

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

16th Legislative Day

February 23, 2001

Speaker Hartke: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Lee Crawford, the Assistant Reverend at the Victory Temple Church in Springfield. The guests in the gallery may wish to rise and join us in the invocation and for the Pledge of Allegiance. Reverend Crawford."

Reverend Crawford: "May we all pray. Oh, precious and eternal God, the King of glory and the Prince of peace. We come so humbly before You, mindful of Your word that says that if we would only seek You, that we would find You. That if we would knock, that the doors shall be opened. That if we would ask, that it shall be given unto us. So this Assembly, most gracious God, come before You seeking for Your wisdom, knocking for Your understanding, and asking that the blessings of the Almighty God, the redeemer and sustainer of life would be upon us this hour, this moment, and this day, forevermore. This we kindly pray. Amen."

Speaker Hartke: "We shall be led in the prayers today or the Pledge of Allegiance today by Representative Kurtz."

Kurtz- 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 Hartke: "Roll Call for Attendance. Representative Currie, report on the Democrat side."

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

Speaker Hartke: "Representative Poe, on the Republican side."

Poe: "Mr. Speaker, let the record show that all the Republicans are present today."

Speaker Hartke: "Mr. Clerk, take the record. One hundred and sixteen Members answering the Roll Call of the House is a

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

16th Legislative Day

February 23, 2001

quorum and we're ready to do business. Mr. Clerk, do you have any announcements?"

Clerk Rossi: "The Rules Committee will meet at 1:15 in the Speaker's Conference Room. The Rules Committee will meet at 1:15 in the Speaker's Conference Room."

Speaker Hartke: "I would like to start where we left off yesterday. On Page 5 on the Calendar on Third Reading, appears House Bill 394. Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 394 has been read a third time, previously."

Speaker Hartke: "Ladies and Gentlemen, as you remember yesterday we debated this Bill for some time and it's the Chair's hope that we could have one person speak for the Bill, one opposed to the Bill. So, we can move this through the process. Representative Fritchey, would you like to present your Bill?"

Fritchey: "Thank you, Speaker. I believe when we left off last time the Gentleman from Vermilion had asked to be added as a Sponsor to the Bill. As you said, we had a significant amount of debate yesterday, I think the most expeditious thing to do would be to defer at this point to the Gentleman from Cook who is standing and either let him make his comments to the Bill or any questions that he may have of me and then I can make my closing remarks."

Speaker Hartke: "The Chair recognizes the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. As, we are all fortunate in this chamber, on both sides they have very competent, efficient, and effective staffs. The debate yesterday was whether or not the Bill as presented would stand constitutional scrutiny and I'm pleased that our staff was able to find a

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

16th Legislative Day

February 23, 2001

recent ruling by the United States Court of Appeals for the Eighth Circuit and this was Bank One Utah with the Comptroller of the Currency as a filing amicus brief on their behalf against Michael Gutttau and as a capacity of superintendent of banks in administration and electronic transfer funds for the Iowa division of banking. And I know that the Sponsor was not intended to distort facts, and I am sure that he probably did not have the proper facts and they were not necessarily anything that, other than he may have misunderstood or was not aware of the ruling filed September 2, 1999. And, I may quote that in the ruling on page 4, 'if Bank One provides that the relevant provisions of the Iowa EFT are preempted by the National Bank Act and that it will suffer irreparable harm if the State is not enjoined, the State of Iowa is not enjoined from enforcing those provisions, then the question of harm to the State and the matter of the public interest dropped from the case for Bank One will be entitled to injunctive relief no matter what harm to the State, and the public interest will be informed to serve by enforcing the enforcement and the invalid provisions of the State Law.' The national bank, on page 5, 'The National Bank Act grants national banks the authority to exercise all such incidental powers as shall be necessary to carry on the business of banking. Bank One argues that the National Bank Act implicitly authorizes the placement without restriction by the states of ATMs. So, therefore, in order to determine that the National Bank Act preempts the Iowa regulation we must determine whether an ATM is a branch as defined in Section 36.' Now, in 1996, Congress amended Section 36 to determine what is a branch as used in this Section, and it does not include, Ladies and Gentlemen, it

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

16th Legislative Day

February 23, 2001

does not include and automatic teller machine or a remote service, thus whenever regulatory authority the states may retain with respects to national bank branches the 1996 Amendment clearly expresses Congress' intent that no authority, no state authority, no longer extends the national bank ATMs. Prior to '96, the Amendment the court held that because ATMs were branches they were subject to state restrictions. Prior to '96, after '96, you cannot restrict a national bank's ATM. In addition, Ladies and Gentlemen, earlier in the discussion with the Sponsor yesterday, I told him that I thought it was best to let the free market system handle this issue. In the Chicago Sun Times, dated February 23rd, it has been a reference to an agreed automatic teller machine network that currently has over 94 financial institutions in Chicago, that's roughly 25% of the Chicago area financial institutions do not charge ATM fees. Ladies and Gentlemen, I stand in opposition to this legislation, I know the Sponsor is well intended. I know that he is trying to solve a problem for the people of Illinois. This Bill will not solve the problem because it is unconstitutional. In addition, this Bill interferes with the free market system that's shown that competition, the competition and the free market system is the best way to deal with problems. And we find that one-fourth of the banks in the Chicagoland area are no longer charging ATM fees. It indicates that competition is there, that they feel they can no longer charge a fee and be able to be competitive 'cause they don't have the ATM network with the big guys. So, therefore they've joined together to bring in competition. I would respectfully ask the Body to vote 'no' or 'present' on this legislation and hopefully, the Sponsor then can continue to negotiate and

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

16th Legislative Day

February 23, 2001

find something that will solve what he perceives to be a problem with the consumers of this State, and also to solve the problem with people on welfare who we do not want to have fees charged to. But I ultimately want to remind everyone that they can go and cash those checks to wherever they want, to their local institution and not be charged anything or if they have a financial relationship to go to their own ATM use it without a charge. Ladies and Gentlemen, this Bill is misguided and will not solve the problem that the Sponsor wants. I would ask that the Body reject this legislation."

Speaker Hartke: "Representative Fritchey to close."

Fritchey: "Thank you, Speaker. With all deference to the Representative from Cook, the Eighth Circuit opinion to which he references is silent as to the issue of fees. The Eighth Circuit specifically said that the states were unable to regulate ATMs as a branch bank and could not set forth that a bank had to have a physical presence in this state in order to maintain ATM machines there. We can agree to disagree. I did speak with counsel for the Office of Banks and Real Estate today and he was in agreement with me that they are silent that the OCC and Treasurer's Office is silent as to the issue of whether states can regulate the issue of fees. As a matter of fact, because the case at issue in Iowa was seen as keeping outside banks out of the state, the Iowa Bankers' Association did support the legislation which contained the surcharge ban and I guess we can debate this back and forth on that point. Let me take it in closing and say, you know, you can argue that this is undue market interference, we have a Financial Institutions Committee in this chamber, the bulk of the legislation coming to that Committee is legislation being

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

16th Legislative Day

February 23, 2001

brought by the banking industry seeking to interfere with the marketplace. They are seeking to have a competitive advantage. They are seeking to enact laws that will enable them to conduct business on better terms than they presently can. I think it is somewhat disingenuous, although understandable, for the industry to want to avail themselves of a committee and legislation that is favorable to their industry but then turn around and say that legislation that is not favorable to their industry is undue market interference. With respect to the LINK holders I do think that we are doing a tragic disservice to people on welfare. This state and in the Illinois Banking Act we provide that banks are required to provide no-cost checking accounts to welfare recipients so they do have a place to put their money without going to currency exchanges and paying those fees and despite the fact that we require banks to give them free checking accounts, we then allow the banks to charge them for accessing the money held in that checking account. Most people here know how they're going to vote on this Bill. There's no reason to belabor this any further. I believe that if we are going to have a Consumer Protection Committee in this Body, if we are going to say that we are going to look out for consumers that this is an issue where 80-plus percent of the consumers in this state feel that the ATM fees are excessive and unnecessary. I am not trying to take away profits from the banks, in fact, we have established that the banks will still profit on ATM transactions without the surcharge. I will respectfully request that the Members look out in this situation for their constituents and for the consumers over the interests groups. I request an 'aye' vote. Thank you."

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

16th Legislative Day

February 23, 2001

Speaker Hartke: "The question is, 'Shall the House pass House Bill 394?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? There are still two people who have not recorded themselves. Have all voted who wish? Mr. Clerk, take the record. On House Bill 394, there are 32 Members voting 'yes', 70 Members voting 'no', 13 Members voting 'present'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. On page 5 of the Calendar appears House Bill 427, Representative Scott. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 427, a Bill for an Act concerning corrections, Third Reading of this House Bill."

Speaker Hartke: "Representative Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 427 is a Bill that passed out of here unanimously last year, passed unanimously out of Criminal Judiciary Committee (sic-Judiciary II-Criminal Law). It would extend the penalties of truth in sentencing to the crime of aggravated arson. And I would ask for a favorable vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 427?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 427, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, on Third Reading appears House Bill

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

16th Legislative Day

February 23, 2001

442, Representative Burke. Representative Burke. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 442, a Bill for an Act concerning sanitary districts. Third Reading of this House Bill."

Speaker Hartke: "Representative Burke."

Burke: "Thank you, Mr. Speaker. House Bill 442, would amend the Metropolitan Water Reclamation District Act. And changes from 20 to 30 the number of years within which the board of trustees for the district may levy a tax, annual tax, to pay the principal interest on indebtedness. This matter would basically put the water reclamation district in line with other governmental entities throughout the state that have this availability. And I'd ask for the Body's favorable consideration, and certainly I'll be prepared to answer any questions."

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

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

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

Parke: "Representative, is there any tax involvement in this at all?"

Burke: "No, Sir. No, Sir."

Parke: "It does not exempt or restrict the tax cap?"

Burke: "No, it does not."

Parke: "Does this only apply to the Metropolitan Water Reclamation District Act only in Cook County?"

Burke: "I'm sorry, I didn't hear your question."

Parke: "Is it only applied to Cook County?"

Burke: "Yes, the water reclamation."

Parke: "And, it's simply to go from 20 to 30 years... "

Burke: "Yes."

Parke: "... of contracting debt."

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

16th Legislative Day

February 23, 2001

Burke: "That is correct."

Parke: "Was there anybody in opposition in committee on this?"

Burke: "There was not."

Parke: "Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 442?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 442, there are 113 Members voting 'yes', 2 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar, on Third Reading appears House Bill 445, Representative Kosel, Renee Kosel. Out of the record. House Bill 447, Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 447, a Bill for an Act concerning guide dogs. Third Reading of this House Bill."

Speaker Hartke: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker and Members of the House. House Bill 447 is a merely Bill. It merely clarifies what falls silent in Illinois statutes regarding the trainer of a guide or lead dog having public accommodations with that dog while in the commission of training that dog."

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

Cross: "I don't have any questions."

Speaker Hartke: "Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 447?' All

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

16th Legislative Day

February 23, 2001

those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 447, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 5, on Third Reading appears House Bill 469, Representative Lyons, Joe Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 469, a Bill for an Act in relation to the Water Reclamation District Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 469 is an initiation of the Water Reclamation District Chicago. What it does is it allows the general superintendent of the district to appoint the deputy attorney for the district. There's approximately 2300 jobs in the district. Usually the department heads and their deputies are exempt from civil service status, from civil service tests, and this just adds the deputy director position as an exempt position. I'd be happy to answer any questions and hope I get as many green buttons as possible."

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

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

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

Black: "Representative, just one question. Basically, in a period of time that the public, I think, is demanding more civil service protection, testing, equal access to jobs, et

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

16th Legislative Day

February 23, 2001

cetera, and going away from the old tradition of political appointments, why is this idea, why are you bringing this idea to eliminate the second-in-command job from civil service protection and testing and making it in effect an appointment position rather than a merit position?"

Lyons, J.: "Representative, having gone through Shackman decrees with the Cook County and as well as my familiarity with the city's program, a deputy director's position is looked at as an administrative type of a position, it's not a rise up through the ranks type of a thing that a civil service entrance exam or a career advancement supervisor position. It's looked as part of management and somebody who should share and follow in line with the management's position, to be on tune with the administration's policies and it brings it line with some of the other deputy positions already existing with the water reclamation district, the deputy chief engineers, the deputies in different departments are an exempt classification. This just brings this in line with the other deputies within the district."

Black: "So, from what I gather this position would be the second ranking administrative person in the MWRD. Is that correct?"

Lyons, J.: "Well, it's within their law department, within their attorneys."

Black: "Okay."

Lyons, J.: "They have to hire attorneys, of course and many of them do, are hired through the civil service process..."

Black: "Okay."

Lyons, J.: "... but there'd be a chief and then a deputy chief and this just exempts that one position of the number two person within the legal division."

Black: "Does the person currently holding this position, assuming

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

16th Legislative Day

February 23, 2001

that the position is not now vacant, the person holding that position did they, in fact, come through the merit system, i.e., testing and are they currently protected by Merit Commission Law?"

Lyons, J.: "Representative, to the best of my knowledge I cannot honestly answer that question right now. I would be presumptuous to say that the position even exists right now, it may not, but I don't have a definitive answer for you one way or the other."

Black: "Okay. If at sometime that this Bill were to come back from the Senate or whatever, Representative, I simply would like to know, because what I am hesitant in doing is moving forward and then finding out next week in a newspaper article that the person holding this position, who may have been there five years, 20 years whatever, is suddenly dismissed and an appointee takes its place. I would not be comfortable if that was the case."

Lyons, J.: "Representative Black, I agree with you completely and I can almost promise you before this goes anywhere in the Senate,..."

Black: "Okay."

Lyons, J.: "... Water Reclamation District people will let me know and I'll get you an answer to that."

Black: "Fine. Thank you very much."

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

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

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

Mulligan: "Representative, is the deputy attorney on contract with the Water Reclamation District?"

Lyons, J.: "Again, I couldn't definitively answer that for you, Representative. My assumption would be no, that it would

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

16th Legislative Day

February 23, 2001

be a salaried position within the legal department."

Mulligan: "Okay. Does he routinely do all the legal work or does he also supervise subcontracting legal work out to other firms?"

Lyons, J.: "And that is another answer, Representative Mulligan, I couldn't give you a definitive answer to but I definitely, I know people that are listening to this and will get you answers for this, if this is lucky enough to pass before it moves anywhere in the Senate."

Mulligan: "All right. Thank you."

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

Lyons, J.: "I'd appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 469?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 Members voting 'yes', 7 Members voting 'no', and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 5 of the Calendar appears House Bill 476, Representative Black. Mr. Clerk, what is the status of this Bill?"

Clerk Bolin: "House Bill 476 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Let's move that back to Second Reading. Representative Black, what is your desire?"

Black: "Yeah, Mr. Speaker, I believe the Department of Corrections has clarified in writing the question that was raised in committee and I feel that no Amendment is necessary on this Bill. Unless a Member of your party

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

16th Legislative Day

February 23, 2001

objects, it would be my intention to run the Bill on Third Reading."

Speaker Hartke: "Pull this Bill out of the record just for a minute, Representative Black, 'til we clarify that and we'll move on, we'll get back to you."

Black: "Okay."

Speaker Hartke: "On page 5 of the Calendar, on Third Reading appears House Bill 494, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 494, a Bill for an Act concerning corrections, Third Reading of this House Bill."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Speaker. This Bill is a... sets up a pilot program in the Department of Corrections to make a facility tobacco free. It also allows the director, under his current rules which he has the authority to do, to make any part of the rest of the system tobacco free also. This is similar to what our county jails throughout the state have already been doing. I know of no signed-in opposition during committee to this Bill."

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

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

Speaker Hartke: "Sponsor will yield."

Cross: "Representative, are you aware of any opposition to this Bill?"

Holbrook: "There was none filed in committee."

Cross: "None of the inmates from any DOC facilities were there to testify against it?"

Holbrook: "No."

Cross: "Okay."

Holbrook: "The Department supported the Bill at that time."

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

16th Legislative Day

February 23, 2001

Cross: "Pardon me?"

Holbrook: "The Department of Corrections supported the Bill."

Cross: "They're for the Bill? This isn't a mandate. Is this just a... you're creating a smoking pilot project or a nonsmoking pilot project?"

Holbrook: "Yes. Absolutely."

Cross: "Have any of the tobacco companies indicated their position on this?"

Holbrook: "No, none filed."

Cross: "All right. Will there be any cost to the state on terms of signage, or et cetera, as a result of this Bill?"

Holbrook: "When I ran a similar Bill and we sent it to the Senate last year they said that they didn't feel there'd be any impact."

Cross: "How long will the pilot program last?"

Holbrook: "That will for the discretion of the Department."

Cross: "All right. Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Davis, M.: "Those who will be assigned to this smoke-free pilot program will they be deemed nonsmokers?"

Holbrook: "It will be an entire facility that'll be designated by the Department."

Davis, M.: "Well, my question is, let's just say I'm a smoker and I've been smoking a number of years, I've been unable to quit because I am seriously addicted. Will I be sent to that prison?"

Holbrook: "You could be."

Davis, M.: "Would you, do you think the Federal Government may consider that cruel and unusual punishment?"

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

16th Legislative Day

February 23, 2001

Holbrook: "They haven't yet, the majority of the county jails where people are incarcerated for up to one year are already under this program, and that's all been denied by the courts to this point."

Davis, M.: "So, those that are in Cook County Jail or any county jail?"

Holbrook: "In certain county jails throughout the county of the majority of which have been smoke-free for about the last 10 years."

Davis, M.: "You know I really applaud your idea because I am one of those who has quit smoking but I know how difficult it can be, and I really would hate to see the prison system use smoking or nonsmoking as another way to punish inmates. Now, I know that smoking is very harmful and that it has led to serious illness and very frequently costing the state a great deal of money. But I also am very concerned that the inmates would suffer even greater or more, I should say, if they're not given an opportunity to lose this addiction or don't we care?"

Holbrook: "That's why I set up a pilot program to see what type of impact this would have."

Davis, M.: "Thank you, Representative."

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

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

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

Black: "Representative, I really don't know the answer to this question, I assume that I do, but I have learned that if you assume things around here you regret that. I assume that any tobacco products sold out of the commissary at a correctional facility is fully taxed with all the

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

16th Legislative Day

February 23, 2001

applicable state and federal taxes, is that correct?"

Holbrook: "I do not know. I know that the prison system makes it's own cigarettes down at Menard and those inmates are allowed use those and they are not taxed. But I don't know if they wanna buy a popular brand if they are, I don't know."

Black: "That might be an interesting question or an interesting issue for the Department to answer for us, because as you know with the potpourri of taxes we now use to fund public education in this state, for some reason the tobacco tax is a significant contributor to public education. Now, if these cigarettes are taxed, it may influence my vote one way, if they're not taxed I think it would influence my vote another way. But at some point in the process I'm sure the Department can answer that question for us. And I appreciate your candor."

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

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

Speaker Hartke: "The Gentleman will yield."

Turner, J.: "Representative, I'm curious, does the Department not have the authority to ban smoking in our correctional facilities without this legislation?"

Holbrook: "The director feels he does. I thought this was a much more rational approach to set a pilot project to see what type of impact it would be. Yes, to answer your question yes, they feel they could do that at current facilities right now."

Turner, J.: "If the director has the authority to ban smoking in the facilities why could not the director simply institute a pilot program without statutory authorization?"

Holbrook: "I don't know. I have asked it and this Bill was done

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

16th Legislative Day

February 23, 2001

in cooperation with the Department of Corrections."

Turner, J.: "The Department of Corrections has asked for the Legislature to pass this Bill in spite of the fact that they can already do what the legislation states?"

Holbrook: "This is a Bill... is a compromise from the last Bill that we had last year we sent to the Senate that made the entire system smoke-free and they thought this was a better response to try this."

Turner, J.: "Okay. I understand that they thought that, I'm curious what was their rationale? Why is it that they want us to pass into law something they can do without our action in the General Assembly?"

Holbrook: "Well, I guess, the current management may not always be there and they'd like to see this program go forward. I would like to see this program go forward for both our employees and the health of inmates, both smokers and nonsmokers. And this would make sure that we're gonna get something done on this, finally."

Turner, J.: "Okay. I understand that but what I'm getting at is I don't understand why we're passing a law to establish a pilot program when the authority is already vested in the director to begin a pilot program with or without our action in the General Assembly, that's my question, why are we doing this?"

Holbrook: "This will make sure something gets done in case there'd be a change in decisions for management."

Turner, J.: "All right. So, by the 'shall' language then we are mandating the Department to establish a pilot program, correct?"

Holbrook: "Yes, they're mandated. Yes, the pilot."

Turner, J.: "Is the idea behind not allowing those incarcerated to have tobacco products, is the idea to punish them?"

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

16th Legislative Day

February 23, 2001

Holbrook: "No, punishment isn't the issue here. It's similar to the situation with the airline stewardesses, where we have employees working where there's problems with the secondhand smoke and even between the inmates, those that don't smoke, the segregation program for smokers and nonsmokers, can be a real headache for the Department. So there's is an issue of secondhand smoke here, also."

Turner, J.: "All right. I guess, I have to follow up in that response with a question, which would concern something that one of my colleagues had asked you a few moments ago. And I believe she had asked if someone was a smoker and smoked all their lives could they be placed in a facility or in the pilot program where they're not allowed to smoke? By your answer just a moment ago, it seems to me that you're indicating that a person who did not wish to be put in a nonsmoking environment would not be, but yet your answer to her a few minutes ago was that they could be. So, which would it, which is correct?"

Holbrook: "Well, at the facility, the pilot site that the director selects, it... smoker/nonsmoker would be involved in it. Currently, right now they do their best within a facility to segregate the smokers and nonsmokers if there's a complaint about secondhand smoke. That's current right now. And the question from Representative Davis was that they... if she was a smoker and put into a facility if she was in the pilot program in that facility then, yes, she would be a part of that pilot program."

Turner, J.: "Well, is the ultimate goal to make all facilities smoke-free or tobacco-free?"

Holbrook: "I would hope so, just like most of our jails are throughout the state."

Turner, J.: "Okay. Thank you, Representative."

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

16th Legislative Day

February 23, 2001

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

Holbrook: "I ask for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 494?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 494, there are 81 Members voting 'yes', 30 Members voting 'no', and 5 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 5 on Third Reading, on the Calendar appears House Bill 500, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 500, a Bill for an Act concerning mortgage foreclosures. Third Reading of this House Bill."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker and Ladies and Gentlemen. I'm proud to present today the Homeowners Emergency Mortgage Assistance and Counseling Program, House Bill 500. This is the subject of the rally that was held yesterday, and many of you had opportunity to hear about this important Bill. This would actually set up a new statewide program that provides that homeowners who are behind on their mortgages with financial counseling and assistance in doing a work out plan with their lender. So, the goal here would really be to provide financial counseling to a whole group of homeowners now who have achieved the American dream but because of financial circumstances beyond their control are run into some problems in making their mortgage payments. It would also make available a low-interest loan for some qualified applicants. This is based on a very successful

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

16th Legislative Day

February 23, 2001

program in Pennsylvania that has been in place for many, many years and has actually become a self-sufficient revolving loan fund. And I would be glad to answer any questions. It is a program that's administered by IDHA. It would be set up statewide but subject to appropriations and the program itself would be run by designated agencies who would receive grants from the state. And designated agencies are defined as local government or not-for-profits. And, again, I'd be happy to answer any questions."

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

Franks: "Representative, I want to applaud you on this Bill first of all, and I wanted to ask you a couple of questions just to make things more clear to all the Members who may not know all the nuances. What is the target population that we're trying to help here, Representative? Do you have any income limitations on this Bill?"

Hamos: "Yes, we do, Representative. This program is only available for people whose gross household income does not exceed 80% of the area median income and in the Chicago area that's about \$50,000."

Franks: "And in other areas throughout the state, I presume would be lower."

Hamos: "A little bit less, yes."

Franks: "Okay. And now you're asking for an appropriation on this as well, aren't you, Representative?"

Hamos: "Yes, we will be."

Franks: "Can you tell us how much you'll be asking for?"

Hamos: "We believe that if we can get an appropriation of \$5 million that would help 2,000 families. So, you know, typically, programs like this grow and are happy to, I

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

16th Legislative Day

February 23, 2001

think the organizations would be happy with a smaller appropriation than that. But as you pointed out in committee there would be even more families who could benefit from this if we were able to appropriate even more money. Let me point out that in talking with the Bankers' Association we thought there could be some innovative funding that would be put into this fund. For example, banks that have a Community Reinvestment Act obligation might be able to meet that obligation but contributing to this fund. So, over time we think this could be, you know, even a larger fund."

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

Speaker Hartke: "To the Bill."

Franks: "I think this is one of the most important Bills that we're going to see this year in this House. There has been so many layoffs from so many corporations throughout Illinois, and we have to look at the real effect and how it affects our families. We're not talking statistics here folks, we're talking families. In McHenry County alone, one of the largest employers in our state laid off 2500 people this year after getting over \$60 million in tax breaks. Now, we could spend our money smart by putting \$5 million into a revolving loan fund to help those families that have lost their jobs. So, I implore everybody to vote for this Bill. Thank you, Representative, for bringing this to our attention."

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

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

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

Black: "Representative, do you have trailer language on the

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

16th Legislative Day

February 23, 2001

appropriation? Do you have a trailer Bill that will appropriate money to enable the program to work?"

Hamos: "No, I don't."

Black: "All right. We've seen this Bill before, now let me make sure I understand. This is a... what I would call a quasi mandate law. In other words, if the mortgage holder and the mortgagee meet the requirements under your Bill than this counseling is required, it is not voluntary with the holder of the mortgage. Is that correct?"

Hamos: "No, I wouldn't say that, Representative Black. I see this as a completely voluntary program and what will happen, I would envision, is that there would be a system set up around the state where not-for-profits or city governments can be a place where people can come to get help and when they come to that place then they can get the help. But, it's completely voluntary."

Black: "Okay."

Hamos: "Now, at that time, the worker, the staff person, would pick up the phone and call the mortgagee to see if there was a possibility of a work out. And our assumption is that the bankers out there who are paying for these mortgages will be happy to have somebody intervene at that point because as far as we know no financial institution wants to go to a foreclosure. This is a prevention-oriented mechanism."

Black: "So, in other words, it would be your intent to use a community-based organization to do this service rather than create an additional state bureau or agency."

Hamos: "That is exactly right, in fact, we took the last six months of working with IHDA to really get them to just play a very minor role, but an important one, because they have experience in doing this. So, they will help write rules

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

16th Legislative Day

February 23, 2001

and regulations for the program. They will assist with training the designated designated-agency staff, and they will ultimately select the designated agencies... "

Black: "Okay."

Hamos: "... through an RFP process."

Black: "All right. Just for the purposes of intent and I don't have any problem with your legislation, but I wanna make sure that we're not headed toward some kind of surcharge on existing mortgages or those people applying for a new mortgage. What I don't wanna see us do is to put a surcharge on your mortgage or my mortgage or my children's mortgage to fund the program. Because I'm not... that would be a classic cost shift and I would have a problem with that. You don't see that occurring as a funding mechanism, do you?"

Hamos: "I would not want to see a surcharge on anybody's mortgage, either."

Black: "Okay. Fine. Representative, thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill."

Speaker Hartke: "To the Bill."

Black: "On behalf of 700 families in my district, who after some of them working three generations for a factory that has been in Danville for 54 years and the board of directors of that corporation has decided to move that production to Nijmegen, Netherlands. On behalf of those 700 families, I thank you for bringing this Bill and I intend to vote 'aye'."

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

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

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

16th Legislative Day

February 23, 2001

Speaker Hartke: "The Lady will yield."

Turner, J.: "Thank you, Mr. Speaker. Representative, I think I like your Bill as Representative Black just indicated he likes it as well. However, my question is for those who get the assistance, who makes the determination?"

Hamos: "It's actually the agencies who would be the designated agencies under this program who would have a set of rules and regulations about what the application process was and that's what would determine who would gets assistance."

Turner, J.: "Your Bill then does not provide for a test or for an application process which would determine who actually obtains the financial assistance?"

Hamos: "Actually, it does."

Turner, J.: "It does?"

Hamos": "Yes."

Turner, J.: "Are there criteria?"

Hamos: "Yes, they are. And they're spelled out in some detail. Subsection (e) is called Eligibility for Assistance and it then proceeds to say that designated agencies may make these assistance, both payments and financial counseling assistance, when all of the following conditions are met: first of all, that the mortgagee has given the mortgager notice of default, at least one full monthly installment is due, the mortgagor has attempted but failed to work out an arrangement with the mortgagee with the financial institution, the mortgagor is suffering financial hardship due to circumstances beyond the control of the mortgagor and even that is spelled out as including situations like expenses related to death or illness in the homeowners household or uninsured damage or costly repairs, that's all spelled out. And I think those are... Oh, and I'm sorry, and there is reasonable prospect that the mortgagor will be

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

16th Legislative Day

February 23, 2001

able to resume full mortgage payments not less than two years after the beginning of any period in which assistance is offered. And six, that the property mortgaged is a principal place of residence, and that's defined. Seven, that the mortgagor has applied to the program subject to the rules and regulations. Eight, that the gross household income is not more than 80%, as we suggested before. Nine, that installments of the principal and interest are structured so the loan is fully amortized by regular and periodic payments. Those are... there are nine conditions built into this. This program will not work for everyone. In this case, it has to be a mortgagor who has financial circumstances beyond his or her control but will be able to resume making mortgage payments."

Turner, J.: "Well, Representative, if an individual can meet all those criteria they then will be entitled to the assistance as I understand it. How much assistance do they get? And, Representative, where I'm going with this... "

Hamos: "I'm sorry."

Turner, J.: "... is not to prolong it is I'm trying to determine how we can know the fiscal impact on the State of Illinois?"

Hamos: "How... I'm sorry?"

Turner, J.: "How can we determine what the fiscal impact is going to be? Because if a person meets the criteria I assume they are entitled to receive the benefits. I don't see any way we can know the number of persons who may meet the criteria, therefore I don't know how we can estimate with a fiscal impact would be, so that's where I'm going with this."

Hamos: "Okay. And, again there are two different questions you asked. One, is how much assistance can a person get? A

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

16th Legislative Day

February 23, 2001

person can get up to 24 months of mortgage payments. But, again it's a loan, to be... "

Turner, J.: "Regardless of the size of the mortgage? I mean some person's mortgage might be 200 bucks and another might be 400."

Hamos: "Well, we say that over a two-year period the total can't be more than \$60,000. But, again this is a loan, it's a revolving loan fund that it ultimately comes back to. The fiscal impact of this Bill is exactly what we appropriate to it, no more, no less. If we appropriated enough for five people to be served, which I hope we do better than that, then only five people will be served, but it is subject to appropriations. I suspect this will grow only as appropriations are received and only as long as we consider this to be worthwhile."

Turner, J.: "Well, that concerns me, because you're suggesting this is subject to appropriation and, therefore, maybe \$5 million will take, for example, might be appropriate therefore we have a limited amount of money available for an unlimited number of applicants. Now, that brings me back to the question? How are we gonna determine who the lucky people are, who get to share in the benefits of this legislation and this program?"

Hamos: "Would you repeat that? How are we're going to determine... "

Turner, J.: "How do we determine with a limited pool of money which person actually will get the benefits of your program? First come, first serve until the money's gone?"

Hamos: "Yes, I believe so. That's the sad news about how we do business down here. Representative Turner..."

Turner, J.: "Is that in your Bill, first come, first serve?"

Hamos: "Ya know, Representative Turner, two years ago the first

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

16th Legislative Day

February 23, 2001

part of this series of Bills had to do with renters in a Homelessness Prevention Act that we passed and we all voted for, we were excited about. It got out, we appropriated \$1 million, it helped 2,000 people stay in their homes in a three-month period, after three months all the money was gone. That's the other thing that you may have heard from this group about, we do that in this state, sometimes we wish we could do better. In this particular case, what we can do to manage that is that depending on the size of appropriation we'll determine exactly how many grants are given out by IHDA. So, for example, if it's a very small program there might be one program setup downstate, and one in Chicago, or one in suburban, where as it grows it can be setup in other places."

Turner, J.: "Do you have a commitment from the Speaker or from the Governor's Office as to how much appropriation is going to be authorized? How much is going to be appropriated, do you have any commitments?"

Hamos: "Was that a serious question?"

Turner, J.: "Yes."

Hamos: "I don't think I do."

Turner, J.: "I'm always serious, Representative."

Hamos: "I don't think I do, no."

Turner, J.: "I didn't hear your answer."

Hamos: "I do not have a commitment. I will be groveling, begging, and pleading just like I do every other year for all my other wonderful programs."

Turner, J.: "Representative, thank you for answering my inquires."

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

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

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

16th Legislative Day

February 23, 2001

Speaker Hartke: "She indicates she will."

Wojcik: "In reading the analysis, I notice it is speaking to a lien placed on the home. After the individual has been helped for two years, and let's say that they're still in dire straights, would they then be forced to sell their home to repay the lien?"

Hamos: "Now that's an excellent question, and the answer is 'no'. The way that this is envisioned is that the repayment would be slower. The repayment under this program is the level of the mortgage plus the mortgage assistance, if there is one, but no more than 35% of the person's income. So, if they have a very small mortgage then they can afford to pay some of the loan back up to that 35% level. If they don't, if they're already over their 35% level and they are making their mortgage payment then this program would wait until the end of the mortgage period."

Wojcik: "So, there's not gonna be any forced sales to these people, if we're helping them?"

Hamos: "I'm really glad you asked that question, because it is certainly our legislative intent that there would not be forced sales under this program."

Wojcik: "Okay. Thank you."

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

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

Speaker Hartke: "The Lady will yield."

Morrow: "Representative Hamos, I heard you mention two years ago that we had a pilot program like this where we put in \$1 million and was only able to help out 2,000 families, am I correct?"

Hamos: "For renters under a Homelessness Prevention Act."

Morrow: "Under the Homeless and Prevention Act. Well, I rise in

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

16th Legislative Day

February 23, 2001

support of House Bill 500, in fact, I met with the group that was here yesterday, in behalf of House Bill 500. They're only asking for a \$5 million line item to fund this Bill. Five million dollars to keep a lot of people from losing their homes and becoming homeless. And many of you that haven't been here as long as I've been, when it come to taking care of certain people in this state that have influence, that have money, we don't mind helping them. We just helped the Bears on the Soldier Field. We help Bill Wirtz, two years ago. We helped the Mayor of Rosemont, two years ago. We helped Motorola when they opened up a new plant in Harvard that they're now closing. What kind of money did we spend on that, that we didn't get an investment from? We moved Sears up to Hoffman Estates, which is not an economically distressed community. It amazes me in my 14 and a half years of being in this General Assembly that when it comes down to helping out the people that we represent... this Bill is not helping just low-income people, it's not helping people on drugs or people who committed a crime. It's helping people who have come to an emergency crisis in their life. If many of us weren't gainfully employed as Legislators and had to work for a living, many of us might have to buy into this program. You never know how blessed you are. You never know how good you got it. You never know when you may lose your job one day and lose your health benefits and your medical coverage. And, you never know, you spent your whole life paying your bills on time, never had a late payment and a loss of income puts you in a dire condition. House Bill 500 should have 118 votes on this piece of legislation. Thank you."

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

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

16th Legislative Day

February 23, 2001

seeking recognition, Representative Hamos to close."

Hamos: "Thank you, Ladies and Gentlemen for this important discussion. You know we have been focusing a lot on the loan component of this, but maybe even more important is financial counseling, helping people with their budgets, helping people stay in their homes. This program is about prevention and it's the second phase of a campaign which is called, 'It takes a home to raise a child.' The first one focused on renters, as we said two years ago. This year we're looking at homeowners. And I do seek your favorable support. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 500?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 500, there were 115 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 5 of the Calendar appears House Bill 476, Representative Black. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 476, a Bill for an Act in relation to Emergency Telephone Systems. Third Reading of this House Bill."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 476 is an initiative of the Illinois Department of Corrections. It exempts their correctional institution from the enhanced 911 provision. They feel that obviously their facilities are fully controlled through radio and other technological advances, that they do not need the expense to make certain that

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

16th Legislative Day

February 23, 2001

every phone in one of their institutions is immediately identifiable as a telephone that may have called 911. And since they have their own Emergency Response System and units, I would tend to agree with it. Be glad to answer any questions that you have."

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

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

Speaker Hartke: "Sponsor will yield."

McKeon: "Representative Black, I raised an issue with you in committee that I'd just like to clarify for legislative intent purposes. This does not apply to the physical plant or facilities of any correctional institution except those under the direct control and operation of the Illinois Department of Corrections?"

Black: "Yes, and I appreciate you asking that question, Representative. You had raised this in committee and we were in the attempts to get an Amendment to address your concerns, and then the Amendment wasn't drafted quite properly. I do have a response from the Department of Corrections from, I believe, it's hard to read, Don Zoufal, General Counsel to the Department writes the following, 'you have asked for an opinion about the applicability of the definition of correctional institutional facility as set forth in 730 ILCS 5-312 2000 to facilities other than those of the Illinois Department of Corrections. In my opinion, the term applies only to IDOC facilities.' He then goes on to reference various provisions of the statutes in which that he indicates, backs up his position, that this does not extend any exemption to a county or municipal facility used to house inmates that may have been found guilty in a court of law."

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

16th Legislative Day

February 23, 2001

McKeon: "And to further clarify, Representative Black, there are circumstances where inmates sentenced to the custody of the Illinois Department of Corrections are for one reason or another moved back to a local, county, or municipal lockup facility, and it is not your legislative intent that then this would extend the provisions of this Bill to that local county, municipal, or city facility."

Black: "Yes, Representative, that is certainly my intent. I would further quote from the General Counsel of the Department of Corrections, 'under the general rules of statutory construction these provisions as embodied in House Bill 476, my edition, would apply solely to facilities of the IDOC.' So let me state, unequivocally, it is not my intent that this then be used by a county or municipal confinement facility of any kind that they be exempt from the enhanced 911 identifier. And if the Department of Corrections is listening they may wish to clarify this by Amendment in the Senate. But I certainly give you my word that it's my intent that it not be extrapolated to embody county or municipal facilities."

McKeon: "Thank you, Representative, that satisfies all of the concerns that I raised in committee."

Speaker Hartke: "Further discussion? The Chair recognizes... since no one is seeking recognition, the Chair recognizes Representative Black to close."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think this is a reasonable exemption to the E911 provision and would ask your favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 476?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk,

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

16th Legislative Day

February 23, 2001

take the record. On House Bill 476, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Durkin, for a Motion. Mr. Durkin, would you like to make your Motion? Mr. Durkin, now moves that the House suspend the posting requirements for House Bill 1842, 1843, 1844. Is there any discussion? All those in favor say 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the Motions carry. On page 5 of the Calendar, on Third Reading appears House Bill 584, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 584, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hartke: "Representative Lang."

Lang: "Mr. Speaker, it was House Bill 583 that I wish to call."

Speaker Hartke: "Excuse me. Mr. Clerk, put that... House Bill 583."

Clerk Rossi: "House Bill 583, a Bill for an Act concerning higher education scholarships. Third Reading of this House Bill."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill we passed last year which never made it out of the Senate Rules Committee. It's a Bill we all felt was important, it's certainly a Bill I feel is important. As I travel the State of Illinois the prevalent question that people ask me most is, Representative, how will I be able to pay for my child's college education? This Bill attempts to alleviate that problem for people all across the State of Illinois, but it puts in accountability. The Bill says that an Illinois resident who wants to go to school in the State of Illinois can get some help from the State of Illinois if only he or she will maintain a B average. We put that accountability into the Bill. The

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

16th Legislative Day

February 23, 2001

Bill also says that you have to apply for other grants or loans to which you are entitled, Pell grants and other grants for which you might get some other money to save the State of Illinois a few bucks. Some have said that this will take away from need-based scholarships. It need not do that. We draft the budget of the State of Illinois, all we have to do is decide that education's our number one important priority and fund it. And if you talk to families across the State of Illinois they will tell you that this is a very important piece of legislation, one they think we ought to pass. I would ask for your support on this. One additional thing, some have said that some work very hard and can't quite get a B average because they have to work and they can't maybe study as hard as others. I would submit that if we provide some aid for them they may not have to work and therefore they'll be able to keep their grades up. This is an important piece of legislation for accountability. It's an important piece of legislation for families across Illinois. And I ask your support."

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

Black: "Thank you very much, Mr. Speaker. Just one question of the Sponsor, if I could?"

Speaker Hartke: "Yes."

Black: "Representative, and I apologize, I tried to get over to you before you presented the Bill. Our notes on our file indicate that you had agreed to hold this Bill on Second Reading pending some negotiation, and you moved it to Third yesterday. Now the notes maybe wrong, perhaps I could jog your mind."

Lang: "The notes are wrong. There was another Bill regarding scholarships, House Bill 582, that I did hold on Second

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

16th Legislative Day

February 23, 2001

Reading."

Black: "Okay, that's fine. I just wanted to clarify. Thank you."

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

Wirsing: "Thank you, Mr. Speaker. Question of the Sponsor?"

Speaker Hartke: "Sponsor will yield."

Wirsing: "Representative, it's my understanding that you had agreed to hold this on Second Reading in committee, to hold it here on Second."

Lang: "No, Sir, that's incorrect. I agreed to hold the Bill regarding teacher scholarships on Second Reading. I did not agree to hold this Bill on Second Reading, Sir."

Wirsing: "Well, I know what my memory is and our staff is supporting me in saying both Bill's were to be held on Second. You know, we had a meeting in Higher Ed which is dealing with this issue as we said we would do, so that's why Representative, I don't wanna get into an argument here but that's what was remembered, and for that purpose."

Lang: "Representative, my notes are very clear. The Bill regarding teachers' scholarships was a Bill that we had discussed the Debolt Scholarships and other things to try to get more people into the teaching profession and I was asked by the chair and the Members of the committee to hold that Bill on Second and perhaps use House Bill 582 as a mechanism on this floor to implement a new program. But on House Bill 583, which got out of your committee with 9 people voting 'yes', and 0 voting 'no', and 4 voting 'present', I indicated I was gonna move this Bill along, Sir."

Wirsing: "The vote totals were based on that commitment on your behalf to hold that, so I'm asking you to do that. Thank

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

16th Legislative Day

February 23, 2001

you."

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

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

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

Davis, M.: "Representative Lang, is there anything in this legislation that will require those who get scholarships from the State of Illinois to work for a period of time in Illinois and make a contribution to the State of Illinois?"

Lang: "No, Representative, I have a different Bill that does that regarding teacher scholarships. I have a Bill that would say that if you teach in an underserved area and you wanna be a teacher, we'll help you go to school. This Bill does not do that. This Bill says if you get good grades, we're gonna help you go to school in this state."

Davis, M.: "Okay. This Bill will probably fly outta here cause it's an excellent idea. But, let's really think about what we're saying, Representative Lang. We're pretending that all of our elementary and secondary education opportunities and resources are equal. Now, a child who comes from a school in which science labs, physical science labs, the very best teachers, up-to-date books, computer literacy availability, that student will be competing with the student who comes from a school in which there were no labs, there were no microscopes, there were no computers, there was no computer literacy class. So, what we're saying is even though some of our students start way below the starting gate, and some start with a halfway start, that were gonna say if you get a B, you get a scholarship. This Bill discriminates. It discriminates against those who have not had equal opportunity. Now, it sounds like a great idea because we all have a goal for our children to

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

16th Legislative Day

February 23, 2001

get A's and B's. That's your goal for your children, my goal for my children, and everyone's goal for their children. But when we start off with unequal resources, unequal physical environment, unequal materials available, then this is a Bill that would be really unjust and unfair. Now, I'm gonna vote 'yes', but you and I both know it's not gonna pass. And the only reason I'm gonna vote 'yes' is because it appears to be a good idea. But when you look underneath this Bill what you're saying is we wanna start a process of educating the elite. We don't wanna necessarily educate those who have to work two or three jobs and then go to school. We don't wanna educate those who haven't had the money to have a car but have to take a bus to school and then to work because they might get some C's. They're darn well gonna get some C's, but they're gonna graduate, they're gonna finish, but they won't have an availability of a scholarship, and it's wrong."

Lang: "May I respond briefly?"

Davis, M.: "Yes."

Lang: "This Bill does not discriminate because it requires, first, that you get into the university. So, only people that get into the university can get this scholarship and then once you get in it requires a B average. Everyone's on an equal footing, you must get into the university."

Davis, M.: "They're not equal when their backgrounds have been different, Representative. You and I both know that a student who comes from a school in which laboratories are available, all modern science equipment is available, there are only 20 students in a class, they're gonna be better prepared than a student who comes from a school with 32 or 33 children, broken desks and windows, and no science equipment."

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

16th Legislative Day

February 23, 2001

Lang: "But these are students that have gotten into the university, Representative."

Davis, M.: "And it happens everyday. And many of those that I just spoke of supersedes and excel. They may not get all B's, Representative, and your Bill says if they don't get all B's they can't get a scholarship."

Lang: "Well, the alternative would be to give everyone a scholarship and we certainly can't afford to do that."

Davis, M.: "And I think I read your Bill that said something about acceptable high schools. Representative, what about the different standards, listen very carefully, what about the standards of getting a B? Let's say I go to college and I take art, physical education, computer literacy, golf, and maybe video taping or something and I get all B's. Where there's another student who's taking calculus, physical science III, math, latin, now he only gets two B's and the rest maybe C's or two C's. Do you understand what I'm saying? It sets up a system of inequality in itself. The coursework, the coursework is different. The grading is very subjective, college grades are subjective. Am I right? Let's talk about it."

Lang: "I think we need to trust the high schools in Illinois and university professors to decide what an appropriate B is that's not up for us to do."

Davis, M.: "So, do you have in your Bill where we have an appropriate B from each school."

Lang: "No. No."

Davis, M.: "And, each school will know what an appropriate B is?"

Lang: "I believe in local control as you do. Each high school should determine for theirselves what that is, each university should determine for theirselves what that is."

Davis, M.: "So, if a child comes from elementary or high school B

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

16th Legislative Day

February 23, 2001

and he gets all A's, that's equal to another high school where the kid gets all B's? I mean these B's are all equal in every high school, is that the idea?"

Lang: "The Bill says if you have a B average you... "

Davis, M.: "From any high school."

Lang: "... and you get into one of our fine universities which is a tough trick in the first place. So, a B from a bad high school might not get you into the University of Illinois. If you get that B average you should get the scholarship, that's what the Bill says."

Davis, M.: "From any high school."

Lang: "That's correct."

Davis, M.: "So, no one has to define the kind of high school or acceptable high school, but if a child gets all B's in any high school, he can apply for this all B scholarship."

Lang: "That's correct."

Davis, M.: "Okay. Thank you."

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

Erwin: "Thank you, Speaker. First of all I'd just like to... I'm sure maybe not clear up, but my recollection of what happened in committee is... supports Representative Lang's remembrance of it. That indeed he did, however, well hang on a second. He did agree to hold the other Bill, he did not agree to hold this Bill. However, I rise in opposition, reluctantly, to House Bill 583. Speaker."

Speaker Hartke: "Yes."

Erwin: "And, reluctantly, I have a great deal of respect for what the intent of this Bill is trying to do. But I'd like to make a few points. Number one, Illinois does have a merit-based scholarship, indeed, Representative O'Connor and others within the last two years we had a Bill that

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

16th Legislative Day

February 23, 2001

increased the amount of money in our merit-based scholarship. So, it is not because we are not supportive of this concept. We are and we have a good record in this. Number two, House Bill 583 is patterned after the Georgia HOPE Scholarship, a really remarkable program but understand, the State of Georgia and many other southern states had a very different problem they were trying to solve. They had such a significant brain drain that if you could add and subtract you wouldn't stay in school in those states. So, in order to keep any students that were good students inside the State of Georgia they developed the HOPE Scholarship, and in a matter of 10 years the SAT scores have quadrupled for Georgia state schools. It was solving a very particular problem in the State of Georgia and in some of the southern states. Thirdly, current research is now showing, however, that what's happening in the states with these merit-based scholarships is they are not spending time and money and effort on needs-based state scholarships. Ladies and Gentlemen, let me suggest to you that one of the singularly most important things the State of Illinois does is have a good solid, and yes, fairly generous, needs-based state scholarship called the MAP Grant. This enables thousands of our constituents who are in need to attend universities in the State of Illinois. And it is a really important thing. What is showing now... what research is now showing is that the states that begin moving more to the merit-based, and I know this is not Representative Lang's intent, but what is happening is less and less dollars are going to needs-based state scholarships. And one of the unintended consequences is that poor students, minority students are not getting good access to higher education. If we had all the money in the

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

16th Legislative Day

February 23, 2001

world we would all support House Bill 583, I totally concur. But we don't have all the money in the world and I think protecting the MAP Grant is so important and the fact that we have increased the merit-based scholarship, and with all due respect to the Sponsor's intent, which I know is honorable, I rise reluctantly to urge you not to support House Bill 583."

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

Garrett: "Thank you, Mr. Speaker, Ladies and Gentlemen. Representative, I have a couple questions to ask you. What happens when a student has a B average and can't pay for his or her own college tuition? Is there so much money that's available that we would actually eliminate scholarships for those students who have a C average but have the financial need?"

Lang: "Representative, it's the General Assembly that appropriates these dollars. The people who are concerned about needs-based scholarships I understand their concern, I share that concern. But we draft the budget, if we put more money in the needs-based scholarship and still fund this program we'll be doing a good thing. We need to prioritize state revenue. We need to prioritize our expenditures. And I would submit to you that this should not take a dollar away from needs-based scholarships."

Garrett: "But, currently, students who are applying for this, this particular type of scholarship that you're talking about and can afford to pay tuition would basic... their tuition would be waived."

Lang: "Well, that's the whole point of this is the definition of the word 'afford'. There's thousands of middle-class families across Illinois who can quote, 'afford it', they

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

16th Legislative Day

February 23, 2001

write the check. But, they can't fix the roof, they can't fix the car, they can't pay the heating bill, they can't improve their health or life insurance, in effect their quality of life goes down the tubes. The whole point here is the definition of the word 'afford'. You've hit the point of this Bill right on the head. Thousands of families across Illinois can write the check to send their children to college but really can't afford to."

Garrett: "To the Bill."

Speaker Hartke: "To the Bill."

Garrett: "I agree with what Representative Lang is saying, but as somebody who represents some of the wealthiest school districts and some of the wealthiest families, and also some of the poorest families, I have a strong concern over the fact that we are allowing for those people who can afford to continue on with their college education and in doing that we are eliminating those students who have a C average and who cannot financially afford to go to scholarship. Thank you very much."

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

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Winters: "I'm concerned philosophically with this Bill and actually, I agree with Representative Monique Davis, in that I think that what we're doing is leading to grade inflation. If I'm right on the cusp of having a B average, how many of those students in the university are going to go beg and plead to their professor and say, all I gotta do is this one class, I just need to bump ya a letter grade get me up there to that B average. What you've done is you

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

16th Legislative Day

February 23, 2001

have a very subjective method of telling how good the student is, which is letter grades. Wouldn't it be better to do what we have done with the 5% of the high school students who receive that \$1,000 scholarship, the top 5%. Instead of putting it on a grade level why don't we select a certain percentage of the college classes. That then evens the score, I think, particularly for high school seniors. If we would say the first 40% say of high school students, this year we can afford that level, whatever high school you go to, whether you have the good resources of the great suburban schools or whether you from a high school that may not have those science labs, if you've put on in high school and have outcompeted your fellow students you would be rewarded not whether or not you're popular or the teachers like you and you've managed to worm your way into a B average."

Lang: "Representative, let me comment on those two issues. Let me take the one about the top 5% first. Representative Davis, who you mentioned talked about the unevenness between high schools in Illinois, so the top 5% of one school is not the same as the top 5 of another."

Winters: "Exactly. But, it does... "

Lang: "Let me go to the rest of it. This Bill is fairer than that because it says to everyone get a B average get the scholarship. And you say well, what if they're just on the cusp of that B average, but Representative after a couple years in school and someone's taking 60 or 70 hours how often is one class going to make a difference between having a B average or not, one single class? And are we also saying that professors across Illinois have so little integrity, have so little concern about the grades they give then by the dozens they're going to change grades to

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

16th Legislative Day

February 23, 2001

give kids scholarships? I don't buy that and you don't either."

Winters: "Well, I beg to differ with you. I think that in many cases a professor who is approached by a student who's been trying to... who's been active in class, has paid attention, and asked for a little help, that that professor understanding a little of the life history of that student may well bend their own grading scale. We all know they curve it... "

Lang: "One professor, yes, 10, 20, 30 professors, no."

Winters: "We're looking at the aggregate, Lou, and I really believe that when you've got... rather than looking at a flat grade level if you instead looked at a percentage. You choose the percentage that you will choose to reward. Our analysis shows that about 55% of university students in this state would qualify for this at a cost of up to \$200 million. Have you identified a source in the budget for this? What areas of the state budget... "

Lang: "Representative... "

Winters: "... are you going to cut to fund this?"

Lang: "... the source is the Illinois General Assembly. We decide what we spend money on."

Winters: "What will you cut to spend this money?"

Lang: "You know what? I'm not on the Appropriations Committee. What I do know is this, what I know is that every Member of this Body and every Member that ran for this Body and lost all said spend hundreds of millions of dollars in campaign money printing up fancy brochures saying that education is their number one issue. And I'm here to tell you that the families of Illinois agree with that. And I'm here to tell you they want us to fund everything in education that needs to be funded first and everything else is of less

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

16th Legislative Day

February 23, 2001

priority."

Winters: "Again, I will go back to the philosophy that you are using, basing this Bill on, and that is that there should be a certain level, once you exceed that you're rewarded. What I am saying is reward the effort. Coming out of high school with uneven resources let's reward the kids in every high school that have put the effort out to be at the top of their class. Once they're in the university, then we start looking at the university grades and at least for one year, Monique Davis's point is well rewarded by looking at the percentage of the high school class. Once they're in the university, again, reward the top 30, 40, 50% wherever you choose to draw that line, but again don't lead to grade inflation or else Illinois will truly be the Land of Lake Woebegone, where all of our students are above average. To the Bill. I think that it's fatally flawed, the philosophy of rewarding college students is good, but I think the method that he has in the Bill is flawed and I urge opposition."

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

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

Speaker Hartke: "Indicates he will."

Mulligan: "Representative Lang, what's the residency requirement before you're eligible for this?"

Lang: "The residency requirement is set up by ISAC, that's what the Bill says."

Mulligan: "So... "

Lang: "So, ISAC determines residency requirements today for who pays in-state or out-of-state tuition at our state universities and that's what this Bill says as well."

Mulligan: "So, it leaves it up to them to make it whatever they'd

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

16th Legislative Day

February 23, 2001

like."

Lang: "That is correct."

Mulligan: "What do you think the average amount would be for this type of a scholarship?"

Lang: "Well, I can't tell you the average amount. I can tell you that the University of Illinois tuition is \$4,700 a year plus and it's going up. They're raising their tuition 20% over the next four years. So, the distance between family income and the cost of tuition is getting more distant rather than less distant."

Mulligan: "What about faith-based private colleges when you're giving money to something that would be say church sponsored or faith based?"

Lang: "This money does not go to the universities, it goes to the students to pay their tuition."

Mulligan: "So, it doesn't matter, it's like a voucher? Would it be setting a precedent for a voucher program in the lower grades?"

Lang: "Representative, you know well that I'm very opposed to vouchers and have voted against vouchers many times on this floor."

Mulligan: "I understand that, but that's not what I asked. I asked do you think it would be setting a precedent for that type of program?"

Lang: "The answer is 'no'."

Mulligan: "Is that a legal opinion, or just what you think?"

Lang: "I assume you asked... "

Mulligan: "I know you're a lawyer, I... "

Lang: "... I assume you asked me my opinion as the Legislator from the 16th District... "

Mulligan: "Not a lawyer, right."

Lang: "The answer is 'no'."

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

16th Legislative Day

February 23, 2001

Mulligan: "If a parent has an income of a million dollars does their child still get this?"

Lang: "The answer is 'yes'."

Mulligan: "Don't you see an inequity here, such as, Representative Davis pointed out? When the estimated cost of this Bill after the first year is 170 to \$200 million and we have school districts in the State of Illinois that perhaps could use that money rather than to give it to a student whose parents can pay for college handily?"

Lang: "Representative, if you wanna talk about the top 1% or one-half of 1% you could make these arguments all day. The fact is we have some of the best need-based scholarships in this state and in the United States of America, we should be proud of them. This is for thousands and thousands of middle-class and lower-middle-class families across the State of Illinois. Will a very small number of well-to-do families gain from this, I suppose they will. But who are we to say that every child in Illinois that gets a good grade should not be rewarded by this General Assembly."

Mulligan: "I don't think we disagree with you in that. I think what we are disagreeing with you is the pie. There's a large pie of money that comes in, if you sat in my committee this morning and heard the parents that were advocating for services for early intervention, if you sat there day after day in Human Services with the people that ask for money or an update of child support, an update for monies that would go into day care eligibility, things that cost the state money, on a scale of one to ten, you know, education is fine. But to pay for people that can pay for themselves when we have other people who can't pay in other areas and we're taking money out of the state budget that makes it a little difficult. And, although I understand

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

16th Legislative Day

February 23, 2001

this may be plank number five in your campaign piece, and it should probably be in all of ours because that's a big issue with people, I still think the people that I represent can understand the fact that there are a lot of things they would like funded before this is funded, and particularly for people who can pay for it themselves and I'm not sure how you equate that when you look at the big pie. Each issue that you bring before us certainly has merits but if you add them altogether which one comes to the top and how can we fund this? And if this is an issue that other people can afford to pay for, why are we paying for it when there are other things in this state that we can't pay for, for people who need it? That's the only question I have to ask you maybe those people aren't the voters that you anticipate are going to be happy about it, but they're still the people that need it. People that you seem to advocate for on other issues."

Lang: "Well, Representative, I think again the definition goes with the word 'afford'. My parents wrote the check to send me to college, but it wasn't easy. And I'm not suggesting that families across Illinois cannot sacrifice to send their kids to college, but why should they have to when they don't have to? Why should they have to, why can't we do in Illinois what the State of Georgia does? If the State of Georgia can afford this, the State of Illinois can afford this. Why should we not once in a while be groundbreakers? Why should we not once in a while look forward and listen to the people that live in our state and try to do for them what they are asking us to do? I would remind you this Bill got 75 votes last year and I believe you voted for it, and I hope you will again."

Mulligan: "I did vote for it. I did. But, when I take a look at

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

16th Legislative Day

February 23, 2001

what the discussion is, and I have people sitting in committee with early intervention or other issues and Representative Erwin pointed out quite aptly what's going on in Georgia, I think there are questions to be made here over who all gets this, particularly since you didn't hold it in committee. There is no discussion about outer limits, so that if I make a million, you know, I helped my children with undergraduate they're paying off loans now for graduate school. What difference does that make for them in the long haul because they're going to make more money, whereas maybe other people in the state need that money for services they'll never be able to afford or their families will be penalized greatly for medical needs, things that they need. And yet, we're willing to cover the cost of college for people that may make, ya know, a million dollars. I question that. I think you need to put some limits in it, and I think you need to take a better look at it, and I wish you would've held the Bill and taken a better look at what you're actually trying to fund."

Speaker Hartke: "Representative Lang."

Lang: "Mr. Speaker, when you asked me how long this Bill would take I said 10 minutes, I was way off. People need to leave to go home, let's take it out of the record."

Speaker Hartke: "Take the Bill out of the record. Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 65, offered by Representative Shirley Jones; House Resolution 66, offered by Representative Pankau; House Resolution 68, offered by Representative Mautino; House Resolution 70, offered by Representative Barbara Currie; House Resolution 71, offered by Representative Wojcik; House Resolution 72, offered by Representative Dart; House Resolution 73,

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

16th Legislative Day

February 23, 2001

offered by Representative Brosnahan; House Resolution 74, offered by Representative Saviano; House Resolution 75 and 76, offered by Representative Durkin; House Resolution 77, offered by Representative Fowler; House Resolution 78, offered by Representative Hartke; House Resolution 79, offered by Representative Black; House Resolution 80, offered by Representative Wojcik; House Resolution 81, 82, and 83 offered by Representative Granberg."

Speaker Hartke: "All heard the Agreed Resolutions. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Agreed Resolutions are adopted. Mr. Clerk, Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution 11 offered by Representative Currie."

SENATE JOINT RESOLUTION 11

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, February 22, 2001, it stands adjourned until Tuesday, February 27, 2001, at 12:00 o'clock noon; and when the House of Representatives adjourns on Friday, February 23, 2001, it stands adjourned until Tuesday, February 27, 2001, at 1:00 o'clock p.m."

Speaker Hartke: "You've heard the Adjournment Resolution. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Adjournment Resolution is adopted. Representative Black."

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

Speaker Hartke: "State your inquiry."

Black: "Like everyone else I'd like to adjourn as soon as possible, I just have one inquiry. We didn't move any

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

16th Legislative Day

February 23, 2001

Bills from Second to Third."

Speaker Hartke: "That's correct."

Black: "That means we don't have much to do when we come in on Tuesday, was that the intent of the Chair?"

Speaker Hartke: "To the contrary, we still have about 12 or 14 Bills and the pace we were going today we'll have plenty to do Tuesday."

Black: "Okay. All right."

Speaker Hartke: "Representative Hoffman now moves that the House stand adjourned until the hour of 1 p.m. on Tuesday, February 27th, allowing perfunctory time for the Clerk. All those in favor signify by saying 'aye'; opposed 'no'. In opinion of the Chair the 'ayes' have it and the House does stand adjourned. Have a good weekend."

Clerk Rossi: "Introduction - First Reading of House Bills. House Bill 2358, offered by Representative Winters, a Bill for an Act to create the Local Legacy Act. House Bill 2359, offered by Representative May, a Bill for an Act in relation to criminal law. House Bill 2360, offered by Representative Feigenholtz, a Bill for an Act concerning insurance. House Bill 2361, offered by Representative Franks, a Bill for an Act in relation to toll highways. House Bill 2362, offered by Representative Smith, a Bill for an Act in relation to public safety. House Bill 2363, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2364, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2365, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2366, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2367,

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

16th Legislative Day

February 23, 2001

offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2368, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2369, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2370, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2371, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2372, offered by Representative Smith, a Bill for an Act in relation to public employee benefits. House Bill 2373, offered by Representative Parke, a Bill for an Act relating to insurance. House Bill 2374, offered by Representative Shirley Jones, a Bill for an Act concerning emergency telephone calls. House Bill 2375, offered by Representative Acevedo, a Bill for an Act in relation to criminal law. House Bill 2376, offered by Representative Bugielski, a Bill for an Act in relation to banking. House Bill 2377, offered by Representative Durkin, a Bill for an Act concerning business transactions. House Bill 2378, offered by Representative Biggins, a Bill for an Act in relation to taxes. House Bill 2379, offered by Representative Johnson, a Bill for an Act in relation to taxes. House Bill 2380, offered by Representative Schmitz, a Bill for an Act concerning bonds. House Bill 2381, offered by Representative Currie, a Bill for an Act in relation to taxation. House Bill 2382, offered by Representative Soto, a Bill for an Act to create the Illinois Living Wage Act. House Bill 2383, offered by Representative Franks, a Bill for an Act in relation to taxes. House Bill 2384, offered by Representative Soto, a Bill for an Act in relation to

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

16th Legislative Day

February 23, 2001

human services. House Bill 2385, offered by Representative Scott, a Bill for an Act in relation to utilities. House Bill 2386, offered by Representative Scott, a Bill for an Act in relation to utilities. House Bill 2387, offered by Representative Curry, a Bill for an Act in relation to families. House Bill 2388, offered by Representative Bill Mitchell, a Bill for an Act in relation to municipalities. House Bill 2389, offered by Representative Bill Mitchell, a Bill for an Act in relation to public aid. House Bill 2390, offered by Representative May, a Bill for an Act relating to schools. House Bill 2391, offered by Representative Leitch, a Bill for an Act concerning animal control. House Bill 2392, offered by Representative Erwin, a Bill for an Act concerning conveyances. House Bill 2393, offered by Representative Erwin, a Bill for an Act concerning prescription drug benefits. House Bill 2394, offered by Representative Erwin, a Bill for an Act regarding schools. House Bill 2395, offered by Representative Erwin, a Bill for an Act relating to higher education. House Bill 2396, offered by Representative Erwin, a Bill for an Act regarding education. House Bill 2397, offered by Representative Durkin, a Bill for an Act in relation to criminal law. House Bill 2398, offered by Representative McGuire, a Bill for an Act in relation to disabled persons. House Bill 2399, offered by Representative McGuire, a Bill for an Act making appropriations. House Bill 2400, offered by Representative Winters, a Bill for an Act relating to the licensure of nurses. House Bill 2401, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2402, offered by Representative Younge, a Bill for an Act regarding higher education. House Bill 2304 (sic-2403), offered by Representative Younge, a

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

16th Legislative Day

February 23, 2001

Bill for an Act making appropriations. House Bill 2404, offered by Representative Younge, a Bill for an Act regarding education. House Bill 2405, offered by Representative Younge, a Bill for an Act relating to schools. House Bill 2406, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2407, offered by Representative Younge, a Bill for an Act regarding higher education. House Bill 2408, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2409, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2410, offered by Representative Younge, a Bill for an Act making an appropriation to the State Board of Education. House Bill 2411, offered by Representative Burke, a Bill for an Act to repeal the Soft Drink Industry Fair Dealing Act. House Bill 2412, offered by Representative Winkel, a Bill for an Act in relation to alcoholic liquor. House Bill 2413, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2414, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2415, offered by Representative Younge, a Bill for an Act concerning tax increment financing. House Bill 2416, offered by Representative Crotty, a Bill for an Act concerning pharmaceutical assistance. House Bill 2417, offered by Representative Crotty, a Bill for an Act in relation to business transactions. House Bill 2418, offered by Representative John Jones, a Bill for an Act concerning motor vehicles. House Bill 2419, offered by Representative Osmond, a Bill for an Act concerning insurance. House Bill 2410 (sic-2420), offered by Representative Osmond, a Bill for an Act in relation to insurance. House Bill 2421, offered by

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

16th Legislative Day

February 23, 2001

Representative Osmond, a Bill for an Act in relation to insurance. House Bill 2422, offered by Representative Osmond, a Bill for an Act in relation to insurance. House Bill 2423, offered by Representative John Turner, a Bill for an Act concerning teacher protection. House Bill 2424, offered by Representative John Turner, a Bill for an Act in relation to education. House Bill 2425, offered by Representative Cowlshaw, a Bill for an Act with regard to education. House Bill 2426, offered by Representative Brunsvold, a Bill for an Act concerning emergency telephone services. House Bill 2427, offered by Representative Soto, a Bill for an Act in relation to stalking. House Bill 2428, offered by Representative Crotty, a Bill for an Act to amend the State Finance Act. House Bill 2429, offered by Representative Rutherford, a Bill for an Act concerning public funds. House Bill 2430, offered by Representative McGuire, a Bill for an Act making appropriations. House Bill 2431, offered by Representative McGuire, a Bill for an Act in relation to aging. House Bill 2432, offered by Representative Kenner, a Bill for an Act in relation to housing. House Bill 2433, offered by Representative Osterman, a Bill for an Act concerning elections. House Bill 2434, offered by Representative Franks, a Bill for an Act concerning political contributions. House Bill 2435, offered by Representative Jerry Mitchell, a Bill for an Act concerning food donations. House Bill 2436, offered by Representative Lindner, a Bill for an Act concerning higher education. House Bill 2437, offered by Representative Brosnahan, a Bill for an Act in relation to health. House Bill 2438, offered by Representative Coulson, a Bill for an Act concerning taxation. House Bill 2439, offered by Representative Burke, a Bill for an Act to create the Home

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

16th Legislative Day

February 23, 2001

Loan Collateral Fund Act. House Bill 2440, offered by Representative O'Connor, a Bill for an Act in relation to criminal law. House Bill 2441, offered by Representative Boland, a Bill for an Act concerning taxation. House Bill 2442, offered by Representative Turner, a Bill for an Act in relation to property. House Bill 2443, offered by Representative Turner, a Bill for an Act concerning property taxes. House Bill 2444, offered by Representative Turner, a Bill for an Act concerning senior citizens and disabled persons. House Bill 2445, offered by Representative Turner, a Bill for an Act in relation to transportation. House Bill 2446, offered by Representative Turner, a Bill for an Act concerning child care. House Bill 2447, offered by Representative Art Turner, a Bill for an Act in relation to family law. House Bill 2448, offered by Representative Art Turner, a Bill for an Act concerning motor fuel. House Bill 2449, offered by Representative Art Turner, a Bill for an Act in relation to taxes. House Bill 2450, offered by Representative Art Turner, a Bill for an Act in relation to energy assistance. House Bill 2451, offered by Representative Joe Lyons, a Bill for an Act in relation to health facilities. House Bill 2452, offered by Representative Joe Lyons, a Bill for an Act making appropriations. House Bill 2453, offered by Representative Coulson, a Bill for an Act concerning the Department on Aging. House Bill 2454, offered by Representative Winters, a Bill for an Act concerning school taxes. House Bill 2455, offered by Representative Brosnahan, a Bill for an Act in relation to circuit clerks. House Bill 2456, offered by Representative Brosnahan, a Bill for an Act in relation to minors. House Bill 2457, offered by Representative Brosnahan, a Bill for an Act in relation to probation and

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

16th Legislative Day

February 23, 2001

pretrial services. House Bill 2458, offered by Representative Zickus, a Bill for an Act in relation to health. House Bill 2459, offered by Representative Zickus, a Bill for an Act concerning fire fighting. House Bill 2460, offered by Representative Zickus, a Bill for an Act concerning municipalities. (sic - House Bill 2461, offered by Representative Zickus, a Bill for an Act in relation to criminal law.) House Bill 2462, offered by Representative Zickus, a Bill for an Act in relation to aging. House Bill 2463, offered by Representative Stephens, a Bill for an Act concerning the regulation of professions. House Bill 2464, offered by Representative O'Connor, a Bill for an Act in relation to contracts. House Bill 2465, offered by Representative Kosel, a Bill for an Act concerning schools. House Bill 2466, offered by Representative Krause, a Bill for an Act concerning taxes. House Bill 2467, offered by Representative Kosel, a Bill for an Act relating to education. House Bill 2468, offered by Representative Kosel, a Bill for an Act making appropriations. House Bill 2469, offered by Representative Speaker Madigan, a Bill for an Act making appropriations and reappropriations. House Bill 2470, offered by Representative Franks, a Bill for an Act in relation to public aid. House Bill 2471, offered by Representative Speaker Madigan, a Bill for an Act making appropriations to the State Comptroller. House Bill 2472, offered by Representative Mitchell, a Bill for an Act concerning taxes. House Bill 2473, offered by Representative Winkel, a Bill for an Act concerning medicine. House Bill 2474, offered by Representative Leitch, a Bill for an Act concerning taxation. House Bill 2475, offered by Representative Cross, a Bill for an Act concerning schools. House Bill 2476, offered by

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

16th Legislative Day

February 23, 2001

Representative Cross, a Bill for an Act concerning education. House Bill 2477, offered by Representative O'Connor, a Bill for an Act in relation to contracts. House Bill 2478, offered by Representative Moore, a Bill for an Act concerning senior citizens and disabled persons. House Bill 2479, offered by Representative Moore, a Bill for an Act in relation to taxes. House Bill 2480, offered by Representative Moore, a Bill for an Act in relation to taxes. House Bill 2481, offered by Representative Moore, a Bill for an Act in relation to taxes. House Bill 2482, offered by Representative Moore, a Bill for an Act in relation to taxes. House Bill 2483, offered by Representative Moore, a Bill for an Act in relation to taxation. House Bill 2484, offered by Representative Moore, a Bill for an Act in relation to taxes. House Bill 2485, offered by Representative O'Brien, a Bill for an Act in relation to criminal law. House Bill 2486, offered by Representative Art Turner, a Bill for an Act concerning the regulation of professions. House Bill 2487, offered by Representative Soto, a Bill for an Act concerning employment. House Bill 2488, offered by Representative Hamos, a Bill for an Act in relation to health. House Bill 2489, offered by Representative Boland, a Bill for an Act concerning members of the General Assembly. House Bill 2490, offered by Representative Art Turner, a Bill for an Act in relation to transportation. House Bill 2491, offered by Representative Art Turner, a Bill for an Act in relation to family law. House Bill 2492, offered by Representative Coulson, a Bill for an Act concerning health facilities. House Bill 2493, offered by Representative Art Turner, a Bill for an Act in relation to civil immunities. House Bill 2494, offered by Representative Art Turner, a Bill for an

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

16th Legislative Day

February 23, 2001

Act concerning child care. First Reading of these House Bills. Introduction of Resolutions. House Resolution 67, offered by Representative Saviano and House Resolution 69, offered by Representative Soto are assigned to the Rules Committee. Introduction - First Reading of Bills. House Bill 2495, offered by Representative Art Turner, a Bill for an Act in relation to aging. House Bill 2496, offered by Representative Art Turner, a Bill for an Act to create the Home Rule Integrity Act. House Bill 2497, offered by Representative Art Turner, a Bill for an Act in relation to income taxes. House Bill 2498, offered by Representative Art Turner, a Bill for an Act in relation to aging. House Bill 2499, offered by Representative Turner, a Bill for an Act concerning utilities. House Bill 2500, offered by Representative Younger, a Bill for an Act concerning an East St. Louis mathematics and science academy. House Bill 2501, offered by Representative Younger, a Bill for an Act relating to education. House Bill 2502, offered by Representative Younger, a Bill for an Act concerning an East St. Louis teacher's academy for math, science, and technology. House Bill 2503, offered by Representative Younger, a Bill for an Act making appropriations. House Bill 2504, offered by Representative Younger, a Bill for an Act regarding appropriations. House Bill 2505, offered by Representative Younger, a Bill for an Act making appropriations. House Bill 2506, offered by Representative Younger, a Bill for an Act making appropriations. House Bill 2507, offered by Representative Younger, a Bill for an Act making appropriations. House Bill 2508, offered by Representative Younger, a Bill for an Act making appropriations. House Bill 2509, offered by Representative Younger, a Bill for an Act to create the Old Man River

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

16th Legislative Day

February 23, 2001

Anticipatory Design Center Act. House Bill 2510, offered by Representative Younge, a Bill for an Act making appropriations. House Bill 2511, offered by Representative Younge, a Bill for an Act to create the Illinois Africa-America Peace Brigade. House Bill 2512, offered by Representative Younge, a Bill for an Act relating to schools. House Bill 2513, offered by Representative Younge, a Bill for an Act in relation to community colleges. House Bill 2514, offered by Representative Younge, a Bill for an Act relating to academic centers of excellence. House Bill 2515, offered by Representative Younge, a Bill for an Act to foster economic development. House Bill 2516, offered by Representative Younge, a Bill for an Act concerning higher education. House Bill 2517, offered by Representative Younge, a Bill for an Act concerning redevelopment. House Bill 2518, offered by Representative Younge, a Bill for an Act to concerning higher education. (sic - House Bill 2519, offered by Representative Younge, a Bill for an Act concerning a performing arts school.) House Bill 2520, offered by Representative Younge, a Bill for an Act relating to school facilities. House Bill 2521, offered by Representative Hoffman, a Bill for an Act concerning public health. First Reading of these House Bills."

Clerk Bolin: "Committee Reports. Representative Fowler, Chairperson from the Committee on Counties and Townships, to which the following measure/s was/were referred, action taken on Friday, February 23, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1008. Representative Slone, Chairperson from the Committee on Conservation and Land Use, to which the following measure/s was/were referred, action taken on Friday, February 23, 2001, reported the same back with the

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

16th Legislative Day

February 23, 2001

following recommendation/s: 'do pass Short Debate' House Bills 942 and House Bill 1070. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Friday, February 23, 2001, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bills 300 and House Bill 978; 'do pass Short Debate' House Bill 1019 and House Bill 1028. Representative Murphy, Chairperson from the Committee on Personnel and Pensions, to which the following measure/s was/were referred, action taken on Friday, February 23, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 478. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bills 12, House Bill 210, and House Bill 502; 'do pass Standard Debate' House Bill 795. Representative Dart, Chairperson from the Committee on Judiciary I- Civil Law, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 524, House Bill 543, House Bill 634, House Bill 770, House Bill 889, and House Bill 1060. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 257, House Bill 733, House Bill 1031, House Bill 1077, and House

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

16th Legislative Day

February 23, 2001

Bill 1078; 'do pass as amended Standard Debate' House Bill 270, House Bill 313, House Bill 1087; 'do adopt' House Resolution 32. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 708, and House Bill 1000; 'do pass as amended Short Debate' House Bill 1001. Representative Stroger, Chairperson from the Committee on Labor, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 847 and House Bill 849. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 572; 'do pass as amended Short Debate' House Bill 234 and House Bill 752. Representative Kenner, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 131, House Bill 605, House Bill 915, House Bill 1027, and House Bill 1029; 'do pass as amended Short Debate' House Bill 98 and House Bill 276. Representative Schoenberg, Chairperson from the Committee on State Procurement, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House

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

16th Legislative Day

February 23, 2001

Bill 93, House Bill 585, House Bill 589, and House Bill 909. Representative Brosnahan, Chairperson from the Committee on Disabled Community, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 1023. Representative Scully, Chairperson from the Committee on Commerce & Business Development, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 282. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 63. Representative Erwin, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on Thursday, February 22, 2001, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 154, House Bill 290, House Bill 841; 'do pass as amended Short Debate' House Bill 274. Introduction - First Reading of Bills. House Bill 2522, offered by Representative Younge, a Bill for an Act making appropriations. First Reading of these House Bills. Introduction and First Reading of House Joint Resolution Constitutional Amendment #6, offered by Representative Eileen Lyons.

HOUSE JOINT RESOLUTION

CONSTITUTIONAL AMENDMENT 6

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

16th Legislative Day

February 23, 2001

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Sections 2 and 5 of Article IV of the Illinois Constitution:

ARTICLE IV

THE LEGISLATURE

SECTION 2. LEGISLATIVE COMPOSITION

(a) One Senator shall be elected from each Legislative District. Senators elected in 2004 shall first serve terms of six years and then terms of two years. Senators elected in 2006 shall serve six-year terms. Immediately following each decennial redistricting, the General Assembly by law shall divide the Legislative Districts as equally as possible into two three groups. During each ten-year period, beginning with the general election in 2012, Senators from one group shall be elected for terms of six years and then for terms of four years ~~four--years;~~ ~~four--years--and--two--years;~~ ~~Senators from the second group;~~ ~~for terms of four years;~~ ~~two years and four years;~~ and Senators from the other third group shall first be elected; for terms of two years; four years and then for terms of six ~~four~~ years. The Legislative Districts in each group shall be distributed substantially equally over the State.

(b) Each Legislative District shall be divided into two Representative Districts. ~~In 1982 and every two years thereafter~~ One Representative shall be elected from each Representative District ~~for a term of two years.~~ Representatives elected in 2004 and 2008 shall serve terms of four years. During each ten-year

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

16th Legislative Day

February 23, 2001

period, beginning with the general election in 2012, Representatives shall first be elected for terms of four years, then for terms of two years, and then for terms of four years.

(c) To be eligible to serve as a member of the General Assembly, a person must be a United States citizen, at least 21 years old, and for the two years preceding his election or appointment a resident of the district which he is to represent. In the general election following a redistricting, a candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) Within thirty days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in a Senatorial or Representative office with more than twenty-eight months remaining in the term, the appointed Senator or Representative shall serve until the next general election, at which time a Senator or Representative shall be elected to serve for the remainder of the term. If the vacancy is in any other Senatorial or a Representative office ~~or-in-any-other-Senatorial office~~, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a member of the same political party as the person he succeeds.

(e) No member of the General Assembly shall receive compensation as a public officer or employee from any other governmental entity for time during which he is in attendance as a member of the General Assembly.

No member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall

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

16th Legislative Day

February 23, 2001

have been increased by the General Assembly during that term.

SECTION 5. SESSIONS

(a) The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous body for a period beginning and ending at noon on the second Wednesday of January of consecutive odd-numbered years.
~~during--the-term-for-which-members-of-the-House-of-Representatives are-elected.~~

(b) The Governor may convene the General Assembly or the Senate alone in special session by a proclamation stating the purpose of the session; and only business encompassed by such purpose, together with any impeachments or confirmation of appointments shall be transacted. Special sessions of the General Assembly may also be convened by joint proclamation of the presiding officers of both houses, issued as provided by law.

(c) Sessions of each house of the General Assembly and meetings of committees, joint committees and legislative commissions shall be open to the public. Sessions and committee meetings of a house may be closed to the public if two-thirds of the members elected to that house determine that the public interest so requires; and meetings of joint committees and legislative commissions may be so closed if two-thirds of the members elected to each house so determine.

SCHEDULE

This Constitutional Amendment takes effect on January 1, 2003 and applies to the election of members of the General Assembly in 2004 and thereafter. It does not affect the terms of members elected in 2000 or 2002. First Reading of this Constitutional Amendment. There being no further business the House Perfunctory

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

16th Legislative Day

February 23, 2001

Session will stand adjourned."