

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

37th Legislative Day

March 30, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today, by Father Richard Hynes, of the St. John of the Cross in Western Springs. Father Hynes is the guest of Representative Eileen Lyons. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Father Hynes: "Gracious God, we thank You for this day. We thank You for the privilege and opportunity You have given the men and women of this House. To paraphrase a former Member of this Body, Abraham Lincoln, 'To be fruitful in legislation, it is indispensable to have a habit of observation and reflection.' May the Members of this House in their deliberations be preceded by astute observation and reflection, required to present honorable law for enactment. Also, Gracious God, deepen in these servants the desire for integrity which garners respect from colleagues, and authenticity which allows each to speak with authority and conviction. Finally, Almighty God, may we end this day as we begin, turning to You in gratitude for the blessings You have bestowed on this House, this state, and this nation. A day begun and concluded with gratitude to You, with honest deliberation and work in between, is an honorable day for all. Amen."

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

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

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

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Currie: "Thank you, Speaker. Please let the record reflect that there are no excused absences among Democrats today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Black and Representative Stephens are excused today."

Speaker Madigan: "The Clerk shall take the record. There being 116 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on March 30, 2001, reported the same back with the following recommendation/s: 'to the floor for consideration', Floor Amendment #2 to House Bill 176; Floor Amendment #4 to House Bill 282; Floor Amendment #1 to House Bill 414; Floor Amendment #1 to House Bill 505; Floor Amendment #2 to House Bill 549; Floor Amendment #1 to House Bill 506; Floor Amendment #2 to House Bill 599; Floor Amendment #1 to House Bill 728; Floor Amendment #2 to House Bill 800; Floor Amendment #2 to House Bill 902; Floor Amendment #3 to House Bill 909; Floor Amendment #4 to House Bill 914; Floor Amendment #2 to House Bill 1819; Floor Amendment #1 to House Bill 2009; Floor Amendment #1 to House Bill 2235; Floor Amendment #1 to House Bill 2358; Floor Amendment #3 to House Bill 2437; Floor Amendment #2 to House Bill 2519; Floor Amendment #1 to House Bill 2564; Floor Amendment #1 to House Bill 3011; Floor Amendment #1 to House Bill 3050; Floor Amendment #3 to House Bill 3069; Floor Amendment #1 to House Bill 3073; Floor Amendment #1 to House Bill 3078; Floor Amendment #2 to House Bill 3098; Floor Amendment #1 to House Bill 3162; Floor Amendment #1 to House Bill 3363; Floor Amendment #2 to House Bill 3347; and House Resolution

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134."

Speaker Madigan: "Mr. Cross."

Cross: "Thank you, Mr. Speaker. I appreciate your calling on me. On behalf of the House Republicans, we have previously filed with the House Clerk, an official House protest, signed, I believe, by all of the House Republicans. It deals, Mr. Speaker, with several issues. The first of which is the decorum or the level of decorum, or I guess I would say, with all due respect, the lack of decorum in this House chamber yesterday. We had a debate which we thought would be an honest, open, respectful debate on a Bill that I know is of importance to a lot of people. We attempted to respect the Sponsor on that Bill. We gave him his due, we listened, and we made our points, and we tried to do... and we expected respect, just as we gave. But unfortunately, during that debate, Mr. Speaker, I can't recall if you were in the Chair or not, there were a host of people in the gallery. They had noisemakers. There was a film crew, they cheered when your Sponsor spoke, they booed when we spoke. Now, we ignored it yesterday, Mr. Speaker, because the people in the audience and up in the gallery, it was an issue that meant a lot to them, and we respected that. They don't know the Rules of the House. But certainly, the Speaker, and whoever's in the Chair knows the Rules of the House. And we expect, and should have nothing less, than full decorum, and quiet, on matters of importance, and a respect for both sides of the aisle. That was the beginning of what was not a good day. What followed that Bill was the Bill that dealt with, I believe if I'm not mistaken, the right to sue. And that Bill, also, was a Bill that was important to a lot of people. But a Member on your side of the aisle got up during that

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debate. It was several Bills after his Bill, and he didn't even talk about that particular Bill, and he proceeded to make sexual innuendos and inappropriate sexual comments about a Member on our side of the aisle. And I'm not gonna repeat what was said by your Member. But our concern, Mr. Speaker, is that this floor and this chamber should not be treated like an adult locker room, or a male locker room. It should have the respect that I talked about a little while ago. We had children, as Pages on the floor, that day, yesterday. We had children in the balcony. Members had children on the House Floor. We are now on the Internet, as you know. Our comments are heard, not only throughout the State of Illinois, but in fact, around the world. We videotape things now, audio's there. And it's... things that are said are now, as I said, repeated all over. It's okay to disagree with Members on this side of the aisle, that happens, that's healthy. It's okay not to like Members on this side of the aisle. That's the reality of this business. But to get personal in a nature that took place yesterday, was entirely out of line, and entirely inappropriate. A Member on our side of the aisle, at the request of some Members yesterday, stood up, and made an apology to a Member on your side of the aisle, at the very beginning of Session yesterday. He did that because he was asked to. And I would suggest to you that his apology was based on something he said that didn't even compare to what was said by Mr. Franks, yesterday. Our official protest is designed: one, to bring back decorum that this chamber deserves, and second of all, we request and expect, a full, complete, unqualified apology. Not necessarily, but it should be directed, not only to the Member, but more importantly, to the Members of this

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chamber, by Mr. Franks. And I appreciate your time."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker, on the same subject. You know, each one of us in this chamber are taught by the older Members, when we come in, or those longer-standing Members, that there's a certain decorum that should occur, and a certain respect. I was taught by Chuck Hartke, as a target, that he explained to me that, 'Mike, this is the way this works. We will debate the issues. I might get up, and I might really tear into you on the Bill, and we'll debate it, and we'll argue it. And when it's said and it's done at the end of the day, that's great, let's go up here, let's laugh, we'll go out to dinner at night, we'll have a good time together. We might disagree on the issues but tomorrow we might be working together on an issue.' Ladies and Gentlemen, what we saw yesterday was an attack that was way out of line, and incorrect. Mr. Speaker, and... Mr. Speaker, I direct it to you. I, myself, was a target for many years. Your side of the aisle and your work, and I understand your position to work to try to gain that Majority, and work hard against me. We might have disagreed on issues, but never did I disrespect your office. Never did I disrespect you as a person. Never did I disrespect you as a Representative. And yesterday, in this House chamber, we fell to a new low. I was embarrassed. I was angry. I couldn't voice to my colleagues on this side of the aisle, or enough of the Members on your side of the aisle, how angry I was. Because, you've got to understand, and we all do understand for the most part, that each one of us are passionate about our issues, but they are the issues, they are not the person. And we have a real problem if we can't realize

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that it's not the person. And we can't make attacks, mainly on a Bill that had nothing to do with the original Bill, against those people that disagreed with us on another issue. I signed this petition and this request because I believe in it wholeheartedly. We must keep decorum. We must keep a certain respect, because if we don't we might as well just drop our coats off, and go out here and fight in the streets to try to come up with the answers, and problems, and concerns that we have in this state, as well as what we have in this nation. We're going to disagree, but we must keep a certain honor and integrity. And I ask for that back. I was embarrassed by what happened yesterday. And I think an apology is necessary. And I think, not based on party, but based on the individuals of this House, we should each explain to the Members that have violated these Rules, the importance of keeping the Rules of this House. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker. One of our fellow Members yesterday, in the summary, when he was asked to close, made some comments, and used some words. And to be honest with you, Mr. Speaker, I didn't know what they meant at the time. They were medical terms. They're not in my vocabulary. They're not in my language, and I didn't know what they meant. When I later found out what they meant, I was offended, Sir. And maybe I was the only one. Maybe not, maybe there were others, but I was offended by that language. And so, I too, ask for an apology from the Member. And I would also like to see those words stricken from the official record. It's not necessary. Thank you."

Speaker Madigan: "Representative Lindner."

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Lindner: "Thank you, Mr. Speaker. I, too, join my colleagues in this official protest. You know, we have a lot of fun in the House of Representatives. We're called the last bastion of democracy. We can say what we want. We can say what we think. Our arguments get heated sometime, and we can be humorous, but we went beyond the bounds of decorum and civility, yesterday. Certainly, civility is something that is going from our society, that we need to reestablish. And we, in the forefront of the public, should be the first to honor this civility and have propriety and good taste. I, too, did not know the meaning of the words yesterday, but when I found out, this is just terrible bad taste for somebody to say on the House Floor. It was not only an insult to the person to which it was directed, but it is an insult to all of us. We're like any other profession, one of us says something, and it's attributed to all of us, oh those politicians again. It only furthers the view of what people think of us. This goes out over the Internet. It is in the transcript. We need to restore a sense of integrity to this Body. The words of a person is often shown by his willingness and ability to apologize for an offensive remark. And I ask that the Representative, also issue a formal apology to this House. I join in the protests of my colleagues."

Speaker Madigan: "Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker and Members of the House. Mr. Speaker, when I look at you I think you know I hold you in high esteem. You're an honorable man. I hold this House in high esteem. We're all honorable people. For the past two days, the decorum in this House has been embarrassing, not only to me, but to the children that have been in this House. I also looked up to the gallery, and I watched the

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demonstrations, yesterday. I watched the cheerleaders up there in the corner. At no time were they going to ever stop cheering and shouting the way they did. And then, you look around, and you look at the children, and they look at me and say, Mrs. Wojcik, what is going on? And I say, well, this is the privilege of the people of the United States and of Illinois, to have the right to demonstrate. I said, but however in the House, you're supposed to have decorum. You're supposed to reserve yourself. You can express yourself, yes, but in a kindly way. The past two days, I have to tell you, I have heard things, that I've not heard in my life, and I'm not that young of a person. But the things that I heard, was appalling to me, and shocking. I think the topping and the fruiting of the fruit on the cake is what happened, yesterday. Again, I was educated, as to a word that was used. I don't think we need to do this in this House, and I think we have to think about the audience that we have in here. They are not all adults. They are young children, looking at us to be role models; looking at us, for someday, maybe, this is going to be their future. And I think we should act as role models and not lose our sanity the way it was lost yesterday. I would like to have the words expunged, and I would definitely like to have a proper apology given. Thank you very much."

Speaker Madigan: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think it's kind of ironic that the Chaplain, when they gave the invocation this morning, quoted Abraham Lincoln. And when you walk down this aisle, on the side, and you see that Abraham Lincoln served in this great chamber as Minority Leader, I can't help but think that he

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has to be having... the ghost of Abraham Lincoln has to be going crazy at this particular point, at the lack of civility in this entire process. You know, we have a lot of fun, as others have mentioned here, as far as the House is concerned, and we have some interesting discussions on points. But I think, more than anything else, we've always respected each other as individuals, and as far as Members. And rarely... I've been here since 1989, and I've not heard anything that even vaguely compares to this type of a personal attack. Now, the Representative seems to think with his little smug remark over here, that it's... these facial expressions, that this doesn't mean anything. And I find that very, very, very disconcerting, because this is a very serious issue. We may take debate on issues and take it to levels that perhaps... where we get personally involved, but we do not attack Members, personally, and certainly, not in the way that this happened yesterday. And I'm sad. I'm sad by this process. And I'm sad to see people take it so lightly, because it is not something that should happen in this great chamber. I would certainly ask that these remarks be expunged, and I would hope, that from this point on, we take a higher level in terms of our approach to each other as Members, and civility to each other as Members."

Speaker Madigan: "Representative Andrea Moore."

Moore: "Thank you, Mr. Speaker. I, frankly, did not expect to have to stand up here, because I thought there would be a very quick, sincere, and brief apology for what happened. So, I was sure I would not have to speak. But, Mr. Speaker, I must now speak to you. Because, in fact, Leader Daniels did make this a unanimous support electing you as the Speaker. And with that, you as Speaker, have our trust

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on so many issues and the most important one, is running the chamber in an effective and proper way. People perform to the standards of their Leaders. I cannot, for a moment, think that these standards are ones that you support. And if they aren't, what are you going to do about it? Since the Member does not seem willing to apologize, what are you, Mr. Speaker, with our trust and support, going to do to maintain decorum on this issue?"

Speaker Madigan: "Representative, I'm not prepared to speak to the issue, at this minute."

Moore: "You will be back to us with some information?"

Speaker Madigan: "Well, I think you'll give me some time to reflect on this. I think you'll do that."

Moore: "Thank you."

Speaker Madigan: "Representative Dale Righter."

Righter: "Thank you, Mr. Speaker. First, I want to echo some comments made by Representative Moore. After learning about the comments that were made by Representative Franks in his closing on the HMO right to sue Bill, my first thought was we will surely come to this chamber, and in the first three minutes we will hear an apology, not only to the person at whom those remarks were made, but to the chamber as a whole. Representative Bost, quite correctly, pointed out, and I want to echo those comments also, that we have bitter political fights back in our districts, and we have bitter fights here when it comes to matters of public policy. And while I've only been in this chamber for about three, three and a half years, I sense from the Members on my side of the aisle and on your side of the aisle, who have been here a good deal longer than I have been here, that there is a certain degree of respect, a certain sense of decorum that is owed, not only to each of

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our 117 colleagues, but to the chamber and its history as a whole. As such, Mr. Speaker, I'm gonna join the colleagues who have already spoken here, and request that Representative Franks give a full and unabridged apology for the remarks that he made yesterday. Thank you, Mr. Speaker."

Speaker Madigan: "Representative Franks."

Franks: "Thank you, Mr. Speaker and Members of the House. I've been personally subjected to attacks, based on my faith, by the other side of the aisle, and my family's been attacked by that, and I know it's not a good feeling. I, sincerely, apologize if I've offended people. It wasn't my intention. I was trying to have some fun. I apologize."

Speaker Madigan: "Cross."

Cross: "Thank you, Mr. Speaker. We would like, and we are filing at this time, a Motion to expunge the comments that were made yesterday. And thank you to Mr. Franks, for the apology. If we could... I think it would be appropriate to have a vote on our Motion to expunge those comments from the House record that were made yesterday. I certainly would... Sounds as if everybody would be in agreement on that Motion. We are comfortable with a Roll Call Vote or an oral vote, whatever the Speaker feels like doing. But we feel we need a vote on that Motion at this time, to have those comments expunged, and/or stricken from the record, the official House Record."

Speaker Madigan: "Mr. Franks."

Franks: "To Mr. Cross's Motion. We are all in this chamber, First Amendment advocates. I am worried of a slippery slope or if someone's feelings are harmed, that we have to expunge records. We here, need to be able to debate freely, and maybe, hotly, sometimes, our ideals, and our

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ideas. To begin to expunge portions of the record, I think, is a very dangerous precedent in a free society. However, having said that, I will not object to the person's Motion. But I just want you to know where I stand on that. And I think in the future, we should be very careful on Motions for expungement."

Speaker Madigan: "Mr. Cross has moved to expunge the record. Mr. Franks has indicated that he will not object to that Motion. The Chair proposes to take the Motion, and request that there is leave for the Motion. Leave is granted. The Motion is granted. The record is expunged. Mr. Cross."

Cross: "Thank you, Mr. Speaker."

Speaker Madigan: "John Jones, do you wish to call House Bill 3017? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3017, a Bill for an Act concerning the Tourism Promotion Fund. Third Reading of this House Bill."

Speaker Madigan: "Mr. John Jones."

Jones, J.: "Thank you, Mr. Speaker. House Bill 3017 is a DCCA agency Bill for tourism. It replaces the system of contractual funding for regional tourism development organizations and to a system of awarding grants. And provides a standard for funding local tourisms and convention bureaus throughout this state. Throughout the State of Illinois, Representative Holbrook and myself, cochaired some meetings and this is what came back to the Department, that the people of the State of Illinois, that run our tourism bureaus throughout the state, would like to see these changes made. And we'll be happy to answer any questions. And with leave of the Body, some of the questions, I may let Representative Holbrook answer."

Speaker Madigan: "The Chair recognizes Mr. Holbrook."

Holbrook: "Thank you, Speaker. We held a series of hearings

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across the state on tourism, on this issue. These are recommendations by this and the agency's new consultant. And they feel that this is necessary to move ahead. We don't know of any objection to this, at this time, other than maybe, some comments from my own local tourism board."

Speaker Madigan: "Mr. Parke."

Parke: "Yes, Sir."

Speaker Madigan: "Mr. Parke. Mr. Parke."

Parke: "Thank you, Mr. Speaker. The microphone did not go on until just now. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Parke: "Thank you. Representative, due to the time of adjusting to your Bill, and getting us started in the chamber, perhaps you can tell us a little about it. Is this a funded... Is this a budgeted grant, that you're having... I don't know what that means."

Holbrook: "Representative Parkes (sic-Parke), and Representative Jones behind you. I believe your question... and the noise level's high enough, but I believe your question is, 'Is this already funded?' And it is in DCCA's budget. It just... We're making it grants, instead of contractual."

Parke: "So, these are onetime grants?"

Holbrook: "No."

Parke: "What are these? How long do they go?"

Holbrook: "They're yearly grants, and so, you know, they go on as long as we continue to appropriate money for DCCA's budget for these purposes."

Parke: "And are these distributed all over the state, and they're judged on merit?"

Holbrook: "They're distributed to the local tourism bureaus throughout the state."

Parke: "And does everyone have a fair shot at receiving, whether

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they're a big tourism council or small one, they all have an opportunity to promote their tourism program, in that part of the state, wherever that might be?"

Jones, J.: "Yes, they most certainly do. And I would say, Terry, that every tourism bureau in the state totally agrees with this new funding of making it grants, instead of contractual."

Parke: "Well, I think that promotion of tourism, and the return on dollars is well worth the investment. Can you give the Body an idea of what the total amount of grants that you're talking about?"

Jones, J.: "That I don't have, unless Representative Holbrook might know, but I don't know, Terry, on that."

Parke: "I'm just curious. And if someone can address the amount, and whether or not this is more than last year."

Jones, J.: "It's whatever is appropriated for the budget through the Department of Commerce and Community Affairs. And I don't know what that appropriation is this year."

Parke: "Do you know if DCCA is in agreement with this, and they feel good about it?"

Jones, J.: "Yes, this is an Agency Bill."

Parke: "Okay. Perhaps, someone might tell us the amount, and whether or not it's more than last year."

Speaker Madigan: "Representative Holbrook."

Parke: "Mr. Parke, it's my understanding that these are all... were switched from grants, and they'll be the exact same amount. Last year, I think they were around 120 thousand for each regional tourism board. And that's what we're changing here, are the regional tourism boards, not the actual convention tourism bureaus. And that was done at the request of all of these bureaus. They all requested it. And the amount is the same, I believe, for each one,

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was about 120 thousand last year."

Parke: "Okay. Is there any thought that there may be more needed?"

Holbrook: "The Agency is looking at creating two more out in the Chicagoland Area, and also in the Metro East. But that hasn't been finalized, yet. And if they would, they've already committed that that will not affect the current funding of any of the regional tourism boards. This will be in addition to it, and they would be funded the same, if they decide that's what they're going to do."

Parke: "Thank you. To the Bill, Mr. Speaker. I rise in support of this legislation. I believe that tourism is a tremendous golden egg... chicken that lays the golden egg concept here, that the more we put into it the more the state will return. So, I'm gonna rise in support of this legislation, and also, commend the work of the Tourism Committee, for continuing to keep this issue in front of the Legislature. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Boland, House Bill 1784. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1784, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "Mr. Boland."

Boland: "Thank you, Mr. Speaker. House Bill 1784 provides that, 'the defense of intoxicated or drugged condition does not

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apply to a person who is charged with an offense involving the sexual or physical abuse of a person under 18 years of age.'" "

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

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

Speaker Madigan: "Sponsor yields."

Parke: "Has this issue been brought to you, Representative, by an individual or a group that sees this as a deficiency in State Law?"

Boland: "It arose... Representative Parke, it arose out of a situation in the Quad City region in a particular case, and I don't know how much I want to go into detail. The accused person had come home drunk, and had got into a twin bed with the girlfriend of his daughter and that girl accused... and the parents accused him of, you know, touching her and molesting her. And that person went to trial and the judge let him off. Basically, the defense motion was on the basis that he was intoxicated."

Parke: "Okay. When you presented the Bill in committee, it was Jud Committee, did anyone speak in opposition to your legislation?"

Boland: "No, it passed 13 to 0."

Parke: "Okay. Thank you very much."

Speaker Madigan: "Mr. Boland moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 3247?"

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Clerk Rossi: "House Bill 3247 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Put that Bill on the Order of Second Reading. Representative Mendoza. Do you wish to call House Bill 1812? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1812, a Bill for an Act concerning organized gangs, which may be referred to as the Severo Anti-gang Amendment (sic-Amendments) of 2001."

Speaker Madigan: "Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise before you today to ask for your support of House Bill 1812. House Bill 1812 is a very important piece of anti-gang legislation. This Bill expands the offenses of aggravated battery, aggravated battery with a firearm, aggravated discharge of a firearm, and aggravated assault to include offenses committed in furtherance of the activities of an organized gang or by reason of a person's membership in or allegiance to an organized gang. A person commits aggravated discharge of a firearm when, in furtherance of the activities of an organized gang, or by reason of his or her membership in or allegiance to an organized gang, he or she knowingly or intentionally discharges a firearm in the direction of another person or in the direction of a vehicle or building that he or she knows or reasonably should know is occupied by another person, and the firearm is discharged from a place or position outside the vehicle or building. This crime would be a Class X felony with a sentence of 10 to 45 years. Aggravated battery with a firearm would also be a Class X felony carrying a sentence of 15 to 60 years. This Bill would also provide that anyone convicted of aggravated battery with a firearm or aggravated discharge of a firearm

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and sentenced to a term of imprisonment must serve the entire sentence imposed by the court. A person who is found guilty of first degree murder may be eligible for the death penalty, if he or she committed the murder in furtherance of the activities of an organized gang or by reason of his or her membership in or allegiance to an organized gang. Ladies and Gentlemen, I wish I had the luxury of being able to introduce legislation that's free from controversy and could just simply fly out of this House. Unfortunately, I don't have that luxury. While some may know what it's like to live in a beautiful high-rise apartment and partake in champagne parties with their friends without the fear of any kind of gang violence or intimidation, my district and others in this state are terrorized by gangs. Our children are getting killed. Good people are getting killed. Let me put this in perspective for you. I'd like for you to imagine that you have a 14-year-old boy or 14-year-old grandchild, and your grandchild is enjoying or your son is enjoying his day off from school because it's a holiday. He's outside with his friends doing what any normal 14-year-old would be doing on his day off from school. Now imagine that this 14-year-old child, your child, who you're so proud of because of his aspirations of someday being an astronaut and because you're so proud of him 'cause he just passed his exam to get him out of the neighborhood, a crime-ridden neighborhood, and into an academy where he could learn. Imagine that he and his friends are approached by adult gang members. These gang members intimidate your child and his friends taunting him to throw gang signs, these gang members scare the younger kids away leaving your child all alone. Your child remembers how you always told him, stay

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away from gangs, walk away, just ignore them and he does just that. He refuses to throw gang signs because he's not in a gang. He doesn't want to be in a gang. He wants to be an astronaut and that makes you proud. Ladies and Gentlemen, now know this, your child is dead. Your child is dead because he's been shot to death five times to be exact for doing the right thing, for saying no to gangs. I'm happy to say, that thankfully, this is not the case with you, Ladies and Gentlemen. However, I didn't make this story up. In my district, right now, there's a mother who is crying and grieving for her 14-year-old boy. Had he lived one more day he would have lived to celebrated his 15th birthday. There's a brother, there's a father, and there's a sister who is grieving for this child. His teachers and his friends are grieving for him and I grieve for him because even though he's not my child, I am here to represent him as if he were. Ladies and Gentlemen, to think that everyday a greater number of our children don't get to see their 15th birthday is something that should outrage us. It goes beyond outrage. It's un-American, because in America no child should be denied his life because of some low life criminal murdering gangbanger. Now, imagine that you have a loved one who is disabled. To be precise, he's deaf and mute. Imagine that this loved one is communicating in the only way that he knows how by using sign language. Now picture a gang member discharging a firearm in the direction of your loved one because he confused him for a rival gang member who is using gang signs."

Speaker Madigan: "Could you bring your remarks to a close?"

Mendoza: "Yes, Sir. This happened in my district, a deaf-mute man was killed because he was communicating. This should

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also be an outrage to us. Ladies and Gentlemen, we protect... by supporting gang members that are protecting their turf. It's not their turf. It's the people's turf. It's that little boy's turf and it's the deaf-mute's turf. It's our turf and we need to take it back. My district is in a state of crisis, and I need your help. So, please vote to support this Bill. Let's not talk rhetoric. Let's walk the walk. And I'd be happy to answer any questions."

Speaker Madigan: "Ladies and Gentlemen, this Bill is on the Order of Standard Debate. This Bill is on the Order of Standard Debate. Representative Mendoza has spoken in support of the Bill. There will be two more proponents of the Bill, and there will be three in response. There are, currently, six people seeking recognition. In the following order: Morrow, Miller, McKeon, Lou Jones, Giles, Acevedo. Now understand, two more in support, three in response, we go to Roll Call. Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to ask the Lady to yield because I'm gonna get directly to the Bill. You know, everyone wants to be tough on crime and I'm against crime. I have parts in my district... I happen to represent Englewood, which is a high-crime area. But one of the things that I found out when I first came down here, one year we passed a lot of enhanced penalties. We made it a crime if you committed... or we passed laws that made it enhanced penalties if you commit a robbery in public housing. I asked at the time, what should be the difference if I'm getting robbed in Robert Taylor or if I'm getting robbed in Lake Forest? I should be sentenced the same sentence. This Bill is the same thing. Murder is murder, whether it's been done by a gang member, or a nongang member. There should be no

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difference, when that defendant appears before the court, because all gang members are not criminals, whether you believe that or not. Many kids, in my community, are forced to have an allegiance to a gang in order to survive getting back from home and school, but yet, they commit no criminal activities. They never carry a gun. They don't sling any drugs, they just have to, for their own sake... for their own survival, they have to have an affiliation. When I was a child, I lived in a neutral zone. My parents made it a neutral zone because when the gang members came to recruit us, they went out there and dealt with it their way. I lived in what was called 'peaceful valley'. But if I went to the East of me, I was walking in Blackstone Ranger territory. If I went to the West of me, I was walking in Black Gangster Disciple territory. And you'd better believe I knew what I had to do when I walked in their territories. I didn't flash any signals, and fortunately, young men settled their differences then with their fists, and not with guns. But this Bill does not address the real issues in our community. Just because this person says that they're in a gang... and let's define a gang, because we considered some legislation several years ago that said, that there were three young men standing on a street corner that constituted a gang. So, let's... This Bill does not define what a gang member is. Just 'cause you have a tattoo on you doesn't mean that you're in a gang. If that's the case, every NBA player would be a gangbanger. ...We have a moratorium on the death penalty. We have a task force looking into this issue. Rather than lock 'em up, let's rehabilitate 'em. Rather than lock 'em up, let's give them some job opportunities. Rather than lock them up, let's vote on a

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Bill that I have, like House Bill 644, that expands the apprenticeship programs to get some of these young men out of the lifestyle that they're in. You have dope dealers and gang members out here who can solve an S & L crisis. Why? They know marketing. They know quality control. They are some of the most ingenious young men in this country, but they're not being given the opportunity to make it. The only opportunity that they have is to have a number on 'em, and eventually, be locked up. And then, after they serve their time they can't get their record expunged, so they then can't get gainful employment. But yet, there's people in this state who have affluence, that never go to jail for crimes that they commit. I'm not going to mention the name but there was the daughter of one prominent politician, got busted for cocaine three times, never served jail time. This is not the Bill to solve the problems that she has in her community, or in my community. We need to stop labeling young people. If that was the case I would have been labeled a gangbanger, back when I was a teenager. And I've never committed a crime. I don't have an arrest record. But I knew a lot of guys that were on the wrong side of the track. A lot of guys that were on that side of the track kept me on the right side of the track, and helped me become what I am today. And when I see 'em on the street, I don't turn my back on 'em. I thank 'em for making me what I am today. And I try to steer them in the right direction. I've gotten kids out of the gang situation. I've gotten kids out of the dope situation. It's all about having some care and some concern. Kids join a gang because kids want to be wanted. They're not wanted at home, so they find somebody that wants them on the street."

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Speaker Madigan: "Mr. Morrow, could you bring your remarks to a close. Mr. Morrow."

Morrow: "I appreciate what Representative Mendoza is doing. This is not any personal attack against her. Gangs are not what I would recommend to our youth. Drugs are not what I would recommend to our youth. But I understand that lots of kids have no other choice to survive in the mean streets of the City of Chicago. Thank you."

Speaker Madigan: "All right. Ladies and Gentlemen, once again, this matter is on Standard Debate. We have now had one in support, one in response. The following people are seeking recognition in the following order: Miller, McKeon, Lou Jones, Giles, Acevedo. Mr. Miller, do you stand in response? Mr. Miller for five minutes. The timer will be on."

Miller: "Thank you, Mr. Speaker and Members of the chamber. I, too, stand in opposition of this Bill for various reasons. And I'm gonna paint a picture of my background. I didn't grow up in a gang-invested area. I grew up in Evanston, Illinois. I was given a very good educational opportunity. I was given... both mom and dad, and my brothers and sisters lived in my family. I had a strong structural background to succeed. Unfortunately, many of our youth do not have this same background, and I realize that. But even with my strong background, I was faced with many dilemmas in life. I was faced with many decisions that I had to make, whether to go down the right or wrong path, or whether to do the good thing or the bad thing, whether to succeed and to fail. And so yes, I had some friends who got into trouble consistently, and did things that they shouldn't have done and sometimes I did, too. But I was given an opportunity to succeed, too. So, this is not just

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some inner city problem, as I see, it's a community problem throughout the states... throughout the State of Illinois. Now, I look at this Bill and would say, hey, look, well that means, if I'd associated with some of my friends who may have been in a gang, whether I'd known it or not, and had done something that took me unaware of what they were doing in mischief or with a gun in the times that we live in today, that I would have been sent to jail just by merely association with them. That is absolutely absurd. That means my career, my background, my family, all of that would just have been thrown to waste. This Bill does not offer any opportunity for those to succeed once they've been labeled as a gang member. Once, yes, their friends may do wrong. Yes, we're not excusing that behavior, but simply, because an affiliation with a gang, an affiliation with somebody should not sentence them to a life sentence. Because once they enter the penal justice system, it is hard for them to get out of that system. And I'm speaking with my background and with all the opportunities that I was given. Let me paint a scenario of just a little bit of different. We all may have seen the movie American Graffiti, in which... there's a scene in the movie in which someone asked somebody to go pick up something for 'em, and the guy runs out the store and he eventually found out that he robbed the store. Now, sure enough, if that person would have killed the store owner that person outside would have been committed, according to this legislation, to jail, would have been committed to a death sentence, would have been in the penal justice system not knowing to what they've done. So, I rise in strong opposition to this Bill. And I would encourage my Members to look at that and really to consider this legislation. And once again, I

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would agree with Representative Morrow that this is no disrespect to Representative Mendoza, but I am in strong opposition to this Bill and to the families that we're trying to do."

Speaker Madigan: "Ladies and Gentlemen, again, this Bill is on Standard Debate. We've had one in support, two in response. The next person in response will be the last in response. The following are seeking recognition: McKeon, Lou Jones, Giles, Acevedo. All right, I believe the last person in response will be Mr. Giles."

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

Mendoza: "Yes. I'm sorry."

Giles: "Representative, you know, I think I know what you're trying to do here and I think you've expressed that, you know, could you please help out my district. I represent the Austin Community, the largest community in the City of Chicago. And of course, with the largest community you have the largest numbers and therefore, you have the largest crime rate. If you pull my record, I'm tough on crime. However, I have a problem with your piece of legislation. I can vote for almost every facet of this legislation except for one part, and that's the part dealing with the death penalty. Do you know that the Governor have a moratorium on the death penalty?"

Mendoza: "Yes, I do, Representative."

Giles: "Do you know that there's a commission that is studying this idea, and have not made their report, and have not reported back to the General Assembly?"

Mendoza: "Yes, I do."

Giles: "With that knowledge, I think it would be prudent and I think that it would be of a greater responsibility if you

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would take this Bill out of the record. Would you do that?"

Mendoza: "Absolutely not, Sir."

Giles: "Absolutely not. So, therefore, we must proceed. And we must proceed by saying that first, I think that if you continue to force this issue down the line you're going to receive strong opposition wherever you go. You do know that?"

Mendoza: "I believe that the children who I am asking for the support of this Body to protect will be proponents of this legislation. And those are the people that I'm here to protect."

Giles: "Mr. Speaker, before I continue I would like to ask for... if this Bill received the requisite number, I would like to ask for a verification of this vote."

Speaker Madigan: "The answer is, yes."

Giles: "Thank you. Representative, let me just say that I think... first of all, what is the gang member in your definition? Does the Bill give a definition of a gang member?"

Mendoza: "Yes, it does, Representative. Street gang member or gang member means, any person who actually and in fact, belongs to a gang, and any person who knowingly acts in the capacity of an agent for or accessory to or is legally accountable for or voluntarily associates himself with the coercive pattern of gang-related criminal activity, whether in preparatory, executory, or cover-up phase of any activity or who knowingly performs, aids, or abets any such activity."

Giles: "Okay. And of course, I've been informed, that that's a definition that's been used by the Illinois Street Gang Terrorism Omnibus Prevention Act. Is that correct?"

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Mendoza: "That's correct, Representative. Yes. The 1993 Statute."

Giles: "Okay. And someone sit down and decided, that this is what a street gang member is?"

Mendoza: "This Body decided that in 1993."

Giles: "Well, oftentimes, this Body acts on someone's behalf and do not seek the facts and the truth and cannot... can truly cannot take three and four individuals on a street corner and simply say that they're a gang member."

Mendoza: "No, and... This Bill does not target three or four individuals who are simply standing on a street corner. This Bill targets criminals who are gang members who execute criminal activities, in the event that they aim and discharge a firearm in your direction. If you want to stand on a street corner that's your right to do so. But once you aim and discharge a firearm at an individual who lives in this state, we're here to protect that individual and not the gang member."

Giles: "Sure. And of course, you know, this definition simply protects anybody that decides to come together and meet these criteria. But let me just say, Representative, you know, you were able to get a piece of legislation like this out of the committee and of course, you got some strong muscles as Sponsors on this piece of legislation. The problem is, we continue to react instead of proact. You see I have a piece of legislation called 1969. And what that Bill does is any individual that get incarcerated because of drug addiction, or alcohol addiction, that has a problem going into the penal system, that that individual must seek... that individual must have some type of treatment before that individual leave the penal system, leave the prison population. And, you know, I had the

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world of a time trying to get some legislation out of committee that's going to proact, that's going to help an individual, that's gonna give an individual the opportunity..."

Mendoza: "And I'm a... Sponsor on that legislation, Representative."

Giles: "...to correct their lives and not be associated with a definition called the Street Gang Omnibus, whatever."

Mendoza: "Terrorism. 'Cause that's what..."

Giles: "...terrorism."

Mendoza: "...they are. They're terrorists. They terrorize our communities and our children are dying because of that. That's why I'm here."

Giles: "Okay. Well, I just feel that you've got the cart before the horse here and I think we must continue to look at what the Governor has to say dealing with the death penalty, before we proceed on some information like this. And I would just, once again, ask you to take this Bill out of the record. Because the way the language is right now, I just could not support your legislation. And if I had the opportunity I will try to convince every Member in this Body not to support this legislation. Thank you, Mr. Speaker."

Speaker Madigan: "Thank you, Mr. Giles. Mr. Acevedo is a supporter of the Bill, and then we'll go to a Roll Call."

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. That's the best part about Springfield is coming down here from people, throughout the State of Illinois and each and everyone of us have our own opinions. But at the same time, there's people from certain parts of the City of Chicago that have the same right to come down here and express their opinion. Ladies and Gentlemen, there's a war

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being fought out in our streets throughout the State of Illinois. And that's the war against gangs. How many times are we gonna turn a TV on, and look about a five-year-old who's driving his Big Wheel on Christmas Eve and is shot to death by gang crossfire. Or a senior, who's walking to church or to the store, and is shot dead by gang crossfire. Myself, being a Chicago Police Officer, sees that day in and day out. And I, for one, am sick and tired of it. And I think that sends a message to each and every people in our community, too, that they're sick and tired of it. Granted, I understand the opinions of my colleagues who stood up, and I respect each and everyone of them. But at the same time, I also gotta respect my colleague sitting next to me, Susana Mendoza. She comes down here to Springfield and fights for what she believes in. And I, too, as a Chicago Policeman, stand and support her because I believe the same things Susana does, because of the war that is being fought in our streets, where so many innocent people innocent bystanders, are being shot dead in our streets. How long are we gonna stand by and allow innocent people of the City of Chicago and throughout the State of Illinois, die? I'm sick and tired of going to funerals where 17-and 14-year olds, their lives have not even begun, but yet have ended so quickly. We consider like I said, once again, and give our own opinions, why we're against the Bill. Well, Ladies and Gentlemen, it's time we send a clear message and I think that's absolutely what Representative Susana Mendoza's doing. She's sending a clear message to the gang members. We're gonna put our foot down. We're sick and tired of letting these kids die in the street. And I believe that's all she wants to do. She wants to take back the streets to our communities. The

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gangs have taken control of our streets. It's time we put our foot down and take the streets back. And, once again, I'd like to tell my colleagues I respect your opinion, but at the same time, each and everyone of us come down here and we feel we have to do what we gotta do for our communities. I ask for an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 77 'ayes', 31 'noes'. This Bill, having received a... There is a request for a verification from Mr. Giles."

Giles: "Mr. Speaker, I will remove that request for verification. And... Thank you. Thank you, Mr. Speaker."

Speaker Madigan: "On this question, there are 77 'ayes', 31 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kurtz, did you wish to call House Bill 3154? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3154, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Madigan: "Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker. This amends the Criminal Code of 1961. Provides that it is a Class IV felony for a child sex offender to be knowingly present in a place in which programs, services, or lessons are provided to persons under 18 years of age, and where children under 18 years of age are present during which the programs, services, or lessons are provided. This Bill closes a loophole that came to the public's attention when a registered child sex offender was providing music lessons in his home and children's homes in Representative Cross', and

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Representative Cowlshaw's districts. The current law only prohibits sex offenders from being in facilities that are used for providing services to home... to children. Private homes do not fit under that definition. So this Bill includes any place where services are provided to children. I'd welcome any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Morrow, House Bill 829. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 829, a Bill for an Act concerning courts. Third Reading of this House Bill."

Speaker Madigan: "Mr. Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 829 is a vehicle Bill for the negotiations on... to increase judges statewide. This is a shell Bill, I'm going to be honest. We're still in negotiations as to the final numbers, of how many judges we're going to be... we're going to try to increase statewide and in the County of Cook. I will be glad to answer any questions, though, if you have any."

Speaker Madigan: "The Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker. I have an inquiry of the Chair. I thought we were not supposed to be sending vehicle Bills over. I thought there was some kind of an understanding on that. Is that not true? Are we sending vehicle Bills over to the Senate? Yeah, but it's a shell Bill."

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Speaker Madigan: "Mr. Morrow, I think Mr. Parke has raised a valid point and so, we'll take this Bill out of the record."

Morrow: "Yes. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Novak, do you wish to call House Bill 2113? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2113, a Bill for an Act in relation to taxation. Third Reading of this House Bill."

Speaker Madigan: "Mr. Novak."

Novak: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2113 makes changes in the Use Tax Act, Service Tax Act, and Service Occupation Tax, and the Retailers' Occupation Tax Act. It's, essentially, an initiative of the Illinois Automated Machine Council. It exempts... It expands an existing exemption to allow commercial coin-operated amusement and vending machines, as well as the replacement parts to be exempted from sales taxes upon their purchase by companies in the vending machine business. This exemption is only available for those machines that pay a Use or Occupation Tax on the gross receipts. The reason behind the introduction of this Bill is that new technologies are emerging in the vending machine industry that will result in increased revenue to the state in the form of taxes on gross receipts from the sale of products in the machines. I think we can pretty well understand that years ago vending machines only were allowed to carry or provide a limited number of items to sell, such as a few candy bars or a few other items of so-called junk food, potato chips, pretzels, for that matter. New vending machines with the new technology have certainly expanded the number of items that can be sold in the new machines. And therefore, that the rationale behind

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that is that they will produce more revenue, and therefore, produce more taxes to the state. Be more than happy to entertain any questions."

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

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, is this... Did anybody speak against your Bill in committee?"

Novak: "I don't believe so. I think it passed unanimously, Mr. Parke"

Parke: "And, the Vending Machine Operators' Association is supportive. Is this their Bill?"

Novak: "Yes."

Parke: "Okay, then I have no problem. Thank you."

Novak: "Thank you."

Speaker Madigan: "Mr. Novak moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 2 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. I rise on a point of personal privilege. And I'd like to take this opportunity to welcome a Rotary exchange student, who is residing this year in my district. If we would give a warm welcome to Livia Ruffini, from Paracicaba, Brazil. She is residing with... or her sponsors are Chuck and Susie Johnson of Morris, Illinois, who are at the rear of the chamber. They are also the brother and sister-in-law of Representative

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John Jones. So, if we could give them a nice warm welcome.

We appreciate her being here."

Speaker Madigan: "Representative Zickus. House Bill 1807. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1807, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Madigan: "Zickus."

Zickus: "Thank you, Mr. Speaker and Members of the House. House Bill 1807 addresses a growing health care concern of obesity in this state. It authorizes the Department of Public Health to develop obesity education, prevention, and treatment intervention. It also amends the Public Aid Code to allow coverage of prescription anti-obesity medications for obese patients when medically necessary. It's an issue I learned a lot about in the last few years attending conferences with the Women in Government. It's a growing and serious problem in our state and the related diseases are increasing. One of the statistics that I found astounding was from the Center of Disease Control Report that attributes obesity as the cause of Illinois' 88% increase in diabetes between 1990 and 1997. It's very costly to the state for paying for the related diseases, such as diabetes, heart disease, stroke, high cholesterol, gallbladder disease, and a lot of others. I urge your 'aye' vote on this Bill."

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

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

Speaker Madigan: "Sponsor yields."

Parke: "Representative, is the Illinois Department of Public Aid opposed to this Bill?"

Zickus: "The Illinois Department of Public Aid has given us some

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figures on it, which are not... not really reflect what's happening in the 39 other states that have it. There are 39 other states that provide this treatment for obesity."

Parke: "What's the approximate cost to the taxpayers to do this, Representative?"

Zickus: "According to the Department of Public Health, it's a little over 18 million. However, if you look at a state like California, the State of California for the year 2000, had 1,903 prescriptions for the last six months, or they had about 38 hundred. Their total when you consider the rebate from the Federal Government, and you know, the 50% from the Federal Government and the manufacturer's rebate came to \$148,815. It's a far cry from what Public Aid is saying. Also, take a look at what it's costing to treat someone who has... to treat someone with cardiovascular disease, a stroke victim, and some of the other related diseases. If you're looking at treatment for diabetes for a year, it's over \$4 thousand. Yet, with taking one of these approved drugs, which the doctor says is medically necessary, it would cost only \$552 a year. So, the cost savings is at the other end. As I said, there's 39 other states that have it, and I have the actual figures from the Medi-Cal for the year 2000."

Parke: "Does this money... This is General Revenue Fund money, isn't it, or is this matching dollars with the Federal Government?"

Zickus: "The Federal Government gives the money that goes... my understanding from Public Aid is, that money does not go back to Public Aid, it goes into GRF. So, the state is not going to be paying \$18 million."

Parke: "Do we pay half of that?"

Zickus: "We would pay half of whatever the cost would be. But

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they also included in their figures children, you know, in their Medicaid population figures, they included children, which make up at least 60% of the Medicaid population. Children are not covered on this. They included the elderly, which would probably not be users of this. And please keep in mind, that this is only in cases that the doctor considers medically necessary."

Parke: "Are you going to work with the Department to put the \$9,333,000 in their budget so that they'll have enough money to pay for this, or do they have to take it away from some other part of their Medicaid responsibility and short someone?"

Zickus: "Representative, that's not the actual cost. Let's take a look at what the actual cost is going to be, the actual number of people that are going to use it. If you only had 38 hundred people in the whole State of California that had prescriptions, how many are we going to have in the State of Illinois? So, yes, I'll be willing to work with them to get the money in the budget for their actual costs, but let's also factor in what some of their savings are going to be by not spending more money on the health-related issues. As you know, if you've been reading the papers lately, you're seeing that this an issue that's becoming almost epidemic proportion in our country. We heard just the other day, talking about the waivers for physical education in school, the number of children who are overweight and the number of children who are getting type II diabetes, that is costing the state a lot more than what we're going to be spending. If the State of California only spent \$148,815, I think Illinois can take a look at this and help some of the people."

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

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rise... I understand what the Sponsor's trying to do. I think she has merit in her idea. The only problem is that I'm going to have to vote 'no' on this, because right now the Medicaid budget is being cut back. Right now we have a supplemental budget, it's my understanding that their budget is \$200 million short; a hundred million of that we will get reimbursed by the Federal Government. It's in the supplemental. They don't have enough money right now and the drug portion of their budget is blown wide open. I understand they have a task force trying to cut it back, as it is. And this will exacerbate the problem. If it passes and it goes to the Senate, I hope that the Sponsor works with the Senator, the Senate Sponsor, to try to figure out how... This, obviously, is a problem that needs to be solved and needs to be looked at. I just don't know if adding a more of a deficit to the Medicaid budget as it is already in this state, and... Excuse me, the Department of Public Aid's budget just exacerbates the problem that they already have. There's no simple answer. The Sponsor, obviously, has found a need, that's a justifiable need. But I hope that the Department works with the Sponsor to try and figure out how to solve some of this problem. But right now, we have no control on the Medicaid deficit that we have in this state. And right now, this is just gonna further exacerbate it. Thank you."

Speaker Madigan: "This Bill is on the Order of Standard Debate. We have had one proponent and one person in a response. Mr. Mautino."

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

Speaker Madigan: "Sponsor yields."

Mautino: "Representative, I'm just wondering, I had a call from one of my local pharmacists. Why are the pharmacists

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against this Bill?"

Zickus: "I did not know the pharmacists were against the Bill."

Mautino: "Okay. My understanding is they're opposed. Is that correct?"

Zickus: "Pardon?"

Mautino: "Is it correct the pharmacists are opposed to this Bill?"

Zickus: "Not to my knowledge. Representative Feigenholtz had this Bill in committee, so I was not there at the committee. I don't think they put in a slip, and no one has contacted me. Maybe Representative Feigenholtz can answer that question."

Mautino: "Okay. Second question, I'm sure... Representative Feigenholtz waves she's going to answer that. As a second question, until I get the response, did Dr. Braun, from the University of Illinois, say that about 38 or 50% of the enrollees in the program would be eligible? I mean..."

Zickus: "My understanding, Representative, that that was in committee, but a Floor Amendment has reduced the scope of the Bill by taking out some of the comorbidities."

Mautino: "What are you expecting for utilization?"

Zickus: "I said, let's take a look at what some of the other states have done. The State of California only spent a \$148,600... you know, they didn't even spend a million dollars, \$148 thousand was their actual cost."

Mautino: "There was a difference in the fiscal impacts is why I asked. One has California, based on older numbers, those are the HCFA numbers, which are always delayed."

Zickus: "I have California based on the year 2000."

Mautino: "Okay."

Zickus: "I have this right here. Also, I just wanted to mention, the pharmacists did not put a slip in committee. We have a

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copy here of whoever put in a slip."

Mautino: "Thank you. Has the company that's putting forward this legislation, have they been denied on multiple occasions by the Medical Advisory Board to the Department of Public Aid?"

Zickus: "That I don't know. I did hear that there was a meeting that the Advisory Board had last year, where a Motion was made to provide this. A Motion was made and seconded, but it was taken out of the record. But I don't know. I inherited this Bill from Representative Feigenholtz. We've worked on it together. She's been through all that part, she can answer those questions for you."

Mautino: "And I see she is going to speak on the Bill. My understanding is, and it may not be the right precedent that a company whose been denied by our agencies comes to the General Assembly to override what the formulary has been. That's... My main concern is we're allowing, or setting preferential treatment for a certain drug, which carries a cost of about \$111 a month. On the scale you're using for this, I qualify. I mean it's 30% BMI. Well, a lot of folks may qualify in there. But, my concern is when a private company comes for a specific drug to the General Assembly to override a negative decision from the agency, where there may be a cost impact. I understand and respect what you're trying to do. That's just a concern that I have with the Bill."

Zickus: "Representative, this is in response to a growing problem in our state, and the other health problems that it... you know, that it creates. This is something that I've been following for the last couple of years. That's why I was interested in working with Sara on this Bill."

Speaker Madigan: "Mr. Mautino, have you finished? Mr. Mautino?"

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Mautino: "Certainly. And I understand that. And there are over-the-counter remedies or medications that are available for about 30 bucks a month, as opposed to 111. We're currently cutting back the pharmacies and their distribution rates. That's the concern of my local pharmacists that called me. So, with that, I just wanted to raise those concerns. Thanks."

Zickus: "And the cost on this would be for... around \$46 a month."

Speaker Madigan: "All right. Representative Zickus, Mr. Mautino has finished. We have now had one person in support, two in response. The following people are seeking recognition: Monique Davis, Coulson, Feigenholtz. There will be only one more in response. Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise in support of this legislation. Even though we do have a problem with the Medicaid budget in the State of Illinois, we also know that research has found that untreated obesity leads to many other health problems. Recently, medical research has shown most doctors don't address the obesity, and especially in women. It is extremely important that we take advantage of new knowledge, medically or otherwise. If new knowledge is gained in reference to what affect obesity has on other diseases, or how it can create it, then we would save money if doctors treated obesity before the other health problems were developed. I think it's important that we pass this legislation, and I do believe if doctors start to truly discuss weight, especially with women, if they made it a serious issue, and helped them to realize that obesity causes early death and many other diseases already mentioned by the Sponsor. I urge an 'aye' vote."

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Speaker Madigan: "We have now had two in support, two in response. The Chair recognizes Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I would like to respond to some of the questions that Representative Mautino had about what when on in committee about this Bill. We had a witness come in who was morbidly obese, and who had been treated for her obesity, and who was able to lose a tremendous amount of weight and improve her health. I think what we need to do when we take a look at adding new drugs to the formulary is due diligence. And take a look at what it costs us in our Medicaid budget on cardiovascular disease, hip and knee replacement, and late onset diabetes. And what it costs us is an insurmountable amount of money compared to this. The Pharmacists' Association was not opposed to this Bill in committee. I have not heard any comments from them about this Bill. But I will tell you something that really convinced me that this... we should start doing something about this. I was able to sit with Dr. Winslow, who is a cardiologist on the Cardiovascular Disease Prevention Task Force. In their findings they decided that secondary prevention was very key, and that health care professionals should strive for consistency in their approach to prevention, and use blood pressure, cholesterol, and weight management medication. So, for the record, Representative Mautino, there was no opposition from the pharmacists, and there was a strong recommendation from the Cardiovascular Task Force in support of the measures that are reflected in House Bill 1807. And I recommend that everyone in this room vote 'aye'. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those

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in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 106 people voting 'yes', 8 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Barbara Currie, House Bill 2381. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2381, a Bill for an Act in relation to taxation. Third Reading of this House Bill."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is a fairly technical and complex Bill. It deals with the standards of evidence and review before the Property Tax Appeals Board, when properties in the County of Cook are involved. The Bill intends to restore the standard that is historically applied when there are issues of undervaluation and that is the Cook County Ordinance Level. As you know, Cook is the only county in the state that does classify real property. This is technical, but the meaning of the Bill, the importance of this Bill can be simply stated and cannot be overstated. At stake, because of decisions by the Property Tax Appeals Board to ignore the Cook County Ordinance Level, the projection is that local units of government in Cook County are likely to lose approximately \$650 million on an annual basis. Two-hundred twenty million of those dollars will come from school districts alone. And while you might think that this issue is only an issue that affects taxing bodies and taxpayers in the County of Cook, the reality is that that \$220 million loss means a great deal to those of you who live outside Cook borders. The \$220 million loss to school

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districts in Cook would translate into an extra \$90 million coming from the State General School Aid Formula and going to those districts in Cook County. That \$90 million would not make the school districts in Cook whole, but it certainly would create a hole in school budgets in other counties across the state. So, if you're a Cook County Member, if you represent a district in Cook County, you ought to be for this Bill, because it is the right way to deal with property tax valuation issues before the Property Tax Appeals Board. You should be for it, because if you don't... if we don't adopt this, you're gonna find your homeowners picking up an additional \$650 million in property tax payments. If you are a downstater you ought to be for this Bill, because this measure will protect the State School Aid Formula from a raid by Cook County School Districts against your very own. I'd be happy to answer your questions, and I'd appreciate your support for House Bill 2381."

Speaker Madigan: "Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, last year I supported this... a measure quite similar to this and at the time there was some question whether assessor Houlihan was going to follow up by doing what we're trying to take away through the Cook County board. My understanding is, there has been an agreement that he will not pursue something similar to what we're trying to eliminate by this, through the Cook County board?"

Currie: "That's my understanding, as well."

Mulligan: "Fine. Thank you."

Speaker Madigan: "Mr. John Turner."

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

Speaker Madigan: "Sponsor yields."

Turner, J.: "Representative, is this identical to the Bill passed out of the House last year?"

Currie: "This Bill did pass the House last year."

Turner, J.: "Excuse me?"

Currie: "Did you ask whether this Bill passed the House last year? Was that your question?"

Turner, J.: "Yes, that was part of it. Did it?"

Currie: "Yes."

Turner, J.: "Is this identical to that Bill?"

Currie: "If it isn't identical, it's nearly so."

Turner, J.: "All right. I'm not sure I... I know you gave a lengthy explanation. I'm not sure I understand it all, but it sounds as though that you're changing the standard by which commercial property would be valued. Is that a correct statement?"

Currie: "Commercial and industrial, restoring the standard that has been used in the County of Cook since time immemorial."

Turner, J.: "All right. Now, if you change this standard... It appears to me in just reading through the analysis here that the affect of changing that standard will be to lessen the amount of money, for example, that a school district, or park district, or library district would have otherwise received. Is that correct?"

Currie: "To change the standard would protect library boards and park districts in respect to the way they have been able to generate property tax revenues in the past."

Turner, J.: "I must be reading incorrectly. It looks like to me that changing this standard will have the impact of decreasing value thereby meaning that there will be fewer tax dollars to be distributed to school districts."

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Currie: "It's the other way around."

Turner, J.: "It's the other way around?"

Currie: "The median in the..."

Turner, J.: "How so?"

Currie: "It's the median in the Department of Revenue sales ratio studies, which median under Illinois Supreme Court rulings is not in the County of Cook a very useful way of establishing the value of an individual piece of property. That level tends to be lower than the ordinance level. And all we're doing here is going back to the ordinance level..."

Turner, J.: "All right."

Currie: "...which has been the standard in previous times."

Turner, J.: "Okay. So, I had it... You're sayin' I had it incorrect then and actually then, the tax or the value will go up and therefore, the taxes will go up on the commercial and industrial properties? If I had... if I was..."

Currie: "I'm sorry. I didn't understand you. Say it again."

Turner, J.: "Well, you said I had it backwards. So, what you're indicating then is that the values will go up and therefore, the taxes on industrial and commercial properties will go up?"

Currie: "The valuation using the traditional standard, which is the Cook County ordinance level, will be higher than if one were to use the median from the sales ratio studies. The sales ratio studies, as I also pointed out, under language in several Supreme Court rulings is not a viable indicator of the value of an individual piece of property in the County of Cook by virtue of the classification system and by virtue of the reason the Department of Revenue does the sales ratio studies in the first place."

Turner, J.: "Okay, Representative. Thank you. Just a couple

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more questions and I'll allow some of the other Representatives to ask questions. Who are the opponents to the Bill?"

Currie: "I believe that some of the business community is... are opposed to the Bill."

Turner, J.: "My analysis says the Manufacturers', Illinois Retail Merchants, State Chamber of Commerce. Would you believe those people to be opposed, or those groups?"

Currie: "I don't remember that the State Chamber of Commerce was in committee, but both the IMA and IRMA did oppose the Bill."

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

Speaker Madigan: "Mr. Mautino."

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

Speaker Madigan: "Sponsor yields."

Mautino: "Representative Currie, we worked on this Bill last year."

Currie: "We did."

Mautino: "We had that in the Revenue Committee. One of the concerns was that without the passage of this, Chicago would see an approximate reduction of about \$640 million. A portion of that would then be reflected through the State Aid Formula because..."

Currie: "Right. The county would lose about 650 million and 220 million would come directly out of local school districts in Cook County."

Mautino: "Now, I guess that's where a lot of us had concerns because, and I do rise also in support of your Bill and this is why. With that loss of \$220 million, there is a portion in the law which says anytime there's a reduction from the Property Tax Appeal Board which is adverse the school district is then made whole. The amount of that..."

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There's a recalculation which occurs in the General State Aid Formula. The amount of that for a \$220 million hit means the City would receive an additional, probably \$90 million?"

Currie: "Ninety million county-wide. That's right."

Mautino: "In case..."

Currie: "Not just the City, but all the school districts in Cook County."

Mautino: "The Governor, this year, has suggested a hundred and thirty-five million dollars into the General State Aid Formula. Most of that increase comes to our downstate schools. That's how the predominant number is... Is that correct? Is..."

Currie: "That's absolutely right."

Mautino: "So, without this then, \$90 million of that 135 to \$150 million he's proposing would then be shifted to the City of Chicago."

Currie: "And other..."

Mautino: "As rule of law."

Currie: "And other schools in Cook County. You are absolutely correct."

Mautino: "And that was my understanding of the Bill. It has not changed since last year. I would urge the downstate Members to take a look at this. You do have an automatic transfer which occurs in the law when there's a property tax reduction which would give an impact of about \$90 million and would predominantly hit the downstate schools in the case of that shift. With that, I just simply ask for an 'aye' vote."

Speaker Madigan: "Representative Currie to close."

Currie: "Thank you, Speaker. I'd appreciate your support for House Bill 2381."

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Speaker Madigan: "The question is, 'Shall this Bill pass?' Mr. Righter, do you seek recognition?"

Righter: "Yes. Mr. Speaker, I had my light on previous to Mr. Mautino's finishing his comments. I'd like to ask..."

Speaker Madigan: "Proceed."

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

Speaker Madigan: "Sponsor yields."

Righter: "Representative Currie, in your opening comments you made the statement that downstaters should be for the Bill, but I'm not sure be... the noise level in the chamber maybe I just didn't understand what... Could you go through that again about why people in my area of the state should favor this?"

Currie: "Sure. And it basically echoes Representative Mautino comments, that is that the anticipated loss to taxing districts in Cook County, if the standard in PTAB is not restored to what traditionally has been the standard for figuring out individual valuation, the \$650 million loss includes \$220 million that otherwise would have been available to local school districts. When local school districts lose valuation in that amount, the figures we have from the State Board of Education say that those districts collectively in Cook County would be entitled to an additional \$90 million from the State School Aid Formula. So, the impact of the loss is not only one that would be felt by residential property taxpayers in the County of Cook, but would have implications for every school district in the state. Representative Mautino pointed out that the Governor's proposed \$138 million in new revenue to go through the State's School Aid Formula, if we don't make this change, \$90 million comes right off the top for the County of Cook. Now, that was not the

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Governor's recommended allocation, but without changing the standard for determining value, that's likely what will happen."

Righter: "When did the Property Tax Appeal Board begin to impose, for lack of a better term, its own rules on these assessments as opposed to what the Cook County assessor decided to do?"

Currie: "The County of Cook properties came under the Property Tax Appeals Board only, I believe, two years ago. There were two commercial cases in which PTAB applied the sales ratio study median rather than the Cook County ordinance level."

Righter: "What is it about the process in Cook County, the assessments, that makes it so unique that it should have its own assessment process? And I don't doubt that you've touched on that already, Representative."

Currie: "Under the Constitution, counties like Cook are entitled to classify real property. Cook County has done so for many years. And on the basis of classification, valuation has been determined through the previous process, before the PTAB came into play based upon the ordinance level not upon this other measure which, as I said earlier, under Illinois Supreme Court rulings has been determined not to be a good indicator of individual value in the County of Cook precisely because of classification and because of the reasons and the methodologies used by the Department of Revenue in establishing the sales ratio median."

Righter: "You said, 'according to Supreme Court rule'."

Currie: "According to language in Supreme Court opin... Illinois Supreme Court opinions."

Righter: "Oh, in opinion. Okay. All right."

Currie: "I'm sorry. I didn't mean..."

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Righter: "That's okay."

Currie: "I didn't mean rule. I'm not a lawyer."

Righter: "You use the term... The figure we're throwing around here is \$650 million."

Currie: "Yes."

Righter: "If this Bill becomes law... I mean, trying to avoid all the technicalities and getting right down to the dollar figure, if this Bill becomes law, that will mean \$650 million in more money to the local governmental bodies in Cook County. Is that a fair statement?"

Currie: "It will mean that they will be able to rely upon what they used to rely upon. So, in fact, this PTAB business is a change. So they would continue to rely on when there are disputes in valuation use of the ordinance level to establish that individual value."

Righter: "And so if..."

Currie: "So, it's not 650 million more, it avoids the loss of 650 million."

Righter: "Have they... Have these local governmental bodies already gone through a fiscal year and experienced this loss?"

Currie: "No, they have not. In fact at the moment, I believe, there's a kind of moratorium at PTAB on further decisions. But remember the way the property tax system works, these districts, should the Property Tax Appeals Board continue to use what in my view is an erroneous standard, they will have to pay back monies that they already have spent because we do things on a next year basis."

Righter: "If this does not become law, who reaps the benefit of the \$650 million not going to the local governmental bodies in Cook County?"

Currie: "Large commercial and industrial operations."

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Righter: "What about residential homeowners?"

Currie: "Residential homeowners under this Bill are treated differently because of the volume of residential properties no one disputes the use of the median of the sales ratio study. So, homeowners are not touched by this Bill except that if there is the \$650 million loss to units of local government, someone's gonna try to find a way to make up that difference. And I would venture to guess that the residential property tax owner is someone upon whom everybody's eye will fall."

Righter: "So, what you're saying is that regardless of whether this becomes law or not, a residential homeowner in Cook County, their property tax bill will not change whether this Bill passes or not?"

Currie: "That's right."

Righter: "Now, you said large businesses. What's the definition there between a small business and a large business?"

Currie: "Well, I think... The reason I say large is because that's where the real money is, Representative, and this would apply to smaller businesses, as well, this change in the standard, this return of the standard to the way we always used to do business. But the major beneficiaries, where the real money is, is not in the occasional small industrial enterprise. It's primarily in the big ones."

Righter: "Okay. So, I mean, businesses will be affected. What you're saying is that a greater percentage of the benefit, in terms of dollars, may go to the larger businesses?"

Currie: "That's right."

Righter: "Because they own more property?"

Currie: "That's where the money is. Right?"

Righter: "Because they own more property?"

Currie: "Just like the guy who robbed banks, because that was

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where the money was. So too here, this is where the money is."

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

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

Madigan: "Mr. Speaker, on this Bill, I may have a conflict of interest or there may be a perception of a conflict of interest. I plan to vote my conscience and will do so."

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

Currie: "Thank you, Speaker. I appreciate your 'aye' votes."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2381?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2381, there were 66 Members voting 'yes', 46 Members voting 'no', 4 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2487, Representative Soto. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2487, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Hartke: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. House Bill 2487 is intended to address the needs of working families throughout the state. It contains provisions very similar to the Federal Family and Medical Leave Act of 1993. But it covers a greater number of employees. The legislation was introduced in order to cover employees not covered under the Federal Act. The Federal Family and Medical

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Leave Act of 1993 applies only to employers who employ at least 50 employees within a 75 mile radius. House Bill 2487 applies to employers who employ at least 25 employees within a 75 mile radius. It is estimated that House Bill 2487 will provide family and medical leave coverage to between 400 thousand to 500 thousand Illinois workers who are not covered under this Federal Act. Thank you. The working families of our state thank you for your vote, your 'aye' vote. I'm open for any questions."

Speaker Hartke: "Is there any discussion on House Bill 2487? The Chair recognizes the Gentleman from Coles, Representative Righter. This Bill is on Standard Debate. Do you stand in response?"

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

Speaker Hartke: "Sponsor will yield."

Righter: "Representative Soto, as the law stands right now, employers with 50 or more employees are under the requirements that are contained in your Bill, is that right?"

Soto: "Yes."

Righter: "Okay. And this Bill would drop that threshold to 25? Does it make any other changes other than that?"

Soto: "No. Correct."

Righter: "Can you tell me how you targeted the number 25 as opposed to 40 or 15 or 10? Was there a study done to show that this would be okay for businesses that small, but if you go to 24 or 20 that it wouldn't be?"

Soto: "Trying to expand it gradually."

Righter: "I'm sorry, I didn't hear that."

Soto: "Trying to expand it gradually, without getting too small."

Righter: "By dropping it by half?"

Soto: "Yes, correct."

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Righter: "Okay. If you're trying to do it gradually can you tell me where you're planning on going? If this Bill became law then next year are we gonna see a Bill that is 10 employees, the threshold's 10 or 15?"

Soto: "No, not at this time or in the future. No. We're just debating this."

Righter: "So, you'd be satisfied with a threshold of 25 employees."

Soto: "Yes."

Righter: "Okay. Cited in your opening comments, Representative Soto, that you thought this would add about an additional 400 thousand employees to be eligible, is that right? Maybe I heard that wrong."

Soto: "Between 400 and 500 thousand."

Righter: "Where did that figure come from?"

Soto: "From census statistics."

Righter: "From census statistics?"

Soto: "U. S. Department of Labor statistics."

Righter: "I'm not... U. S. Census Department or the U. S. Department of Labor? I'm not sure who you're referring to."

Soto: "Both."

Righter: "Okay. 'Cause we have the Illinois State Department of Employment Security who tells us that the number of employees who will be subject to this is 742 thousand. Have you talked to the Department of Employment Security about what numbers they may have?"

Soto: "That makes it even better. We have not heard that yet or ever."

Righter: "I'm sorry?"

Soto: "We have not heard that."

Righter: "You have not heard that number?"

Soto: "And it only makes it better."

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Righter: "Okay. Do you have a concern, Representative Soto, on behalf of the some of the employers in your district and how this may impact them?"

Soto: "Are you asking are they opponents to this? Are they opposing this?"

Righter: "No, I'm asking you whether or not you may have a concern on behalf of some of your smaller employers with regards to this. Whether you have a concern, I'm..."

Soto: "I think this is a good Bill because it safeguards both the business community as well as the employees."

Righter: "How does it safeguard the business community?"

Soto: "Because it's fairness, it's a fair Bill."

Righter: "I'm sorry?"

Soto: "It's a fair Bill."

Righter: "Okay. Have you talked to small business owners in your district to get a feel of how many employers who employ somewhere between 25 and 50 employees now already do this?"

Soto: "This doesn't cover very small businesses. This covers middle size businesses."

Righter: "I know... any business with 25 or more employers... employees."

Soto: "Correct, correct."

Righter: "Right, and that's what I said. Have you talked to small business owners in your district who may employ somewhere between 25 and 50 employees and ask them whether or not they're already doing this?"

Soto: "No. I have not talked to them."

Righter: "You don't have any idea whether or not the businesses in your district may already be doing what you are bringing to the table here?"

Soto: "The history of the Federal Act has not harmed employers."

Righter: "The Federal Act is 50 employees, is that right?"

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Soto: "Correct, correct."

Righter: "Okay."

Soto: "The 1993 Federal Act is for 50 employees."

Righter: "Okay. Now, it's also my understanding of Federal Law that that is 50 employees anywhere within a 75 mile radius. So if a company has one office in one area that has 50 employees and the same company has another office 100 miles away with 50 employees, both groups are subject to that even though it's the same business, is that right?"

Soto: "It's the same. It's the same."

Righter: "That's correct?"

Soto: "Correct."

Righter: "Okay, okay. Who has brought this Bill to you, I mean, who are the proponents of this Bill, Representative Soto?"

Soto: "The Department of Labor supports this Bill."

Speaker Hartke: "Mr. Righter, bring your remarks to a close."

Righter: "Thank you for your comments, Representative Soto. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke. Do you stand in opposition?"

Parke: "I do."

Speaker Hartke: "Proceed."

Parke: "Thank you. Will the Representative yield?"

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, the Federal Government has said that it's 50. Now you want to lower it to 25. Do you know which aspect of a business creates the most jobs? Do you know the size of companies..."

Soto: "Small employers."

Parke: "What's that?"

Soto: "Small employers."

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Parke: "Okay. Well, let me share with you a small business. The small businessman and woman are the ones that generate 70 to 80% of all the jobs in this state, and in this nation. Is there any other state that is doing this?"

Soto: "Not that I know of, but this is a good precedent."

Parke: "This is the only state, so we're gonna tell the business community and those people who may be looking to locate in this state that this is the law of the land and that... Well, to the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Parke: "Again, I must rise in opposition to the idea that the Sponsor wants to put upon the business community, the small business community of this state. This is 50, Members of the Federal Government and Congress felt that 50 was a fair number. That's their decision. We as a state and all states must live with that. And I am sure during the debate in Congress that they looked at 25 and they came up with real good reasons why. Because this would be a economic burden to try and find people who can just take off for a period of time. And that would have an adverse effect on that business, on those small businesses. So I must stand in opposition. Again, we are trying to erode the business base of this state. The Democratic side continues to disregard the needs of the small businessman and woman. They just continue to worry about passing legislation that they think is favorable to unions. But ultimately, what we're gonna find is that if you have a business go out of business because they can't compete with the marketplace in surrounding states, those union members and even nonunion members that would be affected, no longer have a job. And then they have to go on unemployment. One of the worst things in our society is to put people out of

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work. This is a line, this is another in a line of antigrowth, antibusiness legislation that continues to come from the Democratic side of the aisle. I would hope that this Bill does not pass but, as usual, my colleagues on the other side for the most part will vote for this and I hope that in the Senate logic prevails more realistically. Thank you."

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

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in strong support of this legislation. The truth is that workers are not just taking off because they want to leave work. They are experiencing family emergencies, the responsibility to balance work and family. And this is a condition of everyday American life that we are more and more aware of as Americans. Of course in Europe and in many other parts of the world they have known about this for a lot longer. This is part of a national movement, really, to look at family friendly policies that will assist our working families. This is not about unions. This is about people. This is about our constituents. And the truth is that in the last seven years since the Federal Family and Medical Leave Act has been enacted there is no evidence whatsoever, that any business has been harmed, that any business has been put out of business. So, this is... I think that Representative Soto has found a balanced way to approach this. She didn't reduce completely or eliminate completely the threshold requirement for which businesses would be covered. It's a moderate approach to trying to expand the kind of benefits that families really need. And I stand in strong support."

Speaker Hartke: "Further discussion? We have had two

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individuals speak in opposition to the Bill and one person speak in support. Standard Debate allows three in opposition. Representative Mulligan, are you standing in opposition? Please proceed."

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

Speaker Hartke: "Sponsor will yield."

Mulligan: "Is there anything in your Bill, Representative Soto, that would mandate paid leave?"

Soto: "No."

Mulligan: "So it is strictly unpaid leave."

Soto: "Unpaid."

Mulligan: "But you would have to maintain benefits."

Soto: "Correct."

Mulligan: "All right. To the Bill."

Speaker Hartke: "To the Bill."

Mulligan: "Many times on this House Floor I've risen, in particularly, in support of women's issues and I'm well known for that fact. When this Bill has been presented, previously, women in my district, three women business owners sat down and visited with me in my office, all small business owners and pointed out quite strenuously what an impact it had on them. For the most part, when they can, they give the leave. When they can't, they can't. But they pointed out very strenuously the fact that small women business owners get an impact on this. And that the largest number of growing businesses in the country are small business owned by women. So I think that we're doing two things here. We're trying to give something that would benefit a lot of employees, particularly women who are caught on this crunch. But on the other hand we're also impacting small women owned businesses. So, I think the 50 law is good, I certainly support that. But in this

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instance I think moving it down to 25 has an impact that is untold. I represented before I came here on an unpaid basis, a large statewide women's organization that was for women in business and I think that this issue was always important to them. But when you get down to the under 25, 25 and ... I think it has a different impact that should not be put into law. I think that women are very sensitive to this when they own business. I think business owners are and when they can, they do. But I think we're putting an undue burden on them and that's why I don't support going down this low. Thank you."

Speaker Hartke: "Representative Soto to close."

Soto: "I just want to say, Representative Mulligan, you said this is not... you usually supported women's Bills, I consider this a women's Bill, too. It's both men and women. But when it comes to taking care of our families, which this is what this Bill is about, we're the ones who take care of our families. We care for our loved ones. We're the ones who stay home and care for our newborns. We're the ones who stay at home and take care of our loved ones, our parents, either a mother or a father. This is an important Bill. That's why I think it's a very good Bill. You know, this is for the people of Illinois. This is a rich state, there's no reason why we can't take this, I mean, we can't vote for this. This is a great Bill. I think that I need your support on the other side. I just want to mention again, this is a family leave, leave taken to care for an infant under one years old of age, or to care for a child who has been newly adopted, or placed in a foster care. And for the medical leave... a medical leave is taken because either an employee herself or a member of her immediate family is seriously ill. Medical leave may be

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taken to care for an ailing child. I mean, we don't know what tomorrow has to hold for us. This is a good Bill. This is a very strong Bill. I think that... I urge you to support this Bill. This is very important to the people of the State of Illinois. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2487?' 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 2487 there are 60 Members voting 'yes', 53 Members voting 'no', and 3 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3280, Representative Forby. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3280, a Bill for an Act in relation to conditions of employment. Third Reading of this House Bill."

Speaker Hartke: "Representative Forby."

Forby: "Thank you, Mr. Speaker. House Bill 3280, the flex-Bill leave Act. A Bill for working families. The Bill provides up to 24 hours of unpaid leave in a year. This time must be taken in two to four hours. Employees must give a 7-day notice unless it is emergency. This time off is only there if they use all the time they have... that they haven't used. Having this flexitime will allow employees to care for a sick and a family member or go to a school function for their child. So for the sake of a working family, I urge you to vote 'aye' on this Bill. Thank you, Mr. Speaker."

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

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Cross: "Thank you, Mr. Speaker. Incidentally, in the event this gets the requisite number of votes, we recommend... we request a verification."

Speaker Hartke: "Your request will be granted."

Cross: "Thank you. The Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Cross: "Representative, do you have a definition of flextime in your Bill?"

Forby: "Yeah. Flextime is a... what it is is you get 24 hours of off time in a year. You do not get paid for it and you get that time within two to four hours at a time. And if it's not emergency, you gotta have a 7-day notice."

Cross: "Given that definition, why do you feel, Representative, we need to mandate this? Is it just something an employee can work out with his or her employer either as part of a contract or just one on one? Why do we have to mandate this type of activity?"

Forby: "Yes, I'll agree with you. Most of the employees do give this, but some of the employees don't. We need to have all the working families to have this."

Cross: "And with... Okay. Do you know how many other states do this, Representative, actually mandate that employers do this and order employers, in essence, to do this? Can you tell us how many states in the country do this?"

Forby: "I'm not aware of any other states, right now."

Cross: "Pardon me?"

Forby: "I'm not aware if there are any other states."

Cross: "So, it's possible there aren't any other states that mandate this type of law on their employers?"

Forby: "Yes."

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

Speaker Hartke: "Further discussion? Before we get into that."

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Mr. Granberg, have you solved your problem, there? Okay.
Thank you. Further discussion? The Chair recognizes the
Gentleman from DuPage, Representative Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Johnson: "Representative, right now, there is no reason why
unions cannot collectively bargain this issue with
employers, is there?"

Forby: "No."

Johnson: "Okay. So, you know, if this is an important issue in
terms of any of our local unions and so on, they can
certainly make this as part of their collectively
bargaining issues on contract renewals and so on. Is that
correct?"

Forby: "Yes, that is true. But most employees is not in a...
covered by unions."

Johnson: "Well, then, of course, that's the right of an
individual that work for an employer and they work those
things out. To the Bill."

Speaker Hartke: "To the Bill."

Johnson: "You know, I've, over the years here I've become a, at
least, a pretty staunch advocate in an individual's rights
to organize, to be represented by a collective bargaining
unit. This is just another in a big series of things that
keep coming up in this chamber and that is that where
evidently some organizations have not been able to get
their way in terms of collective bargaining, they then come
to this chamber and ask us to impose it as a law. And I
think that there's a very big distinction about people
having the right to be represented and join collective
bargaining units and I support that wherever I can. But I
do have a real aversion and I think it sets us back as a

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state and within the business community and we find ourselves oftentimes isolated in this state away from other states that are drawing businesses to them. And eventually, the weight of these types of legislations though or pieces of legislation are so well-intentioned all of us would love to have all of these things, but in the end they become counterproductive. And that's a balance that, I think, we need to always be mindful of and again, this is just one of those other issues that become a negative in terms of our economic climate in the State of Illinois and our ability to attract new business, new corporations, new manufacturing, new small businesses, encourage small businesses to start up in this state and it just becomes, overall, very, very cumbersome and I would urge a 'no' vote on this."

Speaker Hartke: "Further discussion? We're on Standard Debate. The final person in response will be Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, how long does an employee have to be working before they're eligible for flextime?"

Forby: "He'll have to work six months and they have to have at least 25 employees."

Parke: "So, the previous Bill says that they can take unpaid medical leave or something like that. Now, your Bill says, not only can they take that, but we're gonna give 'em another 24 hours, which if they took eight hours of that time, that's three more days that they're off from work and all they have to be is employed for six months. Don't you feel that there's something wrong with this approach to legislation and what we're trying to do to the small business community? I mean, doesn't that concern you?"

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Forby: "Yes. Before they can take this 24 hour leave off, they gotta use all their sick days and their off days off before they can end up doin' this. You know, if somebody has a death in the family, you know, four hours off is not a big deal for most employees."

Parke: "Well, did you ever own a business?"

Forby: "Yes, I have."

Parke: "And it's not a big deal to have somebody take four hours off in the middle of a work schedule?"

Forby: "No. I've had an employee... about 20 employees at a time and I've always been able to work things out. They gave you 24 hours notice normally, so you can prepare for that."

Parke: "Well, that means you were a conscientious and good worker, I mean, employer. But do you think that most everybody has vacation time in this state?"

Forby: "Not all employees give this. I mean, if there's a burden on their job, they do not have to give this."

Parke: "Well, most of them have personal leave, don't they? Most employers give some personal leave."

Forby: "Yes, they do. If they end up like it..."

Parke: "And most employers give some form of sick leave, don't they?"

Forby: "Yes, they do."

Parke: "And most employers give some vacation time, don't they?"

Forby: "Yes."

Parke: "And you just got through telling us that these things have to be used before we give 'em another 24 hours on top of that. Didn't you just say that?"

Forby: "Yes. And if they give a personal three days of leave, they don't get none of the 24 hours."

Parke: "Well, but if it's eight hours for three days, that means they can be gone for three different days at eight hours."

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Am I right?"

Forby: "This is for the employees that don't get any personal leave or after they've used all their personal leave up. They gotta use all their personal leaves up and their off time first."

Parke: "And they up... That's exactly my point. The point is, is that they have all this other time we don't need this. We do not need this. All we're doing is saying that for somebody that may have some kind of an habitual problem with employment that uses up their sick time, using up their vacation time, personal leave time, compensatory leave time, any other thing that they need, any disability leave, then they're gonna get another three days or they can stretch it out at four hours a day, they can have six more days off. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Parke: "I don't... You know, most of the time I understand why Members present Bills to solve problems. I understand that. But you know, this Bill I don't understand at all. I don't understand the Sponsor and why the Sponsor feels this is necessary. He just got through telling all of us that there's all kinds of leave that's available and you have to go through all that leave before you can even be eligible for this 24 hours. Ladies and Gentlemen, again, all we're doing is we're dumping... You guys are dumping on small business in this state. You continue to abuse the small business, the generator of jobs, the people who provide employment for us. This is just another... This is even worse than the last Bill. I don't understand the Sponsor at all. This is not necessary. Again, it is an additional burden on the small business community of 25 people or less. I mean, why do you want to continue to do

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business in the state when the Democratic side, for the most part, continues to dump on the small businessman and woman in the state. I hope that they take a good look at all of you guys that continue to pass all this antibusiness legislation and someday maybe, maybe they can send a message over to you guys because they can vote and they vote with their feet out of this state."

Speaker Hartke: "Representative Forby to close."

Forby: "This Bill is not 25 days or less, this is 25 days and more. You know, we never know when a family member might die or something in our family. I think that's what this Bill is for. So, I hope for an 'aye' vote on this."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3280?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. There has been a request for verification. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3280, there were 59 Members voting 'yes', 54 Members voting 'no', 3 Members voting 'present'. Mr. Forby?"

Forby: "Huh?"

Speaker Hartke: "Mr. Forby, would you like Postponed Consideration?"

Forby: "No."

Speaker Hartke: "No. He has denied the request for Postponed Consideration. On House Bill 3280, there are 59 Members voting 'yes', 54 Members voting 'no', 3 Members voting 'present'. And this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 3618, Mr. Forby. Mr. Forby, on House Bill 3618."

Clerk Rossi: "House Bill 3618, a Bill for an Act concerning state property. Third Reading of this House Bill."

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Speaker Hartke: "Mr. Forby."

Forby: "Yes, Mr. Speaker. House Bill 3618 requires the state to purchase goods and service from Illinois business. Unless there is a 10% difference in the price of goods and service, the state will purchase Illinois products. This Bill, 'Buy Illinois', will make sure that the taxpayer bill stays right here at home. It will mean that we retain and create jobs in our state. I would encourage support of 'Buy Illinois', an 'aye' vote. Thank you, Mr. Speaker."

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

Cross: "Thank you, Mr. Speaker. All I rise for is to request a verification in the event this Bill..."

Speaker Hartke: "Your request will be granted."

Cross: "...gets the 60."

Speaker Hartke: "The Chair recognizes Mr. Righter. Do you stand in opposition to this Bill?"

Righter: "Yes, Mr. Speaker."

Speaker Hartke: "Proceed."

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

Speaker Hartke: "Sponsor will yield."

Righter: "Representative Forby, first, I want to make sure that we're clear on some of the scope of the Bill. This applies to the State of Illinois' procurement. Is that right?"

Forby: "That's correct."

Righter: "Does it apply to everything that is procured by the State of Illinois?"

Forby: "It doesn't apply where the expenditure is under \$500."

Righter: "So any expenditure by the state in excess of \$500 in procuring something, will be regulated under this Act, correct?"

Forby: "Yes."

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Righter: "Okay. Would this apply to any units of local government or counties?"

Forby: "No, just the state."

Righter: "Representative, it's my understanding from the Bill that you are allowing for a 10% difference in the cost between what an Illinois company may be able to sell an item for or perform under a contract for and what an out-of-state entity may do that. Is that right?"

Forby: "Yes."

Righter: "So, I want to make sure I'm clear. On a \$10 million project, the state would be accepting the bid of an Illinois entity, even if that entity was charging a price of up to 10% more, so on a million dollar contract, a hundred thousand dollars."

Forby: "Right."

Righter: "Now, you made some comments in your opening about saving the taxpayers money. If... and I don't know how many hundreds of millions of dollars that the state spends each year in its contracts and procurements, maybe more than that. If the state is required to spend more money because of this Bill and up to 10% more on every purchase over \$500, how are the taxpayers gonna save money on that?"

Forby: "Well, it'll create jobs. It'll raise family income, increase tax revenues, and create more jobs."

Righter: "How is it gonna raise family income, Mr. Forby?"

Forby: "People will have jobs."

Righter: "How is the term 'domestic product' defined under your Bill, Mr. Forby?"

Forby: "It's 50% U.S./Canada or content."

Righter: "Fifty percent United States or Canadian."

Forby: "In two years it goes up to 70%."

Righter: "So, it's a definition that has kind of an escalation in

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it, that as years go on, it has to be more and more United States or Canadian manufactured?"

Forby: "Yes."

Righter: "Okay. Representative Forby, I guess I'm a little puzzled by why Canada is made part of this Bill."

Forby: "They're so close to Canada (sic-U.S.) and we got a treaty with Canada."

Righter: "What about Mexico?"

Forby: "Canadian workers is a member of the United States Steelworkers."

Righter: "I'm..."

Speaker Hartke: "Mr. Righter are you finished with your questions?"

Righter: "I'm sorry. I was waiting for an answer. Maybe... Oh, you already answered? I'm sorry."

Forby: "Steelworkers and Canadians are members."

Righter: "So, you mean the United States Steelworkers?"

Forby: "And Canadians. They belong to the same unions."

Righter: "Okay. So, the reason that we are allowing Canada to be part of our..."

Speaker Hartke: "Mr. Righter, bring your remarks to a close."

Righter: "Okay. Mr. Speaker, I've got a couple more questions. Could I? Thank you. Representative Forby, will a company that is owned by 51% stockholders in maybe a Japanese firm that is located in Illinois qualify under this Bill?"

Forby: "Yes, as long as it's produced in Illinois."

Righter: "Okay. So, we're not worried about ownership, we're worrying about where it's actually manufactured?"

Forby: "Where it's production at."

Righter: "How is the Department of Central Management Services... Let me ask you... Is the Department of Central Management Services the agency in charge of enforcing this?"

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Forby: "Yes. They'll be the main agency of this."

Righter: "What kind of auditing powers or investigative powers are we gonna have..."

Speaker Hartke: "Further discussion? Mr. Righter, please bring your remarks to a close."

Righter: "Thank you. The Department of Central Management Services has advised us that the fiscal cost to them, alone, is gonna be in the neighborhood of 21 to \$23 million. Representative, do you dispute that as a cost to State Government and the taxpayers?"

Forby: "That's just an estimate. I don't believe that's a true figure."

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

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Madison, Mr. Davis. A proponent of the Bill? Mr. Davis."

Davis, S.: "Yes. Thank you, Speaker. I rise in support of the Bill. Would the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Davis, S.: "Thank you. You know, Representative, I know some people have had some concerns about the 'Buy American' provisions of this Bill due to the fact that it may conflict with the terms with the NAFTA free trade agreement that the United States has entered into. However, wouldn't you agree that this Bill actually deals with trade issues... I mean, does not deal with trade issues, it's only dealing with purchasing issues for the State of Illinois?"

Forby: "Yes."

Davis, S.: "You know, Representative, I've been a Sponsor of similar legislation in the last two General Assemblies and I feel that now is the time for House Bill 3618 and I

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applaud you for your efforts to push Illinois into the forefront of all the states in the United States to have a 'Buy American'-'Buy Illinois' piece of legislation and I would hope that this would become law, because I honestly believe the same that you do, that your Bill would not only create jobs. It will raise family incomes. It will raise tax revenues. And it will generally improve the economy and the general welfare of the residents of this state. I can tell you that with the economy the way it is right now in the United States, that we need to focus on buying United States made goods, Illinois made goods, to help the people in this state. And I commend you for your efforts. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Parke. Do you stand in opposition?"

Parke: "I do."

Speaker Hartke: "Okay. Proceed."

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

Speaker Hartke: "Sponsor will yield."

Parke: "The estimate that you dismissed as an estimate to the cost of doing business in the state is estimated at \$21.6 million. That is... Let's say it's \$19 million. Does that bother you? Is it... \$23 million. Does that bother you? That it's gonna cost an additional cost to the taxpayers and the businesses of this state. I don't care if it's 19, 20, 21. Doesn't that bother you that's it's gonna cost more money... if we passed your Bill?"

Forby: "What about the jobs and the revenues this is gonna make?"

Parke: "Those jobs will still be there because they'll have to compete. Is there anything in this Bill that talks about quality of service?"

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Forby: "I don't know where you're comin' from with the jobs still being here. If they can't 'buy Illinois' and they buy someplace else, the jobs will not be here."

Parke: "Well, I'll tell you what. What happens if all of a sudden all the bids start comin' in around this state and they're all under the 10% that you're talkin' about, second bidder, and all of a sudden they say, 'Why compete in Illinois, all these local Illinois businesses are gonna get those jobs?' So, what do you have? You start having a lack of competition and then the price starts going up. When there's no competition you can charge whatever you want to charge. Don't you see that happening with this?"

Forby: "No, I don't. There will be competition there. The state has competitive bidding."

Parke: "To the Bill."

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen, again, I presume... I... Well, I do understand this one. I think the Sponsor comes from a downstate area that cries for jobs. They need to have jobs. This is... I'm sure that probably part of his district has a higher unemployment rate than a lot of us do. And this is a way that he sees that he can try to bring some new jobs to his area and... but, of course, it affects every part of the state, this is not just his area. But you know what is gonna happen with this, as well as intended as it is it... and I guess rightfully so, he ought to be putting this kind of legislation in for his part of the area and I guess I don't blame him. If I were from his district and has higher unemployment, I would do the same thing. But the rest of you had better take a look at this because you're gonna eventually erode competition. You're eventually gonna find people from surrounding states, and

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especially if you're in the border areas that'll say, 'Well, we're just not gonna come into Illinois. We can't bid this out in a way that's gonna be fair.' That this 'Buy Illinois' concept seems to do us in. We seem to be pretty close, but you know, 10% is an awful long leeway. If you have a contract that's \$10 million and that's not unheard of today, to expand roads or to build bridges or to do anything that requires bidding, there's a million dollar leeway. Now, I can understand the Representative's point. This is gonna help him with jobs. But you know what? It's gonna cost the rest of us, the taxpayers of this state, that million dollar differential. You can thank him that... In other words, what we're doing is we're buying off for him to have jobs for what he's trying to do, the rest of us, in one way or another, are gonna end up paying \$21 million more on an estimate because of this legislation passing. To solve one problem exacerbates the problem overall, makes us less competitive as a state. We don't get the same kind of quality of workmanship just because they're the second low bidder. Ladies and Gentlemen, this is well... is to solve a problem, but in the big picture, it creates a bigger problem. I would ask you to vote 'no'."

Speaker Hartke: "Further discussion? This Bill is on Standard Debate. The Chair recognizes Representative Cowlshaw. Do you stand in opposition to this Bill?"

Cowlshaw: "Thank you for recognizing me, Mr. Speaker. I'm not sure whether I'm for or against this Bill. I just have some questions for the Sponsor, if I may please."

Speaker Hartke: "Proceed."

Cowlshaw: "Will he yield?"

Speaker Hartke: "Yes, he'll yield."

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Cowlshaw: "Thank you. I have an inquiry. It's a very simple inquiry. Does this Bill amend the Illinois Procurement Code?"

Forby: "No. It amends the Steel Products Procurement Act."

Cowlshaw: "Perhaps I am mistaken and perhaps I need the file with the exact Bill not just the analysis, because our analysis tells us that this amends the Illinois Procurement Code."

Forby: "Yes, I'm sorry. It does amend it."

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

Speaker Hartke: "To the Bill."

Cowlshaw: "We had a discussion a little earlier today about the things that happen here and I want to remind the Sponsor of this Bill that earlier we had a Bill sponsored by one of the people who sits on his side of the aisle, who got up to present the Bill and I pointed out to that Sponsor that when I had a Bill which is a very simple procedural matter for the Department of Central Management Services that has already proven itself in the State of Pennsylvania that is a ... means of modern technology and something that is generally referred to as a reverse auction, that would have saved the State of Illinois at least \$3 million the very first year that it happened, I was told that the decision had been made by those in authority on your side of the aisle that no Bill that amended the Procurement Code or anything remotely resembling it would even be considered during this Spring Session. The way that issue was handled then, with a different Sponsor and earlier, is that I think, Mr. Speaker, an example of the way this place ought to work. That Sponsor went and inquired about whether in fact that was the information that had been given to me and as a result redid that whole Bill so that it became

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something that was a new Act not something that amended the Procurement Code. That's one of the ways, Mr. Speaker, that we not only begin to be able to trust one another because we keep our word, but it's one of the ways that we enable the people who have sent us here to trust us and believe that this system, this process, this General Assembly, is something that is worthy. Mr. Speaker, I would ask this Sponsor, after all he sits on the side of the aisle where all the power is, he can always have his Bill called again next week. I would ask him to take this Bill out of the record until he can examine whether or not perhaps as a matter of simple courtesy, as a matter of fairness, to follow the example that was set by one of his own colleagues. I would ask him to take this Bill out of the record. He can, of course, refuse to do so. I wouldn't be a bit surprised, but I, nevertheless, ask that favor because I believe that is a justified request, Mr. Speaker. And I thank you for being willing to let me speak."

Speaker Hartke: "Mr. Forby?"

Forby: "Yes, I'm not gonna take this out. I think this is a good Bill for the State of Illinois. It's not just for my district, it's all over the State of Illinois. When you 'Buy Illinois', that means jobs, that means revenue."

Speaker Hartke: "Excuse me. You answered the question. Further discussion? Representative Turner, are you standing in opposition to this Bill?"

Turner, J.: "Yes."

Speaker Hartke: "Mr. Morrow, you're a proponent of this Bill?"

Morrow: "Actually, my comments aren't even gonna be directed to this Bill, Mr. Speaker. I just... you know, it's just incredulous that some people have short memories in this

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chamber. When the Minority Party was in the Majority and I asked one of the Members in the Majority Party to take a Bill out of the record and was told 'no'."

Speaker Hartke: "Mr. Morrow, we're talking about House Bill 3618."

Morrow: "Well, I'm in favor of the Bill, but people should not have short memories in this..."

Speaker Hartke: "Mr. Forby to close. Mr. Turner, you stood in opposition. We've had three. This Bill's on Standard Debate and I asked you and you said you were in opposition. Mr. Forby to close."

Forby: "Thank you, Mr. Speaker. I do think this is a good Bill for the State of Illinois. I think we'll end up with revenues and jobs over this. So, I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall this Bill pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. There has been a request for a verification by Mr. Cross. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3618, there were 64 Members voting 'yes', 52 Members voting 'no', and 0 voting 'present'. And the request for verification has been made. Would the staff please retire to the rear of the chamber. Mr. Cross, you persist?"

Cross: "Yeah."

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

Clerk Rossi: "A poll of those voting in the affirmative. Representatives Acevedo. Boland. Bost. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Collins. Crotty. Currie. Curry. Dart. Davis, M. Davis, S. Delgado. Feigenholtz. Flowers. Forby. Fowler. Franks. Giles. Granberg. Hamos. Hannig. Hartke.

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Hoffman. Holbrook. Howard. Jones, J. Jones, L. Jones, S. Kenner. Lang. Lyons, J. Mautino. May. McCarthy. McGuire. McKeon. Mendoza. Miller. Mitchell, B. Mitchell, J. Morrow. Murphy. Novak. O'Brien. Osterman. Reitz. Ryan. Saviano. Schoenberg. Scott. Scully. Slone. Smith. Soto. Stroger. Turner, A. Yarbrough. Younge and Mr. Speaker."

Speaker Hartke: "Mr. Cross, do you have a request of the affirmative?"

Cross: "Yes. Representative Art Turner."

Speaker Hartke: "Representative Turner. Mr. Cross..."

Cross: "Art Turner."

Speaker Hartke: "...Representative Howard and Younge have requested verification to leave. Okay. Mr. Skip Saviano requests leave."

Cross: "Where are we on, Representative Turner?"

Speaker Hartke: "Is Mr. Turner in the chamber? Mr. Turner is in the rear of the chamber. Further questions?"

Cross: "Representative Feigenholtz."

Speaker Hartke: "Representative Feigenholtz is here at the..."

Cross: "I'm sorry. I didn't see her back there. I apologize."

Speaker Hartke: "Okay. She requests leave."

Cross: "Representative Scully."

Speaker Hartke: "Representative Scully is behind his chair."

Cross: "Representative Brunsvold."

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

Cross: "Representative Hamos."

Speaker Hartke: "Representative Hamos is right behind you."

Cross: "Oh. Okay. Thank you, Mr. Speaker."

Speaker Hartke: "On House Bill 3618, there were 64 Members voting 'yes', 52 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared

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passed. The Chair recognizes Representative Crotty."

Crotty: "Yes. Mr. Speaker, I'd like to first of all apologize. When I went to pick up some papers on my board, I inadvertently changed my vote. So, having voting on the prevailing side, I move to reconsider House Bill 3280."

Speaker Hartke: "You've heard the Lady's Motion. All those in favor of her Motion will vote... Mr. Cross."

Cross: "Well, just assuming we get to the point where you prevail on your Motion to Reconsider, Mr. Speaker, we'll ask for a verification on the underlying Bill, just in anticipation of you getting there."

Speaker Hartke: "You want a verification on the underlying Bill, not this Motion."

Cross: "And you know what, and a verification as well, on the Motion to Reconsider. And a Roll Call vote."

Speaker Hartke: "Okay. Yes, this is a Roll Call vote."

Cross: "And a verifica... Yeah. So I would like a verification on both if we get there..."

Speaker Hartke: "The question is, 'Shall the House pass the Motion to Reconsider the vote by which House Bill 3280 failed?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. There has been a (sic-request for) verification on this vote. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there 62 Members voting 'yes', 54 Members voting 'no'. And Mr. Clerk, read the list of the affirmative. Mr. Cross. Mr. Cross is there any..."

Cross: "No. I'll withdraw my request for the verification on the Motion to Reconsider. Not on the Bill itself if we... if you do... You gonna call the Bill again today or are you gonna wait?"

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Speaker Hartke: "Right away."

Cross: "Okay. Well, then we persist in a verification request on the Bill."

Speaker Hartke: "On the Motion to Reconsider, there were 62 Members voting 'yes', 54 Members voting 'no'. And this Bill... this Motion, having received the Constitutional Requirement of 60 votes, is hereby adopted. Mr. Clerk, what is the status of House Bill... or no, House Bill 3280?"

Clerk Rossi: "House Bill 3280 has been read a third time, previously."

Speaker Hartke: "Mr. Forby."

Forby: "Yes. We've already debated this Bill. So, I'm here... anymore questions and still ask for an 'aye' vote."

Speaker Hartke: "Mr. Cross, you have not debated the Bill, but you did request a verification."

Cross: "I just want to confirm that I perhaps was a bit untimely in my request, so just want to confirm that you'll honor that."

Speaker Hartke: "You will have the right for a verification."

Cross: "Thank you, Mr. Speaker."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, Representative Forby asks that... for an affirmative vote on House Bill 3280. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. There has been a request for a verification. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3280, there were 62 Members voting 'yes', 52 Members voting 'no', 2 Members voting 'present'. And Mr. Cross requests a verification. Mr. Clerk, read the list of those voting in the affirmative."

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

Speaker Hartke: "The staff will please retire to the back of the chamber. Mr. Cross, you have questions?"

Cross: "Representative Slone."

Speaker Hartke: "Representative Slone is in her chair."

Cross: "All right."

Speaker Hartke: "Stand up. Further questions?"

Cross: "Representative Scully."

Speaker Hartke: "Representative Scully is in the rear of the chamber. Center aisle."

Cross: "Representative Art Turner."

Speaker Hartke: "Representative Art Turner is in the rear of the chamber."

Cross: "That's fine, Mr. Speaker."

Speaker Hartke: "On this question, on House Bill 3280, there are 62 Members voting 'yes', 52 Members voting 'no', 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2550, Mr. Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2550, a Bill for an Act in relation to children. Third Reading of this House Bill."

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Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. 2550 is an attempt to deal with some of our more pressing problems we have in the child welfare area right now and that is the issue of children who don't have homes. The system we have right now has been making some strides in some areas and in some areas we've been going backwards rather rapidly. This is one of 'em. The way the law is right now, that the different agencies have tried to work with children who have no homes to go to 'cause they've been locked out, have limited if no options of what they can do. What this Bill would do, it would require the Department of Children and Family Services to investigate. It's not saying they have to come to an ultimate conclusion, but to investigate when an agency comes to 'em and tells them they have a child that has no place to go and has no ability to give that child services. I think it's a common sense approach to trying to deal with this. Numerous organizations have been working with me on this, including the Illinois Collaboration on Youth, the Catholic Conference, and the Child Care Association. They're all very strong proponents of it. Representative Bassi has been helping me as well with this. She has a local agency in her area that's been very adamant about this. I'd appreciate your support on this. As I say, it's a very pressing issue that I think we should be addressing as soon as we can."

Speaker Hartke: "Any discussion? This Bill is on Short Debate. We will have one proponent and one opponent. Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I'd just like to ask a question."

Speaker Hartke: "Proceed."

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Lindner: "All right. Representative Dart, this is normally what was known as a minor in need of intervention?"

Dart: "Correct. They sometimes to refer to 'em as lockouts as well."

Lindner: "And normally it was handled on a case by case basis with the... with who? Who in the court system?"

Dart: "Well, what it used to be about back in 1995 about, it used to be that the state would be the one that would intervene in these cases. They changed the rules back in '95, frankly, to shrink the pool of kids they had responsibilities for. So, right now, you have local agencies, different child welfare agencies, probably quite a few in your district, who are doing it on their own (a), but (b) in some degree of legal... questionable legal authority, because they're only allowed to have children for 48 hours. So, it was the state's responsibility. They sort of backed out of it and it's caused a great deal of problems to, frankly, every county in the state that I'm aware of."

Lindner: "So, does this Bill mandate that DCFS just do an investigation or is the child made a ward of the court?"

Dart: "It just requires that they do an investigation of it and then they ultimately have to decide based on that investigation whether or not the child is a neglected child as a result of what this Bill says, which would mean if there's been the attempt to reunite the child with the family and all the attempts have not worked, the child is basically on their own, then they would be incumbent upon DCFS to give services to this child, which frankly that's what they should be doing."

Lindner: "But in the meantime, this child would be in some kind of a temporary foster care?"

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Dart: "No, what it... Basically, right now, with the child be in a temporary shelter and that's where they're at right now. But once again, they only have that 48-hour window in which they can really legally have the child. And really, it's fascinating, when you talk to the people who are dealing with these children. You can feel that the pressure that they're under, because legally, they, in some respects, they're harboring a runaway because they don't have any legal authority to have that child, but yet they're faced with the decision about whether or not we try to deal with this child who we know needs all this help, or do we throw 'em out on the street, frankly. And so, it's a very, very sticky situation for them. These agencies, when you talk about them, they'll tell ya what a major problem this has been."

Lindner: "Thank you, Representative. I would urge the Members to support this Bill."

Speaker Hartke: "Standing in support of the Bill, Representative Bassi."

Bassi: "Thank you, Mr. Speaker. I rise in strong support of the Bill. This will be of tremendous assistance to an organization in my district called The Bridge. And I thank Representative Dart for bringing it forward and urge an 'aye' vote."

Speaker Hartke: "Mr. Dart to close."

Dart: "Thank you, Mr. Speaker. I want to thank the people who spoke in favor of this Bill. It's a very important measure. I say that it will deal with some of the children who are truly the ones that are the forgotten ones that we let fall through the cracks on a regular basis, frankly, until we see them on the front page of the newspaper because they're involved in our criminal justice system

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now. So, this would go along way to addressing some of the children who need our help the most. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2550?' 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 2550, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we're gonna go to Second Readings and adopt Amendments to those Bills that have been approved for consideration or recommended be adopted. For what reason does the Gentleman from Whiteside seek recognition?"

Mitchell, J.: "Thank you, Mr. Speaker. Inquiry of the Chair."

Speaker Hartke: "Excuse me, I missed that."

Mitchell, J.: "Inquiry of the Chair, Sir."

Speaker Hartke: "State your inquiry."

Mitchell, J.: "Mr. Speaker, when the revered and famous, now Senator, Duane Noland left this hallowed chamber, he appointed me which was his prerogative, as 'President of the Short Caucus'. Now, on a verification not too long ago, one of my colleagues was embarrassed by the Chair when she was asked to stand and she was already standing. We are a minority in this chamber, Sir, but we are a powerful minority and I really think that you owe Representative Ricca Slone an apology from the Chair."

Speaker Hartke: "I apologize, Representative."

Mitchell, J.: "Thank you, Sir."

Speaker Hartke: "The Gentleman from Cook, Representative McKeon, is seeking recognition."

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McKeon: "Mr. Speaker, as a self-appointed 'Chair of the Tall Caucus', I would expect the same treatment that you not refer to me as sitting... standing in my chair, when in fact, I am sitting in my chair."

Speaker Hartke: "Representative Slone."

Slone: "I wish to thank the Chairman for his apology and Representative Mitchell for his kindness on behalf of all short people in the chamber."

Speaker Hartke: "On the Calendar appears House Resolution 99. Representative Burke."

Burke: "Well, thank you so much, Mr. Speaker and Ladies and Gentlemen of the House. And on a much lighter note, but certainly a very important day for all of us who know David Ellis. I'd like to ask the question, 'Is there an author in the House today?' And certainly I can answer my own question and insist that there is indeed, in the person of David Ellis who has just published his first murder mystery novel, the title of which is The Line of Vision and it's certainly available in all of the bookstores across our state and one that I would highly recommend to each and every one of you. You know when I first learned of David's being published, I was reminded of a day in committee last year when one of our Members was insisting to me that the analysis of the Bill was far too wordy and lengthy. And I said, 'David, are you writing these analyses like a novel?' And indeed, I think it was more of a self-fulfilling prophecy that he has, in fact, published this novel today. It's a delight to introduce David to all of you, again. It's wonderful when we can say we know an individual who has been so important in our society as to have been published. And I'd like to certainly thank the staff of the Executive Committee who helped in the preparation of

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this very important Resolution today. And I know that with the Body's consent I think our general counsel or our chief counsel to the Speaker wanted to say a word in commemoration of this very important day. Ladies and Gentlemen, if the Body would permit, Mr. Rob Uhe for a moment."

Parliamentarian Uhe: "Thank you. On behalf of the Speaker, as always, and thank you Representative Burke. I'd just like to say, Dave is a very, very close friend of mine and we've gone to school together and worked together and I'm very proud to call him my friend. And I wish him the best with this book and everything else."

Burke: "Mr. Speaker, I would ask that my cosponsor of this Resolution, Mr. Durkin, for remarks."

Speaker Hartke: "Mr. Durkin."

Durkin: "Thank you very much, Mr. Speaker. Dave Ellis has been a great help to me over the past two years and was very much involved with the legislation which we passed yesterday. House Bills 1842, 43, and 44 was vital to the work in this committee. However, there were times during last summer where I was unable to find Dave Ellis. I was looking for answers to questions and then, all of a sudden he'd disappeared for weeks upon end. But little did I know that he was tucked away somewhere pecking away at a typewriter with some strong coffee and bad cigarettes, but that he was working on his novel. I think we're in the midst of greatness. I'm really proud of the work that Dave's done, but also I'm really looking forward to watching him and see how his future's gonna lie. Maybe he can come back again and write a novel about his experiences in Springfield and he can cast some Hollywood characters which probably... which may befit the types of people we have in this House.

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But I'm really proud of the work that Dave's done. I'm glad to know him. He's a great friend. And I expect a lot of greater things out of him in the future. Thank you very much, Mr. Burke."

Speaker Hartke: "Mr. Lyons."

Lyons, J.: "Dan, if I have your permission just to interject here. They're on the tour here. It's always a thrill to have somebody come from home and I have my home parish back at Chicago Northwest side, Sister Mary Sarah and the Class of 2002 from Our Lady of Victory. Give 'em a warm welcome. Thanks for comin' down OLV."

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

Lyons, J.: "Thanks."

Clerk Bolin:

HOUSE RESOLUTION 99

WHEREAS, The members of the Illinois House of Representatives are honored to recognize significant milestones in the lives of the people of the State of Illinois; and

WHEREAS, Those individuals who minister to the spiritual and literary needs of others are worthy of the highest respect and admiration; and

WHEREAS, It is with great pleasure that the members of this Body welcome the opportunity to recognize citizens of this State who make outstanding contributions to society; and

WHEREAS, David W. Ellis has published his first novel, entitled "Line of Vision"; and

WHEREAS, David W. Ellis currently practices commercial litigation and election law at the Chicago law firm of Williams, Collings & Bax; and

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WHEREAS, David W. Ellis received his bachelor's degree from the University of Illinois at Champaign-Urbana, where he served as president of his fraternity, and his law degree from Northwestern University School of Law; and

WHEREAS, David W. Ellis served as Deputy Legal Counsel to the Speaker of the Illinois House of Representatives, and as counsel to the Illinois Democratic Party; David W. Ellis is respected by both sides of the aisle in the Statehouse and is considered a leading authority on campaign, election and legal questions dealing with the legislative process; and

WHEREAS, David W. Ellis, is the three-time reigning recipient of the St. Nicholas "Those Who Excel" Award of Merit; and

WHEREAS, David W. Ellis earned the respect and admiration of all those in the General Assembly who have had the honor and pleasure of working with him; and

WHEREAS, His wise counsel and advice was a great influence on his fellow Democratic staffers, and he immediately earned the respect and affection of everyone around him; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate David W. Ellis on achieving great success in the fields of law and literature; we wish him much success during his reign as the St. Nicholas "Those Who Excel" Award of Merit winner; and be it further

RESOLVED, That a suitable copy of this resolution be presented to David W. Ellis as an expression of our esteem."

Speaker Hartke: "The question is, 'Shall the House adopt House Resolution 99?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the

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'ayes' have it, and the Resolution is adopted. Mr. Burke."

Burke: "Thank you again, Mr. Speaker. In recognition of this very, very important accomplishment I would ask that all Members of the House be added to this Resolution as cosponsors."

Speaker Hartke: "It will be done."

Burke: "Thank you very much."

Speaker Hartke: "We now have a bunch of Bills that are on Second Reading that have had Amendments recommended to be adopted. So, as we go down the list, please be prepared to do your Amendment. House Bill 909, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 909, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 was tabled. Floor Amendment #2, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos, on Amendment #..."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a simple Amendment, but it really is responding to what I heard someone on the other side... in our discussion of the original Amendment. And what I'm doing with this Amendment is to take this program, which is very important to me, the Illinois FIRST Job Opportunities Initiative, and I'm taking it out of the Procurement Code, because of my responsiveness, I believe, to what I heard on the other side. The truth is that the underlying Bill has nothing to do with the Procurement Code. It didn't need to be drafted there in the first place. And I'm looking forward to the chance to describe this on Third Reading. Thank you."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is,

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'Shall the House adopt Floor Amendment #2 to House Bill 909?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos."

Hamos: "Well, Amendment #3 is exactly like Amendment #2 except that Amendment #2 was drafted incorrectly. So, once we adopt Amendment #3, that does become the Bill. It does exactly what I just said it will do. And this is, actually, the Amendment that will become the Bill. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 909?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 282, Representative Garrett. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 282, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Garrett, has been approved for consideration."

Speaker Hartke: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker. Are you looking for... I have three Amendments then, Amendment #2, 3, and 4, or are we just doing one Amendment?"

Speaker Hartke: "We're on Amendment #2."

Garrett: "Well, Amendment #2 was a technical Amendment that

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changed the word 'zone' to 'zones'. And I think..."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 282?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Garrett, has been approved for consideration."

Speaker Hartke: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker. Amendment #3, basically says, in Calendar Year 2002 and thereafter, five additional enterprise zones may be certified by the department."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 282?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #3 is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Garrett, has been approved for consideration."

Speaker Hartke: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker. Amendment #4 is really just a clarification and a technical change. We are saying, beginning in Calendar Year 2002 until December 31, 2006, a total of five additional enterprise zones may be certified by the department."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #4 to House Bill 282?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment

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is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 414, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 414, a Bill for an Act concerning firearms. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Hartke: "Representative Reitz."

Reitz: "Floor Amendment #1 to House Bill 414 is a technical Amendment. It simply changes 'g' to 'h'."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 414?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 505, Representative Scott. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 505, a Bill for an Act in relation to planning. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Scott, has been approved for consideration."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 makes some technical corrections that were made at the suggestion of the Realtors Association and also DCCA. And also, we have put things that were in House Bill 1790, which also passed out of committee, into this Bill. This is planning technical assistance that would go through DCCA to help local governments do land use planning."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 505?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 3078, Representative Righter. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3078, a Bill for an Act concerning freedom of information. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Righter, has been approved for consideration."

Speaker Hartke: "Representative Righter."

Righter: "Thank you, Mr. Speaker. Floor Amendment 1 to House Bill 3078 simply narrows the focus of the request that can be made under the Freedom of Information Act to money that is either expended by or collected by the public body. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3078?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 549, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 549, a Bill for an Act concerning counties. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by

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Representative Reitz, has been approved for consideration."

Speaker Hartke: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 549, Amendment #2 is at the recommendation of the committee, State Government Committee. It reinserts language that ensures that a public defender making 90% of the compensation of the state's attorney will not engage in private practice. And it also adds language to make sure that these... that allows the state treasurer to pay these public defenders if this Bill is approved. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 549?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 506, Representative Dart. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 506, a Bill for an Act in relation to minors. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #1, here, does two different things and it basically is clarification that when the child has a partial emancipation that it does not relieve the Department of Children and Family Services of their duty to take care of the child and I'd appreciate your support."

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

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adopt Floor Amendment #1 to House Bill 506?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 599, Mr. Dart. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 599, a Bill for Act concerning cruelty to animals. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. Amendment #2 is... comes by the result of concerns that people had in the committee that day about certain of the penalties that were provided in the Bill and some of the investigative powers. And this removes some of the objections of those people by moving them back."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 599?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 902, Representative Jones, John O. Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 902, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative John Jones, has been approved for

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consideration."

Speaker Hartke: "Representative Jones."

Jones, J.: "Thank you, Mr. Speaker. Amendment #2 to House Bill 902, Floor Amendment, no unit of local government, including a home rule unit, may regulate the purchase or sale of firearms. This Section is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Mr. Lang, on the Amendment."

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

Speaker Hartke: "The Sponsor will yield."

Lang: "Representative, this is Amendment #2 and it... Tell me the effect on home rule of this piece of legislation, if you would."

Jones, J.: "Really, Representative Lang, what we're trying to do is to make a statewide law without home rule being involved and for all communities to be under the state law rather than having a... each home rule have their own set of rules and regulations as far as the selling of firearms in the state."

Lang: "Well, Representative, let's pick out one community right near me. Morton Grove, Illinois has an ordinance, would that ordinance be voided by this legislation?"

Jones, J.: "My understanding, it would."

Lang: "And so, does this Amendment require 71 votes, Sir?"

Jones, J.: "That's not my decision."

Lang: "Mr. Speaker, parliamentary inquiry."

Speaker Hartke: "State your parliamentary inquiry."

Lang: "I would like the parliamentarian to rule that this Amendment will require 71 votes."

Speaker Hartke: "The parliamentarian will look at the issue."

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Jones, J.: "Mr. Speaker, if I may address the parliamentarian."

Speaker Hartke: "The parliamentarian will respond."

Parliamentarian Uhe: "On behalf of the Speaker, in response to your inquiry, Representative Lang, the Amendment only requires the adoption by a majority of those voting. The question of home rule preemption and the number of votes required on Third Reading will be a question that can be addressed at that time."

Lang: "Well, I'd like to address it now. If this Amendment is adopted, Mr. Parliamentarian, will the Bill require 71 votes?"

Parliamentarian Uhe: "The Chair will take that under consideration."

Lang: "Thank you. May I proceed..."

Speaker Hartke: "Proceed."

Lang: "...Mr. Speaker? Thank you. How many communities today, in Illinois, already have firearms laws that would be preempted by this Amendment if this Amendment were adopted on a Bill that passed?"

Jones, J.: "Well, there would be many communities, Representative Lang, but I don't know the total number."

Lang: "Do you think it's appropriate to, in what I would call an ex post facto type way, to go to communities all over Illinois and say to them, we know you have long-standing laws, it doesn't make any difference whether it's guns or any other issue, we know you have long-standing laws, we know you have a home rule unit, but now we're gonna take away the right that you had to pass that ordinance. Don't you at least want to limit this to communities that do not have gun regulation?"

Jones, J.: "Our concern, Representative, is that with this Bill right here, and I'm not gonna address other issues that may

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be under home rule, but under this Bill here, what we're trying to address is we're concerned about the hunters in this state that travel from community to community, we'd like for 'em to be under the same law throughout the state. And then they will know which law they're under."

Lang: "Thank you. Mr. Speaker, to the Amendment."

Speaker Hartke: "To the Amendment."

Lang: "Mr. Speaker, first I would ask for a Roll Call on this Amendment."

Speaker Hartke: "Your request will be granted."

Lang: "Thank you. Mr. Speaker, the purpose of home rule communities is to allow them to make decisions that they make on a case-by-case, community-by-community basis. My opposition to this Amendment has little to do with the fact that it deals with firearms than it does to do with an effort to ensure that home rule communities have a right to do what we've allowed them to do under our statutes and under the constitution. On Third Reading we will ask the parliamentarian to rule a required 71 votes. And I suppose, if they got 71 votes, the General Assembly has the right to take away home rule, it has a right to preempt. But the purpose of home rule is exactly that, to allow municipalities to govern their own affairs. And there's no compelling showing here that there's any need to take away home rule regulation in this area. And so, I would respectfully ask my colleagues for 'no' votes on this Amendment."

Speaker Hartke: "The Chair recognizes Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I'd like to speak in opposition to Floor Amendment #2 and remind the Body that we have danced this waltz before. In an effort to circumvent the power of local communities and the power and

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prerogative of local communities to pass the tougher gun control laws if, in fact, they choose to do so. Nearly every community in my House district has chosen to do this. And I respect their right to do this. And I wish that the Sponsor and those who are the advocates of this Bill would, indeed, respect that. I can also tell you, to refresh the memories of those who've dealt with this issue before and to inform those who haven't dealt with this issue before, that there is already a community in my district, the Village of Wilmette, which has gone on record, the village board, to indicate that they will sue the State of Illinois if, in fact, this Bill were to become law because their home rule powers would be preempted and usurped by legislation such as this. And since we're on the subject of prominent authors, like David Ellis, I have to tell you that the Village of Wilmette has asked one of its most prominent citizens, Attorney Scott Turow, to represent them. And he's agreed to do so, pro bono. So, Mr. Jones, if your Bill... if you are unfortunately allowed to prevail through this, I think that you are extending an open invitation to litigation, not just on the issue of whether or not communities can have the type of gun control ordinances that they'd like, but on the broader and larger issue of whether or not the home rule powers which have been used so frequently and respected so frequently in our state to be cast aside, almost arbitrarily, all to appease a very pot... politically potent interest group at the expense of the safety of citizens throughout the State of Illinois. So, I rise in opposition to Floor Amendment #2."

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

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

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Speaker Hartke: "The Sponsor will yield."

Dart: "Representative, I just really have one question. The Amendment that you have put on here removes Section (e) of the Bill and replaces it with a new one. Can you explain to me what the difference is between the Section (e) that's in there and the one that you're putting in there?"

Jones, J.: "It's just a technical clarification, and that's what I was getting ready to ask the Speaker. You know, it's only a technical Amendment that came out of Rules, recommended be adopted. You know, we can adopt the Amendment, and then we'll debate it on Third Reading, but it's only a technical Amendment."

Dart: "Okay, and it very well may be. I'm just trying to get a handle on... In your Amendment, it references subsection (a) of Section 6, the original Bill talks about subsection (i) of Section 6. What would be the difference between the two?"

Jones, J.: "This is declaring it a denial rather than just a clarification. A limitation, I mean."

Dart: "So, it would be a denial as opposed to a limitation?"

Jones, J.: "Right."

Dart: "Okay. Thank you."

Speaker Hartke: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Gentleman has an Amendment before you that's technical in nature. The Majority Party did not even send this Amendment back through committee, the Majority Party referred it straight to the floor because it's technical in nature. Now, I understand that the speakers before me have indicated they're in opposition to the Bill. And certainly, on Third Reading, they can make their opposition known and we can have a full debate. But Representative

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Jones has a right to bring his Bill to the floor for Third Reading. The reason it was referred back to the floor as a technical Amendment, so it would be treated, I would have thought, in summary fashion like all of the other technical Amendments that have come to the floor prior to this one. Mr. Jones has a right to bring his legislation to the Body.

It was just last week that Representative Parke had a Bill. His Bill was amended with the hostile Amendment and the Body backed up the person sponsoring the hostile Amendment. They could've simply filed their own Bill and brought that to the floor, but instead they took Representative Parke's Bill and changed it in a fashion he didn't want it changed. He was, therefore, usurped of his right to bring a Bill before the House for a vote. Now Representative Jones, again on the Republican side of the aisle as before us today, has a technical Amendment all he wants it to do is be adopted so that the Bill can be advanced to Third. And then all of the arguments that we've heard before can be stated again, and those that need to vote 'no' can do so. But I would think that this House could stick up for one of its Members and at least let them put a technical Amendment on so it can be advanced to Third. He has a right to do so. And I would ask that everyone vote in favor of his right to amend his own Bill, technically. Thank you."

Speaker Hartke: "Mr. Jones to close."

Jones, J.: "Thank you, Mr. Speaker. I would just ask for a favorable vote. This is just a technical Amendment. You know, if you oppose the Bill, that'll be another thing on Third Reading. But right now, I would just like for the Amendment to be adopted. Thank you."

Speaker Hartke: "The question is, 'Shall the House adopt Floor

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Amendment #2 to House Bill 802 (sic-902)?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. 920. 902. I'll get it straight. Have all voted who wish? Mr. Clerk, take the record. On Floor Amendment #2 on House Bill 902, there are 61 Members voting 'yes'; 50 Members voting 'no'. And this Amendment, having received a Majority, is hereby declared... or hereby adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 728, Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 728 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Schoenberg, has been approved for consideration."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 728 is a technical Amendment that clarifies what the crime of cyberstalking would be. It eliminates some of the legal questions that pertain to the issue of harassment. And I'd urge its adoption."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition... Representative Cross."

Cross: "Thank you, Mr. Speaker. Representative, how do you define 'cyberstalking' in your Bill and Amendment?"

Schoenberg: "Mr. Cross, the Bill... it adds to the existing definition of stalking by providing that stalking includes placing another person under surveillance either overtly or through the use of a computer or electronic means like a personal data assistant. The Amendment, essentially, makes

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the Bill constitutional, Mr. Cross."

Cross: "Representative, how do you... I know this revolves around the issues of computers and certainly no one likes the idea of crime on the Internet, but how do you... What if the person that is engaged in this lives in another state? Where does the offense take place in the eyes of the court? Does it take place on the computer of the person out-of-state, does it take place on the computer of the person in-state?"

Schoenberg: "Mr. Cross, this is precisely why I offered up the Amendment because the... as you know, the commerce clause has been invoked on a number of occasions in dealing with interpretations of the law relative to the Internet. The... So, this... there were provisions that were eliminated and clarified within the Amendment and for the Bill so that if a person is using... You may have been seeing the ads, for example, in the Wall Street Journal and other newspapers where you can now get a personal data assistant, a PDA, like that's also part of a cellular phone and you can use PDA's to send e-mails and to get on the Internet. So, this essentially uses the same legal application of stalking, but includes these... this new technology and these devices... the use of these new technologies and devices in committing the crime of stalking."

Cross: "Well, you have in here in your language that harassment is defined as 'a knowing and willful course of conduct directed at a person that alarms a noise, torments, or terrorizes'. Do we really want to create a criminal penalty because someone annoys another?"

Schoenberg: "Well, Mr. Cross, the Amendment... the provision of harassing is dropped through the Amendment."

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Cross: "Okay. So, you've taken all of that out?"

Schoenberg: "Yes."

Cross: "Now, Representative, again, and I think... I'm not sure I really followed your answer on this, how is a state's attorney from Cook County gonna have jurisdiction over somebody from the State of Iowa because they... you know, their conduct violates sections of your statute? I'm not sure I'm convinced yet that you've overcome the constitutional concerns with your language. Is the State's Attorneys Office... It looks like this is a Cook County State's Attorneys initiative, are they gonna start going into Iowa, or Wyoming, or Utah, maybe other parts of the world and arrest people?"

Schoenberg: "Thank you for your patience, Mr. Cross. I think that my interpretation of this would be that where the transmission occurred is the jurisdiction that would apply."

Cross: "Pardon me?"

Schoenberg: "The transmission... The jurisdiction in which the transmission occurs would be the jurisdiction that would apply."

Cross: "Well, if it's... Wouldn't you acknowledge that the offense or the transmission occurs on the line of the computer, Representative, which could be in Chicago, Illinois and the line runs all the way to Des Moines, Iowa? So, there's an argument, I think, if I'm on the defense side, that the argument can be made that it occurs in Des Moines, Iowa, not in Cook County. I'm gonna support your Bill, Jeff, but I'm not so sure... I know you're not listening 'cause you're turning away, but I'm gonna support your Bill."

Schoenberg: "No, I am listening."

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Cross: "I'm gonna support your Bill. But my point is, in the eyes of the court, where does the... if it takes place on the line, is it at the beginning of the line in Des Moines, Iowa or is it at the end of the line in Cook County?"

Schoenberg: "Mr. Cross, you're indeed correct in that there are efforts being made in the courts right now. And frequently, the commerce clause has been invoked to determine these jurisdictional issues relating to the Internet and technology. My interpretation of this would be that where the transmission occurs would be the jurisdiction that would apply... The jurisdiction in which the transmission occurs would be the jurisdiction that's applicable."

Cross: "The jurisdiction that's applicable?"

Schoenberg: "Yes."

Cross: "Well, let me ask you this..."

Schoenberg: "In which the..."

Cross: "Can the state's attorney in Des Moines, Iowa charge the person with the same offense as the Cook County State's Attorney?"

Schoenberg: "If the... You know what, that would be a question for the state's attorney of that..."

Cross: "All right."

Schoenberg: "...jurisdiction, whether it's in..."

Cross: "Well, maybe we can argue it more and discuss it more on Third Reading. And I, again, I'm gonna support it, but I think there's an issue here that we need to be cognizant of. Thank you."

Schoenberg: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 728? All those in

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favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3070, Mr. Bost. 3073, Mr. Bost. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3073 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bost, has been approved for consideration."

Speaker Hartke: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Floor Amendment #1 for House Bill 3073 does simply two things. One, meets IDOT's request, which will make sure that by implementing this language, we do not violate any Federal Laws and lose federal money. And the second part of it simply meets some requests to make sure that it only deals with weights and measures and not other local laws."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3073?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A home rule note has been requested on the Bill and that Bill has not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. Representative... House Bill 800, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 800, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed."

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Floor Amendment #2, offered by Representative Mautino, has been approved for consideration."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment 2 becomes the Bill. It just reintroduces the Bill in its form, rolling in Amendment #1 with Amendment #2. It takes away some of the concerns that the industry has had. This is a negotiation between industry and the agents on who owns the expiration dates on policies. A couple of exemptions are into the Bill, replaces the term 'confidential' with 'personal and privileged information'. And this will put it in the final form that I'd like to see the Bill on Third Reading."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 800?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Floor Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 914, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 914 has been read a second time, previously. Amendments 1, 2, and 3 have been adopted to the Bill. No Motions have been filed. Floor Amendment #4, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Hartke: "Representative Moore on Amendment #4."

Moore: "Thank you, Mr. Speaker. Amendment #4 actually adds to the Bill. It provides an exclusion for the City of Chicago that restricts home units in Cook County from the regulation of storm water management or planning in Cook

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County in a manner that's inconsistent with the storm water management of Cook County. This actually amends the Metropolitan Water Reclamation District's portion of this Bill."

Speaker Hartke: "Any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #4 to House Bill 914?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2235, Representative Kenner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2235 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Kenner, has been approved for consideration."

Speaker Hartke: "Representative Kenner."

Kenner: "Thank you, Mr. Speaker. House Bill 2235 simply authorizes the directors of affected agencies to issue shields or other distinctive identification to employees if they determine that it is needed for the employee to carry out his or her responsibilities. Those agency directors are: the Director of Agriculture, Director of Natural Resources, Secretary of Human Services, State Fire Marshal, Board of Trustees, and Secretary of Transportation. Amendment #1 simply adds the Secretary of State to this list. I would ask for the adoption of Amendment #1. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2235?' All those in

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favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2519, Representative Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2519 has been read a second time, previously. Amendments 1... Amendment #1 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Wyvetter Younge, has been approved for consideration."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #2 changes the name of the Bill from the Katherine Dunham Performing Arts Schools to the Katherine Dunham Academy for Performing, Visual, and Cultural Arts. And I move for the adoption of the Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 2519?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1819. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1819 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative O'Brien, has been approved for consideration."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Mr. Speaker, it should be Floor Amendment #2 that has

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been approved for consideration. Floor Amendment #1..."

Speaker Hartke: "You must deal with #1 first."

O'Brien: "...is to be tabled... withdrawn. Thanks, Tony."

Speaker Hartke: "Withdraw Amendment #1. Further Amendments?"

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

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 would create a task force from the Department of Public Health to determine the feasibility and curriculum for a Certified Nurses (sic-Nurse) Assistant Career Ladders Program. Why this Amendment differs from the original Bill is it changes the makeup of the task force providing for two members from the community college faculty, one of which it has to be a registered nurse, two members from the nursing home community, one of which has to be a registered nurse, certified nurse assistant educator, and representatives from the Illinois Department of Public Health. And with Amendment #2, I believe there's no opposition to the Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1819?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3011, Representative Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3011, a Bill for an Act in relation to public aid. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by

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Representative Delgado, has been approved for consideration."

Speaker Hartke: "Representative Delgado."

Delgado: "Yes, thank you, Mr. Speaker. Amendment #1, basically, is a technical Amendment removing nursing homes from the Bill as nursing homes are not one of the clients of the underlying Bill itself. And it would remove nursing homes from it."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3011?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3050, Representative Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3050 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Jerry Mitchell, has been approved for consideration."

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

Mitchell, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 replaces the entire Bill on school state aid and, basically, puts all... many of the Bills that we have previously passed together in one Bill. It provides for calculating general state aid a school district may use the prior year's three-year ADA. It changes the low income distribution according to Representative Currie's Bill earlier passed, provides the common school appropriation for FY'02 shall be sufficient to pay all general and supplemental state aid claims, and

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that the state aid appropriation be treated as a continuing appropriation through fiscal year '02. It incorporates all these separate Bills into one Bill that we would like to send to the Senate. I would move for its adoption. Thank you."

Speaker Hartke: "Is there any discussion? The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3050?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3098, Representative Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3098 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Committee Amendment... or Floor Amendment #2 has been approved for consideration."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Floor Amendment 2 is a product of a suggestion to do with the school board's objection to the Bill. I believe this neutralizes most of 'em and it concerns the confidentiality aspects of the Open Meetings Act. And I'd appreciate adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3098?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but a state mandate's note has been requested on the Bill as amended. And that note

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has not been filed."

Speaker Hartke: "It will remain on Second Reading. House Bill 3363, Representative Curry. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3363, a Bill for an Act concerning townships. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Julie Curry, has been approved for consideration."

Speaker Hartke: "Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. This Amendment just simply puts a maximum fee amount on which townships can assess for registration of horse-drawn vehicles."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3363?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments, but several notes have been requested on the Bill that have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading pending a note. House Bill 2009, Representative Yarbrough. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2009 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Yarbrough, has been approved for consideration."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker, Members of the House. Amendment #1 provides that the provision of the Bill only applied to felons convicted of forcible felonies and drug

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dealing. The original Bill was directed at all convicted felons."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2009?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 176, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 176 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Yes, Floor Amendment 1 lays out the agreed to language between all the parties that were involved in negotiations for the no-call database. It would be a database run by the Secretary of State's Office where you would call up and get on the list so you wouldn't receive unwanted telephone solicitations."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 176?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Yes, Floor Amendment #2 is just a technical change to

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the Bill that was needed at the request of the Direct Marketers Association."

Speaker Hartke: "Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, is this an answer to your... the request in the committee to work with them? And the agreement with this Amendment now, does it make the Bill acceptable to 'em now?"

Hoffman: "Yes, everybody's okay now. In committee we had made a commitment that we would make this change and we have and they're all happy."

Parke: "Well, I thank you for saying you would do it and you've done it. Thank you."

Hoffman: "Thank you."

Speaker Hartke: "Further discussion? No one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 176?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2564, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2564 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Yes, House Amend... Floor Amendment #1 simply makes technical Amendments to ensure that the notice of the limitation provisions of the Act read in a parallel

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manner."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2564?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3347, Representative Novak. Representative Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3347 has been read a second time, previously. Amendment #1 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Novak, has been approved for consideration."

Speaker Hartke: "Representative Novak."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 simply adds an effective date. And I'd ask for its adoption. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3347?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3212, Representative Scott. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3212, a Bill for an Act concerning technology. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Scott, has been approved for consideration."

Speaker Hartke: "Representative Scott."

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Scott: "Thank you, Mr. Speaker. Floor Amendment #1 adds some meat to the definitions of the... this is a technology fund... development fund and this adds some definitional clarity that was requested when the Bill was in committee. They're basically technical in nature and just flushes out some of the concepts that we had in the Bill."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3212?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3128, Representative Hamos. Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3128, a Bill for an Act in relation to support. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'm actually handling just this Amendment. The underlying Bill is Representative Sommer's. The Amendment, itself, just clears up a confusion with the underlying Bill. The administration would like to... with the underlying Bill, to make sure that before the obligors and obligees... not before, but when obligors and obligees in a child support case have an order in court that they are required to under the underlying Bill, to provide certain information about their whereabouts; name, address, phone number, that kind of thing. My Amendment, which clarifies its... basically says that this should not stop the court from entering the

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underlying order. We didn't want to see a lot of incomplete cases sitting around as a result of trying to clear up... or trying to enact the public policy. So, it's just a clarifying Amendment. And I ask for your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3128?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1712, Representative Myers. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1712, a Bill for an Act concerning school funding. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 3217, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3217, a Bill for an Act concerning properties. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 905, Representative Mathias. Mr. Clerk, read... 4. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 904, a Bill for an Act concerning municipalities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 3037?"

Clerk Rossi: "House Bill 3037 is on the Order of House

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Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment. How 'bout House Bill 3148?"

Clerk Rossi: "House Bill 3148 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. House Resolution 134, Representative Garrett. Supplemental Calendar being distributed. Representative Garrett on the Amendment."

Garrett: "I don't have the House Resolution in front of me, if you want to read it and have the Body approve it."

Speaker Hartke: "Just briefly explain what it is."

Garrett: "Basically, we're saluting Irene Lovelace for her 70th birthday and because she's been so involved in the communities of North Chicago and Waukegan."

Speaker Hartke: "The question is, 'Shall the House adopt House Resolution 134?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted. We are preparing to adjourn. The Chair would like to announce that Tuesday is Election Day, May Municipal Elections. Before you arrive in Springfield, you should be voting absentee on Monday at your county clerk's office. Representative Currie now moves that the House stand adjourned until Monday, April 2, allowing perfunctory time for the Clerk, at 12:00 noon on Monday. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House stands adjourned. Have a great weekend."

Clerk Bolin: "House Perfunctory Session will come to order. First Reading and Introduction of Senate Bills. Senate Bill

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52, offered by Representative McCarthy, a Bill for an Act concerning taxation. Senate Bill 109, offered by Representative Soto, a Bill for an Act relating to education. Senate Bill 115, offered by Representative Eileen Lyons, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 174, offered by Representative Hoffman, a Bill for an Act in relation to gambling. Senate Bill 175, offered by Representative Franks, a Bill for an Act in relation to criminal law. Senate Bill 184, offered by Representative Hartke, a Bill for an Act concerning agriculture. Senate Bill 325, offered by Representative May, a Bill for an Act relating to schools. Senate Bill 448, offered by Representative Brunsvold, a Bill for an Act concerning snowmobile registration and safety. Senate Bill 463, offered by Representative John Turner, a Bill for an Act concerning insurance. Senate Bill 523, offered by Representative McCarthy, a Bill for an Act concerning the regulation of fireworks. Senate Bill 831, offered by Representative Tenhouse, a Bill for an Act concerning the Department of Agriculture. Senate Bill 833, offered by Representative Tenhouse, a Bill for an Act concerning professional service contracts. Senate Bill 836, offered by Representative Sommer, a Bill for an Act to amend the State Finance Act. Senate Bill 839, offered by Representative Bost, a Bill for an Act in relation to children. Senate Bill 843, offered by Representative Tenhouse, a Bill for an Act concerning child welfare services. Senate Bill 846, offered by Representative Tenhouse, a Bill for an Act concerning strategic planning. Senate Bill 852, offered by Representative Tenhouse, a Bill for an Act concerning groundwater protection. Senate Bill 857, offered by Representative Tenhouse, a Bill for an Act to repeal the

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Non-Resident Contractor Bond Act. Senate Bill 858, offered by Representative Tenhouse, a Bill for an Act to amend the Unemployment Insurance Act. Senate Bill 859, offered by Representative Tenhouse, a Bill for an Act in relation to emergency management assistance. Senate Bill 866 (sic-868), offered by Representative Tenhouse, a Bill for an Act in relation to workers' compensation. Senate Bill 875, offered by Representative Tenhouse, a Bill for an Act concerning Assistant Adjutants General. Senate Bill 876, offered by Representative Tenhouse, a Bill for an Act concerning military funeral honors. Senate Bill 881, offered by Representative Tenhouse, a Bill for an Act concerning natural resources. Senate Bill 888, offered by Representative Tenhouse, a Bill for an Act concerning certain financial services. Senate Bill 935, offered by Representative Poe, a Bill for an Act concerning insurance. Senate Bill 936, offered by Representative Poe, a Bill for an Act concerning state employee health benefits. Senate Bill 977, offered by Representative Mathias, a Bill for an Act in relation to criminal law. Senate Bill 978, offered by Representative Durkin, a Bill for an Act concerning business transactions. Senate Bill 1046, offered by Representative Erwin, a Bill for an Act in relation to property. Senate Bill 1084, offered by Representative Reitz, a Bill for an Act in relation to counties. Senate Bill 1099, offered by Representative Dale Righter, a Bill for an Act in regard to vehicles. Senate Bill 1171, offered by Representative Garrett, a Bill for an Act in relation to taxes. Senate Bill 133, offered by Representative Coulson, a Bill for an Act in relation to limited liability companies. Senate Bill 264, offered by Representative Mathias, a Bill for an Act with regard to education. Senate

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Bill 317, offered by Representative Joseph Lyons, a Bill for an Act in relation to schools. Senate Bill 384, offered by Representative Coulson, a Bill for an Act concerning education. Senate Bill 540, offered by Representative Reitz, a Bill for an Act concerning taxes. Senate Bill 616, offered by Representative Beaubien, a Bill for an Act concerning school district financial oversight panels. Senate Bill 643, offered by Representative Saviano, a Bill for an Act concerning criminal identification information. Senate Bill 660, offered by Representative Franks, a Bill for an Act concerning vehicles. Senate Bill 668, offered by Representative Krause, a Bill for an Act relating to schools. Senate Bill 823, offered by Representative Tenhouse, a Bill for an Act in relation to driving under the influence of alcohol and drugs. Senate Bill 864, offered by Representative Osmond, a Bill for an Act concerning reinsurance. First Reading of these House (sic-Senate) Bills. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session now stands adjourned."