hasara. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3484, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. There are no floor or committee Amendments."

Speaker Keane: "Third Reading. House Bill 3565, Representative Currie. House Bill 3565. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3565, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. There are no committee Amendments."

Speaker Keane: "Any...ah...Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any floor Amendment?"

Clerk Leone: "Floor Amendment Number 1 is offered by Representative Stephens and Weller."

Speaker Keane: "Representative Currie, take the Bill out of the record. House Bill 3567, Representative Williams. Take it out of the record. House Bill 3587, Representative Didrickson. Out of the record. House Bill 3702, Representative Homer...3702. Out of the record. House Bill 3755, Representative Levin. Out of the record. House Bill 3771, Representative Breslin. Out of the record. House Bill 3958, Representative Bowman. Out of the record. House Bill 3998, Representative Pullen. Mr...Representative...Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3998..."

Speaker Keane: "Representative Currie, take the Bill out of the record. House Bill 3567, Representative Williams. Take it

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out of the record. House Bill 3587, Representative Didrickson. Out of the record. House Bill 3702, Representative Homer. 3702. Out of the record. House Bill 3755, Representative Levin. Out of the record. House Bill 3771, Representative Breslin. Out of the record. House Bill 3958, Representative Bowman. Out of the record. House Bill 3998, Representative Pullen. Mr...Representative...Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3998, a Bill for an Act to amend the AIDS confidentiality Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed?"

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Keane: "Third Reading. We'll go back to 3958, Representative Bowman. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3958, a Bill for an Act to amend the Children and Family Services Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "There's a fiscal note has been requested. Has the fiscal note been filed? There's no fiscal note on file. The Bill will remain in Second Reading. House Bill 4008, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 4008, a Bill for an Act to amend an Act concerning enforcement of affirmative action. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 4074, Representative

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Curran. Out of the record. House Bill 4099, Representative Farley. Take it out of the record. House Bill 4120, Representative Bugielski. Out of the record. House Bill 4178, Representative Bugielski. Out of the record. We will now go to page two of today's sheet. There's a correction, we will go to the top of page three, and do Transportation, Second Reading. Once again, were going to the top of page three, on the print out. Special Order of Business, Transportation, Second Reading. On that, House Bill 2867, Representative Saltsman. Representative Saltsman. Out of the record. House Bill 2899, Representative LeFlore. Out of the record. House Bill 2964, Representative Matijevich. Out of the record. House Bill 3014, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3014, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Are there any Motions filed?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This Amendment was given to me by the Secretary of State, it changes the effective date and it sets up the procedures for these license plates, and I have no problem with it, and told him I would offer it, in fact. And I would now ask that we would accept Amendment #1."

Speaker Keane: "Any discussion on Amendment #1? There being none, the questions is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed say 'no'. The 'ayes' have it, and Amendment #1's adopted. Any further Amendments?"

Clerk Leone: "No further Amendment."

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Speaker Keane: "Third Reading. Alright, we will go back to House Bill 2967, Representative McCracken. Would you handle that? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2967, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. There is a...hold the Bill, hold the Bill for an Amendment. Keep it on Second. House Bill 3043, Repres...Representative Cullerton, for what purpose do you rise."

Cullerton: "On the last b...the one that's up there on the board, 2967."

Speaker Keane: "That's right."

Cullerton: "Is that Representative McCracken handling your shell Bill?"

Speaker Keane: "No, he was supposed to handle the Amendment. But its not up yet."

Cullerton: "Oh, I see. Okay, thank you, we just...we just..."

Speaker Keane: "Your welcome. Representative...House Bill 3043, Representative Santiago. Out of the record. House Bill 3099, Representative Klemm. Representative Klemm. Representative Klemm, do you want to hear 3099? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3099, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 3138, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3138, a Bill for an Act to amend the Child Passenger Protection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

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Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 3140, Representative Leverenz. Out of the record. House Bill 3243, Representative Ropp. Mr. Clerk, read the Bill. 3243, I'm sorry."

Clerk Leone: "House Bill 3243, a Bill for an Act to amend an Act in relationship to the cancellation of drivers licenses. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Ropp."

Speaker Keane: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I'm changing the number 40 down to 30."

Speaker Keane: "Any discussion on the Amendment?"

Ropp: "Well, what that does...its the number of hours one would have to work in a week. I feel that 40 hours is too many to ask in this particular case, reducing it down to 30."

Speaker Keane: "Any discussion on Floor Amendment #1? There being none, the question is, 'Shall Floor Amendment #1 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. We'll go back to House Bill 3140, Representative Leverenz. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3140, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 3274, Representative Leverenz. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 3274, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Black."

Speaker Keane: "Representative Black on the House...Floor Amendment 1."

Black: "Thank you, very much, Mr. Speaker. This is an Amendment I suggested in committee, and I believe Representative Ronan was handling the Bill for Representative Leverenz. I have sub...subsequently talked to Representative Ronan, I couldn't make connections with Representative Leverenz, did leave a copy on his desk, but since I haven't talk with him, I'll defer to his wishes on the Amendment. I don't want it to be a hostile Amendment, but I would like this Bill clarified."

Speaker Keane: "Let's...Mr. Black. Representative Black to explain your Amendment."

Black: "Thank you, very much. Amendment #1 to this Bill, simply adds emergency services and disaster agency and those effected by the amber lights. This was suggested by the fire protection districts trustees, because they're fearful that if this Bill is not amended, they will have to go back and change their lights, which we just changed down here about three years ago. And that gets to be an expensive process. So they would just simply like to make sure that they're not involved in this Bill in at way, shape or form. And I think the Amendment does that, and I would as for your consideration of the Amendment."

Speaker Keane: "Any discussion? Representative Leverenz on Amendment #1."

Leverenz: "Excellent Amendment."

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Speaker Keane: "Any further discussion? There not...being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it, Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 3366, Representative Hicks. Representative Hicks on 3368. Out of the record. On Representative Hicks, House Bill 3400. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3400, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Okay, we will go back to House Bill 3368, Representative Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3368, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Keane: "Third Reading. We will go back to House Bill 2964 on this Order. Representative...Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2964, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Pick up on House Bill 3494, Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3494, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

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Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Tenhouse."

Speaker Keane: "Representative Tenhouse on Floor Amendment #2."

Tenhouse: "Yes, Mr. Speaker. I move that we table Committee Amendment #1, and adopt the Floor Amendment #2. It's simply a change as far as correcting some punctuation errors in Committee Amendment, and it will get it straightened up, as far as the Amendment."

Speaker Keane: "Representative...Representative Tenhouse moves to table Committee Amendment #1. Is there...all those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #1 has been tabled. Representative Tenhouse..."

Tenhouse: "Okay, I move to move to adopt Amendment #2."

Speaker Keane: "Representative Tenhouse now moves for the adoption of Amendment #2 to House Bill 3494. All those in favor say ...Representative Cullerton."

Cullerton: "Yea, could you explain what the Amendment does, please?"

Tenhouse: "Sure, all we're doing is correcting some drafting mistakes that were made in the original legislation. There's really no change. It's not hostile. It's basically just clarification of what went through the Committee Amendment earlier."

Cullerton: "What was the original intent?"

Tenhouse: "Well, simply just to put in a fact that were going to be as far as a date that were going to be having a effective date of the Bill, more than anything else. And then there was a drafting error as far as the punctuation."

Cullerton: "It doesn't have anything to do with changing the trailer weight and moving them around to different

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classes?"

Tenhouse: "The Amendment doesn't have any effect on that. You'll have plenty of chance to grasp it later on, when we get to Third Reading, Representative Cullerton."

Cullerton: "Okay, thank you."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall Floor Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it, Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 3618, Representative Capparelli. Take it out of the record. House Bill 3695, Representative Olson, Myron Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3695, a Bill for an Act pertaining to vehicle emissions controls. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 3858, Representative Cullerton. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3858, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Cullerton."

Speaker Keane: "Representative Cullerton on Floor Amendment #1."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment was discussed in committee, I believe the Chairman of the committee suggested that we take out the obligation of the Secretary of State's office to draft rules, and rather we put...we put the rules right in the Bill. One second Mr. Speaker. I think I want to go with Amendment #2, so I would like to withdraw Amendment

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#1."

Speaker Keane: "Withdraw Amendment #1."

Clerk Leone: "Floor Amendment #2 offered by Representative Cullerton."

Speaker Keane: "Representative Cullerton on Floor Amendment #2."

Cullerton: "Yes, this is the same as Amendment #1, it's just that it's technically correct. It takes out the obligation to Secretary of State to make rules, and indicates in the statute what it is that we want the authorized driver's duties to be, with regards to being...taking reasonably efforts. So I move for its adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendment."

Speaker Keane: "Has the fiscal note been filed?"

Clerk Leone: "There is no fiscal note on file to this Bill."

Speaker Keane: "Representative Cullerton."

Cullerton: "Is there a request for a fiscal note?"

Speaker Keane: "There is a request...there is a request for a fiscal note, by a...the Bill will be held on Second. House Bill 2903, Representative Bugielski. Representative Bugielski, 3903. Out of the record. House Bill 3915, Representative Goforth. Out of the record. House Bill 3933, Representative Peterson. 3933. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3933, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 3999, Representative Cullerton. Representative Cullerton. 3999. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 3999, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 4029, Representative Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 4029, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 4159, Representative Wennlund. Out of the record. House Bill 4172, Representative Hicks. Out of the record. House Bill 4173, Representative Hartke. Out of the record. House Bill 4190, Representative McPike. Out of the record. Parliamentarian come to the dais, please. We will now go to on the same page, of the supplemental to the Special Order of Business, Economic Development, Second Reading, and on that order...Representative...2876...Representative Le...LeFlore. Out of the record. 3390, Representative Myron Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3390, a Bill for an Act to amend the Corridors of Opportunity and Development Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading House Bill 3604, Representative DeJaegher. Out of the record. The next...reverting back to Transportation, Second Reading. House Bill 3858, Mr. Clerk, what is the status of the Bill?"

Clerk Leone: "The...House Bill 3858 has been held on the Order of Second Reading."

Speaker Keane: "Has the fiscal note been filed?"

Clerk Leone: "There is no fiscal note on file."

Speaker Keane: "Third Reading. Representative McCracken. Alright, Mr...Representative McCracken withdraws the fiscal

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note request. Third Reading. Representative Capparelli, do you want to do House Bill 3618, on Transportation? 3618, length permits on vehicles. Out of the record. On the bottom of page three, on that same sheet, is State Government Administration, Third Reading. I'm sorry, Second Reading. State Government Administration, Second Reading. On that is House Bill 890, Representative Bugielski. Out of the record. House Bill 3028, Representative McPike. Mr. Clerk, read the Bill. There's been a...okay, I've been informed that 3028 is actually on Third Reading, and its a printing error on that sheet. House Bill 3197, Representative Matijevich. Read the Bill, please, Mr. Clerk."

Clerk Leone: "House Bill 3197, a Bill for an Act to amend the Waukegan Civic Center Law. Second Reading of the Bill. Amendment #1 was offered in committee, adopted earlier in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motion filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Williamson."

Speaker Keane: "Representative Williamson, Floor Amendment #2."

Williamson: "Thank you, Mr. Speaker. This is just a technical Amendment, it changes the date from July 1 of 1991 to July 1, 1990."

Speaker Keane: "Is there any discussion on the Amendment? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments? We're moving as fast as we can pedal. Representative Leverenz, for what purpose do you rise?"

Leverenz: "I have an inquiry of the Chair."

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Speaker Keane: "In...okay, inquire."

Leverenz: "It's...no you're supposed to say, 'state your inquiry.'"

Speaker Keane: "State your inquiry."

Leverenz: "Now?"

Speaker Keane: "Whenever."

Leverenz: "Uh...your supposed to say, 'no, not now.'"

Speaker Keane: "I appre...the Chair appreciates all the help it can get, so I will say, no, not now. Any further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, offered by Representative Weller - Ewing - Tenhouse."

Speaker Keane: "Representative Weller."

Weller: "Thank you, Mr. Speaker. Floor Amendment #3 authorizes creation of the Village of Bourbonnais, Schuyler County, and the Village of Atwood Civic Centers. I'd be happy to answer any questions. I've discussed this Amendment with the Bill's Sponsor, and he seems to accept the Amendment. I move for its adoption."

Speaker Keane: "On the Amendment #3, Representative Matijeich."

Matijeich: "This one's alright, but I want com...after the Amendment, came back to me."

Speaker Keane: "Is there any dis...further discussion on Amendment #3? There being none, the questions is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', all opposed 'no'. Amendment #3 is adopted. Representative Matijeich."

Matijeich: "Mr. Speaker, I with apologies to Linda Williamson, I now am going to reconsider the vote to which we adopted Amendment #...2, and I'm going to offer a tabling of that Amendment."

Speaker Keane: "Representative, Representative Mc...I think what your Motion should be, would be to move to

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table...Representative McCracken."

McCracken: "I move to table the Motion to reconsider, that takes precedence, I want to vote on the Motion to table the Motion to reconsider. And do you want to know why I want to table the Motion to reconsider? Because somebody made a mistake. And somehow, Rosemont Civic Center got some fair funding which it was denied last year. And that's why we're in this fix today. So, I want my Motion to table the Motion to reconsider, voted upon, a Roll Call vote. And I'm sure that Linda Williamson will address this Motion, and will tell us why it's fair that Rosemont not be discriminated against any longer. And she's looking at me, and I'm sure she will respond soon."

Speaker Keane: "She might just be looking at you. The...one second, let's clarify the sequence. The Motion to reconsider was out of order. Representative Matijevich Motion to reconsider is out of order. The...hold on...hold on."

Matijevich: "Well, then I'll move to t...I'll move to table Amendment #2."

Speaker Keane: "That's the correct Motion."

Matijevich: "Alright."

Speaker Keane: "Representative Matijevich moves to table Amendment #2."

Matijevich: "2"

Speaker Keane: "Now Representative McCracken."

McCracken: "Does my Motion to table the Motion, take precedence?"

Speaker Keane: "It does."

McCracken: "But it will just flip the Roll Call. Well in that case, I move to adjourn."

Speaker Keane: "You're right. You're not recognized yet."

McCracken: "That takes precedence, I'm told. Do you know that? The Motion to adjourn takes precedence over all other

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things."

Speaker Keane: "When you're...when it's..."

McCracken: "It's a nice day, let's go out and get a game of golf in. Come on, let's put it behind us. Yea!"

Speaker Keane: "Representative Matijevich. Representative Matijevich."

Matijevich: "Yea. What do you want?"

Speaker Keane: "Yea. Your Motion...the Motion...on Representative Matijevich Motion to table. All those in favor say 'aye', those opposed 'no'. The 'ayes' have it, and the Amend...the Motion has been carried. Did you...Representative McCracken, did you wish for a Roll Call vote, on that Motion?"

McCracken: "Yes."

Speaker Keane: "You didn't request it but, what we'll do is we'll give you you're request."

McCracken: "Okay."

Speaker Keane: "All those Roll Call Motion. The Motion is to table Amendment #2. The Motion to adjourn is not in Order. We are now on the Motion to table...we're now on the Motion to table. All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion there are 59 voting 'aye', 51 voting 'no'. Representative McCracken, for what reason do you rise?"

McCracken: "Well, first the Motion fails because it requires 60 votes to table. And I...and I ask the Chair to so rule."

Speaker Keane: "You're wrong...you're wrong. The Chair does not so rule."

McCracken: "Pardon me."

Speaker Keane: "The Chair does not so rule. The majority is all that's needed."

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McCracken: "Okay, I move to verify. Not move, I demand a verification."

Speaker Keane: "Verification. There's a request for a verification. Mr. Clerk, read the...Poll of the Absentees."

Clerk Leone: "Poll of those not voting. Davis. Krska. Laurino. Mautino. Terzich. And Williams."

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

Clerk Leone: "Poll of those voting in the affirmative. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. HICKS. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. LeFlore."

Speaker Keane: "Mr. Clerk, Mr. Mautino votes 'aye'."

Clerk Leone: "Continuing with the poll of the affirmative. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczko. Stern. Sutker. Trotter. Turner. Van Duyne. White. Wolf. Woolard. Young. Anthony Young. Wylvetter Younge. And Mr. Speaker."

Speaker Keane: "Representative McCracken."

McCracken: "You done already? Representative DeLeo?"

Speaker Keane: "Is Representative DeLeo present? Representative DeLeo, remove him from the Roll Call."

McCracken: "Representative Trotter?"

Speaker Keane: "Is Representative Trotter in the chambers? Representative Trotter. Remove him from the Roll Call."

McCracken: "Representative Santiago"

Speaker Keane: "Representative Santiago? Is Representative Santiago in the chambers? Remove him from the Roll Call."

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McCracken: "Representative Laurino."

Speaker Keane: "Representative Laurino is in his chair. He's in his chair."

McCracken: "Okay. Representative Anthony Young."

Speaker Keane: "Representative Anthony Young. Is Representative Anthony Young in the chamber? Remove him from the Roll Call."

McCracken: "Representative Monique Davis."

Speaker Keane: "Is Representative Davis in the chamber? Remove her from the Roll Call."

McCracken: "Representative Ronan."

Speaker Keane: "Is Representative Ronan in the chamber? Remove her from the Roll Call. Is Rep...Representative Jones...Shirley Jones wishes to be verified."

McCracken: "Who?"

Speaker Keane: "Representative Shirley Jones wishes to be verified. Leave to be verified."

McCracken: "Yes. Representative Dunn."

Speaker Keane: "Representative John Dunn is in the aisle."

McCracken: "Representative Shaw."

Speaker Keane: "Is Representative Shaw in the chambers. Remove him from the Roll Call."

McCracken: "Representative Richmond."

Speaker Keane: "Representative Richmond is in his chair."

McCracken: "Representative Lang."

Speaker Keane: "Representative Lang is in his chair."

McCracken: "Representative Steczo."

Speaker Keane: "Representative Steczo's up here in the front. Is there leave to be verified for Representative Giorgi and Representative Hartke?"

McCracken: "Yes."

Speaker Keane: "Leave."

McCracken: "Representative Phelps."

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Speaker Keane: "Representative Phelps is in his chair."

McCracken: "Representative White."

Speaker Keane: "Representative White. Is Representative White in the chambers? Remove him from the Roll Call."

McCracken: "Representative Wyvetter Younger."

Speaker Keane: "Is Representative Wyvetter Younger in the chambers? Remove her from the Roll Call."

McCracken: "Representative Flowers."

Speaker Keane: "Is Representative Flowers in the chambers...in the chamber? Representative Flowers. Remove her from the Roll Call."

McCracken: "Representative Balanoff."

Speaker Keane: "Is Representative Balanoff in the...Representative Balanoff is in front. Representative Flowers, return her to the Roll Call, she's in the rear of the chambers."

McCracken: "Representative Woolard."

Speaker Keane: "Representative Woolard. In the center aisle. Any further? Any further..."

McCracken: "I think Representative Terzich is seeking recognition."

Speaker Keane: "Representative Terzich. Change Representative Terzich to 'no'...vote him 'no'. Representative Stern. Can leave for Representative Stern be verified?"

McCracken: "Yes."

Speaker Keane: "Leave."

McCracken: "Well she's on the other side. Representative McNamara."

Speaker Keane: "Representative McNamara is in the center aisle."

McCracken: "Nothing further."

Speaker Keane: "Representative Matijevich for what..."

McCracken: "Wait, wait, wait, I just saw a piece of paper. Representative Munizzi."

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Speaker Keane: "Representative Munizzi is up here. Is that...any further questions. Representative Matijevich."

Matijevich: "Yes, we're going to verify the negative vote."

Speaker Keane: "Mr. Clerk, Poll of the Absentees."

Clerk Leone: "I'm sorry. Poll of those voting in the negative."

Speaker Keane: "Excuse me, Mr. Clerk. Representative Piel."

Piel: "Thank you, Mr. Speaker. According to House rules, I believe that the Gentleman's request is dilatory, and I'll explain why. Unless the rule so states, it takes 50...or 60 votes to pass something. When it comes to a tabling Motion, Rule 75 deals with Committee Bills, but it also deals with Amendments. Rule 75, in general, without a breakdown according to which Section, takes 60 votes in each Section of 75 to table a Amendment or a Committee Bill. It does not break it down according to Section of 75, so it would be for the entire Rule 75. So it does take 60 votes for this Motion, I would say that the Gentleman's request is dilatory."

Speaker Keane: "The Parliamentarian on behalf of the Speaker."

Pollak: "On behalf of the Speaker, your point is not well taken. The Motion to table takes a Majority of those voting on the question."

Piel: "Could I ask the Parliamentarian to explain to me where in the rules it states it takes a Majority of those voting?"

Pollak: "All propositions require a Majority of those voting unless the rules otherwise...the rules of the Constitution or a statute otherwise so state. So in this instance, there is no requirement for a larger Majority."

Piel: "It's not a larger Majority, Mr. Parliamentarian, what I'm saying is Rule 75, so states it takes 60 votes. Rule 75 is a generalized rule, it does...is broken down, and it does not say 60 votes for one Section of it and a simple Majority in the other Section. It does state that it takes

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60 votes for all Sections of Rule 75, and so in that case it would take 60 votes. And if you say it takes a simple Majority, I would ask what area of the rules, because I cannot find in the rules to where it would take a simple Majority for this tabling Motion."

Pollak: "Rule 75 indicates it takes 60 votes to table a Committee Bill. This is not a Committee Bill, and therefore your point is not well taken."

Piel: "Could you tell...explain to me where on the rules it takes a simple Majority. I've asked you that twice."

Speaker Keane: "Representative Matijevich, if you could hold on I think you'll get your answer."

Piel: "Yes, I would appreciate it if you would come back and let me know."

Speaker Keane: "Yes, Representative Matijevich."

Matijevich: "Speaker, he has already been answered, and I don't think it's within our rules where Parliamentarian has to further explain with other...answering other questions. And Representative Shaw now wishes to be recorded, so we don't have to go through any more verification."

Speaker Keane: "Your poi...your point is well taken. Representative Shaw for what purpose do you rise?"

Shaw: "Mr. Speaker, I'll vote 'aye'."

Speaker Keane: "Mr. Shaw wants to be recorded as voting 'aye'. On this issue...on the issue there are 53 'ayes', 52 'nos', and the Motion carries. The Amendment is tabled. Mr. Clerk, any further Amendments?"

Clerk Leone: "Floor Amendment #4 is being offered by Representative Matijevich."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, Members of the House, Amendment...3 we adopted I believe."

Speaker Keane: "Mr. Clerk, did we adopt the previously adopted

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Amendment #3?"

Clerk Leone: "Yeah, we...that was Weller's Amendment. We adopted that. Fair is fair."

Speaker Keane: "Representative McCracken, Amendment #3 has previously been adopted, we are now on Amendment #4. Representative Matijevich.

Matijevich: "Speaker, Amendment #4 is an Amendment which we offered in behalf of the Lake County Civic Center Authority. The appointments would be four by the County Board Chairman with approval of the County Board. Three that by the Governor, it would also no...allow...the City of Waukegan is exempt from the bounties of the Lake County Authority because they have their own authority. I move the adoption of Amendment #4."

Speaker Keane: "Any questions or comments on Amendment #4. There being none, the question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have and Amendment 4 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #5 is being offered by Representative Leverenz."

Speaker Keane: "Representative Leverenz on Amendment #5."

Leverenz: "I thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #5 would provide for the Forest Park Civic Center Authority, and that would make it part of the Bill. I move for the adoption of Amendment #5."

Speaker Keane: "Any discussion on Amendment #5. There being none, the questions is, 'Shall Amendment #...Representative McCracken on Amendment #5."

McCracken: "Yes, thank you. Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

McCracken: "What does this do, does it...does it authorize a new authority or..."

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Leverenz: "That is correct."

McCracken: "And this authority would the Forest Park Civic Center Authority."

Leverenz: "That is correct."

McCracken: "Now, is it your contention there's no cost, because there is no appropriation accompanying this or at least this authorization in and of itself doesn't result in..."

Leverenz: "That's correct."

McCracken: "...use of state money."

Speaker Keane: "Are you leading the witness?"

McCracken: "I'm trying to usually I don't ask questions here, 'cause you can't control the witness."

Speaker Keane: "Can't what?"

McCracken: "Control the witness. So I will make my point. This is another civic center authority, and if you think we have too many in the state already. And if you think that \$20 million, which rightly should go to Rosemont, is going to go to somewhere else, possibly to Forest Park, as a result of this Amendment. And if you think that is unfair, because the Rosemont Authority is a viable business entity, one of the few or only in the state to be viable. And it therefore, deserving of the state assistance because it is a productive center, than you should vote no on this Amendment. We have too many civic center authorities already. Too many of them are created, and are unnecessary. And this appears to be just one more. I wish a Roll Call vote on this. And a 'no' vote."

Speaker Keane: "All those in favor of Amendment #5 vote 'aye', all 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 58 voting 'aye', 50 voting 'no'. And Amendment #5 is adopted. Any further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Keane: "A state debt impact note has been filed. A state debt impact request has been filed. Is the state debt impact note...do we have the state impact note, Mr. Clerk?"

Clerk Leone: "There is a state debt impact note filed, but it is in relationship to the original Bill. The request is in relationship to the Bill as amended by Amendments 3,4, and 5."

Speaker Keane: "The Bill remains on Second Reading. Go back to House Bill 890, Representative Bugielski. Representative Young in the Chair."

Speaker Young: "House Bill 890. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 890, a Bill for an Act concerning vouchers for educational expenses. Second Reading of the Bill. Amendments 1 and 2 were adopted in Committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Cullerton. Well..."

Speaker Young: "Representative Cullerton on Amendment #3."

Cullerton: "Yes, Mr. Speaker, when I asked that this Bill be drafted, this Amendment be drafted, I wanted to put a...a cap on the amount of money that would be spent on the proposal. And I asked the Reference Bureau to cap it at a zillion dollars, and they apparently misunderstood me and they put a cap at a trillion. And I don't want to inhibit Representative Bugielski's Bill in that respect, so I'm gonna half to withdraw this Amendment and come up with another Amendment to cap it at a zillion or maybe a google. Google is a billion, billion. Which I..."

Speaker Young: "Withdraw Amendment #3. Any further Amendments?"

Clerk Leone: "There's no further Amendments."

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Speaker Young: "Third Reading. House Bill 3613. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3613, a Bill for an Act to amend Homeownership Made Easy Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "There has been a request for a fiscal note on House Bill 3613. It will remain on Second Reading. Representative Cullerton."

Cullerton: "Yes, could I ask the Clerk, who made the request for that fiscal note?"

Speaker Young: "The Clerk is looking it up, Representative. House Bill 3623, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3623, a Bill for an Act to amend an Act concerning comparable work. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Rep...there is also a request for a fiscal note. The Bill will remain on Second Reading. House Bill 3777, Representative Currie. Read the Bill, Mr. Clerk. Out of the record. House Bill 4050, Representative Currie. Out of the record. House Bill 4196, Representative Cullerton. Out of the record. We will now go to the Order of Criminal Law, Second Reading. The Sponsors on this order are Homer, Johnson, Cullerton, Countryman, Stange, Krska, McCracken, Harris, Williams, Parke, Petka. The first Bill is House 2399. Out of the record. House Bill 2685, out of the record. House Bill 2823, Representative Johnson. Out of the record. House Bill 2959, Representative Countryman. Out of the record. House Bill 3142, Representative Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3142, a Bill for an Act relating to crime statistics reports. Second Reading of the Bill. Amendment #1 was adopted in committee."

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Speaker Young: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments? Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is offered by Representative Stange."

Speaker Young: "Representative Stange."

Stange: "Thank you, Mr. Speaker. Amendment #2 we're going to put a sunset in this legislation for 1993. It's approved by both sides of the House. I appreciate your vote."

Speaker Young: "The Gentleman's moved for the adoption of Floor Amendment #2 to House Bill 3142. On that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. We will go back and pick up House Bill 2823, Representative Johnson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2823, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3144, Representative Krska. Out of the record. House Bill 3161, Representative McCracken. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3161, a Bill for an Act to amend an Act concerning public contracts. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

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Clerk Leone: "Floor Amendment #2 is being offered by Representative McCracken."

Speaker Young: "Representative McCracken on Floor Amendment #2."

McCracken: "Thank you. Amendment #2 refines Amendment #1, and would merely state more precisely that those certain contracts that are the subject of this Bill are governed by the...whatever the term is, the Local Services Government Contracting Act, as opposed to the Bid Rigging Act. I've discussed this matter with Representative Sutker, generally, and this Amendment is consistent with what we have done in committee. I move its adoption."

Speaker Young: "The Gentleman moves for adoption of Floor Amendment #2 to House Bill 3161. On that question is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. House Bill 3167, Representative Harris. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3167, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Homer."

Speaker Young: "Representative Homer on Floor Amendment #2."

Homer: "Thank you, Speaker. Ladies and Gentlemen, the Gentleman's Bill deals with, its one of four Bills that's on the Floor that deals with increasing the amount of

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meritorious good time for inmates in the prisons. And the Amendment that I've offered is...is simply a requirement that before any prisoner gets out of prison early, because they have been awarded good conduct credits, good time, they will first will have to undergo drug testing. And that only if in fact, the prisoner is drug free will the prisoner be allowed to get out early as a result of the accumulation of good conduct credits. I think its just absolutely a fundamental that before we would give a prisoner good conduct credits and let them out of prison early, that they establish they have not been utilizing drugs while in prison. And unfortunately, we hear that drugs are in our prisons, and that in fact many inmates while they're serving time in our prisons are using drugs. And so, this Amendment simply says that to get credit for good conduct in prison, you must be drug free. And you can't be released early, unless you've tested drug free. So if we're going to be increasing good conduct time for inmates, to let them out earlier, this Amendment simply says they better be on good conduct and be off of drugs. So, I think it simply balances the Bill, and I would urge adoption of this Amendment."

Speaker Young: "Gentleman moves for the adoption of Floor Amendment #2 to House Bill 3167. On that, the Gentleman from Mclean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. Would the Sponsor yield to a question.?"

Speaker Young: "Indicates he will yield for a question."

Ropp: "Representative Homer, I have a Bill something like this that I assume you are going to amend the same provision to, which I in part would have no opposition to except, I have to find out for sure whether or not in our prison system those people who are currently involved in drugs. We have

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any kind of system or program or attempt to have a dry out program within our prison system which would assist in helping those people get off of drugs if they are currently are using drugs? My point is, I guess, if you don't have some kind of an encouragement, then maybe this is...maybe this is it, I don't know. But I'm not sure that the state has a program that attempts to get somebody off the drug wagon."

Homer: "That may be Representative Ropp, I don't know what corrections is currently doing about people in prison with a drug dependency problem, probably not enough, but I think it's so absolutely fundamental that...that we ought to not give someone credit for good conduct and let them out early, and find out that in fact while they were in prison, that they were smuggling in and utilizing illegal drugs. This Amendment simply says that you can't...you can't get out early unless you test and are drug free. And I would think this would be the incentive. I would...I think the wardens throughout this state would really be for this kind of Amendment because they then can say to all inmates in prison, 'look if you want your good conduct credit, you better not be on drugs, and you better not be smuggling drugs in here, because we are going to test you, and you are not going to get your good conduct credit unless you are off of drugs.' And that's all the Amendment does, and yes I do plan to propose it to your Bill as well as the other three Bills that are out of committee."

Ropp: "Well I'm wondering, like if you lose your drivers license because you're on drugs and you just merely say, that I'm not on it any more, that sometimes doesn't provide much weight to the Secretary of State's hearing officer when they reissue a restricted permit. And I guess in that program you have to go through a series of drug relief

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program, Lighthouse, Dry Rose, or some of these other programs and I'm wondering if it's so hard to get a drivers license even returned after having gone through those programs, I'm wondering what we will be able to do in the agency, if we don't have some kind of a financial program or some kind of additional program that will help them stay off rather than to just say, if you stay off you will get good time, and if you don't...our incentive is a bit difficult for me to urge a kid to go to school there so he can get a good job. If in fact we don't have another kind of program that goes along together. Maybe we need both of them."

Homer: "I don't disagree."

Speaker Young: "The Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is my Bill, and I didn't chat with the Sponsor about this Amendment prior to his introduction of it. I'd like to observe that the Sponsor has set up...Sponsor of this Amendment has set up a task force which is meeting for the first time this evening on drugs and drug tests legislation that we have introduced here in the General Assembly. It seems appropriate to me that this is the type of Bill which might or type of legislation which might come before that task force rather than as Amendments to all of these Bills. So for consistency sake I would think it would be appropriate that this type of legislation be considered by the task force which is what we have agreed to do with all of our Bills, have them heard by the task force, and not placed as individual Amendments on individual Bills. Having said that however I will tell you that I think the idea has genuine merit. There is reasonableness to it. There is cause to say we should indeed be testing people for drugs before we allow them

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back out on the streets. I would hope that by adoption of the Amendment should it get on this Bill that it would make the Bill more agreeable to passage, certainly by the distinguished Chairman of the committee by...by...that heard the Bill, the Gentleman who is offering this Amendment. Not recognizing that's any guarantee, but at least it makes the Bill more agreeable in his eyes. So having said that, while I did not know about the Amendment ahead of time, I will accept the Amendment as a friendly Amendment to the Bill, and would urge that you vote 'aye' on the Motion to adopt."

Speaker Young: "The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield to a question?"

Speaker Young: "He indicates he will yield for a question."

Morrow: "Representative Homer, I'm kind of perplexed as to some of your comments that you made in trying to gain votes for the Amendment #2. You said you want to catch inmates who are using drugs and who bring drugs into the prison through drug testing. Now, I'm confused as to how you can test a inmate who is not a user but who happens to be the conduct in which drugs get into the...the jails. There's no adequate means of testing a person who just brings drug into the jail system."

Homer: "That is correct, in fact I'm lead to believe that in large part, the drugs are coming in some cases by the guards, are smuggling drugs into the prisons. And I know that's a damning allegation but I've talked with inmates particularly in Pontiac, and I've been told its very common for drugs to be in the prison and that in many cases it's the guards who have brought the drugs into the prisons. So, no there's no test for bringing it in, this test would apply only to the user and all this Amendment says that

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before someone gets out early of prison, that because they...with good time credits, that they first will have to undergo drug testing and be drug free."

Speaker Young: "Representative Morrow."

Morrow: "Yes, also my second question would be, Representative Homer. Studies have bought out the fact that 30 perc...30 percent or even almost 50 percent of all those who have been tested for drugs, the results were not founded. What option or what option or program would a inmate have if he was to be tested positive for his first test, what...what recourse or appeal would he have just in case that this test was not true and it would later be turned out false if he was to be tested twice?"

Homer: "Well, the...the language of the Amendment allows for four different types of alternative tests: breath, blood, urine, or saliva. And I would think that the administrative review procedures of the correctional facility will avail themselves to an inmate who...who wishes to challenge the results of the test and there are other tests that could be administered in order to validate the first test. So, I believe the procedures are in place for that. I'm not aware nor would conceive the unreliability, it's my understanding that we've come along way, and these tests are highly, highly reliable, but there would be a procedure in the event that an inmate disputed the results of the test."

Morrow: "Well, oh, I'm on the mike still. My last point, Representative Homer would be, when they took this test would they be given all four tests at that time, or if they just take the urine test first and that turns up positive, would they then take a blood test, then if that turns out false, then then would go to a hair test, then if that turns out positive or negative, would they then to to the

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'Forbes' test, or would it all be at one time?"

Homer: "No, there...there, I don't believe it's contemplate they would be given all the tests. The Department of Corrections would in its discretion administer one of the tests and if that was positive that would...that would conclude the testing procedure, unless the inmate raised objection. In which case the inmate could ask for one of the alternate tests to confirm the positive results of the first tests."

Morrow: "To the Amendment, Mr. Speaker, even though I have high regards to Representative Homer, I'm going to have to oppose this Floor Amendment #2 to House Bill 3167. Even though the inmates have a reason for being in jail and they've done their time, they also still have rights. If they have been on good behavior, and have earned this credit, I feel that we should not hinder them in their final days of being released, by having them submit to this test, which they have a 50-50 chance that it's going to come out positive or come out negative. So with that, I'm going to urge my colleagues to vote 'no' on Floor Amendment #2 on House Bill 3167."

Speaker Young: "Gentleman from DeKalb, Representative Countryman."

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

Speaker Young: "Indicates he will yield for a question."

Countryman: "I think this idea has some merit, but I want to make sure because we didn't debate it in committee that we do the right thing. And I...you've answered a number of questions which...which I had but, I want to know is this is purely a release test that is something that's to be done within say 30 days of release? Is that what your intention is, Representative?"

Homer: "Well, I think it would. The Bill doesn't specify the

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time, but it says prior to the release, early for good...as a result of getting good conduct credits that the department will administer a drug test. I would presume it would be within days of the release. I don't know."

Countryman: "Well, whatever time it would reasonably to submit the test and have a result. Is that you're saying?"

Homer: "Right. Right. They would...they certainly would have no authority to hold up a release waiting for tests. They would have to do it in enough time to get the results back before the release."

Countryman: "Your...Your previous answer indicated to me that you feel this is applicable to day for day good time. Is that correct, too?"

Homer: "Yes."

Countryman: "Alright, so if somebody gets a 30 year sentence, under pure day for day, if the don't have any problem 15 years after the sentence, they should be released. If they were tested every year on an annual basis and passed 14 tests, and then failed this prior to release test, they would lose 15 years of good time. Is that what your saying?"

Homer: "No, no, I don't say that at all. I say they won't...I don't say...they won't be tested every year, they will only be tested under this Amendment just prior to being released. Now, if in fact, it comes back positive, that they're on drugs. They would then have to stay in prison until they retested negative, and however long it took to get the drugs out of their system, would be how long they would have to stay in."

Countryman: "Well, I don't think that's what you're saying. Read the last three lines, starting with any good conduct credit accumulated by the inmate by his term of imprisonment shall be revoked."

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Homer: "Well, I think that's a...that's a valid point. I read that and you know, let's...let's do this, Mr. Speaker, I think the Gentleman raises a good point that is not what I contemplated. But I can see how it could be so interpreted. There are four Bills out there, this is one of them. I'll withdraw this Amendment and have the Amendment redrafted for purpose of the other Bills. I thank the Gentleman for pointing that out."

Countryman: "Thank you."

Speaker Young: "Withdraw Amendment #2. Further Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Harris."

Harris: "Thank you, Mr. Speaker. Mr. Speaker, Amendment #3 was just filed it just came out of the reference bureau late. It is an Amendment which the Chairman of the Committee requested that we put on when it was in committee. I agreed to do that because it was the intention to put the Bill on...put the Amendment on. The Amendment specifies that the good time contained in the Bill applies only to the one-for-one good time and not to the 90 day meritorious good time."

Speaker Young: "Excuse...just a second Representative Harris, before you describe the Amendment. Representative Harris moves that Amendment #3 be heard even though it's not printed. Representative Harris asks leave of the House to hear Floor Amendment #3, even though it has not been printed and distributed. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave by use of the attendance Roll Call."

Harris: "Thank you, Mr. Speaker. I should have asked that initially. I did describe the Amendment. It applies only to the one-to-one good time, not to the 90 day meritorious good time. It is agreed to by both sides of the aisle and

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I would ask for adoption of the Amendment."

Speaker Young: "Excuse me, Representative Harris moves for the adoption of Floor Amendment #3 to House Bill 3167. On that question is there any discussion? Hearing none, the question is, 'Shall Floor Amendment #3 be adopted?' Those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. House Bill 3523, Representative Williams. Out of the record. House Bill 3527, Representative Parke. Representative Parke. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3527, a Bill for an Act to amend an Act to revise the law. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3610, Representative Homer. Representative Homer. House Bill 3610. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3610, a Bill for an Act to amend the Code of Criminal Procedure."

Speaker Young: "Out of the record. House Bill 3611, Representative Homer. Read the...Representative Homer. House Bill 3611. Out of the record. House Bill 3744, Representative Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3744, a Bill for an Act to amend certain Acts in relationship to visitation orders. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Any Motions filed."

Clerk Leone: "No Motions filed"

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is offered by Representative Stange - Lang."

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Speaker Young: "Representative Stange on Floor Amendment #2."

Stange: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #2 is technical language, plus we're taking it out of the criminal courts and a very technical language that was agreed upon in committee."

Speaker Young: "The Gentleman moves for adoption of Floor Amendment #2 to House Bill 3744. Is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Representative Preston."

Preston: "Thank you, Mr. Speaker. I want to inquire of the Chair if it's appropriate to introduce to the Members of the House, the students from Solomon Schechter Hebrew Day School in Skokie, in the gallery with Representative Lang."

Speaker Young: "No, Representative, that is not appropriate."

Preston: "Thank you, Mr. Speaker."

Speaker Young: "Are there any further Amendments to House Bill 3744?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. House Bill 3752, Representative Petka. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3752, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Third Reading. House Bill 3812, Representative Curran. Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3812, a Bill for an Act to amend an Act concerning domestic violence. Second Reading of the Bill."

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There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3616...3816, out of the record. House Bill 3823, Representative Black. Representative Black. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3823, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Black. Representative Black on Floor Amendment #2."

Black: "Thank you, very much, Mr. Speaker. Amendment #2 at the request of some Members of the Judiciary Committee, exempts Cook County."

Speaker Young: "The Gentleman has moved for passage of Floor Amendment #2 to House Bill 3823. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Young: "Indicates he will yield for a question."

Cullerton: "Representative Black, you are very fortunate that Representative Young is in the Chair, because he can't debate you on this."

Black: "I know that."

Cullerton: "Could you tell me what the Bill does, and then tell me how Amendment #1 fits in, and then tell me how Amendment #2 fits in?"

Black: "Basically, Representative, the Bill would allow a juvenile age 15 or older to be confined in a municipal or county jail or public safety facility, if they are being tried as an adult under the Illinois Criminal Code. The Bill further stipulates, Amendment #1 stipulates that that

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confinement must be for a juvenile who is at least 15 years of age or older. It also stipulates in the Bill, he must be held in strict separation of sight and sound standards. Amendment #2 simply exempts Cook County from the Bill."

Cullerton: "Well, who asked that...I'm not on that committee any more, who asked that Cook County be exempted."

Black: "I believe Mr. Speaker had some concerns about that. And I believe Mr. Williams had some concerns about that as well."

Cullerton: "Well, I imagine they would, because we are under a court order in Cook County with regards to our prisons. I don't know what the status is in the juvenile facility but it's probably not much better. Okay, if you're opposed to the Bill, this would make it a little bit less onerous."

Black: "Well, I...I think with the problems that Mr. Williams, Representative Williams brought up, I suppose it would make the Bill somewhat more palatable to those in Cook County."

Cullerton: "I'll wait until Third Reading, but I don't know why you'd want to put young kids in with the hardened criminals. Unless it's...downstate even."

Black: "Well...well, Representative, you know we don't don't need to create a Trojan Horse, we're not putting kids with hardened criminals. The Bill specifically says, it has to be separation of sight and sound to hold them. We are not about to put them in a bull pin arrangement, we are not about to put them in a cell next to adult offenders. If you can't meet the requirement of separation of sight and sound, then you simply can't hold them."

Cullerton: "Well, the current law says that they to be in a separate...separate juvenile detention facility?"

Black: "That's true, Federal mandate went in effect July 1, mandates that they are in a totally separate facility. And I submit to you, Sir, that there are the majority of

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counties in the state can't meet that mandate."

Cullerton: "So this...the Bill with the exception of Cook County, if the Amendment gets on would just say we can't comply with the federal mandate."

Black: "Well, I...I think...I think you might read that in the Bill, but with the Cosponsorship of Mr. Countryman, who is the champion of the Illinois Juvenile Justice Commission and the Juvenile Justice Act. I don't think there's any significant opposition that I'm aware of the Bill."

Cullerton: "Okay, well, in either case, the Amendment is fine."

Black: "Thank you."

Speaker Young: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, I just wanted to alleviate the concerns of Representative Cullerton. This is an agreement which we've reached under the...from the underlying Bill, particularly in downstate Illinois, and particularly where counties don't have a juvenile detention facility. And particularly for those instances where they're brought in for trial where they can make other arrangements, it saves a great deal in traveling cost and deputy cost, and moving these people all across the state for purposes of trial. We did reach this agreement before Representative Black filed the Bill. The Amendment came up in the Judiciary Committee because of the circumstances of Cook County."

Speaker Young: "The question is, 'Shall Floor Amendment #2 be adopted to House Bill 3823?' All those in favor say 'aye', those opposed say 'no'. The opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. House Bill 3838, Representative Stern. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 3838, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Petka."

Speaker Young: "Representative Petka."

Petka: "Thank you, very much, Mr. Speaker. Floor Amendment #1 simply provides that we're meritorious good time conduct is to be allocated, that this would not apply to people who've been convicted of first degree murder and those who've been charged and convicted Class X offenses, which include attempted murder, criminal sexual assault, armed robbery, and other crimes of violence. I believe that this is a common sense approach to the use of meritorious good time. I do not believe meritorious good time is rightly deserved by individuals who've been convicted of murder or rape or attempted murder. However in those instances where it involves non violent crimes, I believe that it may be appropriate. So what I'm...what Amendment #1 simply does is restrict it to...to nonviolent offenders, and would not permit good time credit to be given murderers and rapists and armed robbers and those who attempt to kill. I ask for its adoption and move for a Roll Call vote."

Speaker Young: "The Gentleman moves for adoption of Floor Amendment #1 on the House Bill 3838. On that question, the Lady from Lake Representative Stern."

Stern: "Mr. Speaker and Members of the House, Representative Petka, never came to me with this Amendment. It was never discussed with me. We did debate this at some length in committee, and I believe that if you...is offering it in good faith, he would have approached me on it. I ask you to defeat this Amendment. I think it is a very unfortunate

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emphasis on what is an excellent Bill, backed by the Law Enforcement Authorities, the Corrections Department, and the Director. And I ask you to defeat this Amendment. Is... the Amendment printed and distributed, Sir."

Speaker Young: "The Gentleman from...the Amendment is not printed and distributed."

Stern: "I move that we table the Amendment."

Speaker Young: "Representative Petka, the Lady is within her rights to move for the tabling of an Amendment that is not printed and distributed. Representative McCracken."

McCracken: "Speaker, this Amendment was filed yesterday, we want to know why it hasn't been printed and distributed? Is it a Democratic plot, Mr. Speaker? To deprive us of our right to be heard in the form of the people? Is that what's happening?"

Speaker Young: "These type of Bills, Representative, I would think the Democratic plot would work more to your advantage."

McCracken: "Well, anyway, it was filed yesterday. We would like it heard and not tabled because for some reason it was not its not printed and distributed."

Stern: "I renew my Motion to table."

McCracken: "We would...we would happy to go back to this any time there here. It's your staff that's got 'em. So let's just print 'em and distribute 'em. And we'll call them for a vote."

Speaker Young: "The Lady has moved to table her Motion. And to table...Representative Stern, did you say you'd withdraw your Motion?"

Stern: "No, I said I renew my Motion."

Speaker Young: "You renew your Motion, Representative McCracken."

McCracken: "Well, the Motion is debatable, and I ask my colleagues to join me in this debate. I don't know why you

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would you not consider holding this so that it could be considered on its merits. In fact, there is no reason to be afraid of the Amendment on its merits. It is common to accord each other the courtesy of acting on the merits of the Amendment. That should be especially true, Madam, where the Amendment was filed yesterday, and has not yet been printed and distributed. A process which your party controls. So don't tell us, that this a decent reason to table the Amendment. It is not we who have held up the printing and distributing. We accord each other this courtesy all the time. I can assure you, as soon as the Amendment is printed and distributed, we would be happy to go back to this Bill, and consider the matter. If you are not willing to do that voluntarily, then on behalf of the courtesy we accord to each other, I ask both Democrats and Republicans, to resist this Motion to table Amendment. Regardless whether you consider the Amendment hostile to the Bill. Representative Jerry Weller, just last week accorded that opportunity to a Democratic Member Representative Larry Woolard accorded that opposed to a Republican Member this week. Why don't we just do that way and avoid what appears a lengthy debate and a acrimonious afternoon. Why don't we just consider the matter as soon as the the Amendment get up."

Stern: "Mr. McCracken, I think it is when your talking about courtesies, you should also make the point that we practice the courtesy of discussing with the Sponsor when we are going to try to attach an Amendment. If we are talking about courtesy, I think Mr. Petka comes up short. I renew my Motion to table."

Speaker Young: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Well, I want to address the merits and questions to

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the Sponsor. Is it my understanding that the Motion to table?"

Speaker Young: "We...right now, we are debating the Motion to table."

Countryman: "Well, Mr. Speaker, I would ask leave for you to come back to me, if we debate the merits of the Motion."

Speaker Young: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I find it difficult to believe that the Lady would really intend in her Bill, to provide for earlier release for convicted murders and rapists for people who were sent to prison on Class X sentencing. Certainly the attention of this Legislature when we passed Class X, was that those people who are convicted of such heinous crimes should be gone for a very long time out of society. Yet this Bill seeks to restore prisoners to society. I cannot believe the Lady would really want that provision to apply to murderers and rapists and other convicted under Class X. That's what this Amendment seeks to clarify, that this Bill would not apply to such persons, so that the streets would continue to be safe from such persons. And I'm certainly surprised that the Lady is resisting the Gentleman's Amendment. I think it should be pointed out that a vote on the Motion to table this Amendment, is indeed a vote on the Amendment itself. So those persons who would join the Sponsor of the Bill in trying to table this Amendment, are saying by their vote, that they want Class X criminals to return to the streets of Illinois. And those of us who resist this Motion to table, are saying that we think Class X criminals should stay in prison where they belong. Thank you."

Speaker Young: "The Gentleman from Will, Representative Regan."

Regan: "In...thank you, Mr. Speaker, Members of the House. Will

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the Sponsor yield for a question on the...on the tabling Motion?"

Speaker Young: "She indicates she will yield for a question."

Regan: "Representative, I know that we discussed this in committee. I know that you favor letting out criminals. We have a crowded criminal system. But certainly in this particular situation, don't you agree that to wait just a couple hours, since it was filed hour...or a day ago. To listen to the full impact, because, really, a vote of like this, wouldn't you agree you're joining with Governor Dukakis and his Horton situation. Wouldn't you be afraid of a situation like that happening?"

Stern: "Representative Regan, I am opposing this delay on a matter of principal. You can not imagine that I want rapists and murderers on the streets or that anybody would. The kind of spacious reasoning we have heard in this debate is typical of what we have come to expect from some of my colleagues on the other side. We are faced with a real problem in the over crowding of our prison system. This Bill offers a possible amelioration of that problem. When Representative Petka attaches an Amendment unannounced, and then presses to have it heard before the Amendment has been distributed and placed on the desks. I have reason to suspect his good faith. I do suspect his good faith, and I suspect yours and Representative Pullen's and the kind of arguments that are being placed before us today. Representative McCracken, for heavens sakes, what is going on?"

McCracken: "To the Motion. I...I would suggest that if this is the answer to our crowded jail cells, to let rapists and murderers and child molesters out, and Class X felons. Why don't we...let's set up a situation in your district, where we can have, take a prisoner home and you house them there.

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I urge you the fastest Motion."

Speaker Young: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I just want to call attention to the Membership that we have a former Member in our presence who's on the Democrat side of the aisle where he should have been all along. Former Republican Representative John Hirschfield, from Champaign. Let's give him a hand."

Speaker Young: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I...I am sometimes am amazed at the things I hear from the other side of the aisle that today should not surprise me. I can't believe the tone of some of the Representatives as they try to ply their trade. It just amazes that the questioning of integrity of the Members on this side of the aisle, unprecedented criticisms and just Representative McCracken was right, there is going to be a lot acrimonious debate here today. I can't the nasty attitude that we're presenting directly at Members of this Body. Is just, I'm shocked. You know, Representative, the purpose of the having the Amendment printed and distributed is quite simple. It just so that we can have information about the Amendment at every persons, that every Representative has the knowledge of what that Amendment is about. You quite clearly understand what that Amendment is about. Common courtesy I think, would dictate that since you know what the Amendment is about, every Member of the General Assembly in the House knows what the Amendment is about, that your Motion is not timely. The fact of the matter is that you have moved to table a Motion that will keep convicted murderers and rapists in jail. Now, why you would want to table that Motion...that Amendment, is just beyond me. And several

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people referred to your reasoning and what your possible reasoning might be. I can't imagine why any Representative in the General Assembly would try to slow down a process, that is simply trying to keep murderers and rapists in jail. It just amazes me."

Speaker Young: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I just have a couple of questions I would like to address to the Sponsor of the Amendment. Excuse...the Sponsor of the Motion to table, that's Representative Stern. Did I hear correctly that the Amendment was filed yesterday? The Amendment that Representative Petka filed, was filed yesterday? Is that correct?"

Speaker Young: "Representative Petka"

Mautino: "The question was when was the Amendment filed?"

Petka: "According to our analyst, Amendment was filed today. I requested it yesterday."

Mautino: "You requested a fiscal note? Well, my concern is this:
1. I think that your Amendment is proper and I certainly do support the concept from what I have heard, but not been able to see. If in fact the Amendment does what the Gentleman presents it to do, which is to address the good time, good time addition to those individuals who are not convicted and incarcerated for heinous crimes, is that correct? Heinous, heinous, I don't have to be an attorney. So what type of individuals would be able to use this process of good time, good time or double good time?"

Petka: "Basically Representative, nonviolent offenders. It would restrict the application to nonviolent offenders."

Speaker Young: "Representative Matijevich, on the point of order."

Matijevich: "I make a point of order. We now are discussing the

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merits of an Amendment that nobody has. And that is out of order. The only order of issue before us is the tabling Motion by Representative Stern, and that's the only thing under debate."

Speaker Young: "Your point is well taken, and more importantly, Representative Mautino, you can only ask questions of the Sponsor of the Motion. The Motion we are debating is the Motion to table, Representative Stern is the Sponsor of that Motion. Direct your questions to Representative Stern."

Mautino: "I thank you, very much, Steve. The reason I'm asking the question is because I don't have the Amendment. And her Motion is to table something I haven't seen. I find that very difficult to accept, other than asking the question of the person who Sponsored the Amendment. But I will agree to your analysis. 1. Representative Stern, is that what the Amendment does? It affects only those nonviolent crimes?"

Stern: "Mr. Mautino, I haven't seen the Amendment either. Mr. Petka didn't do me the courtesy of giving me a copy. However, I have listened to the debate, I hear the validity of the concerns. And I think we should go forward probably and debate the Amendment, with or without it in front of us. Although, I really do feel that it has not been courteously handled by the Sponsor of the Amendment. I withdraw my Motion to table, Mr. Speaker."

Speaker Young: "Motion to table is withdrawn. Representative Matijevec, for what purpose do you seek recognition?"

Matijevec: "I was going to support the Motion to table, but I'm not gonna support a Motion to debate Amendment that we don't have. I...I think the rules don't allow that, in other words...we either table..."

Speaker Young: "Your point is well taken, and Representative

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Stern says, please take House Bill 3838 out of the record. House Bill 3843, Representative McCracken. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3843, a Bill for an Act to amend an Act concerning jury demands. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Steczko."

Speaker Young: "Representative Steczko on Floor Amendment #1."

Steczko: "Thank you, Mr. Speaker. Members of the House, Amendment #1 does three things. This changes and clarifies language of this Act as it applies to the Circuit Court Clerk in Cook County and the Circuit Court Clerk in DuPage County. 1. This Amendment says the clerk is entitled to collect a fee for a petition to vacate or modify any final judgement. It changes language to final because current language in the law, says any judgement, and there's been confusion over that interpretation. So we're making it clear here that the intent of the court was never to charge a fee unless the judgement or order was, my word says depository, whatever that...is that a word? Disposed of, that's better. In the...In the second case, it says that in the case of fees or for remand of cases, the clerk is only entitled of fees under the Amendment, if the case is remanded to the Circuit Court from Supreme Court or Appellate Court for a new trial. There is a class action suit pending in Cook County challenging the Constitutionality of the language in the current law. So this is a case where we are trying to clarify that, and they also change a statement in the section that says redocketing of...to replace reinstating, and those two are synonymous terms. In addition, it says the clerk can

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collect costs for all criminal and quasi criminal cases from each person convicted, and we add to that sentence to supervision. So the clerks in these cases will be able to collect costs and fees, in those situations from persons who are sentenced to supervision. I would move for the adoption, Mr. Speaker, of the Amendment."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 3843. On that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative McCracken."

Speaker Young: "Representative McCracken."

McCracken: "Thank you. Amendment #2, last year we conformed all counties over 700 thousand or 650 thousand, so that their clerks of those courts could enact the same fees or charge the same fees for filing and other duties. Apparently because of the fact that DuPage County was under a different ultimate law or general law relative to Circuit Clerks, this Amendment would have...would add authority in certain cases to charge fees as specified in the Amendment. I move its adoption."

Speaker Young: "The Gentleman moves the adoption of Floor Amendment #2 to House Bill 3843. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

McCracken: "Yes."

Cullerton: "The...first of all, does your Amendment affect Representative Steczo's Amendment that was just adopted?"

McCracken: "The short answer is..."

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Cullerton: "Does it affect it?"

McCracken: "I'm not sure if it affects it."

Cullerton: "Does it eliminate it for example?"

McCracken: "No, I don't believe it eliminates it."

Cullerton: "Okay, now, do you keep the original Bill with...by adopting this Amendment #2?"

McCracken: "Yes."

Cullerton: "Okay, now the Amendment only effects DuPage?"

McCracken: "No, this would be a Downstate Clerks Act."

Cullerton: "Under certain population? Under certain population? Is it all...every county other than Cook?"

McCracken: "I think that's the answer, but you know what I honestly don't know. Why don't I pull it out and we can talk about it. 'Cause I don't know that answer."

Cullerton: "Okay, thank you. I would appreciate that."

Speaker Young: "Out of the record. House Bill 4031, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4031, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Young: "Third Reading. House Bill 4067, Representative Homer. Representative Homer. House Bill 4067. Out of the record. House Bill 4124, Representative Homer. Out of the record. House Bill 4126, Representative Homer. Out of the record. House Bill 4128, Representative Santiago. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4128, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. There are no Committee Amendments."

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Speaker Young: "Are...are there any Motions filed?"

Clerk Leone: "No Motions filed. Floor Amendment #1 is being offered by Representative Santiago."

Speaker Young: "Representative Santiago."

Santiago: "Mr. Speaker, the Amendment hasn't been distributed yet. That's right. Its being distributed at this moment. Amendment #1, what it does, it's an agreed Amendment that it was agreed in committee. It...it would delete lines 15 thru 17. If you look at the Bill, what it does it would remove the six month mandatory sentences which was in the original Bill. It would make it a simple Class I Felony."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1 of House Bill 4128. On that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', all opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Further Amendments. House Bill 4129, Representative Santiago. Representative Santiago. House Bill 4129. Out of the record. House Bill 4138, out of the record. House Bill 4141, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4141, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 4149, Representative Santiago. Representative Santiago, House Bill 4149. Read the Bill, Mr. Clerk. Out of the records. House Bill 4187, Representative Young. Read the record, Mr. Clerk."

Clerk Leone: "House Bill 4187, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Young: "Third Reading of the Bill. We'll now go to the Order of Children. Second Reading. Sponsors on this order

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are Curran - Preston - Trotter. First Bill is House Bill 3558, Representative Curran. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3558, a Bill for an Act to amend an Act in relationship to children and families. Second Reading of the Bill. There are no committee of Floor Amendments and a fiscal note has been filed."

Speaker Young: "Third Reading. House Bill 3577, Representative Preston. Is Representative Preston in the chamber? Out of the record. House Bill 3577. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3577, a Bill for an Act to amend an Act concerning the protection and advocacy of children. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3578, Representative Preston. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3578, a Bill for an Act to amend the Children and Family Services Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3579. Out of the record. House Bill 3581. Out of the record. House Bill 3583, Representative Preston. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3583, a Bill for an Act to amend the Children and Family Services Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. Before we do the Order of Children on Third Reading, we will pick up a couple of House Bills from earlier. On page six of the calendar under the Order of Transportation, Second Reading, appears House Bill 2964. Out of the record...We will go to page 17 in the calendar under the Order of Economic Developments, Second Reading, appears House Bill 3604, Representative Dejaegher. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3604, a Bill for an Act concerning

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funding for the Rural Diversification Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Were there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Young: "Third Reading. We will now go to the order of Children. Third Reading. House Bill 2853, Representative Preston. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 2853, a Bill for an Act relating to corporal punishment. Third Reading of the Bill."

Speaker Young: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2853 is a Bill that declares the public policy of the State of Illinois, to be against the use of corporal punishment in the schools throughout this state. There are, virtually every civilized nation on the face of the earth has outlawed corporal punishment. That includes the USSR, Japan, China, Great Britain and the list goes on and on and on. There are only a few countries where corporal punishment is still permitted. That, those countries are the United States, Uganda, South Africa and Iran. Of the many United States, 20 states have already outlawed corporal punishment in their schools, for a variety of reasons. Starting with it doesn't work as a means of instilling discipline in children. Every study that has been done on the effectiveness on corporal punishment, whether it be from the standpoint of diminishing vandalism in schools, or from the standpoint of promoting scholarship indicates that it is entirely ineffective for those purposes. But what does corporal punishment instill in a child? Corporal punishment instills in a child that violence is okay. It sets an

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example that if you're bigger than someone and you're angry with that person, it is okay to use force and violence to show your anger and to get your own way. Especially if that person is smaller than you are. Further, corporal punishment simply perpetuates child abuse in this country and in this state. It is clearly a form of child abuse and in fact in almost every state, if you took a paddle and hit a horse or hit a cow or hit your german shepherd dog you would be in violation of the law. But if you're a teacher and took that same stick and went to a school room, you could hit a kindergarten student who's five years of age without being in violation of the law. That makes no sense. That is something that reverts back to an earlier time in human development. And in fact, the United States got it's tradition of corporal punishment from the use of corporal punishment in Great Britain. Great Britain of course, has since outlawed corporal punishment in their schools. As again has almost every civilized nation on the face of the earth. But in this country and in this state we have yet not done that. There has only been one country in the history of man who once having outlawed corporal punishment reenacted the legitimate use of corporal punishment. Only one country. That country was Nazis Germany. And as soon as the Federal Republic of Germany became the government of Germany, they again outlawed corporal punishment. With that one exception, the one exception of Nazis Germany, there has never been a country who has outlawed corporal punishment that has sought to reinstill corporal punishment in their educational system. The student in Japan have excelled at every level of academic endeavor. Oddly enough, they don't feel the necessity to hit children with sticks in order to do that. It is simply a myth that hitting children with sticks

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teaches them how to become better students more respectful of authority and more disciplined. It does not work. No legitimate authority has ever studied the issue to find that it does work and ought to be outlawed in the State of Illinois. That's what House Bill 2853 does and I would urge and encourage your 'aye' vote. And be glad to answer any questions."

Speaker Young: "Representative Cullerton in the Chair. The Gentleman has moved the adoption of House Bill 2853, and on that are there any questions? The Gentlemen from Vermilion, Representative Black."

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

Speaker Cullerton: "Indicates he will."

Black: "Thank you. Representative, as I understand your Bill as amended. If a small homogeneous community downstate Illinois felt an appearance therein, that corporal punishment had a role to play in their school district, your Bill would prohibit them from doing that, correct?"

Preston: "That is absolutely correct."

Black: "If, let me follow along. On the other hand..."

Preston: "Let, let me finish if I just may answer..."

Black: "Bob, you answered the question yes..."

Preston: "Okay. Thank you."

Black: "So let me, let me get to another point. If a similar community broke every small let's say homogeneous in nature, wanted to go to their local school board, under current law and said we don't think corporal punishment works in our town or our schools and we would like you, the members of the board of education to abolish that as a form of discipline in our schools, could that board currently ban corporal punishment?"

Preston: "Yes, but only for the term of that board. So that it

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would not be a permanent ban. The next board coming in may decide that we're gonna have corporal punishment again."

Black: "Well, that was my next question. You've already answered it. If on the other hand, a subsequent board three to five years later comes in and the community standards have changed, community beliefs have changed to what discipline is or could be or should be, then that board could reinstate corporal punishment couldn't they?"

Preston: "Correct."

Black: "As you have already answered. Well, Representative, thank you. Ladies and Gentlemen of the House, to the Bill. I think that the Gentleman's answers shows that there really isn't a problem here. You know, we're a diverse state. From a huge megalopolis the north, to some very small communities in the southern part of the State of Illinois and we give a measure of responsibility to locally elected school boards to determine certain policies of that school district. What may not work in Peoria, Rockford, Champaign, Chicago, what have you. May very well work in Mount Vernon or Danville or Westfield or Georgetown Ridgefarm. I would suggest to you that I'm not sure we know what's best in all matters in Springfield. And on a matter like this, where the Gentleman has already said a school board could eliminate corporal punishment as a portion of their school policy as discipline, and could also bring it back in a subsequent time. I would really think that the decisions on this matter are best left to locally elected school boards. I would urge a 'no' vote on the Gentleman's Bill."

Speaker Cullerton: "Further discussion, the Gentleman from Cook, Representative Pedersen."

Pedersen: "Will the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

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Pedersen: "Representative, is this apply to, does this mandate apply to all schools, including private schools?"

Preston: "It certainly does."

Pedersen: "Does it have any provision in there from keeping kids from hitting kids?"

Preston: "I'm going to assume you're serious by your question. Though I'm questioning it."

Pedersen: "Well, we're against this violence, and I know kids are always hitting kids. So I just..."

Preston: "No actually there is already laws that prohibit anyone from hitting anyone else, with one exception. If that child is in school, then you may hit that person. So yes there is already a law that says kids may not hit kids but there is no law that says a teacher may not hit kids. And call it education."

Pedersen: "Alright, thank you, Representative."

Preston: "Sure."

Pedersen: "To the Bill. I think that I agree with Representative Black on this legislation. The state mandate applies to private schools. It means regulation of the private schools which nobody wants. And I think that what we really need is local control, local input, local empowerment, and that this kind of mandate from the state level is unneeded and unjustified and I'd recommend a 'no' vote."

Speaker Cullerton: "Further discussion? The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a Bill long since past it's time. It's true that we don't permit people to beat up on each other. It's true we don't let people beat up on animals, but we do let teachers beat up on children in our schools, private and public. It will be argued that private schools should be exempt from

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this kind of regulation. Oh contrary. We do regulate health and safety features in the private schools across the state. We make sure that there is access for a fire and other kinds of purposes, sprinkler systems apply there as much as they do in the public school setting and we make those regulations apply for a good reason. We want to protect our youngsters in whatever kind of school setting we find them. It's critical it seems to me to apply the same kind of protection to youngsters in their classrooms that they now enjoy every place else, whether those are private or public school classrooms. Remember that what we're talking about here is corporal punishment. We're not talking about a teacher holding down on a pair of kicking legs to protect another youngster from an onslaught of violence, we're talking about punishment, physical punishment, delivered in order, physical blows delivered by the teacher in order to punish a youngster. And it strikes me as appalling to think that we might call ourselves a civilized society, if we permit this kind of practice to go further without regulation. This is a sane and sensible Bill. The proposal embodied in this Bill is one that is that is standard through most nations across the world. Not just those in Western Europe, but those in the Far East and in the African continent as well. At least 20 other states have already adopted provisions like this Bill. We consider ourselves kind caring and compassionate. We want to protect our youngsters from abuse across the state every place except within the classroom. And if we really want to put our compassion where we tell our constituents that we hold it, then we should support House Bill 2853."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentleman of the

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House, I rise in support of this legislation. I think some of the previous speakers have missed the issue. The issue is not local control. We can talk about local control, and we talk about mandates, and we can talk about local control, and we talk about property tax. This isn't local control. This is about human beings. This is about children. And I sure as hell don't want someone beating on my kids. And I'd have hoped you don't want them beating on my kids either. In fact, this Bill really doesn't say there won't be any corporal punishment. What it says is that the school will lose the defense of in local parentese. If the schools want to go ahead and beat up on the kids, this Bill won't keep them from doing it. It will just tell them that if their gonna hurt a child, that they're going to be responsible for hurting the child. I think that's reasonable. I think if my child's walking down the street and somebody hurts my child, they're going to hear from me about it. And I would expect that you would want a school board or a teacher to be responsible to that as well. Let's remember that children can only learn in an atmosphere that's conducive to learning. And fear and anxiety and nerves and all of those things that go with corporal punishment don't get that job done. So let's not talk about local control on an issue where local control isn't involved. This is about human lives, it's about growth, it's about learning. And if that's what this is about I urge you very strongly to consider the importance of this legislation and vote 'aye'."

Speaker Cullerton: "The Lady from Kane, Representative Doederlein."

Doederlein: "Yes, Mr. Speaker, Ladies and Gentleman of the House. I rise in opposition to this Bill. I don't believe and I rise in defense of the teachers. I do not believe

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that we hire teachers to beat up on children. I believe that you, if you hire teachers, you're hiring the best person that you can possibly get and those teachers would not be beating up on children. Let the teachers be teachers and let them allow, and have them the freedom so that they can discipline the child the way they feel that child could grow up to be a better person."

Speaker Cullerton: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Cullerton: "Indicates he will."

Brunsvold: "Lee, in the day to day operations of a schoolroom and a school classroom, what would be the criteria, or what would you imagine would be the situation where corporal punishment would end? If a teacher threw an eraser or an eraser at the child is this a situation where you take the child into the principals office? How would how would this work in a day to day routine?"

Preston: "Alright. Representative. Maybe it would help if I just read what the definition of corporal punishment is in the Bill. Corporal punishment means the deliberate infliction of physical pain by any means upon the whole or any part of the pupils body as a penalty or punishment for a pupil's offense. So, I think that probably answers your question. If it, the intentional infliction of pain on a student's body for the purpose of a penalty or punishment for the pupils offense."

Brunsvold: "That, you know, that still leaves a gray area. If a student is doing something wrong, and you're trying to stop him from running or something and you grab him by the nap of the neck..."

Preston: "Well, that's not an intended, that's stopping,

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that's..."

Brunsvold: "Well..."

Preston: "Well you're gonna answer your own question..."

Brunsvold: "In a court of law that can be construed as you know a willful act."

Preston: "All this does, so you understand it, and I know everyone wants to make this into something it's not. Those who want to vote against it at least vote against what it is. It puts a child in the same position as you. So, if I can come up to you and and push you down in your chair, which I could do if you were a lot smaller, would you be able to sue me?"

Brunsvold: "No."

Preston: "Because you didn't suffer any injury. Would you be able to go to a police station and file a criminal complaint against me? No as a practical matter you could not because no one, they would laugh you out of there office. If you hurt me or if I hurt you substantially, could you then sue me? Yes you could. If I hurt you substantially and repeatedly could you file a criminal complaint against me? Yes you could. And you could if you were a child. So, the same, the law applies to you right now, it would apply to you if you were a student in a classroom."

Brunsvold: "Where there's a situation not necessarily going to the court, but as far as the school board is concerned and harassment of teachers. There's a strong possibility. I've been in that same situation where that has happened. Second question Representative as Lou Lang touched on the the uh, if you do in fact break the law and administer corporal punishment what, what's the penalty?"

Preston "Well, that's that's a good question. There is no penalty in the Bill. The Bill just takes away the defenses

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that a teacher now enjoys. That same teacher, for example, if you go out to little league after after school, and that same teacher who is now the little league coach, hits that child. The same penalties or lack of penalties apply to that person as if that teacher went out and hit you. And if they hurt you you might be able to file a law suit if you were injured. If you weren't injured, you couldn't."

Brunsvold: "Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from McLean, Representative Ropp."

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

Speaker Cullerton: "He indicates he will."

Ropp: "Representative Preston. Do you have in your record any figure that indicates the number of cases that this would affect?"

Preston: "Those not, I do have numbers nationally. I don't have numbers for Illinois. But I can give you some you know all I can say is I have those numbers here for you. But not for Illinois. They're available. There's a study done, a doctoral dissertation in Illinois where they asked local school boards all sorts of questions and received answers that show that 76 percent of the school districts in the state do permit corporal punishment in the schools. And their statistics also indicate that only five percent of teachers in fact use corporal punishment. So 100 percent of the punishment is doled out be only five percent of the teachers. And that the children who are typically hit and paddled are minority children, boys rather than girls. And poor kids rather than kids from more affluent households."

Ropp: "Well, generally speaking I think that it's true that if you're just talking about being paddled, the area that is normally paddled is an area of the body that is pretty well cushioned and that the long lasting effect for major harm

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is a somewhat short life. But the intent is to sometimes to get the children attention. I think sometimes in order to provide discipline in a school system, every student is somewhat unique. Some children you can acquire discipline with honey or with candy and sometimes that just won't work. And I think that it is a bad policy for the state to take away at least the option. Or the threat. Being able to at least get a student's attention from the behind, that is sometimes needed. These young kids sometimes are pretty smart. They know that this is never going to happen. It may be just very difficult to even get the attention of the youngster who's growing up at the age of six or seven or eight, who wants to really feel his oats or her oats. I can recall that in the generation that preceded me that my dad always used to say that the situation involving education discipline was that if you get spanked at school you can be expected to get spanked at home. And usually that threat was good enough to prevent and to acquire the kind of discipline that was needed in the school system several years ago. I think this is an idea that really no one wants to see young kids hurt or severally harmed in any way. But sometimes a touch on the behind is a good attention getter and maybe the only last resort in order to provide some discipline in an educational environment. I think it would be a bad policy to take away at least a potential threat."

Speaker Cullerton: "The Gentleman from Saline, Representative Phelps."

Phelps: "Well, thank you Mr. Speaker. Will the Gentleman yield?"

Speaker Cullerton: "Sure will."

Phelps: "Representative Preston, the question in my mind it's my understanding that presently it is law that before a teacher can impose a corporal punishment they have to have

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permission, written permission from the parents. Is that true?"

Preston: "No sir. That's not my understanding of the law. I believe the law or regulation of the state board or of I, I believe the regulation is that if a parent that a parent has to be notified that if they don't want their child subject to corporal punishment they may request the school not to use that punishment. But their permission is unnecessary."

Phelps: "You're probably correct. I may be thinking of instances in my area where maybe the local boards have a rule that they must have a written permission. I know that may be a fact imposed. I just, I know you're will intended and I regret to have to oppose your Bill because I know where you're coming from and I recognize I would not want, especially younger children, like kindergarten and the lower grades to even be threatened in that way, although I've been in the classroom in those situations. My problem, and what I'm thinking of are children that are 6'5 their on the front lines of the football team. I don't know what other alternative that could serve as a deterrent that might be provided for the teachers. That's my concern. And I'm sure it's a difficulty for us all. Thank You."

Speaker Cullerton: "The Gentleman from Cook, Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I reluctantly rise in opposition to this Bill. I do so for two reasons. First of all we've talked a lot about local control in terms of school issues. In terms of educational issues. This is a matter that the courts have held is up to the discretion of the local school boards. I think in terms of our public schools, we oughta leave an

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issue like this up to the discretion of the local school boards. And secondly, and even more importantly, this measure also addresses private and parochial schools. I think a lot of parents choose to pay the money to send their children to private and parochial schools just for the discipline, just for the corporal punishment, that those schools offer. I think that this General Assembly should not mandate the private and parochial schools what they can and cannot do. Because once we start forcing our mandates then the necessary follow-up to a mandate is financial support 'cause why else should the General Assembly tell the public...private institution what it cannot do if we're not in fact offering financial support to that institution. So, for those reasons I think this is a bad Bill. It needs to be left up to private institutions and local school boards."

Speaker Cullerton: "Okay. We've got one more speaker and then we can get Representative Preston to close. The last speaker will be Representative Stephens from Madison."

Stephens: "Thank you, Mr. Speaker. Just to remind the...I just wanted to remind you that this is Teachers Appreciation Week. And the Illinois Education Association, the Education Association in Illinois is opposed to this Bill. And I think that's good enough reason for me to stand up in opposition to it. They are reasonable fellers over there at the IEA. Thank You."

Speaker Cullerton: "Representative Preston to close."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just so nobody misunderstands, injuries occur from the use of corporal punishment. Bruises are common, broken tailbones, broken fingers and other injuries are not unusual. There have now been seven deaths in this county as the result of school inflicted corporal punishment. Two

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deaths occurred in 1986. One a kindergarten girl in 1985. Corporal punishment perpetuates a cycle of child abuse. It teaches children to hit someone smaller and weaker when they're angry. And that that's okay. Schools are only, the only institutions in the United States, schools are the only institutions in the United States, where corporal punishment is permitted. It is not permitted in the military, it is not permitted in prison, but it is permitted to punish children who act in a way a teacher does not like. All research, I wanta underscore that, all research at Harvard, at Yale, at Northwestern, at the University of Illinois, at the University of Michigan, at every other school, all research indicates both in education and in psychology shows absolutely no benefit in the use of corporal punishment but it, that same research does show long term detriments. A study in Portland, Oregon that recently was published shows not only no benefit but showed a major reduction in vandalism in a school system following the abolition of corporal punishment. Educators and boards of education are open to civil and criminal law suites and complaints against them when corporal punishment is permitted. Not when it's not permitted, but when it is permitted, you're liable to be sued. Because a teacher or assistant principal or principle may get out of hand and may injure a child. But let me tell you, that's not really the main reason for it. The main reason for this Bill is it doesn't work. If it makes sense, if a child learns by using, by the use of corporal punishment, if that promotes education, you have a damn good argument to continue it's use. But in fact, children don't learn. If they did, wouldn't it also make sense, when a child leaves school at the end of the school day and goes to a music lesson, the music teacher, if it

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promotes learning music and the student didn't study or didn't practice sufficiently, or made some mistake in doing the scales wouldn't it make sense for that music teacher to have a paddle or a ruler and smack that child on the knuckles or to smack that child on the behind with a paddle. That would make sense. And how about the little league game. If a coach is trying to teach a student how to play, what the rules of baseball are, how little league is played, what the proper decorum is in little league, wouldn't it make sense then, if you help the education by paddling a kid to permit it. Obviously it's not permissible there. It would be absurd to say that it is. And most of the people in this room would stand up in opposition to it. It doesn't work. It certainly doesn't belong in the classroom setting. The bottom line is that children are simply not for hitting. This is not a means of education. This is a means of abuse. We should not hit our children, we should try to educate our children. Thank you."

Speaker Cullerton: "The question is, 'Shall House Bill 2853 pass?' All those in favor vote 'aye' those opposed vote 'no'. The voting is open. This is final passage. Representative Matijevich for one minute to explain his vote."

Matijevich: "And now Lee Preston knows what corporal punishment, is right Lee?"

Speaker Cullerton: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question their are 17 voting 'yes' 84 voting 'no' 5 voting 'present'. This Bill having failed receiving the required Constitutional Majority is hereby declared 'failed'. Okay we're going to go to the Order of State and Local Government. Second Reading. I'm sorry, Representative

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McNamara there's still one Bill left on the Order of Children, Third Reading. Should be House Bill 2930. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2930, a Bill for an Act to amend the Abused and Neglected Reporting Act. Third Reading of the Bill."

Speaker Cullerton: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker, Members of the General Assembly. This Bill amends the Abuse and Neglected Child Reporting Act to allow units of local government to provide services for children to have access to information from DCFS when an employee or perspective employee is a perpetrator in an indicative report. It has been amended to indicate and to closely tie that that information must also only be received by a person that is dedicated by that organization. It has been further amended to allow nonprofit organizations that are, their main business is in the, providing primarily providing services to children may also have access to these records. The reason for this Bill is very simply. In cases in our neighborhood and in many subsequent cases. There have been cases where persons have worked for park districts. They have worked for children's organizations, etc., have had instances in the past of child abuse. But those have gone undiscovered because park districts, library boards, people that work with children have not been able to get access to any information that indicates as to where this child or where this person was before. This has created a tremendous problem in the areas. This Bill has been constructed to only limit that information that the perpetrator be identified as a perpetrator and the act that he committed be identified, still protecting the acts of the children. I'd be happy to answer any questions on this."

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Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 2930. On that question, is there any discussion? The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. This legislation has come forward due to a specific incident that in...that encompassed both John's district and my district. An individual just recently in the last two years, had gone to five different occupations. School districts, park districts, little league, boy scouts and molested child after child after child. He was never reported to the police because the embarrassment of hiring him in the first place but he was indicated by the Boy Scouts and he was indicated by the Department of Children and Family Services. But he had no police record, since they just asked him to resign and move on. And where did he move on to? Another place where little boys played. I certainly would urge the support of this Bill. There's no question in my mind that an indication from DCFS is a strong legal action. They do a tremendous amount of investigation before a person is indicated. So, I'd urge the passage of this Bill."

Speaker Cullerton: "Any further discussion? Representative from McHenry, Representative Klemm."

Klemm: "Well, thank you, Mr. Speaker. Will the Sponsor yield for a short question?"

Speaker Cullerton: "He indicates he will."

Klemm: "Representative I noticed that something about a perpetrator. Is that somebody whose name has been reported to the department but who has not been proven in any way that maybe something has happened?"

McNamara: "When it's an indicated abuse, it is an indicated abuse in as much as just isn't a simple report. There are cases

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on that area that have indicated that the person is a perpetrator of an act against the..."

Klemm: "Well, the reason why I ask is because in my district I have, I think it was in two different occasions, some people had had their names reported as child abusers, okay. They, it was later found, but it was a couple years later I guess that they were not involved. It was somebody who wanted to cause them difficulty. And I was wondering if there's some protection that could be in your Bill to prevent that from happening for somebody who's really almost having their career, their name, really destroyed because just to say you or I are a child abuser it would be pretty tough for us to try to correct that if it ever got out. You know, I mean, people will have that stigma. And I just don't want this type of thing to happen in...as you and I have both been active in scouting so I mean, I support what you're doing but I also want to look at the other side for somebody who just has been, had a finger pointed to them but no proof and know they have to, the department would have to send that out to everybody the rest of their lives that this person had been reported as a potential or whatever you call it, child abuser."

McNamara: "Okay. Let me explain it in this way. An indicated abuse is, occurs that indication occurs only when the proof by DCFS is strong enough to remove a child from the home. So it has gone past just the accusation area of it. And I think that answers it."

Speaker Cullerton: "Representative McNamara to close."

McNamara: "Thank you, Mr. Speaker. I'll just merely say that this is a very important measure to close up a loophole in the law which has allowed in the past perpetrators of child molestation to go undetected not only in the State of Illinois but even across our borders as they come into the

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state. It is extremely important that we close up this loophole and we allow those people that are teaching taking care of our children who we have put trust into our children of our children into their hands that we come along at this point and insure that these people are worthy of that trust. I urge your 'aye' vote."

Speaker Cullerton: "The question is, 'Shall House Bill 2930 pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 108 voting 'yes' none voting 'no' none voting 'present'. This Bill having received the Constitutional Majority is hereby declared 'passed'. Now we'll go to State and Local Governments. Second Reading. Representative Sutker, for what purpose do you rise?"

Sutker: "Mr. Speaker and Ladies and Gentlemen of the House. I looked to the rear of the House just now and I saw a young man, as a matter of personal privilege I'd like to express some thoughts about him. He will be leaving as a member of our staff tomorrow. I'm speaking of a very, very young man, a very dear friend of mine and one who's done a great job as a staff member. His name is Marty, Marty Mulcahey. Now he has some disadvantages, his father is a member of this House. And he's had to overcome those disadvantages, but I have to tell you Ladies and Gentleman of the House, we can be proud of young men and women of this caliber who have worked for us. Some of us took him to dinner last night. He's a pure delight. He's mature. He's dedicated. He's committed to good government. He's committed to his community. We're losing him to the Wisconsin Medical Society. That causes me some trepidation, candidly. But he's going to do a great job for them as he has done for

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us. He's honored his parents. He's honored the Democratic side of this aisle. He's honored this House and I would like Ladies and Gentlemen for you to know my feelings about him and if all of us can join and give him a warm round of applause, I would be personally very grateful."

Speaker Cullerton: "Congratulations. Okay, on the Order of State and Local Governments. Second Reading, I'm going to ask Representative Matijevich to handle House Bill 706. Mr. Clerk, would you please read the Bill?"

Clerk Leone: "On the Order of Second Reading. House Bill 706, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 970, Representative Black. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 9..."

Speaker Cullerton: "Out of the record. House Bill 1018, Representative Martinez. Out of the record. House Bill 1649, Representative Wyvetter Young. House Bill 1649. Ladies and Gentlemen, we're on the Order of State and Local Government. Second Reading. So if you can look on that Order you'll tell yourself whether or not you have a Bill coming up. Representative Young, this is Second Reading. Do you want to move the Bill to Third Reading? Please read the Bill."

Clerk Leone: "House Bill 1649, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. There was a request for a fiscal note. Has a fiscal note not been filed?"

Clerk Leone: "No fiscal note has been filed."

Speaker Cullerton: "The Bill will remain on Second Reading. Representative Young, 2538. Do you wish that,

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Representative Wyvetter Younge, do you wish to have that Bill called, 2538? Out, out of the record. House Bill 2991, Representative Giorgi. Representative Giorgi. Out of the record. Representative...House Bill 3000, Representative Matijeovich. Needs a fiscal note. Representative Stern. House Bill 3060. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3060, a Bill for an Act creating appointments to board commissions, and committees, and councils. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Woolard, House Bill 3120. Please read the Bill."

Clerk Leone: "House Bill 3120, a Bill for an Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. Amendment #1 was tabled previously. Floor Amendment #2 is being offered by Representative Woolard."

Speaker Cullerton: "Representative Woolard on Amendment #2."

Woolard: "Yes. Basically what Amendment #2 does is adds nine years from the effective time and increases in number from 87 to 81. This is just a correction in the language that was necessary and was pointed out to us by the department. I would move for passage."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #1 (sic - #2) on that question Representative Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. Would the Gentleman for a question?"

Speaker Cullerton: "He indicates he will."

Piel: "Representative Woolard, according to this the authorization currently ends in 1992, right?"

Woolard: "I'm sorry."

Piel: "Before the Amendment the authorization currently ends in

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Woolard: "No. After the Amendment, yes you're right."

Piel: "And then with the Amendment it would end when?"

Woolard: "One additional year."

Piel: "And what is the reason for adding an additional year on there Larry?"

Woolard: "The department said this was necessary to enact a piece of legislation. I don't know."

Piel: "Maybe before we get to Third Reading before you have it on Third Reading the department can explain to you why they want to extend it one more year."

Woolard: "Okay."

Piel: "Thank you."

Speaker Cullerton: "Further questions? There being none, the question is, 'Shall Amendment #1 be adopted. I'm sorry, Amendment #2 be adopted'. All those in favor say 'aye' all opposed say 'no'. In the opinion of the chair the 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. Representative Balanoff. House Bill...oh, I'm sorry. Representative Woolard, there is a request for a fiscal note. Do you have a fiscal note on that last Bill? 3120. No fiscal note? The Bill remains on Second Reading. Representative Balanoff, 3125. Representative Balanoff. Out of the record. Representative Hallock. Representative Hallock, 3134. Out of the record. Representative Matijevich, 3148. Out of the record. Representative Stern, 3210. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3210, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee or Floor Amendments."

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Speaker Cullerton: "Third Reading. We'll have to go back to Representative Balanoff's Bill. Which was 3125. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3125, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motions with regard to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Cullerton: "Representative Black."

Black: "Well thank you, very much Mr. Speaker. Just an inquire of the Chair, I believe we asked for a fiscal note to be filed on the Bill. Is that reflected anywhere?"

Speaker Cullerton: "I haven't moved it to Third Reading yet."

Black: "I'm sorry. Thank you."

Speaker Cullerton: "A fiscal note request has been honored. Third Reading. Representative Churchill, 3213. Is the Gentleman in the chamber? Representative Churchill? Representative Novak. House Bill 3230. Out of the record. Representative Hicks. House Bill 3261. Amends the Horse Racing Act. Second Reading. Out of the record. Going back to Representative Novak's Bill. House Bill 3230. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3230, a Bill for an Act in relationship to state contracts. Second Reading of the Bill. There is are no Committee or Floor Amendments. There is no request for any fiscal notes on this Bill."

Speaker Cullerton: "Third Reading. Mr. Clerk, could you go back to House Bill 3213, Representative Churchill's Bill and read the Bill, please?"

Clerk Leone: "House Bill 3213, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. There are no

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Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Myron Olson;
3404. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3404, a Bill for an Act to amend an Act
to revise the law in relationship to clerks of the court.
Second Reading of the Bill Amendment #1 was adopted in
committee."

Speaker Cullerton: "Any Motions with regard to Amendment #1?"

Clerk Leone: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Myron
Olson."

Speaker Cullerton: "Representative Olson, Amendment #2."

Olson, M.: "Thank you, Mr. Speaker. I just filed the Amendment
#2 moments ago. I best hold this until we have
distribution, ask that we get back tomorrow if we can."

Speaker Cullerton: "Fine. The Bill will held on Second Reading.
Representative Wojcik, House Bill 3589. Mr. Clerk, please
read the Bill."

Clerk Leone: "House Bill 3589, a Bill for an Act in relationship
to State Finance Act. Second Reading of the Bill. There
are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Leverenz.
House Bill 3656. Out of the record or roll it? Roll it.
Please read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3656, a Bill for an Act to amend the
Counties Code. Second Reading of the Bill. There are no
Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Novak, 3699.
Representative Novak, 3699. Mr. Clerk, please read the
Bill."

Clerk Leone: "House Bill 3699, a Bill for an Act to amend an Act
in relationship to training for county treasurers. Second

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Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "There is a request for a fiscal note Representative Novak and has not been complied with so the Bill remains on Second Reading. Representative McGann, you have the next two Bills 3716. Do you wish to have that called? 3716. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3716, a Bill for an Act to amend the Illinois State Collection Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative McGann, House Bill 3720. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3720, a Bill for an Act to amend the Illinois Sports Facility Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Novak, 3721. Please read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3721, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 3852, Representative Regan. Please read the Bill."

Clerk Leone: "House Bill 3852, a Bill for an Act to amend the Township Law. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Keane, 3866. Representative Keane. Out of the record. Representative Steczko, House Bill 3868. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3868, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Matijevich; 3872. Where did he go? Representative John Matijevich,

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Member of the chamber. 3872. Out of the record.
Representative Steczo; House Bill 3918. Mr. Clerk, read
the Bill."

Clerk Leone: "House Bill 3918, a Bill for an Act to amend an Act
concerning compensation to clerks to the court. Second
Reading of the Bill. There are no Committee or Floor
Amendments."

Speaker Cullerton: "Third Reading. Representative William
Peterson; 3934. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 3934, a Bill for an Act to amend an Act
in relationship to fire protection districts. Second
Reading of the Bill. There are no Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representative
William Peterson."

Speaker Cullerton: "Representative Peterson, Amendment #1."

Peterson: "Thank you, Mr. Speaker. Amendment 1 to House Bill
3934, basically becomes the Bill. It provides that on a
petition a five percent of the electors of a fire
protection district to a township board, or a county board
of whatever the appropriate appointing authority is, that
that prospective board would appoint a committee to hear
any greivances that the citizens of that fire protection
may have with their local board. These people are
appointed by the county board or the township board. This
would give them an avenue to hear some of the problems that
may come up because of in their opinion a favor to carry
out the duty by those fire protection district board of
trustees. I ask for approval of Amendment 1 to House Bill
3934."

Speaker Cullerton: "The Gentleman moves for the adoption of
Amendment #1. Are there any...is there any discussion?
Their being none the question is, 'Shall Amendment #1 be

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adopted. All those in favor say 'aye' all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no Further Amendments?"

Speaker Cullerton: "Third Reading. We'll go back to House Bill 3120, Representative Woolard. The Bill was held on Second Reading for a request for a fiscal note. And the request for a fiscal note has been withdrawn. So we'll move that Bill to Third Reading. House Bill 3949, Representative Giorgi. Please read the Bill, Mr. Clerk...3949."

Clerk Leone: "House Bill 3949, a Bill for an Act to amend the Sanitary District Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives Novak - Regan - Weller."

Speaker Cullerton: "Representative Novak - Regan - Weller. Representative Regan. Representative Novak, do you have Amendment #1 to Representative Giorgi's Bill 3949? Representative Novak on Amendment #1."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 in House Bill 3949 concerns river conservancy districts. The River Conservancy District Act in my district in the Kankakee, Iroquois, and Will County Area in parts of it, we had a referendum and when you establish a river conservancy district the simple question submitted to the voters is shall the river conservancy district be created? This Bill here makes a few other changes. It requires that at the time the question is submitted to the voters on the ballot, also the tax rate shall be at that particular time shall be submitted to the voters on the ballot. It is a matter of public information. I think it's important that if people who are

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about to vote on such an important proposition be knowledgeable of what the tax rate at that particular time would require for the establishment of a river conservancy district. And the other requirement is that the Clerk of the court shall send a notice of the referendum to the county board of each county in which the proposed district is situated. Those are the only two changes. I'd be happy to entertain any questions."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 3940. On that is there any discussion? The Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Novak's Amendment. If you believe in truth in taxation, this is a truth and taxation Bill. What it really deals with, as Representative Novak indicated, there is a lack of information provided. In a recent referendum in Iroquois, Kankakee and Will Counties, this Amendment has bi-partism support back home in those three counties. And deserves bi-partism support here. I ask for an 'aye' vote."

Speaker Cullerton: "Further discussion? The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. I, just make it brief I urge this Amendment passes as well. We don't want anymore shocks like we had last time. Thank you."

Speaker Cullerton: "The Gentleman's moved for the adoption of Amendment #1. All those in favor say 'aye' all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative

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Black."

Speaker Cullerton: "Representative Black on Amendment #2. Representative Black."

Black "I thank you very much, Mr. Speaker. The Amendment just filed, I believe was at the request of the Legal Council, the Danville Sanitary District, and he ran it by the Rockford Sanitary District. I think Representative Giorgi is in favor of the Amendment. If you ask me what it does I don't have any idea."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2. All those in favor say 'aye' opposes say 'no'. In the opinion of the Chair the 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. House Bill 3984, Representative Ewing. Is Representative Ewing in the chamber? Out of the record. House Bill 3993. Out of the record. House Bill 4027, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4027, a Bill for an Act in relation to correctional facilities. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 4055, Representative Steczo. Representative Steczo. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4055, a Bill for an Act in relation...to revise the law in relationship to clerks of the court. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 4061, Mr. Kubik. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4061, a Bill for an Act to amend the State Comptroller Act. Second Reading of the Bill. There

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are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Hicks, House Bill 4116. Out of the record? Out of the record. Do you want to? It's on Second Reading. Leave it there? I don't know what that means. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4116, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Keane, House Bill 4193. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4193, a Bill for an Act to amend the Build Illinois Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Keane, House Bill 4194. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 4194, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Representative Keane, you had another Bill on this Order. I believe it was House Bill 3866. Mr. Clerk, please read that Bill."

Clerk Leone: "House Bill 3866, a Bill for an Act to amend certain Acts in relationship to public safety employees. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. Mr. Clerk, if we could go back to the Order of Criminal Law, House Bill 3838, an Amendment that was not printed at the time. It was taken out of the record. If we can go back to that. House Bill 3838, Representative Stern. Please read that Bill."

Clerk Leone: "House Bill 3838, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. There are no Committee Amendments."

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Speaker Cullerton: "Floor Amendments."

Clerk Leone: "Floor Amendment #1, offered by Representative Petka."

Speaker Cullerton: "Representative Petka on Floor Amendment #1."

Petka: "Thank you very much, Mr. Speaker and Members of the House. As I explained briefly before Floor Amendment #1 simply provides that Meritorious Good Time will not be given to individuals who have been convicted of class X offense of first degree murder. I don't believe that this is a type of a situation which warrants meritorious good time up to a half year and that's why I amended this Bill. Nonviolent offenders will be able to be released pursuant to the terms of this Bill up to 180 days."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #1. On that question, the Gentleman from Cook, Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. We've debated it quite a bit on the floor already but the one thing I'd like to point out. We have this serious problem of prison overcrowding. These good time credit or increases in good time credit are meant to address that problem. Most of the prisoners in this system, are in fact class X prisoners that this Amendment would seek to exclude. The purpose of the Amendment is to look at a persons conduct while they're in custody with the Department of Corrections. We know they are there for serious crimes but the purpose of good time is to encourage inmates to behave in accordance with the rules set by the Department of Corrections. All Class X offenses are not murderers and rapists. The majority of Class X offenses these days are people going into the penitentiary based on drug crimes. Legislation we passed last year, makes one

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gram of cocaine or heroin with the intent to distribute a class X felony. All cocaine and heroin addicts distribute. So what this Amendment would do would make it that someone who's there on a drug crime based on a drug problem would not be eligible for the very good, good time provisions in this Bill. I don't think we should look at the nature of this offense. I think that we should look at the conduct of the person during the time they're in custody with the Department of Corrections and oppose this Amendment."

Speaker Cullerton: "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition of this Amendment. This is some degree of..."

Speaker Cullerton: "Excuse me, Representative. Representative Young in the Chair."

Countryman: "This is some degree of reluctance that I do so for my colleague and seatmate but if we're going to do this, equal protection requires that we do it for everybody. This is not good time that has to be awarded. This is meritorious good time. If we're going to do it, the people who are in for the long terms, and these are people who are in for long terms generally, they're only going to be able, under this Bill, to earn an additional 90 days. The argument has been made by some that this Bill applies to much good time to the shorter termers. But why should we dangle the carrot for them any greater than any other people. What the purpose of good time is as applied here is to say if you behave yourself, if you act in a reasonable manner while you're in incarceration, you may be able to earn yourself a few days extra freedom. Now that's not to say that everybody convicted in one of these crimes isn't a criminal, sure, they wouldn't be there if they

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weren't a criminal. But you've taken the carrot away and when you take that carrot away, you take away the ability of the Department of Corrections to actually operate their system to provide the incentives and the things that we're going to debate in all of these Bills. And I think you're making a serious mistake and I request that you vote 'no' on this Amendment."

Speaker Young: "The Gentleman from Cook, Representative Cullerton."

Cullerton: "Would the Sponsor yield?"

Speaker Young: "Indicates he'll yield for a question."

Cullerton: "Representative Petka, as I understand the current law of course allows 90 days meritorious good time to be given out to the discretion of the Director of the Department of Corrections."

Petka: "Yes, Sir, that is correct."

Cullerton: "And this Bill intends to give an additional 90 days."

Petka: "That is correct."

Cullerton: "Make it 180."

Petka: "That is true."

Cullerton: "Now is the effect of your Amendment which prohibits the a meritorious good time for certain offenses, is it meant to cover just the new 90 days or the existing 90 days that the Director of the Department of Corrections can now give good time for?"

Petka: "I didn't hear the last part of your question. Someone started talking to me while you were..."

Cullerton: "In other words, right now we got on the books 90 days..."

Petka: "Yea."

Cullerton: "To the discretion of the department. The Bill wants to add another 90 days."

Petka: "Right."

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Cullerton: "You have an Amendment that says for certain offenses you can't get ..."

Petka: "Yes."

Cullerton: "Meritorious good time. Do you want it to cover the entire 180 days or just this new 90 days that she's trying to add up with this Bill?"

Petka: "Representative, what I'm suggesting is that individuals are convicted of first degree murder, and Class X offenses should not be eligible for meritorious good time."

Cullerton: "So even the 90 days that they have on the books right now, which has no limit with regard to the type of offense that the director can give good time for, you want to also say that for the existing statutory 90 good time they can't get that either? Or are you just trying to limit it to the new 90 days that she's trying to add with this Bill?"

Petka: "The Bill that was filed by the Representative spoke of 180 days good time credit. I do not believe that murderers and class X offenders are entitled to 180 good times..."

Cullerton: "Okay. Well I'm not, I don't want to, I just want to understand that if...so the answer is that it does apply to the full 180 days that this Bill would allow."

Petka: "Under current law, it applies to 90 days. That is correct."

Cullerton: "And you want that to apply to the current 90 days they can give right now."

Petka: "If this Bill pass, and with the Amendment it would not apply. That is correct."

Cullerton: "Okay. I think that not only are we not taking a step forward, with Representative Stern's Bill, and you can debate that on Third Reading, but why this Amendment does is to even further tie the hands of the Department of Corrections to the existing meritorious good time. This isn't just a matter of prison overcrowding problem, it's

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also a matter of control. The wardens in these overcrowded prisons like to have something to entice the prisoners to look forward to in order to have some crowd control there. The other thing is that I don't know why we picked the Class X and the other offense. I mean if someone is sentenced to 60 years in jail for murder, and they serve 30, what the current law says is they can get out three months earlier than the 30 years. And what Representative Petka's Amendment would be to say well, no they got to serve the full 30. They can't get out the last 90 days of that 30 year sentence. Well, I mean be that time the person may or may not have been a model prisoner for 30 years. And that's up to the discretion of the Director of the Department of Corrections. And we've made tremendous improvements in that office of the Director of the Departments of Corrections. As you know. I just think that if, it would be one thing if your Amendment was limited to the new 90 days, but I think to go back and take the existing 90 days that the director now has and to limit that, it's just not the right, the right approach."

Speaker Young: "The Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the good Gentleman's Amendment. Frankly, let's look at the whole issue out there. We do have a problem that our prisons are crowded. All Representative Petka is saying in his Amendment is, well, if we're going to reduce the overcrowding of prison we certainly don't want to let out those who are most serious hardcore criminals. Those convicted of a Class X felony. Ladies and Gentlemen this is a good Amendment. It's a positive Amendment. And it makes this a better Bill. I ask your 'aye' vote."

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Speaker Young: "The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House. It had been my plan to stand up with as much grace as I could summon and say to Mr. Petka that I didn't think his was a bad Amendment at all, but I guess I didn't understand it. Even after reading it. I haven't realized, I haven't realized that she wanted to do away with all meritorious good time. That just came out in that questioning. So I will try to maintain the good grace that I have summoned and say to you that now that I have seen it, I'm not as antagonistic as I was although it had been my understanding and belief and still is, that we need not have worried that rapists and murderers as we discussed earlier in a more heated exchange, would be released on this program. I really do not believe that those are the people who are going to be eligible for this or in the director's mind, suitable candidates for this. I guess I rise in opposition to this Amendment, but not in the same kind of frenzied opposition that I held a few minutes ago."

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

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too rise in support of Amendment #1. This is not a Democratic issue, it's not a Republican issue, it's a people issue. And the people I represent are not doormats to be trampled upon by the early release of inmates through prison gates. I urge Illinois lawmakers to put a 38 to House Bill 3838, pull the trigger and kill it dead. Those are not my words, they are the words in today's Journal Star by our Democratic States Attorney, who describes this Bill itself as a slap in the face to law and order. This Amendment itself would serve to make a bad Bill better. But I think we still should put a gun to House Bill 3838, pull

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the trigger and kill it dead. Thank you."

Speaker Young: "The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I too, have learned from the debate relative to the merits what is being offered to this Amendment. I happen to have a correctional facility in my town. We are overcrowded. We are bunking, double bunking, in 231 cells. My concern goes to the people who I know and live with in my community who work there. And I think that this is a good measure as originally offered in Bill 3838, and I would agree with Representative Cullerton, that to deny the original 90 day package and to deny the request of Mr. McGinnis, the Director of Corrections, to take a look at the serious overcrowding problem, would be to deny what is actually happening out there. Therefore I would suggest that we do not accept this Amendment."

Speaker Young: "The Gentleman from Cook, Representative Shaw."

Shaw: "I move the previous question."

Speaker Young: "Representative, there is only one more Speaker seeking recognition. Representative Shaw, there is only one more Speaker seeking recognition."

Shaw: "Oh. I withdraw the uh..."

Speaker Young: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I reluctantly rise in opposition to this Amendment. The original Bill gives the discretion to the Director of the Department of Corrections to use the Bill as a means of managing the prison population and as most of you know, we can build a new prison in the need every seven weeks at the current rate with over 26 thousand residents in the adult correctional facilities in Illinois. We all know we can't

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afford to do that. What we're talking about here is the discretion of the department, the Director of the Department of Corrections to use this as a management tool to control the prison population. The director is not going to be releasing Willie Horton under this. We've got to put some faith and trust in the director to be able to manage the adult population in the correctional systems in Illinois. That's what the bottom line is. We have to, we have to have a little faith that the director is not going to be releasing Willie Hortons and heinous murders from the adult correctional facilities in Illinois. So I rise in opposition and ask for a Role Call vote."

Speaker Young: "Representative Petka to close."

Petka: "Thank you, very much, Mr. Speaker and Members of the House. The Bill as it passed out of committee, provided simply that meritorious good time would be doubled from 90 days to 180 days. The Amendment that I seek to put on there states that meritorious good time should not be awarded to convicted killers, should not be awarded to people who are convicted of attempted murder, aggravated criminal sexual assault, and the like. Class X felonies generally and typically the most violent form of felonies. It would not apply to property offenders such as burglars, it would not apply to residential burglars, it would not apply to theives, it would not apply to those who are charged with or convicted of obstructing of justice. It would apply basically to violent offenders. For this reason I do think that this Amendment should be adopted. I do think that it is not in the best interest of the state to have killers let loose. And armed robbers and rapists and violent people let loose for any reason at an early point in time. And that's all I'm asking. And so I ask for an 'aye' vote."

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Speaker Young: "The Gentleman moves for the adoption of Amendment #1 to House Bill 3838. All those in favor vote 'aye' those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Stern."

Stern: "Mr. Speaker and Members of the House. I just wanted to explain my vote. This is a Bill that without this onerous Amendment, is wanted by the Department of Corrections very urgently. It would mean more than, nearly four thousand empty beds at the end of the first year. It's going to alleviate a very serious condition for all of us in the Department of Corrections and in the prisons. If you had a loved one working as a guard in one of these prisons I would like you to think about what it is like when they are double decking prisoners in every cell and how seriously volatile the situation is. I urge you to vote 'no' on this Amendment."

Speaker Young: "The Gentleman from Madison, Representative Stephens to explain his vote."

Stephens: "First of all Mr. Speaker, I don't know why you can't follow the rule book. It just amazes me that you can't do that. But given the fact that you don't want to do that, I would like to explain my vote. I could care less that prisoners are just a little bit uncomfortable the last few moments before they get out of prison. This is a good Amendment. We got 54 to 52. Declare it and let's go."

Speaker Young: "Representative Leverenz to explain his vote."

Leverenz: "Would you move me over to the 'present' vote."

Speaker Young: "Representative Leverenz votes 'present'. Representative Dunn, to explain his vote."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To explain my vote. I would urge defeat of this Amendment."

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The underlying concept of the Bill is an excellent concept sorely needed program to help with the uncrowding of our prison system. The Amendment may or may not be a free standing concept of its own but it doesn't belong on this Bill at this time. Because it's going to hamper the chances of this Bill passing. And if this Bill doesn't pass the prisons will remain as crowded as they are bursting overflowing, this is good legislation. It's been tried elsewhere and it works. And we need to get this concept in the statute book so please put some more red votes up there and defeat this Amendment and let the Gentleman Sponsor of this Amendment come along later with a Bill of his own if he wishes to do so. But let's don't clutter up this Bill at this time. Let's keep it moving through the process so that we can set this..."

Speaker Young: "Representative Balanoff votes 'no'. Mr. Clerk, vote Representative Balanoff 'no'. Vote Representative Levin 'no'. Vote Representative Hicks 'no'. Representative Matijeovich one minute to explain your vote."

Matijeovich: "Yes. My light was on when I voted. Mr. Speaker and Members of the House, right today it has been said that we need to build three new prisons...three new prisons. I've heard a lot of people on the other side of the aisle say about bringing up the money when we need to do something. Nobody wants to put up the money. Will anybody vote for a tax? The Bill as...on the law...books right now is reasonable. This Amendment takes away from the reasonableness of the law now, giving the authority to the Director of the Department of Corrections. I think that's reasonable. And one thing all of you ought to know. Believe me there are some people in prison who did something wrong for one reason, you know what? They had a problem with alcoholism. Some of those have served twenty

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years, been sober for twenty years, and that was the one mistake they did. The Department..."

Speaker Young: "Let Representative Matijevich bring your remarks to a close."

Matijevich: "The director of the department can understand who those people might be and what they have done in prison, and been model prisoners. I think leaving that in the hands of the department is good public policy, and nobody's going to be hurt by it."

Speaker Young: "Representative Black to explain his vote."

Black: "Why thank you, very much, Mr. Speaker, I don't really need to explain my vote. I would like an inquiry of the Chair. Have you...have you stated that you've taken the Roll? Three, four or five minutes ago?"

Speaker Young: "I'm still recognizing those who want to explain their vote, Representative."

Black: "Well, well, you've got the board locked. So why explain the vote when you have the board locked? Now either you've taken the Roll, or you haven't taken the Roll, but the board's locked. So, why explain the vote when nobody can change their vote anyway? I suggest you dump the Roll Call and do it again. You've locked the board out. That meant you took the Roll."

Speaker Young: "A Member has the right to vote if he's in the chamber and gets the recognition of the Chair."

Black: "Nobody can vote when the board's locked. The board's locked out. Now you've obviously taken the Roll. If you want to be fair, dump it and vote again."

Speaker Young: "Representative Petka. Representative Petka."

Petka: "I'd like to verify the negative."

Speaker Young: "Representative Petka requests a verification of the negative Roll. Would you poll the negative vote, Mr. Clerk?"

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Clerk Leone: "Those voting in the negative..."

Speaker Young: "Excuse me, one second. Representative Pedersen, do you wish to explain your vote?"

Pedersen: "Yes, Mr. Speaker, thank you. You know the victims in our society are the ones that are really getting fed up with what's going on. They are tired of people slapped on the wrist and leaving them off...and they're..we have have a society with all kinds of crime. And the truth is there are a lot of people out there who don't think there ought to any good time at all. What they're really saying is that...let them serve their sentence, if they don't behave, add bad time. I mean there are a lot of people who feel that way. Now I...this Bill as amended still goes a long way toward what you're talking about. All we're talking about is the really serious crimes, the ones that...our society hates the most, and the least we can do is to protect them from these kind of people."

Speaker Young: "Representative Stern requests a poll of the absentees. Representative Petka requests a poll of the negative votes, for purposes of a verification."

Clerk Leone: "Poll the Absentees: Davis. Keane."

Speaker Young: "Representative Countryman requests leave to be verified. Leave is given."

Clerk Leone: "Krska. Kulas. Ronan. Trotter, and Williams. No further."

Speaker Young: "Poll of the negative."

Clerk Leone: "Poll of those voting in the negative: Balanoff. Barnes. Bowman. Breslin. Brunsvold. Churchill. Countryman. Cullerton. Currie. DeJaegher. DeLeo. Dunn. Edley. Ewing. Flinn. Flowers. Giglio. Giorgi. Hartke. Hicks. Hultgren. Lou Jones. Shirley Jones. Kirkland. Lang. Laurino. LeFlore. Levin. Martinez. Matijevich. McPike. Morrow. Munizzi. Novak. Myron Olson. Preston.

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Rice. Richmond. Saltsman. Satterthwaite. Shaw. Sieben.
Steczo. Stern. Sutker. Terzich. Turner. Van Duyne.
Wenlund. White. Wolf. Anthony Young. Wylvetter Younge.
and Mr. Speaker."

Speaker Young: "Representative Petka do you have questions of the
negative Roll?"

Petka: "Thank you, very much Mr. Speaker. Representative Novak?"

Speaker Young: "Representative Novak? Representative Novak? Is
the Gentleman in the chamber? How is he voting?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Speaker Young: "Remove him."

Petka: "Representative DeJaegher?"

Speaker Young: "Representative DeJaegher? Representative
DeJaegher? Is the Gentleman in the chamber? How is
Representative DeJaegher recorded as voting?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Young: "Remove him."

Petka: "Representative Edley?"

Speaker Young: "Representative Currie requests leave to be
verified. Leave is granted. Representative Edley?
Representative Edley? Representative Brunsvold requests
leave to be verified. Leave is granted. Is Representative
Edley in the chamber? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Petka: "Representative Terzich."

Speaker Young: "Remove Representative Edley from the Roll Call.
The Speaker would like to change his vote from 'no' to
'yes'."

Petka: "Representative Terzich?"

Speaker Young: "Representative Terzich? Is Representative
Terzich in the chamber? How is the Gentleman recorded?
Terzich."

Clerk Leone: "Representative Terzich is recorded as voting 'no'."

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Speaker Young: "Remove him from the Roll Call."

Petka: "Representative Turner?"

Speaker Young: "Representative Turner? Representative Turner?
How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Speaker Young: "Remove him from the Roll Call. Representative
Balanoff asks leave to be verified. Leave is granted."

Petka: "Representative White?"

Speaker Young: "Representative Jesse White is in his seat."

Petka: "Representative LeFlore?"

Speaker Young: "Representative LeFlore is in his seat."

Petka: "Representative Morrow?"

Speaker Young: "Representative Morrow is in the front of the
chamber."

Petka: "Representative Hartke?"

Speaker Young: "Representative Hartke? Representative Hartke?
Is Representative Hartke in the chamber? How is the
Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Speaker Young: "Please, remove him from the Roll Call."

Petka: "Representative Martinez?"

Speaker Young: "Representative Martinez is in the rear of the
chamber."

Petka: "Representative Laurino?"

Speaker Young: "Representative Laurino is in his seat."

Petka: "Representative Mulcahey?"

Speaker Young: "Representative Mulcahey is in the rear of the
chamber, and is voting 'yes'."

Petka: "Representative Van Duyne?"

Speaker Young: "Representative Van Duyne? Representative Van
Duyne? Is the Gentleman in the chamber? How is
Representative Van Duyne recorded as voting?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

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Speaker Young: "Remove him."

Petka: "Representative Lou Jones?"

Speaker Young: "Representative Lou Jones is in her seat."

Petka: "Representative Breslin?"

Speaker Young: "Representative Breslin? Representative Steczo requests leave to be verified. Leave is granted. Representative Breslin? How is the Lady recorded?"

Clerk Leone: "Lady is recorded as voting 'no'."

Speaker Young: "Remove her from the Roll."

Petka: "Representative Giglio?"

Speaker Young: "Representative Giglio? Representative Giglio? Representative Giglio, how is the Gentleman recorded?"

Clerk Leone: "Gentleman is recorded as voting 'no'."

Speaker Young: "Remove him from the Roll Call. Representative Edley has returned to the chamber, and votes...and votes 'yes'."

Petka: "Representative Churchill?"

Speaker Young: "Representative Novak has returned to the chamber and votes 'yes'."

Petka: "Representative Churchill?"

Speaker Young: "Representative Churchill? Representative Churchill? How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Speaker Young: "Remove him from the Roll Call. Representative Turner has returned to the chamber and votes 'no'. Representative Van Dwyne has returned to the chamber and votes 'no'."

Petka: "Representative Countryman?"

Speaker Young: "Representative Countryman had leave to be verified."

Petka: "He did? That's it. I have nothing further, Mr. Speaker."

Speaker Young: "Representative Keane votes 'yes'. Representative

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Leverenz votes 'yes'. On this question there are 58 voting 'yes', 45 voting 'no'. Representative Black, for what purpose do you seek recognition?"

Black: "Thank you, very much Mr. Speaker. Change my vote from 'aye' to 'present'."

Speaker Young: "Representative Black votes 'present'. Representative Stern."

Stern: "Mr. Speaker, let's take this Bill out of the record. It seems to have a murky future."

Speaker Young: "I'm sorry, Representative Stern. We cannot do..."

Stern: "Can't we do that? Can't do that? Okay."

Speaker Young: "Representative Breslin has returned to the chamber and votes 'no'. On this question there are 57...Representative Churchill has returned to the chamber and votes 'yes'. On this question there are 58 voting 'yes', 46 voting 'no', 2 voting 'present', and the Amendment is adopted. Further Amendments. Take the Bill out of the record, Mr. Clerk. We will now go to the Order of Environment - Second Readings. The Sponsors on this order are Parcels - Cullerton - Giglio - Edley - Peterson - Kulas - Phelps - Hartke - Goforth. The first Bill is House Bill 1042, Representative Parcels. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1042, a Bill for an Act to prohibit the use of live animals. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 being offered by Representative Parcels."

Speaker Young: "Representative Parcels on Floor Amendment #1."

Parcels: "Thank you, Mr. Speaker. This Amendment was asked for by the committee. The Bill was voted out of the committee,

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almost unanimously, but they wanted a little clarification of sections B and C, to make it strictly the Dray's Test, and to make it quite clear that this would not be used for medical testing, or pharmaceutical testing. It's strictly cosmetic in household washing...products, and...I have amended it to suit some of the concerns of the committee members. I showed it to the committee members that had concern, and this Amendment satisfied their concerns. I offer Amendment #1 and ask for your favorable vote."

Speaker Young: "The Lady has moved for the adoption of Floor Amendment #1 to House Bill 1042. On that question is there any discussion? Hearing none. The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor say 'aye'. Those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. House Bill 3139, Representative Cullerton. Out of the Record. House Bill 3183, Representative Giglio. Out of the record. House Bill 3238, Representative Edley. Out of the record. House Bill 3326, Representative Pedersen. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3326, a Bill for an Act in relationship to nuclear safety. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3507, Representative Kulas. Representative Kulas, House Bill 3507. Out of the record. House Bill 3585, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3585, a Bill for an Act to amend the Illinois Coal...Technology...Technology Development and Assistance Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

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Speaker Young: "Third Reading. House Bill 3649, out of the record. House Bill 3743, Representative Goforth. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3743, a Bill for an Act to amend the Illinois Explosives Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Goforth."

Speaker Young: "Representative Goforth on Floor Amendment #2."

Goforth: "Thank you, Mr. Chairman. This here's just a...an Amendment that brings us in accordance with federal law. I think it's all agreed to."

Speaker Young: "The Gentleman has moved for...adoption of Floor Amendment #2. Is there any discussion? Hearing none. The question is, 'Shall Floor Amendment #2 be adopted'? All those in favor say 'aye'. Those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. House Bill 3831, Representative Klemm. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3831, a Bill for an Act in relationship to recycling used motor oil. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3846, Representative Kulas. Out of the record. House Bill 3952, Representative Novak. Out of the record. House Bill 3980, Representative Breslin. Out of the record. House Bill 3983, out of the record. House Bill 4046, Representative Regan. Out of the record...oh...read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 4046, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Regan and McCracken."

Speaker Young: "Representative Regan on Floor Amendment #1."

Regan: "Thank you, Mr. Speaker. Members of the House, Floor Amendment #1 simply excludes municipal street sweeping operations from the language of the composting Bill. It seems that the street sweepers pick up mostly gravel and some paper, but also might get some leaves and twigs. It would make it very difficult, and it would be impossible, and interfere with the composting mechanism if that was put into a compost heap. So I urge your adoption of the Amendment."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #1 to House Bill 4046. And on that question...the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker. Question of the Chair. Has this Amendment been printed and distributed?"

Speaker Young: "Yes. It has. Further discussion? The Gentleman from Macon Representative Dunn."

Dunn: "Thank you, Mr. Speaker. I couldn't hear what the Amendment proposes to do. Will the Sponsor yield, who explained the Amendment?"

Speaker Young: "Representative Regan indicates he will yield for a question."

Dunn: "What does this Amendment do?"

Regan: "In regards to recent legislation that goes into effect July 1st, 1990."

Dunn: "Speak up. I can't hear you, please."

Regan: "You can't hear me?"

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Dunn: "Now I can."

Regan: "Stop chewing popcorn. Maybe you can get through the noise in your inner ear."

Dunn: "What I eat and when I eat is my business. You explain the Amendment. That's your business."

Regan: "Recent legislation, July 1st, 1990, goes into effect that disallows landscape waste to go into landfills. This Amendment simply excludes what street sweepers pick up, because most of what they pickup is gravel, paper, and they get some twigs and leaves along there as well. If that's placed into a compost field, the composting cannot work correctly. So we're just excluding. However, its backed by the EPA, looked into very carefully that they are not allowed to pick up piles of leaves. Just the normal street sweeping operations."

Dunn: "The EPA suggest this Amendment?"

Regan: "EPA wrote the Amendment."

Dunn: "Thank you, very much."

Speaker Young: "Further discussion? The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 4046. All those in favor say 'aye'. Those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. House Bill 4082, Representative Hasara. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4082, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Hasara."

Speaker Young: "Representative Hasara, Floor Amendment #1."

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Hasara: "Thank you, Mr. Speaker. Floor Amendment #1 simply corrects a technical error in the original Bill. Just two words were not crossed out that should have been. I move for its adoption."

Speaker Young: "The Lady has moved for the adoption of Floor Amendment #1. Is there any discussion? The question is, 'Shall Floor Amendment #1 be adopted'? All those in favor say 'aye'. Those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. House Bill 3139, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3139, a Bill for an Act to require permanent noise monitoring systems. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. We'll now go to the Order of Public Utilities - Second Reading. The Order of Public Utilities - Second Reading. Sponsors on this order are: Levin - Cullerton - McNamara - Breslin - Countryman - Bowman - Homer - Hicks. House Bill 1007, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1007, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendments #1 and 4 were adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #5 is being being offered by Representatives Piel and Hicks."

Speaker Young: "Representative Piel on Floor Amendment #5."

Piel: "I'll withdraw #5, please."

Speaker Young: "Withdraw Amendment #5. Any further Amendments?"

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Clerk Leone: "Floor Amendment #6 offered by Representative Piel and Hicks."

Speaker Young: "Representative Piel on Amendment #6."

Piel: "Thank you, Mr. Speaker. I believe this is a...an agreed Amendment with the Sponsor. The Sponsor in committee amended the Bill, expected you know the Amendment to take certain entities out of the Bill. The Amendment didn't. So, this Amendment would take these entities out, and this is the way it was agreed to in committee. And I'd ask for passage of #6, please."

Speaker Young: "The Gentleman moves for adoption of Floor Amendment #6. Is there any discussion? The Gentleman from Cook, Representative Levin."

Levin: "The Gentleman is correct. You know, I will accept this Amendment. I would just make an inquiry of him. I hope that with this Amendment the Gentleman will support the Bill on Third Reading."

Piel: "I beg you pardon. I'm sorry. I couldn't hear his final comment."

Levin: "Oh. Okay. I just indicated that it was my intention to accept this Amendment. It does clarify what my intent was. I do hope that by accepting this Amendment you'll be able vote for this Bill on Third Reading."

Piel: "We'll have to wait till we see it on Third Reading."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #6. All those in favor say 'aye', and those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. House Bill 1826, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1826, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. There

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are no Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Cullerton."

Speaker Young: "Representative Cullerton on Amendment #1."

Cullerton: "Withdraw Amendment #1, please."

Speaker Young: "Withdraw Amendment #1. Further Amendments?"

Clerk Leone: "Floor Amendment #2 being offered by Representative Cullerton."

Speaker Young: "Amendment #2, Representative Cullerton."

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was heard in committee. This is the Bill that I indicated earlier on a Motion to discharge...I had filed a Motion to discharge, because it was approved in the Revenue Subcommittee, and then not approved in the full committee. I'll tell you what it does. It deals with the issue of refunds. In the case of a utility that's ordered by a court to issue refunds. And it makes a few changes. I really think that...these are very reasonable. The people from Citizen's Utility Board were down here today and were appealing...appealing for you to support this Amendment. And let me just explain what happens. Right now if after the Commerce Commission issues a certain rate and you don't agree with it, you can go to court. Recently, a plaintiff was successful in court, and certain issues came up. Number one, when should this refund begin? At what point should the refund start? Number two, how much interest should be required of the utility to be paid on the money that they illegally collected, and now have to refund? How much interest should be given? And number three, another concern is, the court right now just remands this case back to the ICC and says you figure out, you ordered the refund. Well,

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determining what the refund amounts should be was done by the trial judge, which is now, by the way, an appellate court judge. It's just a mechanic...it's a arithmetic figure. It's a mechanical figure, actually, where the judge just rules that there should a certain refund. Well, the problem now is it has to go back to the ICC, and it takes another six months or so before the ICC actually says what the refund should be. So, here's what the Amendment does. And it's really quite simple. It's only...I can read the entire Bill for you, but it's significant. 'If an appeal is taken from the Commission order, or a decision on the grounds that the rates were unlawful or excessive, and if a court reverses or remands the order or decision in whole or in part, the court shall determine and administer a refund rather than waiting for the ICC to do it, and a refund to customers shall be from the date of the Commissions order or decision.' And that makes sense because the refund should go back to the day that the first illegal, excessive rate was collected. And finally, the...it shall include interest at the rate set forth in Section 2 - 1303 of the Code of Civil Procedure. And that's a floating rate set by the current statute which is now at about 9 percent. For some reason this last refund case the ICC set a rate of 5% percent as being the interest rate. Well, it's better rather than have the ICC determine that, the Commerce Commission determine that, it's better to have this tied into a statutory rate. Now, I'd say the major concern that people might have is that the court would be ordering the refund and in effect setting rates, rather than have the rate making authority do it. But in reality, it's not really setting a rate. The court reviews the record. They read all the testimony that was presented at the hearing, and they determine that there was an

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excessive, unlawful amount collected. They determine that amount, and they just administer that amount. I think it makes a lot of sense. It's a...we're not talking about something that's unfair to any utility, and I'd be happy to answer any questions. And I would appreciate your support."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #2 to House Bill 1826. On that question the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, for those Members of the House that are not quite sure about this Amendment. Let me give you...you know, reconstruct it a little bit. This Amendment was a former Bill, that was heard in Revenue Committee, and was defeated about a week and a half ago. Last week the Gentleman who is sponsoring the Amendment brought the...a discharge Motion, which had only 33 'yes' votes, I think it was 33, 32 or 33 'yes' votes, we defeated it on the floor, but as they say a House Bill or a Senate Bill never dies. And so I would ask the Members of the Body to stick with what their vote was last week when they defeated this soundly. And the Members of the Revenue Committee when it was defeated in the Revenue Committee, and...vote 'no' on this Amendment #2."

Speaker Young: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we're talking about proper procedure. It seems a little incongruent to say that after a...one level of court, that you are going to refund the money when in fact it may be on appeal...it may be on appeal...it doesn't track. That is not the typical way that this kind of a procedure is handled. You know, and you have heard of

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judgments coming down in a court case, and then appealed up. The company isn't required, or the individual isn't required to meet the judgment at that time, and then if he appeals it to get it back. That's what we have a court system set up for. And this would be a deviation from that general policy and general rule. And obviously, this has been rejected by a committee. It's been rejected here on the floor of the House this Session. And I would just ask that we reject it again."

Speaker Young: "The Gentleman from DuPage, Representative McCracken."

McCracken: "You know in a review of an administrative proceedings, such as this, courts generally are not empowered to substitute their judgment for the judgment of the administrative hearing officer or commission, as in this case. And really, that's what this Bill asks you to do. Really what they want is not a decision that a rate is excessive, and a remand for a determination of a fairer rate. They want the court to usurp the commission's authority in determining what's a fairer rate. Now, it's true when you appeal a Department of Revenue decision, it's true when you appeal any administrative decision, the court does not make the decision. Period. The court determines whether there was evidence to support the finding, and whether the law was applied properly. That's all it does. That's all they do in this case. Finding a rate to be illegal and excessive does not mean that you necessarily find what is the legal rate. The two do not follow. It is not an arithmetical calculation. They're two completely distinct issues. That is why in the field of administrative law, typically reviewing courts are not empowered to make findings and decisions of the type this Amendment asks the court to do. Secondly, this would

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impose on all decisions what we call post-judgment interest in private law suits. I think it's 9% percent now, I'm not sure. But that post-judgment interest would run from the date of the commission's order or decision. And while that sounds very attractive, who do you think's going to pay for that? Do you think only...there's going to be benefit derived from that interest? Do you think somebody's going to be paying that interest? In affect the rate payers will be paying that interest. That's all that is. It's just a different charge to pass on. There's absolutely no merit to this Amendment. There's no justice to the Amendment. And we should be defeating it just as the Revenue Committee defeated it, and just as this House defeated it last week in a discharge Motion."

Speaker Young: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of Floor Amendment #2. I think people at this point in time are getting fed up with a number of rate increases that the courts have reversed. And we still have yet to see the first dollar returned to the consumers. The first rate increase that got reversed with respect to Commonwealth Edison was, I think, 1985 rate increase. And today...to this day despite two court decisions in the Supreme Court on that particular case, reversing it. We, who are Commonwealth Edison customers, are still paying those rates. And the Commonwealth Edison continues to hold the money. So, what is happened is the process gets dragged out. We've seen substantial abuse. The court finds a rate increase illegal, and right now all they can do is send it back to the Commerce Commission. The Commerce Commission takes its sweet time in making a determination on what to do, distorts what the court told it to do, and it has to go back up for a second time. Let

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me give you an example, of why what Representative Cullerton is suggesting makes an awful lot of sense. Couple of years ago the Commerce Commission raised rates based on summer-winter differential for customers of Commonwealth Edison. When they did it they were told, what they did was wrong. They went through about four or five different exercises, backed off, came back, finally, raised the rates. It got appealed. The Appellate Court not only told the Commerce Commission that increase was illegal, but in their order they told the Commerce Commission how much money was involved and should be rebated. It then went back to the Commerce Commission. The Commerce Commission ignored what the Appellate Court said, by the way the Appellate Court said the amount of the rebate should be about a hundred and fifty million dollars (\$150 million). The Commerce Commission decided through a technicality they were only going to rebate about five million dollars. The consumers have had to appeal a second time on the issue of how much money, and were back in the courts again. What this does is it says, we're not going to second guess a rate increase, but once a court has made a determination, that money ought to be returned to the consumers. We shouldn't have increases that have been overturned three, four and five years ago that we're still paying for because it's being dragged out. This is something that you ought to support. This is something people throughout the state are demanding, and that is we get back some of the money that the courts are saying was illegally...corrected...collected from us. And we get that back now, rather than five, ten or fifteen years from now. This is a good Amendment, and it ought to be adopted."

Speaker Young: "Representative Piel, for what purpose do you seek

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recognition?"

Piel: "Just ask for a Roll Call on this, please."

Speaker Young: "Representative Cullerton to close."

Cullerton: "Well, thank you, Mr. Speaker. Ladies and Gentlemen of the House, first of all with regard to the Motion to discharge, you may recall that the issue there was the integrity of the committee system, and the people that voted on that were voting based on that concern. Now, this is not complicated. This is not complicated. I'm trying to address some of the concerns that were raised. The interest a court orders that a utility has illegally been collecting your money. They've had the advantage of having that money, and they are making money on that money. They're making interest illegally. That's what the court ordered. We're just saying the amount of the interest that they should pay back to you is set by the Code of Civil Procedure, and it floats with the actual interest rate. That's all that says. Number two, when should the refund begin? From the first day they started illegally collecting it. That's what it amounts to. It's simple enough. And number three, when we talk about ordering a refund. The reason why it's a matter of concern in terms of time is because the utility is delaying and stalling. They delay and stall as long as they possibly can. In the meantime the people who are ultimately eligible for the refund are gone. They've shut off their electric service. They've moved somewhere else. And meantime the utility can't find them. When their last appeal is over with and they go back to the Commerce Commission, they are finally ordered give back the refund, by that time half the people that are entitled to the refund are gone. So we want to speed up that process by saying, the court shall be the one to administer the refund. Now, they can still appeal. The

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utility can still appeal. You know, while you're in court arguing that the rate is excessive, they're collecting the money. They're collecting the money, illegally, as is ultimately by the court. So that the...it's a real classic case...you know, if you have to vote with the utility...Representative, one of the speakers was intimating that, my God, if...if the utility has to pay a lot of money in interest, the rate makers...the rate payers...the people who use the services are ultimately going to have to pay a higher rate. That's not the case...these people...companies have stockholders. They have stockholders who are...have been collecting illegally a rate that they are not entitled to. And we're only talking about those cases. I mean if...everybody here has constituents who utilize utility services. When a refund has been determined that's...the only time this Bill applies. We're just saying that these very fair standards should apply. So, I think we've made it as clear as I can be. Appreciate an 'aye' vote."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #2. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 91 voting 'yes', 14 voting 'no', 5 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No Further Amendments?"

Speaker Young: "Third Reading. House Bill 2851. Representative McNamara. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2851, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 2932, Representative

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Breslin. Out of the record. House Bill 2948, Representative Countryman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2948, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3355, Representative Bowman. Representative Bowman. Read the Bill, Mr. Clerk"

Clerk Leone: "House Bill 3355, a Bill for an Act to require all coin-operated telephones for use by the general public to be equipped with an amplification device. Second Reading of the Bill."

Speaker Young: "Could we take this Bill out of the record? Calendar and the Clerk seem to show different status for this Bill. We'll come back to it. Let's go back to House Bill 3355. Are there any Floor Amendments?"

Clerk Leone: "Floor Amend...I mean Committee Amendment #...Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Young: "Third Reading. House Bill 3667, Representative Homer. Representative Homer? Out of the record. House Bill 4171, Representative Hicks. Representative Hicks? Out of the record. We will now return to Supplemental Calendar #1. On House Supplemental #1 appears House Bill 2173, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2173, a Bill for an Act in relation to the Interior Design profession. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker Young: "Has the fiscal note been filed? Fiscal note has been filed. Third Reading. House Bill 2296. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2296, a Bill for an Act to conform the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Levin - Kirkland."

Speaker Young: "Representative Levin on Amendment #1."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 becomes the Bill and this is requested by the Human Rights Commission. It simply clarifies that in the event there is an appeal from a decision of the Commission to the courts, that it is not necessary to ask for a rehearing first. This is unnecessary paperwork and simply imposes an additional obligation and cost on both the commission and the parties."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1. On that question is there any discussion? Hearing none. All those in favor vote 'aye', all those opposed vote 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. House Bill 3590, Representative Didrickson."

Speaker Young: "Back to House Bill 2296. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. House Bill 3590, Representative Didrickson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3590, a Bill for an Act to amend the Illinois Controlled Substance Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 offered by Representative Didrickson."

Speaker Young: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Members of the House, the...this Amendment is an agreed Amendment. It takes out the pharmacists, who were inadvertently included in this and shouldn't be."

Speaker Young: "The Lady has moved for the adoption of Floor Amendment #1. On that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Representative Didrickson, do you have to...you're aware of...Let me ask you this. Amendment #2..."

Didrickson: "Oh. Excuse me. That's right. This one I want to withdraw."

Cullerton: "Yeah."

Didrickson: "Thank you, very much, Representative. Withdraw."

Cullerton: "Thank you."

Speaker Young: "Withdraw Amendment #1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Didrickson."

Speaker Young: "Representative Didrickson."

Didrickson: "This is the appropriate Amendment that I would like to have adopted, which removes the pharmacies."

Speaker Young: "The Lady has moved for the adoption of Floor Amendment #2. Is there any discussion? All those in favor of the adoption of the Amendment say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. House Bill 3829, Representative Kubik. What's the status of the Bill, Mr. Clerk?"

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Clerk O'Brien: "The Bill is on Second Reading."

Speaker Young: "Read the Bill."

Clerk O'Brien: "House Bill 28...3829, a Bill for an Act in relation to security deposits. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?'

Clerk O'Brien: "Floor Amendment #1 offered by Representative Kubik."

Speaker Young: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Floor Amendment #1 would change the number of units in the Bill from ten to five. It is...Amendment which I have worked out with the Illinois Realtors Association. And I would appreciate your support on the Amendment."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1. On that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Would the Sponsor yield?"

Speaker Young: "Indicates he will yield for a question."

Cullerton: "Could you just...briefly tell me what the Bill did in the first place?"

Kubik: "The Bill has to do with security deposits and what the Amendment...the original Bill did was said that if you...if you had a rental unit and...colored ball rental units, we now want to...cover rental units of five or more units. in the Bill."

Cullerton: "I'm sorry. The Bill...the original Bill prohibits landlords from withholding any security deposits unless they serve a statement of damages to the tenant within thirty days of vacating the premises, is that right?"

Kubik: "Right. Which is..."

Cullerton: "And the current...what's the current law say about that?"

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Kubik: "Current law says that...that provision kicks in with ten or more units. What my Bill did was to reduce that from ten to zero. So the...and what we're doing is moving it from zero to five."

Cullerton: "Okay. And now you're saying it should be five. If it's more than five units the landlord has to give the tenant..."

Kubik: "Right. Essentially what we're doing, John, is reducing it from ten to five."

Cullerton: "Sure. It's like cutting it in half. It's a good idea."

Kubik: "That's what it is. Splitting the difference."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1. On that the Gentleman from Cook, Representative Rice."

Rice: "Can I ask the Sponsor a question?"

Speaker Young: "Indicates he'll yield for a question."

Rice: "You're saying that if he has five units or more he is responsible for interest on the deposit. Is that what you're saying?"

Kubik: "What we're saying is...The current law is if you have ten or more units and you have a security deposit. What this does is that...under the current law it requires all...all owners of residential property containing ten or more units to provide the tenant with a statement itemizing the damages, if the property owner withholds interest...a security deposit. What we're doing is reducing that to five."

Rice: "Thank you."

Speaker Young: "Further discussion? Representative Levin."

Levin: "Would the Gentleman yield?...Just in terms of clarification for the record of your intent. Currently, the ten or more requirement implies in the condominium

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context, if you own ten apartments in one building. Is your intention to in any way change that kind of interpretation? I mean, you're changing the number, obviously, but beyond that you would still require that if your...if this Amendment is adopted that somebody must own five apartments in one building in order to be covered by the security deposit law?"

Kubik: "Representative, my response would be that if...if it is in the current law at ten units, by reducing it to five it would...we would be doing the same thing actually."

Rice: "You're...you're not changing the substance of the law?"

Kubik: "No. We're not changing the...existing law. All we're doing is changing the number of units that are covered."

Rice: "Thank you."

Speaker Young: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Young: "Indicates he will yield."

Klemm: "Representative Kubik, I had some concern some time ago about this Bill concerning that these apartments or units are in one building. The staff person standing behind you did some research, in fact for me, that it's not necessarily has to be housed in one building. It's sometimes a series of apartment buildings. A number of them. And what was it twenty...no eight of them...something like that...do you remember, staff person? That they have to give interest on security deposits? Well, my concern was a...apartment owner who has a series of say bungalows or something. They're not in one building, but they are on common ground, and they require a security deposit that interest should be paid. And there was a determination by the courts that said that was

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considered common and though it's not the same building that the apartments are located, that in fact it's the common ownership. I was wondering if that in fact is part of your Bill?

Kubik: "Representative, it is my understanding that the...the section of the law that you're talking about is not changed under this Bill. That the...that this is...purely applies to those units that are all in one complex."

Klemm: "Alright. But, I wanted to be sure, because it says...a residential real property containing five or more units. Representative Levin had indicated in one...in a building. And I wanted to be sure is that your intent that it has to be housed in one building as the Representative had indicated in his question? Because I wasn't sure if you caught that he said in a building and you kind of went along with it. I want to be sure is it in a building or could it be five individual residential pieces of property that's rented to five individual people owned by the same landlord?"

Kubik: "Could you repeat the question?"

Klemm: "Let me give you a for example. In my area we have a number of apartment rentals, that has...a building that has four roof apartments, let's say. And they have maybe, eight different buildings of four apartments, okay? So, that...that renter, if you will, has a complex of thirty-two apartments that they are renting out, but they're in complexes of a building of four residential apartments. Now, according to this you're saying five. You indicated to a Representative that it had to be in the same building. And I'm wondering if in fact that's what you really meant, or did you in fact mean that an owner of residential properties in a complex or in a single building, I don't care what, of five or more? That's what

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I wanted. Just more for the record of your intent on this legislation."

Kubik: "Representative, in discussing it with Representative Levin, I misspoke. He indicates it would apply to a complex. So, that if it were five units in a complex, then it would apply."

Klemm: "Five. Then under those conditions, it's a good Bill."

Speaker Young: "Further discussion? Hearing none, the Gentleman moves for the adoption of Floor Amendment #1 to House Bill 3829. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. House Bill 4117, Representative Didrickson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4117, a Bill for an Act to amend an Act in relation to health care. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Didrickson."

Speaker Young: "Representative Didrickson."

Didrickson: "Thank you, Mr. Chairman. This Amendment puts this Bill into the posture that we would want it to be in with regards to applying it to group policies also. I move for its adoption."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #1 to House Bill 4117. On that question is there any discussion? Hearing none. All those in favor of the adoption of the Amendment say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Young: "Third Reading. House Bill 4118, Representative Didrickson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4118, a Bill for an Act to amend an Act concerning health care. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Didrickson."

Speaker Young: "Representative Didrickson."

Didrickson: "Thank you. This Amendment is also similar in terms of putting this Bill into the posture that we would like for Third Reading. It is an Amendment at the request of the Department of Insurance, so that it apply only to residents of the State of Illinois."

Speaker Young: "Lady moves for the adoption of Floor Amendment #1. On that question is there any discussion? Hearing none, all those in favor of the adoption of this Amendment say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. We will now pick up several Bills on Second Reading that were skipped over previously. Regular Calendar. On page 22 of the Calendar appears House Bill 3980, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3980, a Bill for an Act in relation to packaging and recycling of certain materials. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Breslin."

Speaker Young: "Representative Breslin on Floor Amendment #1."

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Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Floor Amendment #1 guts this Bill, and...it makes it a pure vehicle. The purpose for doing that is to provide a possible vehicle should the Waste Reduction Task Force be able to reach consensus. So, that's all the Amendment does. I would ask for adoption of the Amendment."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #1 to House Bill 3980. On that question the Gentleman from DuPage, Representative McCracken."

McCracken: "I rise in opposition to this. It is precisely as the Lady says. A vehicle...a vehicle in a very emotional, controversial subject, and I think it is a bad message to send, to have an unsupervised vehicle out there on this topic. I rise in opposition to it. I ask my friends on both sides of the aisle to resist the Amendment, and if the Bill comes up in Third Reading beat it at Third Reading."

Speaker Young: "Further discussion? Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this has been done in conjunction with many of the interests that have participated in the Waste Reduction Task Force, including the Illinois Retail Merchants Association. It is a request that I am fulfilling. I think it is...it is appropriate to be able to be able to continue these discussions on waste reduction. And...I would ask for your 'aye' votes. Thank you."

Speaker Young: "The question is, 'Shall Floor Amendment #1 be adopted'? All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Representative McCracken for what purpose do you seek recog...for purpose of verification. Have all voted who wish? Mr. Clerk, take the record. On this question there are 57 voting 'yes', 53 voting 'no' and

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Representative McCracken requests a verification of the affirmative vote. Representative Breslin requests a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees? Poll of those not voting. Davis. Edley. Krska. and McPike."

Speaker Young: "Representative Lou Jones requests leave to be verified. Does she have leave? Poll of the Affirmative."

Clerk O'Brien: "Poll of the Affirmative: Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Flinn. Flowers. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Kirkland. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Woolard. Anthony Young. Wyvetter Young, and Mr. Speaker."

Speaker Young: "Representative McCracken, you have questions of the affirmative vote?"

McCracken: "Representative Bowman?"

Speaker Young: "Representative Bowman? Representative Bowman? Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Young: "Remove him from the Roll."

McCracken: "Representative Santiago?"

Speaker Young: "Representative Santiago is in the chamber by Representative Terzich."

McCracken: "He was in the wrong chair, that's why. Does that mean Representative DeLeo's not here."

Speaker Young: "Representative DeLeo? Representative DeLeo? Is the Gentleman in the chamber?"

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McCracken: "Yeah. He's standing with his back to me."

Speaker Young: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young: "Remove him."

McCracken: "Representative Novak...oh, nope, I see him."

Speaker Young: "Representative Novak is in the chamber."

McCracken: "Representative Trotter?"

Speaker Young: "Representative Bowman has returned to the chamber and votes 'yes'. Representative DeLeo returns to the chamber and votes 'yes'. Representative Trotter?"

McCracken: "I don't believe Representative DeLeo returned to the chamber. Where is he? I haven't seen him for days."

Speaker Young: "Representative DeLeo is at Representative Ronan's seat."

McCracken: "Representative Turner?"

Speaker Young: "Representative...Representative Turner is in the chamber."

McCracken: "Representative Richmond?"

Speaker Young: "Representative Richmond? Representative Richmond? Is the Gentleman in the chamber? How is Representative Richmond recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young: "Remove him from the Roll."

McCracken: "Representative Flinn?"

Speaker Young: "Representative Flinn? Representative Flinn? Is the Gentleman in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Young: "Remove him from the Roll Call."

McCracken: "Representative Terzich?"

Speaker Young: "Representative Terzich? Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

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Speaker Young: "Remove him from the Roll Call."

McCracken: "Representative Morrow."

Speaker Young: "Representative Morrow is in his seat."

McCracken: "Representative Van Duyne?"

Speaker Young: "Representative Van Duyne? Representative Van
Duyne? Is the Gentleman in the chamber? How is
Representative Van Duyne recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young: "Remove him from the Roll Call."

McCracken: "Representative Hicks?"

Speaker Young: "Representative Hicks? Is on your side of the
aisle."

McCracken: "Where he belongs. Representative Laurino?"

Speaker Young: "Representative Laurino...is in the chamber."

McCracken: "Representative Lang?"

Speaker Young: "Representative Lang? Is at Representative
Sutker's seat. Representative Parke, for what purpose do
you seek recognition?"

Parke: "Thank you, Mr. Speaker. Would you change me from a
'present' vote, to a 'no' note, please?"

Speaker Young: "Vote Representative Parke 'no'. Representative
Klemm, for what purpose do you seek recognition?
Representative Klemm votes 'yes'. Representative
McCracken, do you have further questions of the affirmative
vote?"

McCracken: "Representative Kirkland?"

Speaker Young: "Representative Kirkland? Representative
Kirkland? Is the Gentleman in the chamber? How is the
Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Young: "Remove him from the Roll Call."

McCracken: "Representative Leverenz?"

Speaker Young: "Representative Leverenz? Representative

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Leverenz? Is the Gentleman in the chamber? How is Representative Leverenz recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Young: "Remove him from the Roll Call."

McCracken: "Representative Homer?"

Speaker Young: "Representative Homer is in the aisle."

McCracken: "I'm sorry. I see him. Representative Levin?"

Speaker Young: "Representative Levin? Is at Representative Myron Olson's desk."

McCracken: "Representative White?"

Speaker Young: "Representative White? Representative White? How is Representative White recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Young: "Remove him from the Roll Call. Representative Morrow asks leave to be verified. Leave is granted. Representative Keane votes 'aye'."

McCracken: "Who?"

Speaker Young: "Representative Keane votes 'aye'. Representative Currie asks leave to be verified. Further questions of the affirmative vote?"

McCracken: "No."

Speaker Young: "Representative McPike votes 'aye'. Representative Richmond has returned voting 'aye'. Representative Flinn has returned and votes 'aye'. On this question there are 55 voting 'yes', 52 voting 'no', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. On the same order appears House Bill 3983, Representative Brunsvold for Representative Farley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3983, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. No Committee Amendments."

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Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young: "Third Reading. On page 6 of the Calendar under the Order of Public Utilities appears House Bill 2932, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2932, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Breslin."

Speaker Young: "Representative Breslin. Representative Breslin on Floor Amendment #1."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #2...or rather Amendment #1 to House Bill 2932 reduces from the third level of relationship to the second level of relationship. When a conflict of interest...is in existence for an Illinois Commerce Commission members...the reason for making it less stringent is because we believe that...going to the third degree of relationship is just too far. So, this would go to second cousins for instance. If you are a Commerce Commission member and...the people who appear before you happen to be second in relationship to you, a second cousin to you, then, or a grandparent to you, then you should not participate in the consideration of that particular case. I think it's better than a third degree of relationship, so, I would move for adoption of the Amendment."

Speaker Young: "The Lady moves for the adoption of Amendment #1 to House Bill 2932. On that question is there any discussion? Hearing none, all those in favor for the adoption of the Amendment say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and

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the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. Now on the Order of Criminal Law--
Second Reading - Page 6 of the Calendar appears House Bill
2957, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2957, a Bill for an Act to amend an Act
concerning jury instructions. Second Reading of the Bill.
No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative
Cullerton."

Speaker Young: "Representative Cullerton."

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen
of the House. Representative McCracken and I are
Sponsoring this Bill at the request of some of the judges
in our respective circuits. And we...what? Oh, I'm sorry
we aren't ready to go with the Amendment yet. Take it out
of the record."

Speaker Young: "Out of the record. We will now go to the Order
of Education. Representative Turner, for what purpose do
you seek recognition?"

Turner: "Thank you, Mr. Speaker. If I can beg your indulgence,
I'd like to be...the records to reflect on House Bill 1826
Amendment #2, my button was inadvertently pushed saying
'no', and I wish to be recorded voting 'yes' on that
Amendment."

Speaker Young: "The Journal will so reflect. The transcript will
so reflect. No to the Order of Education - Third Reading.
This is Third Reading. The Sponsors of this order are:
Steczo - Cowlshaw - Shaw - Matijevich - LeFlore - Hartke -
Homer - Hicks - Petka. First Bill is House Bill 391,
Representative Steczo. Out of the record. House Bill
1681, Representative Cowlshaw. Out of the record. House

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Bill 2859, Representative Shaw. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2859, a Bill for an Act to amend sections of the School Code. Third Reading of the Bill."

Speaker Young: "Representative Shaw."

Shaw: "I believe that we have an Amendment. I believe there's an Amendment, Mr. Speaker."

Speaker Young: "Representative Shaw requests leave to return this Bill to Second Reading for purposes of an Amendment. Is leave granted? By use of the Attendance Roll Call leave is granted."

Clerk O'Brien: "Amendment #2 offered by Representative Shaw."

Speaker Young: "Representative Shaw on Amendment #2. Representative Cowlshaw, for what purpose do you seek recognition?"

Cowlshaw: "Mr. Speaker...Mr. Speaker, I rise to inquire as to whether this Amendment #2 has been printed and distributed? I don't have it here. All I have is Amendment #1."

Speaker Young: "I am told that the Amendment has been printed and distributed."

Cowlshaw: "Who has one? All I have is 1. I haven't got the right Bill."

Speaker Young: "While we're looking for the Amendment, an announcement from the real Speaker that we will go to 7:00 o'clock tonight. To 7:00 o'clock. Representative Shaw on Floor Amendment #2."

Shaw: "Thank you, Mr. Speaker. All it does is a technical change and it includes African-American history in the United States and Africa. That's all it does."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #2. On that question is there any discussion? Hearing none. All those in favor of the adoption of the Amendment say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment

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is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. Representative Shaw now requests leave of the Body for immediate hearing of House Bill 2859 on Third Reading. Is leave granted? Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, I object to our hearing this Bill immediately, when it has just been amended."

Speaker Young: "There is an objection, so the Bill will remain on Third Reading. Same order appears House Bill 3084, Representative Matijevich. Out of the record. House Bill 3085, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3085, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Representative Matijevich."

Matijevich: "Is this on Third Reading?"

Speaker Young: "This is Third Reading - House Bill 3085."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3085 is a Bill of the Regional Superintendents of Schools. It does two things. It authorizes inner...intergovernmental cooperation agreements among educational service center region for federally and state funded educational programs. It also provides that we're funding for approval...approved education programs may be delayed. The Regional Superintendent may borrow funds in accordance with the term of the grant to begin operation of the program and utilize the grant money to pay both the principle and interest on such loans. What has happened, Mr. Speaker and Members of the House, some of the service regions have had a...some grant...grants that have been approved, but because of the delay they have not been able

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to start those programs. And this would allow them to have some...what's usually a small amount of seed monies, so that they may avail themselves of those very valuable programs. There is no fiscal impact to this Bill, because...the loans would have to be approved by the granting authority. I would urge the Members to support House Bill 3085."

Speaker Young: "Mr. Clerk, could you read the Bill for a third time, please."

Clerk O'Brien: "House Bill 3085, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Matijevich."

Matijevich: "I was just alerted to the fact that someone was going to put an Amendment on this Bill, and evidently, it's not ready yet. So, hold the Bill...hold it, and we can bring it back to Second."

Speaker Young: "Take the Bill out of the record, Mr. Clerk. On Third Reading appears House Bill 3246, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3246, a Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill."

Speaker Young: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. House Bill 3246 requires the Board to direct, monitor and report to the General Assembly on programs to improve race relation at public university and college. The Board would also be required to insure that all incidents of race, ethnic and religious intimidation on a public university and college are reported to the Illinois Department of Human Rights. This Bill doesn't have a fiscal impact. I would like to have a favorable vote."

Speaker Young: "The Gentleman moves for the passage of House Bill

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3246. On that question is there any discussion? Gentleman from McLean, Representative Ropp."

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

Speaker Young: "Indicates he will yield for a question."

Ropp: "Representative, in attempting to implement this Bill, what would be some good suggestions to really do what you are intending by this legislation?"

LeFlore: "What do you mean by good suggestions?"

Ropp: "Well, I mean, would there be a...a special kind of courses that people would have to attend, or would they just provide a brochure?"

LeFlore: "Well, I think this will allow the students who wish, to take...special...special courses...to give them the opportunity of...being exposed to take these courses."

Ropp: "Well, how do you intend though to improve...ethnic..."

LeFlore: "I think there...I think that would have to be decided by the university."

Ropp: "So we just let the universities determine on their own how to improve ethnic relationship?"

LeFlore: "Don't you think...I think that's fair."

Ropp: "But there's no specific thoughts that you have in mind?"

LeFlore: "Well, it's not included into this mandation."

Ropp: "Well, you don't have any idea as to what the university might even consider?"

LeFlore: "Not really."

Ropp: "Well, is there a real strong need for this Bill, then?"

LeFlore: "I think there's a need for it. This would allow...the youngsters who are attending university...a give them a choice to be able to take whatever courses they would like to take."

Ropp: "In other words they would just go to those courses if they so were inclined to become better informed about ethnic relationships, or..."

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LeFlore: "I think, now, Representative Ropp, many of our students are not informed about many of the courses. And they are not allowed to take these courses. They are not told about the courses. And this is in regards to race and religion. So, you know, hopefully, this Bill will clarify some of the problems some of these students are having today."

Ropp: "Well, what I'm trying to find out is, what kind of a program you would expect them to do, and how would it be determined whether or not the program was effective or not?"

LeFlore: "Well, we just have to try to pass the mandate, and put it out there, and hoping that it would be signed. And expecting Department of Human Rights will report back to the General Assembly."

Ropp: "Is this program...or this piece of legislation different than what you have proposed before?"

LeFlore: "That I can't answer, sir."

Ropp: "What'd he say? Mr. Speaker, it's hard to hear apparently. My question was 'is this the same kind of legislation that you had introduced before?'"

LeFlore: "Yes. This is the same legislation. But the language was changed to...more or less conform with the request of the Governor's Veto."

Ropp: "Okay, so the Governor wanted programs rather than courses that would be allowed at universities. Is that correct?"

LeFlore: "I would think so."

Ropp: "Okay. One final question. Why was this expanded to include all universities, and now I think, even down to the community college level...is that...each community college? And they all have separate programs in order to meet the intent?..."

LeFlore: "It's a...it's a statewide program, including all universities and junior colleges across the state."

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Ropp: "Well, I guess...I understand what ethnic relationship and so forth, but I would have preferred to hear some kind of goal or object or program that you'd like to see implemented by the State Board, otherwise, it looks like it's kind of a loose program, because we...you really haven't attempted to give them any direction or legislative intent. And I think it might be difficult in a year or so, to determine whether or not they have implemented what you have fully want to do. Thank you."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall House Bill 3246 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 99 'aye', 1 voting 'no', 4 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3299, Representative Hartke..."

.....(tapes are inaudible).....

Clerk O'Brien: "House Bill 3336, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Keane: "Representative Homer."

Homer: "Thank you, Mr. Speaker. This Bill affects eleven very small school districts in this state, which have lost more than forty-five percent of their equalized assessed valuation since 1981, which was the year of the implementation of the Farmland Assessment Law. The Bill would provide that for districts that...that for any school district that's lost forty-five percent or more of it's assessed valuation since 1981 that for purposes of the 1990-91 school year, that the general state aid formula shall reflect a...a reduced 1989 assessed valuation figure in order to provide a one year supplemental state aid, a very modest amount to eleven very, small school districts

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in this state. There is precedent for this...and the purpose of it is simply to help those districts which have year suffered disproportionate losses of assessed valuation and would allow them during the next school year to have an opportunity to insure a quality pro...educational program for their students. So I would answer questions...and I...the Bill came out of committee, Elementary Committee, I think, with virtually unanimous, if not unanimous support. And I would urge you to support the Bill on Third Reading."

Speaker Keane: "Representative Hoffman."

Hoffman: "Thank you, very much, Mr. Speaker. Ladies and Gentlemen, I'd like to raise a question with the Sponsor. The first question is 'are there school districts whose assessed valuation per pupil is less than any of the eleven districts which are on this list?'"

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

Hoffman: "Alright. Thank you. Let me make an observation, if I may for the Body. There are eleven...there are eleven school districts that are affected by this. One of these school districts has twenty-one students in it. Another has sixty-two. Another has eighty-eight. The district for which Representative Homer was most interested in, the Balyki district, has two hundred seventy-five students. There are a number of districts in this state whose assessed valuation per pupil is lower than these districts that are included on this list, and yet they will not get the benefit of this legislation, which in effect on average will give each of these school districts on a per pupil basis an additional \$175 from the state which is above their match that they have now under the current formula. Now I recognize the circumstances that these districts are in, but I would suggest to you that there are other districts who are in all probability in a more distressed

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situation than these districts, and its a shift of \$316,000 (three hundred sixteen thousand dollars) in the formula away...distributing it away from other school districts including those who depend to a great extent on state aid. The district that I represent don't depend a great deal on state aid, so, I'm not here arguing from a parochial point of view. I just think you should recognize as you are asked to support this legislation what in fact it does do. If Chicago, for example, takes a third of the General Distributive Fund, there'd be about \$105,000 (one hundred five thousand dollars) which is distributed away from Chicago to these other very small school districts. And I would suggest to you probably in most cases none of these districts should still be operating as separate school districts. I'm not here to argue that case, that's another issue, but I do stand in opposition to this legislation from a practical and a philosophical point of view. I think this is bad public policy."

Speaker Keane: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I guess the question might be whether or not the rest of the school districts that are in the same situation are aware of this Bill, and whether or not they would want to be included in it. It's not an awful lot of money, but as the previous speaker said it is kind of a bad posture. I would certainly commend the Representative for trying to take care of his own situation. But, I'm wondering whether or not we want to piecemeal this whole approach to funding those school districts that are short of money. And whether or not if we're able to come up with a school aid formula that would benefit them if not...if it wouldn't be better to attempt to address all of them, rather than to have this Bill just to do one, and then maybe some other

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Bill to take each one of them until we get all thirteen or fourteen school districts that need this money. It is a serious situation. Though in this case it doesn't amount to a lot of money. I think that is something though that we as a Body ought to...to attend to and address because of the seriousness of the whole."

Speaker Keane: "Representative Regan."

Regan: "Thank you, Mr. Speaker. Members of the House, I rise in support. Obviously, the state aid formula is not working. If there are school districts in this desperate need, and certainly, there are, there's something that should be addressed on the package as a whole. But, it seems that no one wants to address anything on the whole. So until we address the problems that should be done on the whole, let's take care of those that are suffering individually. I urge your support."

Speaker Keane: "Representative Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. As everyone here knows that's been here any length of time, this is not the first time that this type of legislation has passed. I needed this in my district when Caterpillar Tractor Company in East Peoria had their EAV lowered because they have over twenty-five percent of the assessed evaluation in the city of East Peoria. We also did this for the school district in Chillicothe, Illinois because of the big Caterpillar tech center there, when they had their EAV lowered again. This is nothing new in the General Assembly. It's only a one year shot, and it's been appreciated in the past, and when I had to have it for my district Members of the General Assembly came through, and now that this is in Tom's district, the one company there has over twenty-five percent of the assessed valuation in that district. And it's only a one year shot. Let's give the people the help

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that they need. For this one time."

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield for a question, please?"

Speaker Keane: "He indicates he will."

Cowlshaw: "Representative Homer, the prior speaker mentioned...both of the prior speakers in fact mentioned...something that I think was also discussed in committee. And that is, it is not at all unprecedented in this General Assembly for us to pay attention to someone individual school district that has suffered some rather unprecedented sort of set back, financially, or otherwise. Now, it is my belief, and I hope that you could confirm this, that when this Bill was drafted, it was your belief at that time that this Bill applied only to the Balyki school district and to no other. Is that not correct?"

Homer: "Yes. And I indicated in committee that was my understanding..."

Cowlshaw: "Yes. Well, that was our understanding, too, Representative Homer. Now the State Board of Education tells us that this Bill applies to something like ten or eleven school districts. Would there be any reason why if...if in an attempt to meet the rather striking needs of this particular district that is in your legislative district, if this Bill were to get to the Senate why you could not continue to work with the Legislative Reference Bureau and the State Board of Education to try to see to it that you amend this so that it does do what you intended it to do in the first place, and that's to apply only to the Balyki school district?"

Homer: "Well. Initially, that...that thought crossed my mind. But I was, you know, we have...we have eleven school districts...and I find that...that Representative Noland

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has two of them. Representative Ewing has two of them. Representative Goforth has one. Representatives Granberg and Edley have the others. And, you know, I guess my thought is that...I'm startled to find that there are eleven school districts in this state that are in as bad shape as mine, apparently, Representative. And, Representative Regan mentions there may be another one, but...you know these eleven school districts, if you can imagine, have lost over forty-five percent of their assessed valuation since 1981, during a time that other areas of the state have experienced prosperity, these districts have been devastated. And although I'm mostly interested in Balyki and thought that the Bill only applied to them, I have empathy for the other ten districts. Let me say the total dollar amount, and it's a one year grant is \$331,000. There are many school districts in this state that get much more than \$331,000. This \$331,000 would be allocated to eleven different devastated school districts that...that are located in various members' districts, and so, while I'm most interested in Balyki, I'm hoping to have the support of these other Legislators who would also find that they represent school districts that find themselves in the same predicament as mine."

Cowlshaw: "Thank you, very much Representative Homer. One...one note, however, if I may please, Mr. Speaker. Representative Homer, these are not grants. This is a redistrib...you said these were grants to these school districts. This is a redistribution of the general state aid money. Which simply means there would be three hundred thirty thousand less dollars to be distributed statewide, than there would have been otherwise. It is not a grant. If you would permit me to just make that point. To the Bill, Mr. Speaker, we responded to Representative Homer's

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appeal in committee very nearly unanimously, if not unanimously, because it is not unprecedented for us to do something to be of special help in special need. That's one of our functions here. And like Representative Homer, I am simply appalled to discover that there are eleven school districts in this state in the same condition as the one that Representative Homer was trying to call to our attention. I recognize that everyone of us who does not have one of those school districts in our district means that when...if we vote for this, there's a little less money coming from the state for the school districts we represent ourselves, but in all fairness, there are unique situations. I think this is one. And I am prepared to support Representative Homer's Bill."

Speaker Keane: "Representative Granberg."

Granberg: "Mr. Speaker, Members of the House. First of all I want to compliment Representative Homer for his concern for all the poor school districts in this state. And secondly, we would appreciate everyone's support on this Bill. It addresses a number of problems, and one of which is a one time shot, but because of the Farmland Assessment Act, because that Act was exempted from the Mandate's Act where no reimbursement was made, that's been the substantial factor by putting these school districts in a financial distress they are currently experiencing. This helps relieve that or alleviate that problem, on a temporary basis. And it is very much needed. I would ask everyone's support."

Speaker Keane: "Representative Noland."

Noland: "Thank you, Mr. Speaker. I'm pleased to support this Bill and would urge everyone, as well. These eleven school districts have been devastated by a drastic drop in farmland assessment, and equalized assessed valuation. I

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played basketball in a couple of these small schools, and they are a very poor school district that needs our help. So, I would urge an 'aye' vote on this Bill."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I hope everybody has been listening to the debate on this Bill, because it points not only to a problem in the farmland areas. I come from an area where we have a lot of manufacturing, and I have...represent a school district that in the last ten years has the exact same assessed valuation. Imagine this, my school district, high school district, now it's a unit district, has an assessed valuation of \$80 million. Do you know what the assessed valuation of the adjoining high school district is? Where manufacturing...the high crafts manufacturing is moved into that area...\$800 million. There's a basic unfairness in the whole issue. Now, that's one problem I've got with the Tax Accountability Amendment. If we are going to resolve the issues of education in Illinois, if we're really going to solve the funding of education in Illinois, we have got to get funding of Illinois off the backs of property taxpayers. And the only way...the only way we're going to do it is by a fair school aid formula, by looking at income tax rather than the property tax to fund education. The debate on this issue...underscores...underlines the importance of getting to that task. Getting to it as soon as we possibly can. And I urge the passage of this as a temporary measure to help those poor districts."

Speaker Keane: "The question is, 'Shall this Bill pass'? All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Representative Homer."

Homer: "I don't...yes...thank you, Mr. Speaker. I just want to

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extend my gratitude to Representative Cowlshaw and Representative Matijevich in particular, for the magnanimous gesture on their part. Knowing that they don't have a school district that would benefit, but recognizing the problems of other school districts. And I certainly appreciate that concern and your support to the Bill. And for the others who have voted for the Bill."

Speaker Keane: "That was a wonderful explanation of vote. Clerk will take the record. On this Bill there are 94 voting 'aye', 19 voting 'no', none voting 'present'. And House Bill 3336 having received the required Constitutional Majority is hereby declared...Mautino...'aye'. This Bill having received 95 'ayes', 18'nos', none voting 'present'. The Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3569, Representative Hicks. Mr Clerk, read the Bill."

Clerk O'Brien: "House Bill 3569..."

Speaker Keane: "Out of the record. House Bill 3572, Representative Steczko. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3572, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Keane: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker. Members of the House, House Bill 3572 addresses the situation when there has been large layoffs in school districts. Presently, when teachers are laid off, there is a one year recall period. However, House Bill 3572 addresses the situation where there are extraordinarily large layoffs, fifteen percent or over, of the nonadministrative staff. House Bill 3572 says that when that happens and when that situation occurs that those teachers would be afforded an extra twelve months to be recalled. I would answer any questions, Mr. Speaker. I believe that's self-explanatory. I would ask for the

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support of the Members of the House in the passage of this Bill."

Speaker Keane: "Is there any discussion? There being none. The question is, 'Shall this Bill pass'? All those in favor vote 'aye', all oppose...Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I'm sorry, I was a little slow getting the button pressed."

Speaker Keane: "No problem."

Cowlshaw: "I understand that...the purposes of this Bill, Representative Steczko, and it was, I believe, very well discussed in committee. The only thing I would point out to you is that there is already a provision that in the case...case of a reduction in force that is of rather considerable reduction, that there is a requirement for rehiring those teachers within a one year period. This would extend that period I believe to two years, is that right, Terry?"

Steczko: "Representative Cowlshaw, only in extraordinary circumstances when fifteen percent or over of the nonadministrative staff is laid off."

Cowlshaw: "I understand. I understand. But it extends the period from one year to two?"

Steczko: "That is correct."

Cowlshaw: "Thank you. The fact is that in the event that a school district has a real disruption, a really difficult time, which certainly that degree of a reduction in the teaching staff would certainly qualify for that. In the event that there is an opportunity then for the school district to recover some financial recourses and to move forward, it's possible that they may be doing that, it's not only possible it's probable that they may be doing that under rather adverse financial circumstances. If we pass this Bill, what we have done is to reduce even further the

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flexibility of that local school district when it finally has the resources to add to its staff the possibility for it to add to that staff at minimum expense. Instead we are saying you have to even after two years have expired, you have to rehire the teacher you had before. Even if that teacher makes twice as much money a year as a teacher you could hire who was a new teacher. There are cases where you could, in fact hire two teachers for the price of what it would pay for someone who is very, very experienced, and has some extra...extra credits, or a Masters or Phd. or whatever. So I am just trying to point out to you, that although there probably is a...a valid reason to regard...you know, really large layoffs as something that requires some unusual circumstances, some unusual treatment. Nevertheless, you are once again with this Bill removing that flexibility, and probably doing so from a school district that needs it worse than any other. Thank you."

Speaker Keane: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker Keane: "He indicates he will yield."

Breslin: "Representative Steczko, why isn't this an issue that should be left to the collective bargaining process?"

Steczko: "Representative Breslin, the statute already signifies that in cases of layoff there is a one year recall period presently. The thought is, is that, there are cases, there is one case in particular, where there has been or will be an extraordinarily large layoff. However, there is hope that in that case that...as the economy of this area has downturned it will be brought back up, if the right pieces fall into place. In that respect the thought is that those teachers who were laid off through no fault of their own, and who have the expertise, and who have been providing

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quality education to the children in those districts should in fact be afforded the opportunity in those circumstances of being available for one more year to be able to get their jobs back."

Breslin: "The point is those people are on an equal level through their collective bargaining talks to protect their jobs. The whole point of passing the Collective Bargaining Bill was so this Body, this legislative Body, wouldn't have to enter into those negotiations. We gave them the power to be on even more than an equal footing. Because we've left in tact all of the state statutes that protected teachers. So, when we move to collective bargaining it was with the understanding that we were not going to be burdened with these decisions from now on. Each collective bargaining unit was to have the power to...to bargain on an even better footing than management. Why should we give them...why should we as the Legislature subvert that process?"

Steczo: "Representative Breslin, we in the Legislature quite often are asked to settle issues be they...be they parts of collective bargaining issues or not. I mean...the issue that we always...we always hear in the Legislature is this should or should not be a collective bargaining issue. Yet, because we are a forum to address issues like this, when circumstances do arise, we do have the capacity and should address some of those, which may in fact be...valid for collective bargaining in those districts perhaps...may not be taken up at the table."

Breslin: "Okay. Ladies and Gentlemen...to the Bill. While I agree that we are often asked to do this, it is my view that it does subvert the collective bargaining process. That we have as a Legislature already given the power to the parties to make their own decisions on a case by case

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basis. And it is time for this Legislature to leave the collective bargaining process operate on its own. This is just one of those issues. These people have the power to negotiate for their own jobs and we shouldn't be interfering with it. Thank you."

Speaker Keane: "Representative Hoffman."

Hoffman: "Yes. Would the Sponsor yield for a question, please?"

Speaker Keane: "He indicates he will."

Hoffman: "Does...does this affect the city of Chicago?"

Steczo: "No. It does not. I don't believe it does...but let me check and clarify that for you. Representative Hoffman, it just amends the Downstate Teacher's Code. So, it...it does not effect the city of Chicago."

Hoffman: "So then, by this legislation, we're putting the downstate schools in a different posture than we are the city of Chicago?"

Steczo: "Only to the extent those downstate schools would...would come under the provisions of the Act and lay off fifteen percent of their teaching force. I don't know if the city could ever lay off fifteen percent of its teaching force."

Hoffman: "But from a statutory point of view, we are not addressing that..."

Steczo: "Well, if you look at it from a statutory point of view. Yes. From a realistic point of view, it's another question."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House, with all due respect to the Sponsor, I rise in opposition to this legislation. Primarily for the same reason that Representative Breslin indicated in her opposition. Those of us who were here at the time collective bargaining legislation passed, we were assured that these kinds of issues would not be coming back to the General Assembly as long as they had collective bargaining they would work them

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out in the local districts. Obviously, this is not...this has not happened, and for whatever the reasons those employee organizations keep coming back to us year after year after year to get things that they haven't been able to get apparently at the local level. Whether it's to justify their existence as organizations, or justify the dues that they extract from members, I'm uncertain. Or if in fact, they are sincerely interested in the welfare of the employees. But I think at some point in time, we have to rise up and say as a Body 'Look, we gave you collective bargaining, so bargain collectively. We set up a board to deal with disputes and grievances. Go about your business there. Don't come back here'. I think this is one place where we can say we're going to draw the line. We're not going to support this kind of legislation."

Speaker Keane: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. You know I served on a school board for a number of years. I really don't believe any school board should try to balance its budget by laying off employees, particularly if they've been honorably serving the school district. You know, there's a lot of different ways to balance budgets, but you don't take out those who've had the seniority and those who...who have dedicated a good part of maybe their lives, and maybe are the best teachers there and say I'm going to balance the budget by letting them go. And then in a year later come back and try to hire some new people. That would be like saying let's cut...and help the Governor save the budget this year, and all those Members of the General Assembly of over ten years...let's dismiss them. We'll save some money for our budget, and get new Legislators. Of course, that's being ridiculous because obviously any of us who have ten years or more are more experienced and very

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knowledgeable...I'm making light of that obviously, but I really don't think it's inappropriate to say that if there's reasons for a school to cut budget and lay off some employees, they must do that. But if in fact the condition improves and they have the funds, why not have those same employees be offered, at least, an opportunity to come back to the school district they worked for. If they don't accept it because they've got other jobs, that's fine. I don't think this Bill would prevent that, but if in fact, it's a ploy to balance budgets that way rather than make hard decisions and cut spending in other ways, then it's wrong. So, I think the Bill that Representative Steczo has is not inappropriate. I think if you were on the other side of the aisle you would hate to have your jobs dismissed, and not be offered, given the opportunity to at least serve again at the district that you were there. I don't even think teachers get paid enough for what they are supposed to be doing. So I do stand in support of this Gentleman's Bill."

Speaker Keane: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker. Members of the House, just to speak in favor of this Bill. I think if you look at the possibility that under some circumstances the school district may have entered into a two or three year contract with a collective bargaining unit, and then because of some unforeseen circumstances perhaps a major employer in the area closed down, a Caterpillar, or a Deere, and put the school in a very difficult position. They find themselves having to lay off some teachers. But quite frankly, how could that collective bargaining unit have anticipated that...anticipate such a layoff, and how, indeed, could they even bargain for such an arrangement when they had no knowledge of it? Now, you know after the three year

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collective bargaining agreement runs out, I guess they can sit down and talk about it, by then though the seniority of those teachers that are laid off is expired. So, this is basically an issue of fairness. It's an issue that probably doesn't occur that often, but when it does I think it should be state policy that we should protect those teachers that have taught and served honorably and they really deserve our support. And I would ask that we vote 'yes' on this proposal."

Speaker Keane: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. I simply rise in support of the Gentleman's measure. And let me...let me...when all of the rhetoric is done and said, what you really have here is a Bill that deals with people. And it deals with economic catastrophe. Let me give you a little example of why I think the Bill came about. There's a community just not very far...a little northwest of my legislative district...that is faced with the possible loss of five thousand jobs and upward of twenty percent of their population. And you say you can't do this. I mean, come on, give me a break here, folks. What this Bill attempts to do, the teachers aren't...are not at fault for the economic catastrophe that a community may well face. All...All we're attempting to do with this Bill is simply say this. If your community is faced with an economic catastrophe, requires then an abnormally high layoff or rift of your people...people that have given years of service to the district. That they'll have an extra year to attempt to be hired back. For example, the community that I'm talking about it's the closure of a military base, but thanks to the Governor and thanks to an aggressive Department of Commerce and Community Affairs we have a plan on the table that may very well enable the State of

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Illinois to replace those jobs with an equivalent number. But in the meantime, things don't look very good for that community or that school district. All we're asking is that you give the people who've devoted years of service an extra year to see if things turn around that they can be hired back. In committee it was mentioned that, well, what's the big deal? Many of them own homes, and this community has been devastated by the news of the closure of Chanute Air Force Base. You can't sell your home right now unless you're willing to take a loss. It's a reasonable Bill. Designed to correct a...what could happen in an economic catastrophe. Today it could happen in Rantoul, tomorrow it could happen in your district. I think it protects some people from being laid off with no recall rights in the event of an economic catastrophe that they had nothing to do with. I urge your support of the Gentleman's Bill."

Speaker Keane: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I, too, rise in support of this legislation, and wish to point out to the Members of the General Assembly. If you will recall, we passed the School reform package for the city of Chicago involved in that package were the so called 'supernumeraries'. Those were people who as a result of one thing or another might lose their jobs, but we protected their jobs. That legislation it said that they couldn't be fired. This legislation doesn't go that far. What it does do is say that if you're honorably dismissed from a district where more than fifteen percent of the teachers are dismissed, that you shall have an extra twelve months to be involved with the recall if your position becomes available. That's the least we can do for people in these hard hit economic areas as the previous

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speaker has so indicated. And I would urge an 'aye' vote on this good piece of legislation."

Speaker Keane: "Representative Goforth. Representative Goforth. Representative Goforth."

Goforth: "Move the previous question."

Speaker Keane: "Question is, 'Shall the previous question be put?' All in favor say 'aye'. All opposed 'no'. The 'ayes' have it. The previous question is put. Representative Steczko to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. I think a little while ago, one Member on the other side of the aisle indicated that this week was Teacher Appreciation Week. And I think it's quite appropriate in that respect that we take account of those teachers that suffer from economic disasters in their area. And let's take a look at the example Representative Black pointed out to. That's the question of Rantoul Air Base, where you have a situation through no fault of anybody's actually, where a base closes and that community is economically devastated. But, with the possibility that that community may in fact turn around, if the right pieces do fall into place, where those teachers can be rehired. And if that community does turn around, the one thing that that community is going to need is a good school system with quality teachers, and qualified teachers, and experienced teachers. By allowing in this case only under these extreme circumstances those teachers to be able to live in that community and have the possibility of getting their jobs back, you then can restore that school system to the quality that it had before the devastation hit. So, I think that this Bill makes perfect sense. It's a perfectly legitimate and fair thing to do. The community can only be well served by this happening, and I would appreciate your 'aye' votes on House

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Bill 3572."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Representative Didrickson to explain her vote."

Didrickson: "Thank you, Mr. Speaker. Members of the House, I think this is yet another example of the Legislature inappropriately stepping in, when we ought to let the marketplace work. Chanute Air Force Base and the devastation that it's doing to that community is going to be picked up by United Airlines. There's already talk about them using it to retrain pilots. And I think there's another airline who's also talking about the very same thing. A red vote, a 'no' vote is the appropriate vote."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 90 voting 'aye', 19 voting 'no', 2 voting 'present'. And House Bill 3572 having received the required Constitutional Majority is hereby declared passed. We are now going to go back to House Calendar - Supplemental 1 for some cleanup. So we can handle the Bills on that calendar tomorrow. Mr. Clerk, House Bill 3015. What is the status of House Bill 3015?"

Clerk O'Brien: "House Bill 3015 has been read a second time and held. There's a request for a fiscal note. And a fiscal note has not been filed."

Speaker Keane: "Representative McCracken."

McCracken: "Yes. I withdraw."

Speaker Keane: "The request for a fiscal note has been withdrawn. It's been withdrawn. Third Reading. We go to House Bill 3818. Mr. Clerk, what is the status of that Bill?"

Clerk O'Brien: "House Bill 3818 has been read a second time and held. There's a request for a fiscal note, and the fiscal

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note is not filed. That's 38..."

Speaker Keane: "3811."

Clerk O'Brien: "That's House Bill 3811."

Speaker Keane: "Representative McCracken withdraws the request for a fiscal note. Third Reading. House...on page 9 House Bill 3856. Mr. Clerk, what is the status of that Bill? Representative Currie asks that 3811 remain on Second Reading. Mr. Clerk, what is the status of House Bill 3856?"

Clerk O'Brien: "House Bill 3856 appears on Third Reading."

Speaker Keane: "Representative Ryder requests that the Bill would be returned to the order of Second Reading. Is there leave? Leave. And the Bill is on Second Reading."

Clerk O'Brien: "Floor Amendment #3 offered by Representative Ryder."

Speaker Keane: "Representative Ryder."

Ryder: "Thank you. During the examination of this the Department of Insurance and some others discovered an ambiguity in which we listed the wrong guarantee fund, and this Amendment corrects the name. I don't know of any problem with the Amendment. And I would ask for it to be adopted."

Speaker Keane: "Is there any discussion? Representative Cullerton."

Cullerton: "I just want to make sure that we're talking about the same Amendment. We're on Amendment #3. And the effect of the Amendment is to delete a provision that's in the Bill now?"

Ryder: "This Amendment corrects an ambiguity in the statute. It clarifies a terminal illness life products, which this says are subject to the life guarantee fund, not the accident and health guarantee fund. And you are correct, it does delete three lines on the bottom of one page, two on the top of the other."

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Cullerton: "Okay. Thank you. Could you...that part that you are deleting...could you...just explain the part that you're...that you're deleting?"

Ryder: "I could read it to you, John."

Cullerton: "Well. I've got it. I just don't think I'm...it's little technical. This is an insurance code, and we're talking about the section that deals with the scope of the article, and it talks about the article applying to all companies transacting business in this state, and...I just wondered why you're striking that? You're striking current law, right?"

Ryder: "Correct."

Cullerton: "That's all the Amendment does. All the Amendment does is strike current law? So, how is that clarifying anything? How does that clarify anything?"

Ryder: "Right. It clarifies it, John or Representative, because the purpose of the underlying Bill is to allow an additional life product that accelerates up to twenty-five percent of...of a life insurance proceeds during the lifetime of the insured. If you'll read the language, I think, this language does create some ambiguity because it talks about a product which contains benefits providing for acceleration of life endowment, annuity, et cetera. Since we're making specific provision for a specific kind of product. This kind of general...language, empowerment language, then creates some ambiguities that all policies could or should do this. Is that sufficient? I'm also told that there's...it does correct a previous error from 1989. If you'll recall last year that we passed legislation somewhat similar. This is a correction of that ambiguity."

Cullerton: "Well, you're referring to Jack Kubik's Bill, right? That allowed for the issuance of life insurance policies to

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pay benefits prior to the actual death if they had a terminal illness."

Ryder: "Yes."

Cullerton: "And this...this Bill intends to expand that?"

Ryder: "Offers an opportunity for policies to expand upon that principle by having something other than a..."

Cullerton: "If you're not terminal, you're not going to live as long as you normally would. You're life span is..."

Ryder: "That is correct in principle. In addition it allows for some of the life insurance proceeds to then be used during the lifetime, most probably to pay for medical costs that are associated with this kind of a trauma."

Cullerton: "Okay. Well, it sounds like a good Bill. I just...I just wonder if this...The Amendment was viewed as a technical Amendment to clean up the..."

Ryder: "I view it as a technical Amendment to create an ambiguity. And I think that it was from the Department that brought it to my attention. Not to mention that it...the Sponsors of House Bill 3857 seemed to think it would be a good idea, too...which 57 was your Bill, I believe."

Cullerton: "Okay. Thank you."

Speaker Keane: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I don't...if I could be recognized after the Gentleman's done with his Bill. I have an announcement with regard to the task force."

Speaker Keane: "Thank you. Any further discussion? There being none. The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed 'no'. The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Now back to Mr. Homer."

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Homer: "Thank you, Mr. Speaker. The Drug Task Force will meet immediately after adjournment. We will be in Room 114. And I would encourage all Members to come there as soon as possible, so that we can dispose of the business at hand, and then hopefully adjourn promptly...hopefully, before the hour of 9:00 o'clock. So, I'd appreciate your cooperation. Thank you."

Speaker Keane: "Representative Cullerton."

Cullerton: "Yes. For the purposes of a Motion. Having voted on the prevailing side I move to reconsider the vote by which House Bill 3853 failed."

Speaker Keane: "You've heard the Motion. Is there any discussion? The question is, 'Shall the vote on House Bill...on House Bill 3853 be reconsidered?' All those in favor say 'aye'. All opposed 'no'. The 'ayes' have it. By use...for leave...leave for the use of the Attendance Roll Call...leave. And the vote will be reconsidered. Representative Kulas, for what reason do you rise?"

Kulas: "For the purposes of an announcement."

Speaker Keane: "State your announcement."

Kulas: "Thank you, Mr. Speaker. Ladies and Gentlemen, I'd like to inform the Body that the Joint House and Senate Energy Committee meeting, which is supposed to meet tomorrow afternoon at 2:30 has been cancelled. Due to the fact that the Senate's not going to be here. However, the people who have worked on this task for...task force for the last year will be here, so the House Energy Environment Committee will meet with them at 1:00 in the Speaker's office. And we invite all people who are interested to come and join us also to listen to...to one of the main problems we'll be facing...this legislation this year. So, that'll be at 1:00 o'clock tomorrow afternoon in the Speaker's office."

Speaker Keane: "Mr. Clerk, read the Consent Calendar."

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Clerk O'Brien: "Consent Calendar, Third Reading, Second Day. House Bill 3117, a Bill for an Act designating the square dance as the American folk dance. Third Reading of the Bill. House Bill 3214, a Bill for an Act to amend the Foreign Banking Office Act. Third Reading of the Bill. House Bill 3352, a Bill for an Act to amend an Act relating to mortgage loans. Third Reading of the Bill. House Bill 3731, a Bill for an Act to amend the Uniformed Disposition of Unclaimed Property Tax. Third Reading of the Bill. House Bill 3940, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 3972, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 4157, a Bill for an Act to amend an Act to provide for controlled harvesting. Third Reading of the Bill."

Speaker Keane: "Is there any discussion? There being none. The question is, 'Shall these Bills 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. Clerk, take the record. On this Bill there are 111 voting 'aye', none voting 'no', 3 voting 'present'. And these Bills having received the required Constitutional Majority are hereby declared passed. House Bill 3853. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "House Bill 3853, a Bill for an Act to amend Illinois Health Facilities Planning Act. Third Reading of the Bill."

Speaker Keane: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 3853 was considered before. It is solely a vehicle for the Illinois Health Facilities Planning Board. Unfortunately, I understand that there was a mix-up

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in the signals, and at this point we're going to try and pass the Bill."

Speaker Keane: "Is there any discussion? There being none. Question is, 'Shall this Bill pass?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 104 voting 'aye', none voting 'no', 1 voting 'present'. And House Bill 3853 having received the required Constitutional Majority is hereby declared passed. Representative McCracken."

McCracken: "I move we adjourn."

Speaker Keane: "Ask Representative Leverenz what his famous saying is."

McCracken: "It's close."

Speaker Keane: "Just a couple clean-ups. We go to the Education on the Supplemental Calendar. Second Reading. House Bill 3909. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 39...House Bill 3909, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Third...is there a fiscal note request filed? Representative McCracken."

McCracken: "Thank you. Representative Wyvetter discussed this with me. She has an appropriation Bill for half-million dollars to fund this, so we don't need the fiscal note. So, I withdraw the fiscal note."

Speaker Keane: "Request for a fiscal note has been withdrawn. Third Reading. We will now go briefly to the Order of Economic Development. House Bill 2714. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2714, a Bill for an Act to amend sections of the Build Illinois Act. Second Reading of the

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Bill. No Committee Amendments."

Speaker Keane: "Third Reading. Oh, there's a Floor Amendment?"

Clerk O'Brien: "No Floor Amendment."

Speaker Keane: "Third Reading. Representative Martinez for what reason do you rise?"

Martinez: "Thank you, Mr. Speaker. I simply want to be recorded as voting 'aye' on House Bill 3853."

Speaker Keane: "You'll be so recorded. Representative Sutker."

Sutker: "Mr. Speaker, I have two Motions I'd like to present to the House. The House Bill 3071 to take from the table and place in the Committee on Revenue for the purposes of Interim Study. And House Bill 3758 to take from the table and place in the Committee on Revenue for Interim Study. It's been presented to the Minority Spokesman as well as the Chairman of the Committee, and it's understood that there's going to be Select Committees hearing these two House Bills during the summer season."

Speaker Keane: "Does the Gentleman have leave? Leave...and the Bills will be so...Leave is granted by the Attendance Roll Call. And the Bills will be so ordered. Mr. Clerk, it's my understanding that we moved 27 to 14 in error to Third Reading. Is there leave to return the Bill to Second Reading? Leave...the use of the Attendance Roll Call. Leave. And the Bill will be returned...so held. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 131, offered by Representative Wennlund; House Resolution 1658, DeJaegher; 1659, DeJaegher; 1662, Flowers; 1664, Edley; 1665, Black; 1667, Wyvetter Younge; 1668, Bugielski; 1669, DeJaegher; 1670, Countryman."

Speaker Keane: "Representative Matijevich."

Matijevich: "Speaker, I move the adoption of the Agreed Resolutions."

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Speaker Keane: "Any discussion? There being none. The question is, 'Shall the Agreed Resolutions be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 1660, offered by Representative Black; 1663, Anthony Young; 1666, Weller; 1671, Hasara."

Speaker Keane: "Committee on Assignments. Death Resolutions."

Clerk Keane: "House Resolution 1661, offered by Representative Anthony Young, with respect to the memory of Jeffery Matthew Bosie."

Speaker Keane: "Representative Matijevich moves the adoption. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. The Resolution is adopted. Mr. Clerk, any further business?"

Clerk O'Brien: "No further business."

Speaker Keane: "Representative McPike moves the House stand adjourned until 10:00 a.m. tomorrow morning. All in favor say 'no'...'aye'. 10:00 a.m. Motion carries."

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