

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

53rd Legislative Day

May 8, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend David Hudak of the St. Peter Lutheran Church in Schaumburg. Reverend Hudak is the guest of Representative Wojcik. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Reverend Hudak: "Lord God, Heavenly Father, ruler of all people, we come with humble hearts this day. We ask forgiveness when we disobey Your good and gracious will. We recognize our need to be guided, our need to be ruled, our need to be disciplined. We ask You to guide us by just laws, to rule us with love, to govern us through responsible leaders, to give us Legislators who are wise and act with integrity. We pray that You would help us to exercise our freedoms, help us to discharge our obligations, help us to hold the law in high regard. Use the efforts of those who write the laws and those who interpret them for the accomplishment of what is pleasing to You. Bless our Governor and all Legislators. Bless and prosper the State of Illinois. Bless our nation with peace and harmony. In the name of Jesus, I pray. Amen."

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

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

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

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

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Dart is experiencing transit problems, and should be excused until he arrives."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. The House Republicans would like to report that Representative Sommers (sic-Sommer) and Stephens will be excused today."

Speaker Madigan: "The Clerk shall take the record. There being 111 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Introduction of Resolutions. House Joint Resolution 33, offered by Representative Joe Lyons; and House Joint Resolution 34, offered by Representative McCarthy, are assigned to the Rules Committee."

Speaker Madigan: "Mr. Brady, did you have anything you wished to bring before the Body? Did you have any pearls of wisdom you wanted to share with us? Mr. Brady."

Brady: "How much time do we have, Mr. Speaker?"

Speaker Madigan: "Well, for you, Mr. Brady, whatever you need."

Brady: "Thank you very much, but I'll yield my time of infamous wisdom."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. Just a point of personal privilege. On behalf of my family, I would like to thank yourself and Leader Daniels, and all my colleagues, both in the House and the Senate, for their kind expressions of sympathy to my family, and just everybody in State Government. It was overwhelming. And from the bottom of our hearts, my family thanks everybody. Thank you very much."

Speaker Madigan: "On page 6 of the Calendar, on the Order of Senate Bills-Third Reading there appears Senate Bill 20. Representative Coulson. Representative Coulson, Senate

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Bill 20. Did you wish to call your Bill? The Lady indicates she does not wish to call the Bill. Senate Bill 30, Mr. Franks. Is Mr. Franks in the chamber? Senate Bill 31, Mr. Daniels. Black. Mr. Black. Mr. Black, did you say you did not wish to call this Bill for your Leader? Senate Bill 98, Mr. Hoffman. 98. Mr. Hoffman. Did you wish to call Senate Bill 98? The Gentleman indicates he does not wish to call the Bill. Senate Bill 103, Mr. Bost. Did you wish to call the Bill? The Gentleman indicates he does not wish to call the Bill. Senate Bill 116, Mr. Winkel. Is Mr. Winkel in the chamber? Senate Bill 133, Representative Coulson. Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 133, a Bill for an Act in relation to limited liability companies. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Coulson."

Coulson: "Senate Bill 133 amends the Limited Liability Company Act, provides that in addition to the requirement that a limited liability company may be formed for practices of medicine. A limited liability company may also be formed for the practice of medicine, if the managers are licensed to practice medicine. And any of the following conditions apply: the members are licensed to practice medicine, the members are registered medical corporations, the members are a professional corporation organized under the Corporate Act, and... or the member is another medical limited liability company. Current law allows for the formation of limited liability company for the practice of medicine, and we would like to make these changes in order to allow for more flexibility in the practice of medicine."

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

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The Chair recognizes Mr. Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hoffman: "Yes, Representative. I just have a... I think I support your Bill. I just have a question. What was the rationale for excluding doctors, initially, when we provided for the limited liability corporations?"

Coulson: "They aren't excluded. This just expands... Doctors have to be... You have to be just a physician in order to be in a limited liability company. And in the past, you've always had to have only doctors become members of that limited liability company. Now, because of the changes in health care, there are also medical corporations that are composites of physicians, who want to be able to join together. So, a group of doctors want to join a group of doctors. It's basically a technical Amendment to make it so that... so that for in the cases of taxes and other formats, they don't have to have five or six different corporations. They can become a limited liability company and one entity."

Hoffman: "Okay. So, essentially, what you're saying is... what we're doing is just changing the law to reflect the realities of the business. Is that right?"

Coulson: "Correct. Yeah."

Hoffman: "Thank you."

Speaker Madigan: "Being no further discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Mr. Reitz. Has Representative Brunsvold and Representative Novak voted? Have all voted who wish? Have all voted who wish? Mr. Mautino, did you wish to vote? The Clerk shall take the record. On this question, there are 111 people voting

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'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 405, Mr. Hartke. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 405, a Bill for an Act concerning agriculture. Third Reading of this Senate Bill."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. Senate Bill 405 is a Swine Marketing Development Act. And as many of you may know or may not know, last year there was a national referendum among Illinois and National Pork Producers to where the Marketing Development Act on a nationwide referendum defeated the proposal. A court action then took place to stay the decision of that referendum. Illinois was put in a precarious situation where the pork producers of Illinois would not have the funds necessary to promote pork in Illinois. And so, what this piece of legislation does, it sets up the mechanism to develop a referendum for pork producers should the court challenge fail on a national level. I'd be happy to answer any questions that you may have."

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

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, with the national pork checkoff being in limbo because of the election, your Bill, as I understand it, only would go into effect, if indeed, the national checkoff is eliminated. Correct?"

Hartke: "That is correct, Representative Black."

Black: "Would the fees paid by the producers be the same as the current pork checkoff fee? What is it, 45 cents a hundred weight? I can't... To tell you the truth, Chuck, I can't

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remember."

Hartke: "No, it would be a smaller proportion than that, because part of that national checkoff went to the national organization. This would be a state checkoff, and no funds would go to the national. I'm not sure where the fee would be set for the checkoff, but producers would be allowed to retrieve those funds if they would object to the checkoff."

Black: "And since checkoffs have become a little bit controversial lately, everybody's on board with this in Illinois, the Pork Producers, the Farm Bureau, all of the various producer groups, would it be fair to say?"

Hartke: "No. I must be honest with you. Well, the Stewardship Alliance has signed in opposition to it. Of course, they were the mainstay in objection to the national checkoff. And so, they have some concerns, but I'm sure that those can be worked out in the process. They were unsure on how the referendum should be conducted and so forth. This up... sets up the mechanism for that checkoff."

Black: "Well, would the Stewardship Alliance's opposition be in the area where they would want some of the money go to environmental research, or is it broader than that?"

Hartke: "No. It's a little different than that. Their objection was who qualified as producers."

Black: "Okay. Okay. All right. Thank you very much."

Hartke: "Thank you."

Speaker Madigan: "Being no further 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? Has Representative Currie voted? The Clerk shall take the record. On this question, there are 109 people voting 'yes', 0 voting 'no'. This Bill, having received a

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Constitutional Majority, is hereby declared passed. Mr. Granberg, did you wish to call Senate Bill 153? The Gentleman indicates he does not wish to call the Bill. Mr. Schoenberg. Mr. Schoenberg, did you wish to call Senate Bill 233? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 233, a Bill for an Act concerning criminal law. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 233 creates the offense of cyberstalking. We discussed this earlier on a companion House version of the Bill. It incorporates the use of electronic technology, like computers, hand-held personal data assistants, as vehicles through which the crime of stalking could be committed. The penalties would remain consistent with the existing statute for stalking. And I'd be happy to answer any questions."

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

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, I just need to ask you one question. In the analysis and talking to staff, there's language in the Bill that says, at any time if you transmit a threat to that person of immediate or future bodily harm, et cetera, et cetera. With the advent of e-mail, I know you and I and most everybody in this chamber, the sheer volume of e-mail that we get in our district offices has increased greatly. Some of those, quite frankly, have threatening language. You know, if you don't vote for this, I'll show up and poke you in the nose or work against you in your next election, or you know, you get used to that. But I assume that

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elsewhere in the Bill, there is a difference between an e-mail message received, and a threat that you and I might shrug off, and what you're intending to make a felony. But I need to know the difference, I think, before I vote."

Schoenberg: "Well, Mr. Black what the Bill would require, like any other crime of stalking through more conventional means of communication would be, that it would have to be done repeatedly. What this Bill acknowledges is that while the new technologies like computers, and palm pilots, and cell phones, that are not... and now there are cell phones that are also palm pilots all in one. While these new technologies have brought many good things to our society through easier communication, unfortunately, they can now be used as vehicles for threats and intimidation, too. So, it would have to occur repeatedly."

Black: "But, would there have to be a pattern? What was brought to my attention by an assistant state's attorney, if you got a message in your district office, an e-mail message saying, that because you voted for a certain Bill this constituent fully intends to assault you the next time he runs into you. Would that constitute a crime in and of itself, or would it have to be repeated? You know, repeated threats to you?"

Schoenberg: "Sir, it would have to be on at least two separate occasions."

Black: "All right. So, an e-mail sent to you in haste over the heat of legislation, would not necessarily run that person afoul of a potential felony?"

Schoenberg: "Correct."

Black: "Only if he or she continued with that direction would you then be able to invoke this law?"

Schoenberg: "Yes, Sir."



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Black: "Thank you."

Speaker Madigan: "There being no further 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? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rich Myers."

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

Speaker Madigan: "State your point."

Myers: "Mr. Speaker, Representative Art Tenhouse and I, would like the Body to welcome a number of students and parents from our two districts. The students will be serving for the next year on our student advisory council. There were 74 students and their accompanying parents down here today. Some of them are still in the gallery, and I'd like to have the Body recognize them."

Speaker Madigan: "Mr. Clerk, what is the status of Senate Bill 103?"

Clerk Rossi: "Senate Bill 103 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Place that Bill on the Order of Second Reading. Mr. Clerk, what is the status of Senate Bill 504?"

Clerk Rossi: "Senate Bill 504 is on the Order of Senate Bills-Third Reading."

Speaker Madigan: "Place that Bill on the Order of Second Reading. Mr. Jay Hoffman. Mr. Hoffman on Senate Bill 265. The Gentleman indicates he does not wish to call the Bill. Mr. Berns, Senate Bill 286. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 286, a Bill for an Act concerning the

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Department of Public Health. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Berns."

Berns: "Thank you, Mr. Chairman and Ladies and Gentlemen of the House. Senate Bill 286 would appoint a Dementia Patient Care Advisory Committee to study and advise the Director on appropriate care and staffing for dementia patients residing in long-term care facilities in Illinois."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Mr. Murphy, has Representative Turner and Representative Jones voted? Mr. Ryan, has Mr. McCarthy voted? Has Mr. McCarthy voted? The Clerk take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Saviano. Did you wish to call Senate Bill 289? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 289, a Bill for an Act concerning the regulation of professions. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. Senate Bill 289 is an initiative of the Professional Engineers of Illinois. It's a cleanup Bill for their licensure. The Department of Professional Regulation is neutral on it. Just briefly, the legislation provides for an informational source, the professional engineers, in regards to changes to the Regulation Act and its rules. And I would ask for your favorable support. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the

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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? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Saviano, do you wish to call Senate Bill 318? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 318, a Bill for an Act concerning the regulation of professions. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. This is the Department of Professional Regulation Agency Bill. It amends numerous regulating Acts administered by the Department which deletes varying provisions providing additional fine for practicing the regulated profession after having sent a payment with a check, which was bounced. It's a cleanup Bill. I would ask for your favorable support. There's no opposition."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Osmond voted? Has Mr. Osmond voted? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Representative Bellock seek recognition?"

Bellock: "A point of personal privilege, Mr. Speaker."

Speaker Madigan: "State your point."

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Bellock: "I'd like to take this opportunity to welcome several of the residents from the DuPage County Convalescent Center, in the county where I'm from, who are down here visiting the House of Representatives today. They're in the balcony. Thank you."

Speaker Madigan: "Representative May, did you wish to call Senate Bill 325? Mr. Clerk, Senate Bill 325, read the Bill."

Clerk Rossi: "Senate Bill 325, a Bill for an Act relating to schools. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Hartke in the Chair."

May: "Mr. Speaker and Members of the House. Senate Bill 325 gives flexibility to the regional board of school trustees' meetings set on Monday. The months remain the same, but gives them flexibility to move off of the Mondays. This does not change any of the language regarding the Open Meetings Act. All legislation regarding the Open Meetings Act still applies."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 325?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 325, there are 111 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 390, Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 390, a Bill for an Act in relation to health care surrogates. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Feigenholtz."

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Feigenholtz: "Thank you very much, Mr. Speaker and Members of the House. Senate Bill 390 amends the Health Care Surrogate Act. It basically provides a definition for what is a reasonable inquiry in identifying a family member by examining patients' personal effects to inform them that a person is in the hospital. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? No one is seeking recognition, the question is, 'Shall the House pass Senate Bill 390?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 390, there are 111 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 394, Representative Slone. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 394, a Bill for an Act concerning environmental protection. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 394 would add one person to the Community Water Supply Testing Council from the Illinois Association of Environmental Laboratories, and would also establish a committee to decide on fees and schedules for the environmental laboratories in the state for their certification. I would appreciate an 'aye' vote. Be glad to answer any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, there's language in the Bill regarding various fees. What is the intent of the Bill as to increasing fees? Is that put off to a later date, or is there some trigger that I'm not seeing in here that would increase the various fees, or assessments, as they're called, from each laboratory requesting certification?"

Slone: "Mr. Black, my understanding is that the labs themselves and the EPA have put forward this legislation. What they're looking for is an opportunity to create a committee that would look at the certification fees. Right now, the fees that are collected by the EPA do not meet their costs, and the labs, themselves are seeking a higher degree of certification so that they can be eligible to bid on certain types of work that they can't do right now. It would make them more competitive. So they are willing to have themselves pay higher fees in order to get this higher level of certification. And the intent of the Bill is to allow them to work with EPA to come up with a reasonable fee schedule that they can all agree on. So, there would be no immediate increase in fees."

Black: "Now, are these the laboratories that would test the drinking water samples for various municipalities?"

Slone: "That's my understanding. Yes."

Black: "All right. And if that fee to that laboratory goes up, I assume the fee goes up to the water company. Correct? I mean, that seems logical to me."

Slone: "I'm sorry, Mr. Black. I couldn't hear your whole question."

Black: "If the fee that the laboratory is paying to be certified

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to the IEPA increases, doesn't it stand to reason that the fee they charge the water company to test their water would also have to increase?"

Slone: "I suppose that is possible, certainly."

Black: "And so one could assume a scenario where that cost is eventually passed on to the consumer in the form of a rate increase by the water company. I mean, that's not a scenario that would be beyond the pale, would it?"

Slone: "Once again, I missed the end of your question. I'm sorry."

Speaker Hartke: "Ladies and Gentlemen, please. We're having difficulty hearing on the floor. Shhh!. Shhh!, please. Thank you."

Black: "Representative, I'm just trying to establish a fact. When an analysis says there is no fiscal impact to the state, that's good. I look at that and say, that's good. But there is a potential in here for a fee increase that the laboratories themselves would be willing to pay. It's not being... I'm not intimating, that it's being foisted upon them, or they're being dragged kicking and screaming. They're asking for a fee increase to upgrade their equipment, and upgrade their certification levels, so that they can continue to be a player in testing potable water sources. Now, that's important. I don't diminish the importance of that. But at some point that laboratory's increased fees will be passed on to the water companies submitting samples. Is the scenario not possible then, that the water company will pass on any such fee increase to its customers by going to the Commerce Commission and seeking a rate increase to the customer?"

Slone: "I think that's possible, Mr. Black. Currently, the total cost statewide that EPA undertakes for all of these tests

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is something on the order of half a million dollars, that's for all of them. I might add, that the municipal water companies would be exempt from any fee increase. This would be the private labs only. But certainly the scenario that you're suggesting could take place at some point in the future. Yes."

Black: "All right. Municipal water companies are exempted. The biggest water company in my district is not municipally owned. Now, is the current law, unless the laboratory is certified, for example Consumers Illinois Water Company serves several communities, I think, Kankakee, Danville, other communities, can they test their water, or do they have to send it in to a certified laboratory?"

Slone: "The laboratories that are seeking this fee change are certified lab... they are currently certified laboratories themselves. I'm not sure if that answers your question."

Black: "So, could an investor-owned water company test its own water and that be sufficient for the IEPA, or must they forward it to a certified lab?"

Slone: "I would think that they would have to be certified themselves, Mr. Black, but I'm not certain. Do you want me to take the Bill out of the record and get you an answer?"

Black: "All right. No. That's fine, Representative. I'm just trying to... I'm just trying to understand. I'm not... Honestly, I'm not opposed to the Bill, but I've gone through about a three-year period where water rates have increased dramatically. And I'm not blaming the water companies. The Clean Water Act, and various regulatory mandates have caused water as a commodity, to go up in price quite a bit in the last three or five years. When I read through this file it just seems to me that we may be giving the IEPA... There's nothing in the Bill that says



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what the new assessment schedule will be. Now, they're relatively reasonably priced now, but what if the agency decides hey all of those fees to be certified should go up by a factor of 10, or 20?"

Slone: "It would have to be subject... While this committee could up with a set of rates that they all agree among themselves, for the rates to be set it'd have to be subject to a rulemaking with the usual procedural safeguards."

Black: "But the fee... the assessment schedule to be established would not be subject to a vote of this Body. Correct? It would be by rule or by meeting of the IEPA and the affected laboratories. That's the way I understand it. If I'm wrong, I apologize."

Slone: "My understanding is that they would meet, they would agree on a schedule, and then IEPA would, you know, would have a rulemaking that would then be subject to our oversight, you know, through the other types of administrative rules JCAR."

Black: "Okay. All right. Yeah. I appreciate your forthright answer, Representative. That's the way I interpreted it. And I think that's the only thing that gives me pause about the Bill. And I... I look at this Bill, and I know that it probably has to happen. I just have an inherent fear of turning over to any agency, the ability to establish a new fee schedule without coming back to this Body, because then, I may be in a position two years from now explaining, well I voted for the Bill, but I thought the fee increase would be minimal. Well, it wasn't minimal, it went up by a factor of 20. I've been in those positions before. They're not very comfortable. But I think you've done an excellent job of explaining honestly and forthrightly the Bill, and I do appreciate your indulgence."

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

Slone: "I would appreciate your 'aye' votes. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 394?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 394, there are 69 Members voting 'yes', 38 Members voting 'no', and 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from Winnebago, Representative Winters. For what reason do you seek recognition?"

Winters: "I was on the telephone and inadvertently punched the button, and was not recorded as voting 'yes'. If I could be so recorded."

Speaker Hartke: "The Journal will so reflect your desire. Senate Bill 400, Representative Mitchell. Jerry Mitchell. Out of the record. Senate Bill 401, Representative Brosnahan. Out of the record. Senate Bill 403, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 403, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 403 would amend the Child Passenger Protection Act, and raise the fines for failing to have a child in an approved child restraint system, from \$25 to \$50 for a first offense, and from \$50 to a hundred dollars for subsequent offenses. It does not increase the age of children that have to be in restraints or the weight they

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have to be. It just takes current law and ups the fines, and I would be happy to answer any questions."

Speaker Hartke: "Is there any discussion of Senate Bill 403? The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M.: "Representative... Will the Sponsor yield for questions? Of course, she will."

Speaker Hartke: "The Sponsor will yield."

Davis, M.: "Representative, do we ever have a case where someone is stopped or cited for not having their child in a car seat because they can't afford one?"

O'Brien: "I don't know if there have been cases, but I am aware that a lot of hospitals and child care associations will give you a car seat if you need one. That they will make one available to you. And perhaps, it's a good idea to do some better education about that. They're probably families that aren't aware of that."

Davis, M.: "You know... Here's my concern. Let's say you have a family with two or three children who should be restrained in car seats, and we certainly would want that to happen. But are we hurting them when we increase this fine? I mean, perhaps, they couldn't afford any more car seats, and now we're even... we're hurting them even worse with this increased fine?"

O'Brien: "Well, that certainly could be cause for concern. And the one thing about fines of this nature, where they don't have designated funds they have to go in, is that a judge could say, you're eligible for a hundred dollar fine. I'm going to waive that fine if you bring me in proof that you've purchased a child restraint seat. And I would be happy to send a letter to the judges in the circuit encouraging that, and to all the judges in Illinois encouraging that they do that, in that situation."

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Davis, M.: "Encouragement is wonderful, Representative, but it is not the law."

O'Brien: "Correct."

Davis, M.: "Let me ask you this. Who will benefit from the increase in the fine? Who will get those extra dollars?"

O'Brien: "It will go into the county in which the ticket is issued. It will go into that county's fund."

Davis, M.: "It'll go into that county's..."

O'Brien: "Into their general fund."

Davis, M.: "You know, it's really... You know that I'm torn, because I support you, and I support what you're attempting to do. But I just have great concern with someone, perhaps, who's just coming to Illinois, who does not know that you can go to certain places and get a free car seat."

O'Brien: "Uh hum."

Davis, M.: "So, I just feel that here again, we're going to hurt people, who are already hurting. You know, let's just say you have a group who drives up here from... they're moving to Illinois from some small area, and they have three small children, and they've got two in a car seat and they need one more. But right now they just couldn't afford one more. So we know that we want that other child in a car seat, but if the child is not in a car seat because they can't afford it, now we're doubling the fine they're going to have to pay?"

O'Brien: "Well, I certainly can understand your concern, but the problem is that in Illinois these laws have been on the books for a long, long time. And we still get a failing grade in our efforts to get people to buckle their kids up and to put them in a restraint seat, that for a long time we've already said the law. I'm sure..."

Davis, M.: "Representative... Representative O'Brien, where will

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people be notified that the fine is now \$50 instead of 25? Where is this notice going to be so that parents, who have young children, will know that if you don't buckle up you now will have to pay \$50?"

O'Brien: "This is the same place that notification of all other increase in fines is at. It's in the Rules of the Road book. And usually for seat belts, for passing in a construction zone, and for child restraint systems, and for .08 they're posted at almost all of our rest areas, and along the highways at different intervals."

Davis, M.: "So, I'm still concerned about that parent who literally cannot afford another car seat. So, we're going to punish those who can't afford it along with those, perhaps, who are willfully not purchasing them."

O'Brien: "Well, I guess, there's always a potential that you hurt someone that's not intended, but I guess my problem is, that I've always been very cautious to support any... about supporting any expansions of who needs to be in a child restraint seat. But I guess, you know, the fact of the matter is, is that when a child dies how can we say, that we can afford not to do it? I don't know, that we can afford, not to do this."

Davis, M.: "Representative, have you discussed this with any insurance companies?"

O'Brien: "The insurance companies have been proponents of this legislation, because they see it as bringing down, you know, insurance costs and claims. Because usually, if a child's not in a restraint system, then they're going to fly through the windshield or fly out of a car, and their fate is almost certain, and it's usually a tragedy. So, it might be a first that I've sponsored a Bill that the insurance industry likes."

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Davis, M.: "And, Representative, how old is the oldest child that's mandated to be in a car seat?"

O'Brien: "Four."

Davis, M.: "Do you know approximately how many cases come before the court where a parent is cited for not having his or her child in a car seat?"

O'Brien: "I don't know that answer."

Davis, M.: "Well..."

O'Brien: "But I do know, that last year in Illinois, 18 hundred children died in motor accidents, and 270... in the U.S. 18 hundred children died because they didn't have... they weren't in a child restraint system. And 274 thousand children were injured. And it usually has a high cost to society because their injuries are usually tremendous, usually involving head injuries and multiple trauma."

Davis, M.: "Representative, I'm going to support your legislation, but I'm going to ask that you help develop the plan that advises those who have children that you now will be fined \$50, which is maybe the cost of a car seat. You will now be fined \$50, if you don't have your children in a car seat. And also, with that notification, parents should know where they can go and get one if they cannot afford to purchase one. But in my opinion, it is crucial that they're notified about the increase in the fine, and they're notified about where to go if they can't afford it."

O'Brien: "I agree with you, and I'd be happy to do whatever... I mean, if we can work on something together to get that information out, starting out with where you can go to get one if you don't have one, so that maybe we can get people to go and get them before they're ever stopped in the first place."

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Davis, M.: "Okay. The the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Davis, M.: "In order to help protect, and save lives which is the intent of the Sponsor of this legislation. The intent is not to punish but the intent is to urge and encourage parents to put those children in car seats. And if they cannot afford them to find out where they can go and obtain free car seats. But the intent is crucial. And the intent is to save the lives of children and not to punish parents with this double fee. I will vote 'yes', Representative.

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "You know, Representative, on the face, I mean, I don't have a problem with the Bill. But I'm, you know, I'm in that period of my life, and I'm a grandfather, and it's a great position to be in. And I never gave a thought to any of these child protection Bills until all of a sudden I now have four grandchildren. And I can't get four child restraint seats in my four-door automobile. And you may not, you know, you may think I'm just being silly, but it's a heck of a problem. I either have to leave one of them at home, or if we can get one in the front seat, because the older one could go in the front seat, then you have to try and squeeze my wife, their grandmother, in that middle seat. And I don't have any problem with what you're trying to do, and I do think they should be restrained, but at some point some of the issues that Representative Davis raised are going to come home to roost. If you have more than four kids, you're going to have to buy a van, and that

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isn't always possible. It's just something I never thought of until the first time we wanted to take our children to the zoo, our grandchildren, and all of a sudden realized, that in our car, we couldn't take all four grandchildren on the same day, to the Brookfield Zoo. So, it just... It's something, I think, we're going to have to stay cognizant of. These are all good ideas but then every once in awhile, you leave the house on a Sunday morning, you want to go somewhere, and say, uh oh, I can't get four child restraint seats in this car, and still have room for two adults. So, I mean, I don't have a problem with what you're trying to do, but I've run into this thing. And I have... a friend of mine who is a police officer, and he said, well, you'll have to buy one of those minivans. Well, that's not always an option. So, while it's a good idea, I think we need to be more cognizant of a Body, that some of these good ideas actually can impose a difficulty. I don't want to say a hardship, but it was difficult that day, because we had to figure out which grandchild to leave behind."

O'Brien: "Right. And that's why I've not been supportive of measures to increase the ages, you know, that children have to be in restraint seats because that issue was first brought to my attention here on the House Floor by the late Representative Terry Deering when we were talking about the seat belt issue, and how, you know, families would have to make two trips and that kind of thing. So, it is something I'm aware of, but I guess I would say to you that you might want to do some second thinking about when... wanting to take four children under four to the Brookfield Zoo in the first place."

Black: "Well, luckily, two are my daughter's, and two are my



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son's. So, it works out very well. I appreciate your... what you're trying to do. I do appreciate you bringing up the name of Terry Deering, a good friend to many of us. And you know, on the way over here yesterday in the rainstorm, I remember the late Representative Deering's Bill about if your windshield wipers were on your lights had to be on. If the State Police had given a ticket to everybody yesterday violating that Bill, we not only could afford the supplemental, we could afford to close the loop, the shortfall in the Medicaid budget. It was... I remember that Bill very well, and I thought yesterday, 75% of the cars did not have their lights on, and it was raining so hard, obviously, your wipers had to be on. So, it's the same old story, Representative, never a police officer around when you need one."

Speaker Hartke: "Further discussion? No one's seeking recognition, Representative O'Brien to close."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would just urge an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 403?' 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 Senate Bill 403, there are 110 Members voting 'yes', 0 voting 'no', and 1 Member voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 433, Representative Mathias. Out of the record. Senate Bill 434, Representative Lindner. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 434, a Bill for an Act in relation to mental health. Third Reading of this Senate Bill."

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Speaker Hartke: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This is an initiative of Senator Parker's Task Force on Mental Health Treatment and Evaluation. And it creates three pilot programs under the Community Mental Health Act so that when people are getting services in jails and pretrial detention facilities that they will be hooked up with services when they get out of jail. This is subject to appropriation, and there's no appropriation for these programs yet."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, do you know where the three pilot programs will be?"

Lindner: "Representative, the Bill specifies that it would be in a county of over 2 million inhabitants."

Black: "That leaves me out."

Lindner: "Pardon?"

Black: "That leaves me out."

Lindner: "And in a county under 3 million inhabitants, contiguous to a county of 3 million or more and..."

Black: "So far, you're 2 for 2. No downstater would qualify for either one of those."

Lindner: "Another... The third one, downstater would qualify for, counties of fewer than 3 thousand... 3 million inhabitants not contiguous to a county of 3 million or more."

Black: "Ah. We may qualify for one. Right?"

Lindner: "Yes, you may."

Black: "Okay. But, you don't have any idea where they're going

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to go?"

Lindner: "No, I don't. They haven't been applied for yet. And as I said, there are no funds yet. There's no appropriation."

Black: "Well, I have a couple of really good counties in my district. We'd certainly like to know if we have to apply. We're downstate. We're not as far downstate as the Speaker, Speaker Hartke. But it seems like many of the prisons, quite frankly, being serious for a moment, most of the correctional facilities are located in downstate Illinois. And I'm somewhat surprised... No, I'm not, really. I guess I'm a little bit disappointed that of the three pilot programs only one could conceivably be in downstate Illinois. We get most of the prisons, but we get, generally, a third or less of the post trial, or pretrial programs to try and keep them out of the prisons in the first place. I'm going to vote for the Bill, but at some point I really wish people in this Body would understand, if we get all of the prisons under the guise of economic development, we ought to get at least half of the programs for post treatment and pretreatment. Thank you."

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

Lindner: "Yes, just a... Representative Black, I just wanted to respond that this does not apply to prisons, it applies to jails and pretrial detention. So, you would certainly have as good a chance as anybody else. But I would ask for a favorable vote on the Bill."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 434?' 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

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voted who wish? Mr. Clerk, take the record. On Senate Bill 434, there are 110 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 487, Representative McGuire. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 487, a Bill for an Act concerning schools. Third Reading of this Senate Bill."

Speaker Hartke: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have Senate Bill 487. What 487 does it amends the School Code, and it allows school property that has become unnecessary, unsuitable, or inconvenient to be sold to a tenant that has leased the property for 10 or more years, and is a nonprofit agency. And we have an Amendment to the Bill. And this Bill has been discussed in committee, and the Amendment was suggested and accepted by the Members of the committee. And I believe there is no opposition to the Bill. And I'd try to answer any questions. Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes, the Lady from Will, Representative Kosel."

Kosel: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Kosel: "Thank you, Jack. I know we had a discussion for quite a long time in committee on this, and I will tell you that I haven't stopped thinking about this particular Bill since we left committee. And I know I supported it when you amended in committee, and I wanted to let you know that I don't feel that I can support it on the House Floor. This particular piece of legislation would allow a school district unilaterally, deciding to sell property for below

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market value to the charity of their choice who had rented the property for over 10 years. I think it sets an absolutely horrible precedent for school districts. Very familiar with the charity, they do a wonderful job in our area. I'm very familiar with the school district also, which is in quite bad financial straits and is desperately looking for money for their match for a school construction. And that is probably the reason why I can't vote for this on the House Floor. Besides setting a very bad precedent, I believe that it also... that they need to go out to open bidding and get as many possible bids on this piece of property, so that they can raise as much money as possible. I would ask the Members of the House to look very, very carefully at this piece of legislation. We are setting a very dangerous precedent that is not good... that does not make good sense, at all. Thank you."

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

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Johnson: "Yeah. Representative McGuire, when you said there was no opposition, I think I recall I voted 'no' in committee and I hate always to vote 'no' against one of your Bills, which I usually can't wait to vote 'yes' for. However, answer this question. Say, a school district was leasing a excess property building or something to, let's say, either Birthright or Planned Parenthood or whatever for 10 years, and then they decided, well now we're going to sell it. Now, the school district at that point, without any referendum, without any obligation to the taxpayer, would be permitted at that point to turn around and sell that building off to whatever that not-for-profit is, at below

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market rates and sobeit. Is that correct?"

McGuire: "Well, not exactly, Representative Johnson. The Amendment says, an appraisal is required prior to sale. So, I don't think it's..."

Johnson: "Well, it says, that an appraisal is required, but it doesn't say you have to sell it for the appraised value, nor does it deal with an MAI appraisal. The school board is at liberty to do that which it wants to do, is it not?"

McGuire: "No, it does not say that they have to sell it."

Johnson: "Right."

McGuire: "At that time, I think, the school board has to exercise good judgement and make sure that they're getting the fair market value for the property. I know... it's not in any way intended to be a sweetheart deal, or a dollar a year for the rest of your life, or anything like that. It's just intended to give someone like a nonprofit agency, such as, oh say, United Cerebral Palsy for example, the opportunity to purchase a piece of property that they have rented for over... leased or rented for over 10 years, and have put a lot of money into in the way of renovations, improvements, what have you. So, it's just actually an attempt to give the agency who has been in the building for years sort of a little level playing field with those who have deep pockets. And I think that's primarily what the situation is."

Johnson: "Okay. To the Bill."

Speaker Hartke: "To the Bill."

Johnson: "With all due respect to the Sponsor, I certainly agree with my colleague, Representative Kosel, on this. I believe that this particular piece of legislation sets an absolutely terrible, terrible precedent the state to be able to tell a school board first of all, that maybe you

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can lease it to one of your friendly not-for-profits, and just hang in here for 10 years and even... who knows what the lease rates are going to be. And then as soon as you've been here for 10 years, we'll give you some sort of a sweetheart deal. The bottom line is that the property taxpayers and the taxpayers of our district have a right to expect that when a school district is going to dispose of excess property, that it is going to maximize the return to all of its taxpayers, regardless of what the preference might be of half of a school board over whether or not this is a legitimate not-for-profit or not, that all of our taxpayers are certainly going to agree with. I urge a 'no' vote on this Bill."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Grundy, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill."

Speaker Hartke: "To the Bill."

O'Brien: "I rise in very strong support of this Bill. I think we're trying to single out school districts here, when in fact, we come down here every year and the State of Illinois very often sells to a county government or a municipality or gives away for a dollar, pieces of property. We do it on a regular basis. We're elected by our constituents to make sure that we represent the best interests of the people that put us here. And we often feel that it's in the best interests of the people who put us here to give property to counties, maybe to build a jail, give it to a school district to build a school, or to a park. And in Will County, in Representative Hassert's area, the Illinois Department of Corrections gave property to a park district so that they could build a golf course

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there. This agency takes care of people with severe disabilities. They have a school. They have an adult program, which by the way, is underfunded by the State of Illinois, and they are in jeopardy of losing their house. These people are in jeopardy of losing their services. This elected school board has decided that it is in the best interests of the people that they serve to offer, not for free, like we usually do, but at a reduced price, the opportunity for these young men and women to be able to stay in this environment. We've worked long and hard because the state inadequately funds individuals with disabilities. Representative McGuire, and myself, and Senator Larry Walsh, had to find money to buy them vans so they could be transported every day. These are not... This isn't a sweetheart deal, or a give away. They need a place to be. They provide crucial services to people within this community. The people in the township school district all have elected their school board. They think it's in their best interests. We do this on the state level all the time and we never rancor about it like I've heard today. And I would certainly hope that my fellow colleagues here would recognize the importance of this measure and support Representative McGuire."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. I rise in support of this initiative. You know, all this is really about is local control, giving and letting the integrity of the local community-based groups, whether it's school districts, United Cerebral Palsy to try to work out their situations on a local level, instead of them coming to us always asking us for Member-initiative dollars. I



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think this is a perfect example of them trying to work out their problems without our interference, and all we want to do is allow them to do it. And I trust that they will do it in an honorable way to protect the people in those communities. So, I would ask everybody to vote for this. This is very, very important for our community-based operations. Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Bill. If you look at what's on your laptop, no one can quarrel with the genesis of this Bill and what has happened in Joliet. However, stop and think what you're doing. To solve a problem in Joliet, you're creating in State Law a methodology by which taxpayers' money will not be protected to the fullest extent under the recovery of taxpayer dollars. Now, I've seen this work in my district through volunteer methods. There is a school that we could no longer operate in the Community of Danville. It's now the home of a community-based provider, but we didn't have to come down and change State Law. All of the interested parties got together and decided that would be the best and highest use of that school. And that human service agency now operates out of that school. But if you put this in State Law, if you'll just stop and think, what if this Bill was dealing with tollway property? What if this Bill was dealing with property located and owned by the City of Chicago, or any other city in the State of Illinois? There's been one underlying ethical code of procedure that I think most of us learn from day one in this business. When you sell something that the taxpayers built you have

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an ethical obligation to maximize the return on taxpayers' dollars. That's why we have a bid process. That's why we have an appraisal process. When we've gone down this road before on land that IDOT owned, and it was conveyed without appraisal at one time in this state, and it was conveyed without bids, there were problems that came back to haunt this Body. I have no question that the good folks in Joliet can work this situation out, as we have in Danville, on a school building that is now used by a human service agency. I hope that happens. I'm not comfortable in voting 'yes' to put in State Statute, that if you have leased taxpayer-financed facilities for 10 years, you can then purchase that facility for a price to be determined by the board that administers that property. The Amendment makes this Bill much more palatable, in that there is then later a profit. The original taxpayer-financed body can recover that profit. But, Ladies and Gentlemen, as good an idea as Representative McGuire has, and I've never known him to do anything that wasn't in the best interests of his constituents. I certainly no pleasure in objecting to his Bill. I just have been here long enough to know that when you start saying, you can dispose of taxpayer property by virtue of an inside appraisal, or by virtue of a board saying you are a worthy organization and we'll sell it to you for a dollar, sooner or later that process will come back to haunt this Body. It's always been an underlying assumption. You must make every reasonable effort to recover taxpayers' money to the fullest extent possible when you find it necessary to sell surplus property that was built and maintained by taxpayers' money. To do anything less, opens a Pandora's box that I don't think most of us want to go back there at all. So, I rise in

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reluctant opposition to the Bill."

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

McGuire: "Thank you very much, Mr. Speaker. I'd just like to explain that I understand some of the opposition's concerns, but I want to reiterate this only 'allows' the school board to do this. The school board in Joliet is in favor of this situation. The UCP is in favor of this situation. What we're trying to do, and I would never try to do anything to hurt my local school board, that would be ridiculous, as Representative Black pointed out. This is a mutual agreement. The taxpayers will not be hurt. The building is not going to be given away for a ridiculous sum. It will be negotiated like any other sale. It will have an appraisal, and I don't see where there's any precedent that we have to worry about. Any Bill we pass down here has road blocks in the way and problems down the road. And we've done these Bills before. And in many instances, we might speak of racetracks, and riverboats, and et cetera, et cetera. Here we're trying to help an agency who has leased the property for over 10 years. We're not talking about a fly-by-night deal. We're talking about people who are in the business, as Representative O'Brien said, of treating disabled people in our community. This just seems to me to be an eminently qualified Bill because the parties involved are both in favor, and the parties involved are both respected school boards, and any good not-for-profit agency. If they're not a good not-for-profit agency, I don't think they would even be in the business for 10 years, let alone lease the property for over 10 years. So, I would just like you to consider. I know the opposition, and I understand some of the argument

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but I would also like you to understand that this situation... and it's actually a Will-Grundy County chapter. The building is in Joliet. So it services a lot of people, more than just the City of Joliet. I would appreciate your thoughtfulness and your 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 487?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 487, there are 86 Members voting 'yes', 25 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 500, Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 500, a Bill for an Act in relation to senior citizens. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Fritchey."

Fritchey: "Thank you, Speaker. Senate Bill 500 would create the Senior Citizen Victimizer Database Act. It would allow the State Police to compile a database on information comprising the types of victims that are being singled out, as well as the types of individuals that are perpetrating crimes against senior citizens. It has been supported by the AARP. And I request favorable consideration. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 500?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On Senate Bill 500, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 510, Representative Mathias. Out of the record. Senate Bill 534, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 534, a Bill for an Act concerning hearing instruments. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. This is a cleanup Bill for the Hearing Instrument Consumer Protection Act. It just extends when the various education requirements shall apply, from January 1, 2001 to January 1, 2003. The reason for this is, that they didn't have everything in place yet, so we're giving them a little more time to qualify. And I would ask for your approval. Thank you."

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

Brosnahan: "Thank you. Skip, I just have one quick question for you. If this Bill is not passed, how many people are going to be affected by this? Do we have any idea of how many it affects?"

Saviano: "No. But I could tell you that what we have found is that there is a number of community colleges and universities which haven't been able to offer the curriculum in time for this deadline. So, it's probably somewhere in the hundreds. I think that would probably be it. It's in the hundreds across the state."

Brosnahan: "Okay. And just so we're clear, there's no opposition to the Bill, as far as you know?"

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Saviano: "There is no opposition. Now, the Department of Public Health, the Speech Language Hearing Association, the Academy of Audiology, and the Hearing Health Care Providers Association of Illinois, all brought this to us."

Brosnahan: "Thank you."

Saviano: "Thank you."

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

Saviano: "I would ask for your favorable vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 534?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 534, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 544, Representative Hamos. Representative Hamos. Out of the record. Senate Bill 602, Representative Mendoza. Out of the record. Senate Bill 627, Representative Daniels. 627. Out of the record. Senate Bill 635, Representative Garrett. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 635, a Bill for an Act concerning libraries. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 635 does three things. It creates the Illinois Library System Task Force, and creates a task force appointed by the Secretary of State to study: one, the means by which public libraries and elementary and secondary school libraries can enhance the coordination of students accessing information in public libraries;

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secondly, the task force will address the means by which public libraries and elementary and secondary school libraries can access new library information technology and enhance the capability of funding for technology from federal, state, local, and other resources; and thirdly, it will address the issues involved in the effectiveness, cost, and means of implementing a statewide public library service. And I'd be happy to answer any questions that you may have."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, maybe you could just answer one simple question for me. I'd feel a lot better voting for this if I knew the answer to this question that's keeping me awake at night. Why do we have to create an Illinois Library Systems (Sic-System) Task Force in statute? Why couldn't you do it by Resolution?"

Garrett: "Well, I suppose you could. That's a good question. But I think what we're trying to do in the State of Illinois, is really put together the talent and the expertise to look at combining some of these different interests and resources. For instance, the pub... combining and having access from the public schools into the regular library systems. And this actually passed the Senate, I think, unanimously. I believe that it should be in the statute. It can be taken out of the statute after it's been taken care of. But, it's the way the Bill came over."

Black: "Well, I think the only thing that will let me sleep

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soundly at night is the fact that it has a sunset clause."

Garrett: "Right."

Black: "But, are you familiar with the Advisory Library Committee that's already established?"

Garrett: "Yes."

Black: "Why don't you just ask that body to do the work?"

Garrett: "From what I understand, they are addressing different issues."

Black: "All right. Well, Representative, when the statute books go up to 14 volumes and weigh 585 pounds, I'm holding you personally responsible for adding this legislation to our already overcrowded statute books, which none of us can even lift. You know, we get a case of statutes every other year. It's at the point now where we can't even pick them up and carry them to the car. Maybe there is some justice in this world. I don't have a problem with trying to streamline the library system in Illinois. I just am not sure it needed to be put in statute. But I do commend you and the Senator for at least having the means and the wherewithal and the foresight, to put a sunset clause in it. So, at least it doesn't have to be in there for the next 30 years."

Garrett: "I appreciate that, Representative."

Black: "Well, I appreciate what you're trying to do. I wish you'd done it by Resolution. But I'm getting tired of being run over, so I'll just vote for the Bill."

Garrett: "Thank you."

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

Garrett: "I would just ask the Members of the General Assembly to give an 'aye' vote. Thank you very much."

Speaker Hartke: "The question is, 'Shall the House pass Senate



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Bill 635?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 635, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 647, Representative Hamos. Out of the record. Senate Bill 653, Representative Jefferson. Out of the record. Senate Bill 677, Representative Brosnahan. Out of the record. Senate Bill 686, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 686, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill has received no opposition from any quarter. It's a proposal of the Illinois Sheriffs' Association, and the Illinois Coalition Against Domestic Violence. It allows for a short form notification that an order of protection has been entered, instead of requiring personal service. Once receiving this, the receiving party would then be required to go pick up the actual document. But this will save a lot of time and effort, and keep homes safer places. I would ask for your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 686?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 686, there are 113 Members voting 'yes', 0 voting

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'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 721, Representative Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 721, a Bill for an Act concerning civil procedure. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 721 is a version, a little bit different version of a Bill that we passed out of the House on at least two occasions, as my recollection is probably three occasions. What it does is amend the provisions of the Code of Civil Procedure concerning the inspection, and copying of hospital, and medical records. Provides that the charges, imposed by a hospital or a physician for copying records may not exceed a \$20 handling charge plus seventy-five cents per page for the first 25 pages, and then on a sliding scale. I'd be glad to answer any questions."

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

Miller: "Will the Sponsor yield?"

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

Miller: "Are there any opponents to this legislation, Representative Turner?"

Turner, J.: "Not to my knowledge. I believe that we have changed the provisions in the Bill so many times as to accommodate all of the opposition that has... that there has been in the past. So, I believe, the honest and correct answer to your question is 'no', there is no opposition."

Miller: "That you know of, or..."

Turner, J.: "That I know of, and I also believe that if there was

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opposition I would know about it. Because the Bill has been around for approximately two and a half, or three years."

Miller: "Okay. And the fees here, and least on our analysis, it says 75 cents per page, and it goes through a whole litany. What is that based off of? I mean, is that just some sort of... I guess I'm trying to find the genesis of where these fees were kind of originated."

Turner, J.: "Well, the amount that is going to be the maximum that can be charged originates from compromise between the Trial Lawyers, the Illinois State Bar Association, the Hospital Association, the Medical Society, and others, including those who represent the copying companies. The amount that is allowed to be charged has changed many times. And the latest compromise provides for a sliding scale. And, as I've indicated, it allows for seventy-five cents per page for the pages 1 through 25, and then through pages 26 through 50, I believe, it's fifty cents per page, and twenty-five cents thereafter. I think I'm stating that correctly. And there is no magic though, Representative, in how did we come up with seventy-five cents, or fifty cents, or the \$20 handling charge. It simply was a matter of negotiations after a very lengthy process."

Miller: "Now, does this include... When it says records, does this include x-rays or samples of tests or anything like that?"

Turner, J.: "There is provision for x-rays, and the provision in the Bill allows for additional charge for x-rays, and microfiche."

Miller: "Okay. I don't see that."

Turner, J.: "All right. I'll have to get a copy of the Bill and get right back to you on that."

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Miller: "Well, I guess my concern is, when you're talking about a... I know, at least in my practice, I have to have my assistant... or my assistant, to make a duplicate of any x-rays which are requested by the patient. And not only do I have to pay for the supplies of the duplication fees, the duplication process itself, but I also have to pay for that person's time involved. And so, in a hospital setting, if somebody's having a head scan or something like that, and there's a request for these x-rays, a duplication of these x-rays, then that fee would probably be much different than in a dental setting or as opposed to any other setting. So, you know, I'm just trying to get a little light shed on that aspect of it."

Turner, J.: "Okay. All right. The provision that you're asking about with regard to the special copies for x-rays, is found on page 3, lines 18 through 22. It says, 'the physician or other practitioner may however, charge for the reasonable costs of all duplication of record material or information that cannot routinely be copied, or duplicated on a standard commercial photocopy machine, such as x-ray, films or pictures.'"

Miller: "So, you're saying there is a provision for an additional cost not only of the costs that are set forth in this legislation, but the provider can add on costs for duplication of x-rays and things like that. Is that correct?"

Turner, J.: "Yes. I think the phraseology is, as long as it's reasonable, which is often the case in statutory law."

Miller: "Okay. To the Bill."

Speaker Hartke: "To the Bill."

Miller: "I have some great caution in regards to this legislation that's before us. I know the intent of the Sponsor is

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well-meaning, however, the cost of any type of duplication fees ranges between the operating expense of any individual, or any practitioner, of any hospital, of any entity. And so, once again, we looking at high overhead costs. And to just say to set some fees on this, I would have to be reluctant to agree with. So, I would urge my colleagues to vote 'no' against this legislation."

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

Cross: "Thank you, Mr. Speaker. I just have... Well, first of all, Representative, I know you've spent a lot of time on this issue, and have stuck with it and have made this a good Bill. After all the work you've done on it I think everybody should applaud you for that. But I do seem to... In looking through the Bill my concern is whether or not this applies to veterinarian records?"

Turner, J.: "Representative, I didn't hear that question. Could you repeat it?"

Cross: "Does this apply to bills, or x-rays, or anything having to do with our veterinarians? Is this just for people?"

Turner, J.: "No. Veterinarians were not included in this Bill, Representative Cross. I believe, that you think... If you believe that those copies of... should be subject to a maximum charge, that you should address that in the 92nd General Assembly."

Cross: "So, you're not... You didn't consider that as part of this Bill I take it? Is that your answer?"

Turner, J.: "Well, I didn't consider it. I know that for example, Representative Beaubien had expressed some concern about it including veterinarians, and I know that you and he had discussions about veterinarians. Representative Black may have been involved in those based on some of the

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Bills he's carried earlier this Session. But, Tom, we have worked so hard on this piece of legislation for so many, many months that we just didn't think we could slip veterinarians into it, and still get it passed. So, they're not in it. Not as it currently stands. You got me on that one.

Cross: "I appreciate your honest answer, Representative. Thank you. And good job on the Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. I rise simply to propose a question for legislative intent to the Sponsor. For the purpose of further clarification of legislative intent, Mr. Turner, could the \$20 handling fee listed in the pricing schedule of Senate Bill 721 also be deemed an order fee or as a deposit fee at the time these various records are requested? You could say yes. Need me to repeat that?"

Turner, J.: "I think you better, Representative. If I'm supposed to have a script to answer that..."

Saviano: "Okay."

Turner, J.: "...for legislative intent, I don't have it. So, I'm gonna have to listen very closely."

Saviano: "All right. For the purpose of further clarification of legislative intent, could the \$20 handling fee listed in the pricing schedule in Senate Bill 721 also be deemed an order fee or as a deposit fee at the time these various records are requested?"

Turner, J.: "Yes."

Saviano: "Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Scully: "Mr. Turner, how does this..."

Turner, J.: "Actually, I'm getting rather tired of yielding, Mr. Speaker."

Scully: "Representative Turner, how does this Bill compare to the House Bill that you sponsored earlier this year on the same topic?"

Turner, J.: "Representative, I think that... without having it in front of me, I believe that we had allowed for a \$25 handling charge. And I think that the amount per copy was 37 cents per page. But I confess, I don't have that in front of me, I'm speaking off of memory only... or from memory only."

Scully: "Representative, in the Judiciary Committee just before you began presenting your Bill, I heard someone comment that this Bill does quite little in comparison to the Bill that you sponsored earlier this year. Do you remember a comment being made to that effect?"

Turner, J.: "I'd like to get the name of the person who made that comment, Representative. But I don't specifically remember. I remember hearing something about it, though."

Scully: "Thank you, Mr. Speaker."

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

Turner, J.: "I didn't expect to get beat up so badly over such a good Bill, Mr. Speaker, and would have waived closing. But perhaps I do need to say a little bit about this. There's been some light banter and a little bit of joking around about this Bill. I know there is some serious opposition from that side of the aisle, but... The genesis of this Bill actually was not from the Trial Lawyers Association

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nor was it from the ISBA. It came from what I saw going on in my law practice where I would, from time to time on behalf of clients, request medical records. On several occasions I would get one page for \$30, or two pages for \$35, or perhaps three or four pages for \$50. It became absolutely... abundantly clear that we needed to try to address this situation through legislation that would put some cap on what the charges would be for medical records. We included attorneys in it so that attorney records going to clients would have a cap. And the purpose of this is not to assist lawyers, it's not to assist doctors. It's simply to assist patients and clients so that they can get copies of their own records at a reasonable cost. This is a Bill that has been compromised. I think that it does address, in part, the concerns that caused me to raise the issue in the first place. And I ask for an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 721?' 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 Senate Bill 721, there are 86 Members voting 'yes', 24 Members voting 'no', and 3 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 724, Representative Murphy. Harold Murphy. Out of the record. Senate Bill 727, Representative Franks. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 727, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Franks."



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Franks: "Thank you, Mr. Speaker. This was an initiative of our McHenry County Board and this was carried in the Senate by Senator Klemm, where it passed unanimously. And we also passed it unanimously in committee. McHenry County has had many hearings in how to combat the high rate of DUI recidivism throughout our county and the state. What we're trying to do here is to improve the outcome of DUI offenders who are sentenced to remedial programs. We hope that this will reduce the number of multiple offenders and thereby, increasing public safety. This Bill simply fills a gap in existing law, and we're trying to make sure that the remedial programs by an offender... this is what this Bill will do... is that remedial programs by an offender will be done in accordance with state regulations. I'd be glad to answer any questions."

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

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

Speaker Hartke: "Yes."

Cross: "Representative, what does your Bill do now... and I know there's been an Amendment with respect to waiving the people and waiving the requirement of the first time offenders participation in the evaluation process?"

Franks: "No, there's not a waiver. What we have is judicial discretion, that's all. The current law doesn't require treatment programs to be completed in accordance with the rules of DHS. And it doesn't require that the cost be paid by the individuals. So, we are filling those stop gaps. But we do leave judicial discretion in, that's the difference with our Amendment."

Cross: "You're still required judicial discretion with respect to whether or not someone... what level they need... what

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level treatment?"

Franks: "Yes."

Cross: "All right. So... But with respect to the type of treatment you're taking out, I take it, really, any local inputter control, with respect to what type of treatment's gonna be provided, is that correct? This is purely gonna be at the... in the discretion of DHS?"

Franks: "Well, the DHS is gonna set the rules. And you still will have the discretion of the judge whether to order that treatment. But if it is ordered, at least now we will have a regulation that's gonna be carried throughout the state."

Cross: "Right now, my understanding is if someone who was charged with a DUI before they can be sentenced, they're required to receive an evaluation. The court... Then they come back with that evaluation and the court will sentence them, along with their treatment, based on that recommendation. Is that correct?"

Franks: "Typically, yes."

Cross: "Well, that's... Is there something different from that, that's how..."

Franks: "No, that's how I've seen it in McHenry County. I'm not sure what I... what other counties might do something differently."

Cross: "Okay. And those are usually local evaluators and local treatment programs that the courts have worked out... are utilizing along with the State's Attorney's Office, along with the probation office, along with court services, et cetera. And I think I understand the concept of this. But now you're gonna come along with this Bill and say, all those programs may or may not be good, but we are now gonna have to license them. They're all gonna be licensed by DHS. Is that correct?"

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Franks: "Well... Let me go back a little bit to your question. Our state's attorney is for this, as is the chief judge, even though they have their local rules right now, they believe it'll be beneficial for the state. I think that's why AAIM has endorsed this, as well as MADD and many others. But this Bill allows judges to order the evaluation recommendations. But right now, they don't have... there's no real guidelines for those. We want to make sure that DHS puts in regulations and guidelines so these are upheld. Right now, there's no order, for instance, of when treatment must end. And we'd like to have it all spelled out so it can be uniform."

Cross: "There's a system in place now in our office. I've prosecuted hundreds, if not thousands, of DUI cases and I'm... My understanding of the law, unless it's changed recently, is that at the time of the sentence even in a first time case when someone's put on supervision... In fact, they can't be put on supervision or sentenced until the evaluation is completed. They then are sentenced, you know, with a fine and judicial driving permit and some other, you know, conditions of the sentence, but they're also sentenced in accordance with that evaluation and the recommendations. My only... I guess my question is, how does that change under your Bill? 'Cause my understanding is that, for the most part, the system works. And I guess I'm concerned that now we're gonna come in and have DHS, a big state agency, come in and say to 102 different counties, where to the best of my knowledge the system's working, you're gonna have to follow our guidelines. And maybe that is the best way to do it, but I'm concerned that we're gonna change what's working, I think, in 102 different counties."

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Franks: "The current law now does not require treatment programs to be completed in accordance with the rules of DHS. And we'd just like to stop that. We'd like to fill that gap. We've had a lot of hearings on this in McHenry County. And those are the... The providers are all saying that they want to have these rules enumerated."

Cross: "All right. So, we are gonna... And we don't know what the rules are yet, DHS hasn't implemented 'em?"

Franks: "Correct."

Cross: "And when do we anticipate DHS will have 'em done?"

Franks: "Hopefully, in the very near future."

Cross: "All right. Now, on page 5 of the original Bill... this is what I was trying to ask you earlier, I just wasn't sure about it. On page 19... or line 19, 'however, for a first violation, the court, in its discretion, may waive this requirement of participation in treatment programs.' I don't think we want to do that. And I want to know if that's been corrected."

Franks: "Well, right now the judges have that ability to do that."

Cross: "I've never seen a judge waive that requirement. I didn't know we'd given him that ability."

Speaker Hartke: "Mr. Cross, are you finished?"

Cross: "I'm just waiting for an answer. The question was, under the original Bill, it said that the court 'may'. In its new language, Representative, the court, however, for a first violation, 'may in its discretion, waive the requirement of participation in treatment programs as part of the sentence.'"

Franks: "Our Amendment, Mr. Cross, if you'll look on the Amendment #1, line 29, I believe it is. Beginning at line 27 through 29, 'the person shall be required to complete

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the program's recommendation for intervention', et cetera, 'unless otherwise ordered by the court.' This was something that was negotiated by the Illinois State Bar Association, as well as the providers. And it became agreed upon for the Amendment."

Cross: "Well, my only caution is... and I hope that we're clear on this. You can interpret that as resorting to a softening on a sentence of a drunk driving charge that there's the opportunity here... the potential here to not require a treatment program on a first-time offender. And if that's... If I read it that way and that's the law, that's fine and people need to know that. But that's the potential here under your language."

Franks: "Well, we don't see it that way, we're trying to strengthen it. And the reason is to try to lower the recidivist. I think that's why our state's attorney is such a strong proponent. That's why the county board's a strong proponent. That's why the chief judge is, as well."

Cross: "All right. But again, all I'm asking... and I respect your county board and your state's attorney, but the person shall be required to complete the program's recommendation, unless otherwise ordered by the court. So, it is possible, under this Bill, for the court to say there's no treatment needed, there's no evaluation needed. Yes or no?"

Franks: "Yes."

Cross: "Okay. Thank you, Representative."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, in the mandating that a person must

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complete the treatment as outlined, have you made a concurrent change in law? What if the person does not, can they get their license back after the requisite number of years, et cetera? What if the person just says, I'm not gonna do it?"

Franks: "If they don't complete their program, then they will not have fulfilled the obligations to be able to have the privilege of driving."

Black: "Is that referenced in the language of the Bill or is that an assumption where..."

Franks: "No, it's..."

Black: "...if you don't complete the program, you cannot, then, apply for a permit?"

Franks: "No, it's not referenced, specifically."

Black: "Okay. But is it your understanding that if they do not complete the program, they would not be eligible for a restricted or judicial driving permit?"

Franks: "Well, but see, it's up to the judge's discretion. The judge is, in my opinion, is not going to be giving someone a judicial driving permit if that person is not following the judge's orders. I've seen, on many occasions, the judges having pulled judicial driving permits for people not following the recommendations of the court. Actually, the orders of the court, not just the recommendation."

Black: "Does this law kick in without an order by a judge? I mean, is the law say, you shall complete your alcohol evaluation, or is it discretionary to the judge?"

Franks: "It's after a finding of guilt and prior to any sentencing. So, a judge is always involved."

Black: "Could the judge, by virtue of inaction, eliminate the requirement to complete the evaluation outline?"

Franks: "I don't believe so..."

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Black: "All right."

Franks: "...because you have to have a finding of guilt."

Black: "What if they... And I notice it is at the individual's expense that has been adjudicated guilty of a DUI. If this individual tells the court, I have no funds to pay for the treatment, what happens in that case?"

Franks: "Well, then, we're subject to the rules governing indigence, as provided for by the Department of Human Services."

Black: "All right. So, the Department of Human Services would then have to pay for the treatment?"

Franks: "Correct."

Black: "Is it the responsibility of the sentencing judge or the Department of Human Services to see to it that the treatment has, in fact, been completed?"

Franks: "It would be up to the individual to come back to the court and provide documentation and evidence that it had been completed. The individual would have a proactive responsibility."

Black: "Okay. I want to make certain of one thing. Because in a district that I represent, the inability to get a restricted driving permit often means that you may not work, because we don't have public transportation in the broad picture, some communities have and some senior citizens' transportation. But for the most part, you have to be able to drive. What I'm not clear of in the Bill is, if this Bill somehow references the existing laws to say, if you don't complete the treatment, you will not qualify for a JDP and you certainly will not qualify for a reinstatement. Or is that just assumed that that will happen?"

Franks: "I believe that's assumed, 'cause it's certainly not

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referenced, but that's the law now. If you don't follow the orders of the court, then you would not be eligible for those things."

Black: "Is there any time limit in your Bill? Is there an existing law as to how long the treatment will be valid? Some people complete the treatment and they forget to go back to court and they wait six or seven months. And I think under current law, if the evaluation is more than six months old, you can't request a hearing."

Franks: "Nothing in my Bill. That's why we want to have uniform rules and have the Department set those up for exactly that issue, Mr. Black."

Black: "All right. Fine. Thank you very much."

Franks: "Thank you."

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

Franks: "I'd ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 727?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 727, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 800, Representative Kurtz. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 800, a Bill for an Act concerning highways. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker and Members of the Assembly. This extends, for two years, the period during which a road district may accumulate up to 10% of the taxes collected



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from a subdivision under the provision for improvements of nondedicated loans within the subdivision from which and for which the taxes were collected. The Amendment... The Sponsor... Senate Sponsor offered an Amendment after a hearing or in response to the House Transportation Committee to present... have the Bill presented to the whole House in its original form. The only thing that is different is it extends the Bill to two more years. It will sunset next year, 2002, and... So, the only thing this Bill, in its amended form, does is extend it two more years. And I would welcome any questions."

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

Collins: "Mr. Speaker, I just wanted to let you know that on the last... I didn't get a chance to vote on that last Bill. So, I want you to vote me 'yes' on that."

Speaker Hartke: "The Journal will so reflect your wishes. Is there any discussion on Senate Bill 800? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 800?' 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 Senate Bill 800, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 817, Representative Feigenholtz. Out of the record. Senate Bill 867, Representative Parke. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 867, a Bill for an Act concerning insurance. Third Reading of this Senate Bill."

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Speaker Hartke: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 867 is a Department of Insurance initiative. The Department believes that the provisions in this legislation will insure the appropriate consumer protection and tax qualifications for policyholders that purchase federally tax-qualified long-term care policies. I stand ready to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 867?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 867, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 935, Representative Poe. Out of the record. Senate Bill 938, Representative Lang. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 938, a Bill for an Act in relation to domestic violence. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Code of Criminal Procedure and Domestic Violence Act by adding the term 'caregiver' and has a definition for that. This covers situations where caregivers are involved in violence or doing something particularly to senior citizens at the time that they're taking care of them. It's a simple change in the Bill, but will make a big impact."

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

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the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I want to make sure that I understand what you're doing is expanding the liability... the potential liability to a caregiver, right? Somebody came up to me and said, well, we're protecting caregivers. I don't read it that way. It means, if a caregiver abuses an elderly patient or someone in their care, then the caregiver can also be held responsible for that neglect or abuse, correct?"

Lang: "That is absolutely correct."

Black: "I appreciate, as always, your forthright answer. And may I just say, Representative, for the record, you look so much younger in person than your photograph in the Blue Book. I just can't get over it."

Lang: "Thank you, Mr. Black."

Black: "You're more than welcome."

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

Lang: "I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 938?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 938, there are 110 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Crotty. For what reason do you seek recognition? Oh, I'm sorry.

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Senate Bill 980, Representative Stroger. Mr. Clerk... Out of the record. Senate Bill 994, Representative Poe. Out of the record. Senate Bill 1017, Representative Pankau. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1017, a Bill for an Act concerning emergency services. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Pankau. Did you break your microphone?"

Pankau: "Oh, I'm sorry. My microphone's fell apart."

Speaker Hartke: "Representative Pankau, please proceed."

Pankau: "Thank you, Mr. Speaker and Members of the Assembly. This is an initiative of the Illinois Association of Fire Prevention Districts. And with no known opposition at the moment. And it requires a person who negligently damages underground utility facilities causing an emergency telephone system outage to compensate the public safety agency answering calls or maintaining or operating the emergency telephone system during the period of that outage. And I ask for your favorable approval."

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

Black: "Thank you very much, Mr. Speaker. If the Sponsor's microphone is fixed, will she yield?"

Speaker Hartke: "She will yield."

Black: "Thank you."

Pankau: "It's fixed for the moment."

Black: "Representative, I'm gonna ask you a couple of questions. This just happened in a district adjacent to mine. It was either in Representative Winkel's district or Representative Bern's district, up in Rantoul. Excuse me, I don't have a copy of the Bill. As I understand it, a contractor digging tore up a telephone line and they were

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without 911 service for, it turned out to be like three or four days. Now, if the contractor notified JULIE, the underground utility locating company, are they still gonna be held liable?"

Pankau: "Yes."

Black: "Okay. So, even if you notify JULIE and they come out and mark where the underground cable is and they're off, and then you tear up a trunk line leaving a community, as I believe Rantoul was for more than a day, without 911 service. That contractor will be held liable..."

Pankau: "Right."

Black: "...under this Bill."

Pankau: "But the contractors understand when they call JULIE that sometimes JULIE isn't correct. And that's commonly known in the industry. I mean, that's not something..."

Black: "Right. And that's..."

Pankau: "...we have to write on a piece of paper."

Black: "That's what I was going to ask you next. What responsibility does JULIE have under this? If the contractor will now be held liable, I would think the contractor would want some secondary relief from JULIE saying, hey, you marked it, I followed your marks and then I dug up the cable. I was just following your marks, why don't you share the liability?"

Pankau: "That particular issue isn't addressed..."

Black: "Okay."

Pankau: "...in this Bill, nor do I know that it's addressed in the Section that we will be amending."

Black: "All right."

Pankau: "But, there is a statute right now that when these are cut, there are certain people that are in line for reimbursement from that contractor. This puts the fire

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departments in line with these other people. And it's often the fire departments, themselves, that have to, in essence, send people out there to baby-sit this emergency service. And it's the paramedics and the fire fighters, themselves, that are the ones that have to go out. So, this would help reimburse those particular expenses."

Black: "All right..."

Pankau: "Now, what happens between that contractor and JULIE is not covered under this Bill and that would be a separate issue. But I would think JULIE, having good attorneys for them, has probably considered that situation."

Black: "Okay."

Pankau: "Has a missive come in here? Did you receive a missive about this particular question?"

Black: "You know, I'm not sure. And I just got a copy of the Bill. Who gets the money; the public service answering point, the 911 center? Are they reimbursed for the time that they are down or would the reimbursement flow to the various public service entities; fire, police, ambulance, who, of course, couldn't get the call from the 911 center, for example? I mean, where does the money go, to the answering point or to the actual response unit?"

Pankau: "The money goes to the response unit. Whomever the answering point chooses..."

Black: "Okay."

Pankau: "...at that time that they think is in the best position to baby-sit, monitor, whatever word you..."

Black: "All right. Okay."

Pankau: "...want to use, that particular emergency service."

Black: "All right. Thank you."

Pankau: "So, it would go to the agency that actually performs the service."

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Black: "Okay."

Pankau: "Not necessarily to the one that sends them."

Black: "Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Scully: "Representative Pankau, who are the people that you believe cause these types of problems?"

Pankau: "I'm sorry, Representative Scully, who would what?"

Scully: "Who are the people who cause these types of... commit these negligent acts that you are attempting to address?"

Pankau: "Usually, contractors."

Scully: "Okay. Now, wouldn't contractors normally be able to avoid these problems by contacting JULIE first?"

Pankau: "Yes."

Scully: "Would the failure to contact JULIE be presumed negligence?"

Pankau: "No. It's the actual act itself of cutting the wires or whatever happens... whatever negligence happens. But just because somebody didn't contact JULIE doesn't automatically make them guilty."

Scully: "... propose would be the standard for determining negligence under your Act?"

Pankau: "I don't know, George."

Scully: "Do you have any anticipated range of costs that would be addressed by this Bill?"

Pankau: "A range of costs, is that what you asked for?"

Scully: "Yes, the damages that must be reimbursed."

Pankau: "We're probably talking the amount of man hours. So, let's say they had to use an extra person or bring somebody in from the outside besides their dispatcher, or their

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paramedic, or whomever it would be, so it'd be the number of man hours times the amount that that person got paid. So, you're maybe talking 3, \$400, maybe."

Scully: "Thank you."

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

Pankau: "I ask for your favorable approval."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1017?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1017, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 817, Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 817, a Bill for an Act in relation to public aid. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Senate Bill 817, as we know it, is the Medicaid Buy-In Revolving Fund. It was sponsored in the Senate by Senator Sullivan. It amends the State Finance Act and the Illinois Public Aid Code and creates the Medicaid Buy-In Program Revolving Fund."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 817?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 817, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having



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received a Constitutional Majority, is hereby declared passed. Senate Bill 1039, Representative Curry. Julie Curry. Out of the record. Senate Bill 1046, Representative Erwin. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1046, a Bill for an Act in relation to property. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Erwin."

Erwin: "Thank you, Speaker. Senate Bill 1046 is the work of the Chicago Bar Association's Property Law Committee and the Condominium Law Subcommittee and it makes a number of changes in the insurance policies of condominiums. It will require unit owners... It will permit condominiums, for instance, to require that unit owners have insurance. And it clarifies the number of issues related to insurance that practices that in the marketplace are... it changes the law so it really mirrors what the marketplace actually does. And it received a unanimous vote in the Senate and passed out of Judiciary unopposed. And I would urge your support."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I just want to thank you for answering a question that I have had for many years now and that is, who would replace Ellis Levin? And now, I find that we have a replacement, I feel so much better that you are watching after condominium law, now that Ellis Levin has gone to that great condominium in the sky. So, I'm just very happy that you have taken his place. And whatever you want me to vote on, on condominium law, Representative, I

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probably won't, but thank you for asking."

Speaker Hartke: "Mr. Black, keep your remarks to the Bill. Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1046?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1046, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1058, Representative Dart. Out of the record. Senate Bill 1065, Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1065, a Bill for an Act concerning firearms. Third Reading of this Senate Bill."

Speaker Hartke: "Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1065 is the Illinois Attorney General's comprehensive rewrite of the Firearm Owners Identification Act. This legislation is a result of long negotiations by the Illinois Attorney General and the Illinois State Police with the various interest groups. It passed out of the Senate 54 to 0. It is supported by the State Police, the City of Chicago, the Illinois Association of Chiefs of Police, and the NRA, and the Illinois Citizens for Handgun Control. In essence, it does five things. The first is, it eliminates the interstate transfer requirement and applies FOID sales to... the FOID law to sales generated outside the State of Illinois. And, for example, would cover Internet transfers of firearms. It increases criminal sanctions for supplying false information on FOID

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applications and for instances where transferees fail to display FOID cards. In addition, it provides changes with respect to the surrender of firearms, as well as FOID cards, as a condition of the issuance of a bail bond or upon conviction of a felony. And it also requires that the Illinois Secretary of State study the feasibility of adding to driver's license a code showing that an individual is not disqualified from possessing a firearm. The Illinois State Police estimate that the fiscal impact of this legislation will be approximately a hundred thousand dollars a year. As I mentioned, it is a product of long and arduous work by the Illinois Attorney General and it's supported by all of the interest groups. I know of no opposition. And I would be happy to answer any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Davis, M.: "Representative, are you asking the Secretary of State to do some additional work?"

O'Connor: "Yes."

Davis, M.: "Do you have any idea of what the increase in that cost may be?"

O'Connor: "I do not."

Davis, M.: "You don't know what the additional cost will be?"

O'Connor: "The Illinois Secretary of State has worked with the Illinois Attorney General on the development of this program. I'd be happy to provide that information, but I don't have it with me. I estimate that it's the minimal cost and that the estimation is that it's part of the existing budget."

Davis, M.: "What do you consider minimal cost?"

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O'Connor: "I would say not in ex... I don't have a specific number, but not in excess of \$10 thousand, for example."

Davis, M.: "About 10,000, 15,000?"

O'Connor: "That is my estimate."

Davis, M.: "Could be a little higher?"

O'Connor: "It could be higher or lower."

Davis, M.: "Okay. The only reason I'm asking, Representative, is I do believe that the Secretary of State would do a very fine job in what you're requesting in this legislation. However, I think we should be cognizant of the fact that when we pass legislation that requires the state to do more, then we must put that into the Secretary of State's budget. We should see that those dollars are in his budget so that he can carry out the letter of the law that we have passed in this Body. Is that right?"

O'Connor: "I think that that's a sensible principle, yes."

Davis, M.: "It is a very sensible approach..."

O'Connor: "Yes, it is."

Davis, M.: "...isn't it?"

O'Connor: "Yes."

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

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

O'Connor: "I'd appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1065?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1065, there are 113 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared

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passed. Senate Bill 1080, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1080, a Bill for an Act in relation to criminal law. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1080 would add aggravated criminal sexual abuse to the list of offenses for which the court is required to impose consecutive sentences for offenses that were committed as part of a single course of conduct, during which there was no substantial change in the nature of the criminal objective. In other words, we're saying that for felony criminal sexual assault, we would allow for consecutive sentences."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 1080?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1080, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1081, Representative Yarbrough. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1081, a Bill for an Act regarding child care. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1081 amends the Child Care Act of 1969. It requires that an owner or an operator of a licensed day care home or group day care home or the onsite executive

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director of a licensed day care center to complete a basic training course in providing care to children with disabilities. The Bill provides that the Department of Children and Family Services shall promulgate rules concerning the requirement for the basic training courses. Senate Bill 1081 will allow license-exempt child care providers to improve their knowledge concerning providing child care services to children with disabilities. I will entertain any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, who will put these courses on? Do they already exist?"

Yarbrough: "No, they do not. They will be... DCFS will come up with the courses."

Black: "Oh, DCFS will come up with the courses?"

Yarbrough: "Yes."

Black: "Oh, that excites me. Generally, it takes them about a year to answer the phone, let alone come up with a course structure. Where will these courses be offered; in metropolitan areas, or will they be offered throughout the state?"

Yarbrough: "It will have to be throughout the state since there are child care facilities throughout the state."

Black: "I would certainly hope so. And how much will they cost? Has the agency given you any indication of what they will cost?"

Yarbrough: "No. At this time, it is undetermined what the cost is. It certainly wouldn't be any additional cost, but currently, they have to have, I think, 15 hours already for

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child care facil... when they have their... Each year when they come back for licensing, they have to have 15 hours of education."

Black: "Representative, I... don't misunderstand my questioning. It'd be very difficult to vote against the Bill for what it's attempting to do, but I intend to vote against it for a number of reasons that reflect the district that sends me here. In group day care homes in rural Illinois, if you do not have any disabled children, and thank your lucky stars that you don't or that the parents don't have to go through that, but that happens in small rural areas. Why would the operator of a group day care home in a rural area of Illinois have to take a class for which they would not have any children at the present time or in the foreseeable future that would meet the definition of a disabled child?"

Yarbrough: "This is merely to provide education and training for the day care providers that may not be familiar with children with disabilities."

Black: "Oh, okay. Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "I may be the only 'no' vote. But again, representing a largely rural area as one of the chief sponsors of the group day care home legislation 12 years ago and seeing how rules and regulations have kept that from becoming what we had hoped would be a service, not a panacea, if it would certainly make more child care services available in rural areas, where we don't have day care centers. We never will. We don't have the population density to support it. We won't have the Kinder Cares, we won't have what many of you in urbanized areas take for granted. We have people who are willing to open their homes and care for children

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and the rules and regulations are exceeding 50 pages. They often work for minimum wage or less. And then we wonder, we come down here and have to increase subsidies every year. Is it no wonder why people in my area leave the group day care home business? More of them leave than we can entice to go in. And we're coming full circle from when we passed the group day care home Bill here about 12 years ago. It was because we tried to recognize a problem that was becoming more prevalent in rural Illinois, and that was the latchkey child. So, we made a good-faith effort to get them in homes where they would be under observation and care and we have worked for years on reasonable regulations, but some of these regulations have become so unreasonable to the point where they go into a private home and say, you have to have a smoke detector in the attic, for example. And people leave this business in droves. And so, I would submit to you that while a shortage of qualified, convenient, and affordable day care is a statewide issue and a statewide problem, it is growing more acute in rural areas where we cannot attract day care centers or those operators who have established for-profit centers in many of the urbanized areas of the state. I can't argue with this Bill on its content or its genesis. It is a reasonable Bill. But there are day care providers in my district who have said, another class, another cost, and I don't even deal with disabled children, not now, probably would not do so in the future. It's just an additional mandate cost on people who are struggling to offer day care in rural areas. And my fear is, as we continue to do this and not recognize the diversity of this state, sooner or later what we tried to do 12 years ago will come back full circle and we will simply have more and



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more rural area children with a key around their neck leaving home in the morning after their mother or their father or both parents, if they're lucky enough to have them, have gone off to work an hour ago. And coming home at 2:30 or 3:00 in the afternoon, letting themselves in the house, and nobody will be home until 5:30 or 6:00 or 6:30 at night. And we're talking about homes where the nearest neighbor may be a half a mile away. This wasn't what we had in mind when I sponsored the group day care home legislation. And I reluctantly rise in opposition. These mandates, however well-intentioned, just don't seem to work very well in rural Illinois. And, in fact, they exacerbate a shortage of day care that I find as frightening in many places in rural Illinois. And it's for that reason I intend to vote 'no'."

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

Klingler: "Thank you very much, Mr. Speaker. I've listened to the comments that have been made... concerned comments in opposition to the Bill. And I remember when this was heard in our Children & Youth Committee, the first week many of us had questions. And I had many of the same questions that the previous speaker did. Was this gonna be an undue burden? Would this actually hurt the availability of day care, and what about the small day cares in homes that don't have to go through licensing? And the Sponsor took the Bill out of the record in the committee and came back the following week. And the Department of Human Services and Children and Family Services support this Bill. This does not affect small day cares that are in the home that do not go through the licensing procedures and it does not require those homes to meet ADA standards, which was

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another concern in the committee. I think, in some ways, it may help with day care in rural areas because there may be only one or two licensed day cares in a rural area. And if there is a family with a child with a disability, they may need also day care. And if the person providing it has this additional, I believe it was four hours of training in how to deal with disabilities, be it physical, or sight, or hearing, or motional disabilities, it may help that provider feel more comfortable, to say, well, yes, I believe I can take care of your child. So, I understand the questions because we had those in committee. And I feel like the Sponsor worked hard to come back and resolve it. And I do hope that the Members will support the Bill."

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

Crotty: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I, too, stand in strong support of this Bill. It did come out of committee, Children & Youth, with a lot of work on the part of the Sponsor. And this Bill just merely adds additional training and gives more information to a day care provider. I think all of us would like to think that the children with special needs has someone who's providing care for them during the day that has a true understanding of that need. So, I want to thank Representative Yarbrough for thinking of those kids. And I encourage each and every single one of us to give her our 'aye' vote. Thank you."

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

Yarbrough: "Thank you Members of the House, for all of your comments. I ask that you support this Bill. It is... I'm bringing this Bill to educate and enlighten caregivers as

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they receive people who are not like themselves, maybe, and have disabilities. I think it'll go a long way in helping them in their craft. I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1081?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1081, there are 105 Members voting 'yes', 9 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1166, Representative Lawfer. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1166, a Bill for an Act concerning real estate. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman, Ladies and Gentlemen. I present to you Senate Bill 1166, which creates the Savanna Army Depot Retrocession Law. It authorizes the Governor to accept retrocession from the Uni... by the United States of concurrent legislative jurisdiction over the described lands of the Savanna Army Depot. In other words, it authorizes the Governor to take control of the federal land in regards to civil and other jurisdictions, tax regulatory, and criminal jurisdiction of that land. It does not change ownership. That will change at a different time. But, it gives a jurisdiction of the 13,000 acres of the Savanna Army Depot."

Speaker Hartke: "Is there any dis..."

Lawfer: "I'll be glad to answer any questions."

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

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Senate Bill 1166?' 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? Clerk, take the record. On Senate Bill 1166, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1306, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1306, a Bill for an Act in relation to civil procedure. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Senate Bill 1306 allows judges to increase the amount charged now for prisoners to pay back for restitution or fines, things of that nature. It was brought to me by a local judge that has had some problems with restitution for various issues. I'd be happy to answer any questions."

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

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, can you explain to me why you would want to limit what the courts could order at restitution confiscated out of a inmate's wages, if he or she decides to work in corrections' industries, et cetera?"

Reitz: "The current... This increases the limit. The current limit is 15% or 45 times the federal minimum hourly wage. And this increases it to 50%. And the way it was explained to me, the judge was concerned that in some cases, there is absolutely no restitution at all. So, this increases it from 15% to 50%."

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Black: "Let me make sure I'm looking at the right Bill here. The introduction here that I'm looking at said that it provides that in the case of an individual committed to the Department of Corrections, the maximum wages of the individuals subject to collection under a deduction order entered for the purpose of collecting the cost of the individual's prosecution and the amount of any fine or restitution imposed by the court may not exceed 50% of the gross wages paid by the Department of Corrections to the individuals.

Reitz: "That's correct."

Black: "That, to me, means that today it isn't limited."

Reitz: "No, today the current law is 15% of the gross amount paid for that week. There are 45... It's supposedly 15%."

Black: "Can you show me that in the... Okay, I... On page 1 of the Bill, is it line 14..."

Reitz: "I'm looking."

Black: "...where you talk about maximum wages salary shall not exceed the lesser of 15%?"

Reitz: "Correct."

Black: "All right. So, in reality, what I'm looking at is not written properly. You're not limiting..."

Reitz: "We're increasing the limit from 15 to 50%, at the judge's discretion."

Black: "Well, that explains that. I couldn't understand why somebody from where you come from in the state would want to be limiting it. Obviously, you are increasing the gross amount of deduction that can be taken out."

Reitz: "Correct."

Black: "All right. Fine. I'm glad... That's what I was having trouble understanding. Thank you very much."

Reitz: "Thank you."

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

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

Speaker Hartke: "The Sponsor will yield."

Morrow: "Yes, Representative Reitz, is this wages earned by the inmate while he's in?"

Reitz: "In the Department of Corrections, correct."

Morrow: "All right. What about... and I'm sure you are aware that a lot of times prisoners are outsourced to work in cities and townships doing various things. Would these wages also be taken into account?"

Reitz: "I would assume it would be subject to any laws that's paid by the Department of Corrections."

Morrow: "Okay. Our... Do you have some concept of how much these prisoners earn when they're outsourced, as to what hourly wage that they receive?"

Reitz: "No, I don't have a number on exactly how much it is, Representative."

Morrow: "Okay. I have... The Chair, Mr. Speaker. Mr. Speaker. Mr. Speaker."

Speaker Hartke: "Yes, Sir."

Morrow: "To the Bill."

Speaker Hartke: "To the Bill."

Morrow: "I have concerns about... not so much about Senate Bill 1306... I have concerns about inmates being outsourced to locals units of governments for various reasons, and to private contractors. And then they're not being paid a prevailing wage, which if they were being paid a prevailing wage, we would hear from the unions about it. But I'm also concerned that we've gotten into a system where our inmates are being used as almost sub labor... slave labor. And

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that's an issue that DOC has got to address. I've asked them to give me some info on prison labor. I'm still waiting for those results. And I'm concerned that the reason why you want an increase in deduction of their wages is because as they're being outsourced, they are getting additional wages that they wouldn't receive conducting the normal business of inmate labor in a prison. But I'm concerned about inmates who are being sent outside of the prison, use that labor, and not being adequately compensated. So, I don't know how I'm gonna vote on Senate Bill 1306, but I'm sure that this Bill has come about to the increased wages being earned by a lot of inmates in our prisons."

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

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

Speaker Hartke: "Sponsor will yield."

Davis, M.: "Okay. First, I want to thank Representative Charles Morrow for waking this Body up to the fact that this is an issue that we really need to be concerned about. Representative Reitz, I'm sorry, I couldn't hear because of these conversations around me. Could you kinda reiterate what you were saying about this salary or wages for incarcerated individuals?"

Reitz: "The situation that Representative Morrow talked about, is not addressed in this Bill. This simply deals with the wages that are paid within the Department of Corrections, allows the judge the discretion to take up to 50% for restitution for crimes that were committed or for the costs that they have incurred."

Davis, M.: "So, inmates who earn \$20 a month, a portion of that should be taken for restitution, is that what you're

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saying?"

Reitz: "Correct."

Davis, M.: "How much do they earn a month?"

Reitz: "Well, I'm sure it depends on what they... I don't have the figures on exactly what the average is, but it depends on whatever they earn. And that's why it's a percentage."

Davis, M.: "They earn less than \$1 per day, approximately \$20 per month. Are you sure you want to take 50% of that away?"

Reitz: "Yes."

Davis, M.: "Why?"

Reitz: "Well, it'll help them repay the cost for restitution, as much as anything else, for the victims of crimes. But it also, then, helps them pay their debt to the society."

Davis, M.: "Representative Reitz, that won't be enough money to pay restitution to the victim. It won't be enough there. Now, you may create a situation in which inmates are working, and maybe they only make less a dollar per day, but at the least the job they're doing, like cooking for the prison, someone doesn't have to be hired to do that. And the state is saving money by using incarcerated labor. But if you decide, Representative, that now you're going to work for 50 cent a day, I'm not sure you're gonna get the cooperation of people who really do or don't mind working. See, we got to talk about why people go to prison. What do they go to prison for? They go to prison because a judge has sentenced them. It is not up to the... Listen, Mr. Reitz. It is not up to the Legislature to decide that we are now gonna punish you further by seeking more of your labor and paying you less. I think Representative Morrow made an excellent point and he addressed exactly what you're doing. You're attempting to use incarcerated inmates for slave labor. I don't think you should touch



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this with a ten foot pole. Nobody condones criminal acts. We all support the victims, the families of the victims, but we are not helping victim when we decide that a prisoner will earn less than \$20 a month. At least that \$20 helped to purchase stamps so they could write to you, snacks, soap, deodorant, phone calls home perhaps, stationary, just little things that one might want to do when they're serving a sentence that has been meted out by a judge and a jury. Now, you are saying, well, we're gonna punish you further. We're gonna take 50% of what you earn and we're gonna give it to... are we gonna give it to each victim? We gonna send them a check for \$5.95 a month or what?"

Reitz: "It won't change the way that they implement it right now. It won't change the way that the court does this. All it changes is the percentage and..."

Davis, M.: "What kind of money will it go into?"

Reitz: "It'll go directly to the court and the court will distribute it, as they do with the current monies. It won't affect distribution, whatsoever."

Davis, M.: "So, you're saying all the way... all the state prisons from the State of Illinois will now reduce the \$1 per day or less. Now, let's..."

Reitz: "No."

Davis, M.: "...make this clear."

Reitz: "That's not what I'm saying, though. It will be... For one thing, prospectively, it will be new prisoners, it won't be... You know, it'll be the judge when they give the order, it will say exactly what they use for restitution, and it won't change anything else. And it really... This doesn't address the situation that you were describing as far as the... I don't have any problem trying to help if

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they're working for other entities, for towns and counties, and things of that nature trying to get a fair wage."

Davis, M.: "How do you pay restitution, Representative, if you've taken someone's life? What kind of restitution do you pay that family?"

Reitz: "That's up to the judge to decide, not me."

Davis, M.: "It's an insult for you to suggest that there is a fee that a prisoner can work and earn and pay you. It's ridiculous."

Reitz: "I don't believe... I don't think they have restitution on the deaths. More of it's wi... It'd be theft and things of that nature, or other criminal damage that has been... that they've went to jail for."

Davis, M.: "Representative, what about women? Are you talking about women, also?"

Reitz: "Just the ones that are prisoners."

Davis, M.: "All right. Do you know why some women are in prison and do you know what they use their earnings for?"

Reitz: "I'm sure you're gonna ..."

Davis, M.: "No, you're not. Because... Let me tell you what'll happen. The things that they purchase with the little earnings they have, which is usually less than or about \$20 per month, are things that the State of Illinois will then have to purchase for them. Now, it's limited today. If women have to buy some personal items, it's limited today about how much you can spend 'cause it's based on how much you earn. But if you decide that there won't be enough money for women to do this, then the state is gonna have to pay that cost. Is that what you want to happen?"

Reitz: "No, not necessarily. But that's not up..."

Davis, M.: "But that's the result."

Reitz: "That's up to the judge."

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Davis, M.: "That will..."

Reitz: "Possibly."

Davis, M.: "That will be the result of your Bill. The result of your Bill will be that the General Revenue Fund will have to increase the appropriation to prisons because items that current prisoners purchase will now have to be purchased by the prison industry. Is that what you want to do? If so, that's a smart move."

Reitz: "That's fine. I mean, we pay for most of it anyway."

Davis, M.: "Well, there are a lot things. Do you want to pay for the stamps? Do you want to pay for the stationary?"

Reitz: "For family members, doesn't bother me. I'll help you in that."

Davis, M.: "It doesn't bother you, Representative?"

Reitz: "That we pay for those? No, I think they should be able..."

Davis, M.: "You're a Legislator..."

Reitz: "...to write their families."

Davis, M.: "...it should bother you."

Reitz: "That we pay for stamps?"

Davis, M.: "It should bother you that the result of your legislation will increase or will have to increase our appropriation to the prisons. They're gonna need more money in their appropriation to supply some of these items that, currently, an inmate works and purchases him or herself."

Reitz: "It... I don't necessarily know that that's true. I mean, it's up to the judge. It doesn't say they have to take 50%, it leaves it up to the judge's discretion."

Davis, M.: "To the Bill, Mr. Speaker."

Reitz: "What they have costs..."

Davis, M.: "To the Bill, Mr. Speaker."

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Speaker Hartke: "To the Bill."

Davis, M.: "We pass legislation in the General Assembly that gives judges, most frequently, the right, the opportunity, or the tools necessary to incarcerate people for a particular length of time. They're being punished. They're being kept from their families. Some of them get out of the cell one hour or two hours per week. So, the punishment is already meted out. A punishment already takes place. And to suggest that we should take 50% of what that prisoner earns to give to the court system is merely taking a small sum from the prison worker, but creating a hole in the prison's budget that we will eventually have to make up. We will eventually have to buy those personal things for women in prison, currently, that they can buy themselves if they work and earn \$20 or less per month. I think this legislation is meanspirited. I don't think it's a piece of legislation that Reitz will be able to put on his literature and say, look what I did for the people in the State of Illinois. I think it's a piece of literature that will make the State of Illinois appear not only with an intent... attempt to further punish... further mete out punishment to those who are already incarcerated, but to say to their families, we don't care if they don't have a stamp to write to you. We don't care if they don't have a comb to comb their hair that day. We don't care if that guy doesn't have deodorant, let the guard suffer. Let the guard suffer if people can't purchase the deodorant they need. I know some of us think in this Body, it is our role to furnish... to further punish those who are incarcerated and a judge has meted out the sentence already. Some of us think, oh, we now have the role of creating some further punishment for these

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people. Now, if a person is working eight or more hours per day, earning less than \$1 per day, I don't think the state should take any of that money. I don't think it'll serve to give restitution. It'll take 25 or 30 years to pay, at that rate of pay, to pay the restitution. I think your Bill, Representative, is meanspirited. I think it's meanspirited and I think it shows a lack of knowledge on your part in reference to the appropriations process and who has to pay for things in prison. It's the taxpayer. It's the taxpayer. Now, if we have inmates who will go to work every day for a dollar or less per day to buy these items that the state doesn't have to buy, let's keep it that way. Let's let them continue to work and earn that \$20 per month, and let's let 'em keep it, Representative. Thank you."

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

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in opposition to this Bill. Really, following on what my colleague, Representative Davis, talked about, this is a Bill... Prisoners already are subject to standard deduction orders based on State and Federal Laws. This Bill, to me, is reminiscent of the child support pass through Bill that we've considered in the last few years. In the case of child support, we wanted poor people to get back on their feet, to become self-sufficient, but we took away all the child support that came in for them except for \$50 a month. This Bill is reminiscent of that. We expect people to become civilized members of society, to have a work ethic, to come out of prison, and yet, we strip them, not only of their dignity, but all the possible resources they could bring out of the prison system. I'm really speaking on

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behalf, not of prisoners, I'm speaking on behalf of the 25,000 people who come out of the prisons each year. You know, in Illinois, about 25 thousand go in and 25 thousand come out. Those 25 thousand people, ex-cons, if you will, have an opportunity to learn some work principles to develop a work ethic and to come out of prisons with a little bit of dignity and with a little bit of money. And this Bill, for no reason whatsoever, would take even that away from them. And that's why I think we should vote 'no' on this Bill. Thank you."

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

Johnson: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Johnson: "Dan, I guess I've got a couple of questions in reference to this. Do you know how many court orders are entered where we are currently garnishing wages of inmates in Illinois?"

Reitz: "No, I don't have that number right now."

Johnson: "Is this a huge problem out there that you see? I mean, what's the issue here?"

Reitz: "The issue, as I said earlier, the... I just had a local judge that is concerned about restitution for a few cases. And under the current law, he's only allowed to take 15% of the wages that they earn. And this would allow them to take 50. And in some cases, he thought, you know, that may be good for the victims of the crime."

Johnson: "What judge had this problem and what did he think he was going to get by garnishing even 50% of an inmate's wages? Because, as you know, an inmate doesn't even have to work. And the average pay in there, I think, is \$10 a month."

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Reitz: "Right. No, that's correct. I... You know, I don't know. He just basically thought there were a few cases that this would make a difference. And I'm not sure that he is aware that they don't have to work. I mean, I think most people would assume that they have to do something while they're in prison."

Johnson: "Well, we also have legislation, do we not, and in fact it's law, that inmates are supposed to reimburse the State of Illinois for their stay in Corrections to the extent that they can?"

Reitz: "Correct."

Johnson: "We already charge 'em a per diem, which is more than what we ever pay 'em, right?"

Reitz: "Correct."

Johnson: "So, on a list of garnishment things, wouldn't that come off first, that they'd have to pay their board?"

Reitz: "More than likely. Yes, I would think it would."

Johnson: "Okay. To the Bill."

Speaker Hartke: "To the Bill."

Johnson: "I understand what the Sponsor is doing or attempting to do here, and hopefully, it's not meanspirited. But, I'm gonna vote 'no' on this. And one of the reasons is, of course, when we deal with recidivism of inmates, which is critical both to victims, to communities, to the families of inmates, et cetera. One of the biggest obstacles that we have, as we all know in the past and to this day, we basically give 'em a \$50 payout and a bus ticket back to where they're going. And basically, then saying, we'll see you back here in two years, and that, in reality, is what has been happening. And I believe that, you know, we have to be looking at, when we deal with restoration and restitution to victims of crime, it involves far more. And

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I would be highly surprised if you've seen more than a handful of these sorts of cases that have ever been brought. We have to deal with something much larger when it comes to restitution, and that means restoration. And I just don't see that this legislation is needed, it's certainly not going anywhere. And I think that we need to deal with a lot of these issues in the context of recidivism in the Prison Reform Committee and so on. And therefore, I'm voting 'no'."

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

Reitz: "Thank you, Mr. Speaker. I appreciate all the comments. I can guarantee you that this is definitely not meanspirited legislation. As I said, actually, it wasn't brought to me, it was brought to Senator Luechtefeld from a judge in Washington County in his concerns over restitution and court costs and things of that nature and just allow them a little more flexibility. And I would hope that, in every case, they would take all factors into consideration.

I'd be happy to work with any of the people that did have problems with this and work on the other issues that I don't believe were related to this. So, I'd appreciate an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1306?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1306, there are 59 Members voting 'yes', 52 Members voting 'no', 3 Members voting 'present'. Mr. Reitz."

Reitz: "Mr. Speaker, I'd like to put this on Postponed Consideration, please."



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Speaker Hartke: "The Sponsor asks that this Bill be placed on Postponed Consideration. Senate Bill 1514, Representative Bugielski. Out of the record. Senate Bill 1517, Representative Winters. Dave Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1517, a Bill for an Act concerning the Department of Corrections. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker. Senate Bill 1517 deals with the Department of Corrections. It takes the technology that we used last year for the State Police, the pupillometer Bill which is also called Eye Check, and sets up a pilot program. The Department of Corrections will do at least 4,000 tests. Those tests then will be matched up against a very sophisticated urinalysis test to find out exactly if we can save the state money. This screening test that is being used should, in fact, save the Department of Corrections, if we roll it out statewide, considerable amounts of money on... over the urine tests. I'd be happy to answer any questions."

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

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I thought we'd passed this Bill? What are we back here for?"

Winters: "This is the... Last year we passed a Bill that allowed the State Police to go out on the highways to do a pilot project. This goes into the Department of Corrections and is dealing with a different clientele, if you will, rather

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than drivers... truck drivers on the road that may be too fatigued or somebody under the influence. We're looking at the Department of Corrections trying to screen for drugs and alcohol use, but much more heavily on drug use in finding some of the minor drugs that may not show up on urinalysis. The savings is, once the machine is purchased it can be used... training is very easy, it can be done in a matter of a couple of hours of training. Once that's done then we can avoid the cost of the urinalysis test and those can range from 5 to \$15 per drop. We're hoping that similar to what West Virginia's doing. They're using it in the West Virginia Department of Corrections in their work release sites, their medium and maximum security sites, so a broad gamut of prisoners that are being tested to make sure that they're not on drugs."

Black: "If I remember, this is a device that you put up to your eyes and this technology looks into your eyes and says, whisper sweet things in your ear."

Winters: "It deals only with your eyes."

Black: "That's right. It looks into your eyes..."

Winters: "It what?"

Black: "And by looking into your eyes it can tell whether you've used marijuana in the last three weeks, alcohol in the last 24 hours, or illegal inhalants used in the last three or four hours. All of that by looking in your eye?"

Winters: "Well, what they're doing is, they're putting the eye under a dark condition, they're shutting off the light and then a quick flash of what I remember as a very... as a red light, not really very intense. But what they're doing is then measuring the response of the pupil to that light stimulus. And they have scientific parameters that show that different drugs will cause the eye to react in a

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different sense. The other interesting thing is that they now can pick up the use of the, I believe it's called huffers, they're inhalants that prisoners have access to that do have some pharmacological effects on the body. Those are not tested by urinalysis, but it can be picked up by the pupillometer, by the Eye Check System."

Black: "Does the current contract that we have with the Department of Corrections allow for the use of this pupillometer to look in a correctional officer's eye and see if he or she has been using something they shouldn't have been using?"

Winters: "That is not the purpose of the Bill. The purpose is to look at the wards of the Department of Corrections, not the staff at this point."

Black: "So, it's a pilot program..."

Winters: "Yes, there..."

Black: "... for people who have been committed to its custody, huh?"

Winters: "Yes. The intent is to use it in the Joliet prison, there's also a youth facility in Will County. Yeah. Those are the primary... They want to see how it interacts with the staff trying to get people to hold these binoculars up to their faces. Is it gonna be a case where the noncompliance of the prisoners will make this technology not usable by the Department of Corrections? That has not been the case in West Virginia, though. They've had a very positive response there. This technology is already being used in several overseas countries that have watched what's happened in West Virginia and also with the Illinois State Police pilot projects. And they, I believe, have already exported these machines to six or seven other countries around the world."

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Black: "There is no sunset clause in this Bill, correct?"

Winters: "That is correct. The Department will do a minimum of 4,000 tests, which they said would be no problem to do in a matter of months and they will respond back to the General Assembly by January 1 of 2003."

Black: "And these pupillometers cost about 7 thousand to \$8 thousand a piece?"

Winters: "That is in the ballpark. The final retail value has not been set at this point. But I think the interesting thing that this technology will allow is once you have that, there's no cost that is created each time you do a test. Once the machine is bought there's no additional cost other than staff time to run it. Unlike a urinalysis, which is actually relatively hard to obtain from a prisoner and it does have a laboratory cost between, as I said, 5 and \$15, depending on how many tests you do."

Black: "How many of these units would the Department of Corrections be expected to buy?"

Winters: "I believe that the inventor of this is actually willing to donate the use of one of them to the Department of Corrections and one will be adequate to do the number of tests."

Black: "All right. Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "The technology is a remarkable thing and I know it is inevitable. I joked with the Sponsor a year or two ago when he had this Bill, that this instrument looks into my eye and can tell not only whether I've ingested something that's illegal, it can also tell me whether I'm tired and that's what the State Police use it for. They look into a trucker's eye and can somehow tell that he or she's been

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driving too long. Now, this is remarkable technology and I'm sure it does exactly what the Sponsor says it will do. But I've said earlier on this House Floor and I will stand again, I'm not voting for any pilot program in the Department of Corrections to do anything until they start to hire more correctional officers. What I'd like, at the two prisons in my district, is to have more correctional officers, so they can look an inmate in the eye and keep track of 'em. I don't care about the technology. I want correctional officers to do the job. They are understaffed. They are working double shifts. That's not right and that breaks a promise that we made to correctional officers and worse, it breaks the promise we made to the residents of communities where we put these prisons. We said we would maintain a safe and sane operation. I commend the officers who have done that. But it gets harder and harder to do when you're asked to work double shifts, two and three days a week. That's wrong. If the Department wants to spend money, let 'em spend money on hiring more correctional officers. And until we do that, I won't vote for any pilot program or any do-good program for the Department of Corrections until I see more correctional officers on the job."

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

Winters: "Thank you, Mr. Speaker. This Bill has the potential of saving hundreds of thousands of dollars each year for the Department of Corrections which could then be used to hire additional correctional officers. It will lower the danger to our correctional staff and help to reduce the amount of drugs in our prisons. And I urge its adoption. Thank you."

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Speaker Hartke: "The question is, 'Shall the House pass Senate Bill 1517?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 1517, there are 96 Members voting 'yes', 11 Members voting 'no', 6 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen. Everyone knows now that we're not gonna be here on Friday, however, we are gonna play the softball game. The Senate will be here Friday. The game is still scheduled for 5:00 at Lincoln Park on Thursday night and we'd like, of course, everybody to stay around and go home after the game. Practice for the Members on the team will be tomorrow night at our usual place about 5:00 and we have a game with the... some of our staff people lined up. So, practice tomorrow night, that's Wednesday at 5:00 at our usual practice field and Thursday night will be the game at Lincoln Park. So, we'd like to have everybody stay and hang around and have some brats and hamburgers and enjoy the game. Thank you."

Speaker Hartke: "The Chair recognizes Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. To make an announcement. The State Procurement Committee which is scheduled to meet tomorrow at 9:00 has been canceled. That's tomorrow's State Procurement Committee which was scheduled at 9:00 is canceled. Thank you."

Speaker Hartke: "On page 9 of the Calendar, on Third Reading appears Senate Bill 1521, Representative McKeon. Out of

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the record. Senate Bill 30, Representative Franks. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 30, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Franks."

Franks: "Thank you, Mr. Speaker. This is a Bill that we've worked long and hard on. It's been in committee twice. The second time passing 21-0. It's an agreed upon Bill now. And what we've done is, this Bill deals with the emission testing that many of us have to put up with. And this Bill allows now, it creates a cause of action under the provisions of the Illinois Code of Civil Procedure against emissions inspection contractors and it also creates an exemption for vehicle inspections smog testing facilities. What we found was a lot of cars were being damaged by these treadmill tests. So now we're providing an exemption where they can use a much less intrusive test and if they should mess up your car, we'd be able to recover. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 30?' All those in favor signify by saying... or 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 Senate Bill 30, there are 112 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. For what reason the Gentleman from Vermilion, Representative Black, seek recognition?"

Black: "Thank you very much, Mr. Speaker. I rise to a point of personal privilege."

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Speaker Hartke: "State your point."

Black: "Would like the chamber to welcome former Representative, one of my old seatmates, Representative John Hallock, in the back of the chamber."

Speaker Hartke: "Welcome to the chamber again, Representative Hallock. On Third Reading appears Senate Bill 510, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 510, a Bill for an Act in relation to vehicles. Third Reading of this Senate Bill."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 510 sets up a procedure in the State of Illinois, which we don't have under current law, which basically sets the procedure for a person who claims diplomatic immunity as the result of a lawful police stop. It sets forth the conditions what the police officer should do. We do not have a law in the State of Illinois dealing with this and it's modeled after, I believe, a law in the State of Maryland which also deals with this subject. The Bill sets forth all the different requirements: what the officer should do with the person's driver's license, et cetera, how to notify the Secretary of State. I urge a 'yes' vote on Senate Bill 510."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass Senate Bill 510?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Bill 510, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of Senate Bill 994?"



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Clerk Rossi: "Senate Bill 994 is on the Order of Senate Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. It's the Chair's intention to go to Second Readings and we'll get through the entire Calendar before we quit for the day. On page 9 of the Calendar appears Senate Bill 3, Representative Dart. Read the Bill."

Clerk Rossi: "Senate Bill 3, a Bill for an Act to create the Drug or Alcohol Impaired Minor Responsibility Act. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 5, Representative O'Connor. Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 5, a Bill for an Act in relation to firearms. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 8, Representative Hoffman. Jay Hoffman. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 8, a Bill for an Act concerning street light districts. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 15, Representative Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 15, a Bill for an Act concerning taxation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

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Speaker Hartke: "Third Reading. Senate Bill 32, Representative Smith. Michael Smith. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 32, a Bill for an Act concerning sanitary districts. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 38, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 38, a Bill for an Act to amend the Property Tax Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 39, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 39, a Bill for an Act in relation to civil procedure. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 48, Representative Hamos. Out of the record. Senate Bill 52, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 52, a Bill for an Act concerning taxation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 55, Representative Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 55, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

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Speaker Hartke: "Third Reading. Senate Bill 1190, Representative Ryder. Mr. Clerk, read the Bill. 1190."

Clerk Rossi: "Senate Bill 1190, a Bill for an Act concerning the functions of the State Board of Education. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 60, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 60, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 71, Representative Daniels. Out of the record. Senate Bill 75, Representative Hoffman. Representative Hoffman. Out of the record. Senate Bill 76, Representative Rutherford. Representative Rutherford. Out of the record. Senate Bill 48, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 48, a Bill for an Act concerning corporate fiduciaries. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 93, Representative Hoeft. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 93, a Bill for an Act concerning the Metropolitan Water Reclamation District. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 95, Representative Mathias. Out of the record. Senate Bill 117,

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Representative Hamos. Out of the record. Senate Bill 118.  
Out of the record. Senate Bill 162, Representative Wait.  
Ron Wait. Out of the record. Senate Bill 163,  
Representative Moore. Andrea Moore. Mr. Clerk, read the  
Bill."

Clerk Rossi: "Senate Bill 163, a Bill for an Act concerning  
public aid. Second Reading of this Senate Bill. Amendment  
#1 was adopted in committee. No Motions have been filed.  
No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 164, Representative  
Hoeft. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 164, a Bill for an Act concerning  
taxation. Second Reading of this Senate Bill. No  
Committee Amendments. No Floor Amendments. No Motions  
filed."

Speaker Hartke: "Third Reading. Senate Bill 165, Representative  
Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 165, a Bill for an Act in relation to  
public aid. Second Reading of this Senate Bill. No  
Committee Amendments. No Floor Amendments. No Motions  
filed."

Speaker Hartke: "Third Reading. Senate Bill 174, Representative  
Hoffman. Out of the record. Senate Bill 184. Out of the  
record. Senate Bill 208, Representative McGuire. Mr.  
Clerk, read the Bill."

Clerk Rossi: "Senate Bill 208, a Bill for an Act concerning  
taxes. Second Reading of this Senate Bill. No Committee  
Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 216, Representative  
Coulson. Representative Coulson. Mr. Clerk, read the  
Bill."

Clerk Rossi: "Senate Bill 216, a Bill for an Act in relation to

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children. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 250, Representative Beaubien. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 250, a Bill for an Act concerning trusts. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 252, Representative Black. Bill Black. Mr. Black. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 252, a Bill for an Act concerning unemployment insurance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 285, Representative Franks. Out of the record. Senate Bill 298, Representative Granberg. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 298, a Bill for an Act concerning taxation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 329, Representative Dart. 329. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 329, a Bill for an Act concerning education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 368, Representative Acevedo. Eddie Acevedo. Out of the record. Senate Bill 371, Representative Daniels. Representative Daniels. Out of the record. Senate Bill 382, Representative Osterman.

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Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 382, a Bill for an Act regarding health facilities. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 396, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 396, a Bill for an Act concerning guide dogs. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 397, Representative Mathias. Out of the record. Senate Bill 430, Representative Kosel. Representative Kosel. Out of the record. Senate Bill 449, Representative Saviano. Out of the record. Senate Bill 461, Representative Feigenholtz. ... read the Bill."

Clerk Rossi: "Senate Bill 461, a Bill for an Act in relation to children. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 489, Representative Dart. Out of the record. Senate Bill 496, Representative Biggins. Representative Biggins. Out of the record. Senate Bill 497, Representative Biggins. Out of the record. 40... or 508, Representative Biggins. Out of the record. Senate Bill 518, Representative Hamos. Julie Hamos, 518. Out of the record. Senate Bill 526, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 526, a Bill for an Act concerning the regulation of professions. Second Reading of this Senate Bill. No Committee Amendment... or Amendment #1 was

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adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 527, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 527, a Bill for an Act concerning the regulation of professions. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 528, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 528, a Bill for an Act concerning the regulation of professions. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 530, Representative Rich Myers. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 530, a Bill for an Act concerning emergency telephone systems. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 538, Representative Franks. Jack Franks. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 538, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 539, Representative Parke. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 539, a Bill for an Act regarding taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No

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Speaker Hartke: "Third Reading. Senate Bill 571, Representative Novak. Phil Novak. Out of the record. Senate Bill 573, Representative Currie. Barb Currie. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 573, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 7... 574, Representative Tenhouse. Art Tenhouse. Out of the record. Senate Bill 598, Representative Hassert. Out of the record. Senate Bill 606, Representative Novak. Out of the record. Senate Bill 616, Representative Beaubien. Mark Beaubien. Out of the record. Senate Bill 617, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 617, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 629, Representative Dart. Mr. Dart. Out of the record. Senate Bill 643, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 643, a Bill for an Act concerning criminal identification information. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 661, Representative Bellock. Patti Bellock. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 661, a Bill for an Act in relation to families. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."



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Speaker Hartke: "Third Reading. Senate Bill 574, Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 574, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Senate Bill 697, Representative Moore. Andrea Moore. Representative Moore. Out of the record. Senate Bill 698, Representative Feigenholtz. Sara Feigenholtz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 698, a Bill for an Act in relation to children. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 699, Representative Hoffman. Out of the record. Senate Bill 713, Representative O'Brien. Mary Kay O'Brien. Out of the record. Senate Bill 717. Out of the record. Senate Bill 725, Representative Dart. Out of the record. Senate Bill 726, Representative Wait. Ron Wait. Out of the record. Senate Bill 730, Representative Moore. Andrea Moore. Out of the record. Senate Bill 750, Representative Dart. ... read the Bill."

Clerk Bolin: "Senate Bill 750, a Bill for an Act in relation to public health. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 754, Representative Granberg. Representative Granberg. Out of the record. Senate Bill 755, Representative Garrett. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 755, a Bill for an Act concerning

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recreational areas. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 761, Representative Burke. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 761, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 789, Representative Dart. Out of the record. Senate Bill 795. Out of the record. 796. Out of the record. Senate Bill 845, Representative O'Connor. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 845, a Bill for an Act concerning technology. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 571, Representative Novak. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 571, a Bill for an Act concerning factory-built housing. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 606, Representative Novak. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 606, a Bill for an Act concerning energy efficiency. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 846, Representative O'Connor. 846, Representative O'Connor. Out of the record. Senate Bill 853, Representative Moore. Andrea Moore. Mr. Clerk, read the Bill."

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Clerk Bolin: "Senate Bill 853, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 854, Representative Moore. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 854, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 855, Representative Moore. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 855, a Bill for an Act concerning taxation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 856, Representative Moore. Out of the record. Senate Bill 877, Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 877, a Bill for an Act concerning military expenditures. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 879, Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 879, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 900, Representative Klingler. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 900, a Bill for an Act in relation to real property. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Floor

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Speaker Hartke: "Third Reading. Senate Bill 496, Representative Biggins. Mr. Clerk, read the Bill. 496."

Clerk Bolin: "Senate Bill 496, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 497, Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 497, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 508, Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 508, a Bill for an Act concerning taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 902, Representative Wirsing. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 902, a Bill for an Act concerning finance. Second Reading of this Senate Bill. Amendment 1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 930, Representative Hoffman. Out of the record. Senate Bill 933, Representative Smith, Mike Smith. Mr. Clerk... Out of the record. Senate Bill 936, Representative Poe. Representative Poe. Raymond Poe. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 936, a Bill for an Act concerning state employee health benefits. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hartke: "Third Reading. Senate Bill 940. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 940, a Bill for an Act in relation to criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 945. Out of the record. Senate Bill 965, Representative Forby. Gary Forby. Out of the record. Senate Bill 969, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 969, a Bill for an Act in relation to unemployment insurance. Second Reading of this Senate Bill. Amendment 1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 975, Representative Meyer. Out of the record. Senate Bill 978, Representative Durkin. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 978, a Bill for an Act concerning business transactions. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 984, Representative Moffitt. Representative Moffitt. Out of the record. Senate Bill 993, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 993, a Bill for an Act in relation to child support. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of Senate Bill 902?"

Clerk Bolin: "Senate Bill 902 is on the Order of Senate

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Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purpose of an Amendment at the request of the Sponsor. Senate Bill 965, Representative Forby. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 965, a Bill for an Act concerning wages. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1011, Representative Cross. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1011, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1033, Representative Curry, Julie Curry. Out of the record. Senate Bill 1047, Representative Meyer, Jim Meyer. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1047, a Bill for an Act concerning solicitation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1102, Representative Ryder. Out of the record. Senate Bill 1116, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1116, a Bill for an Act in relation to taxation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1117, Representative Holbrook. Mr. Clerk, read the Bill."

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Clerk Bolin: "Senate Bill 1117, a Bill for an Act concerning taxation. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1128, Representative Novak. Mr. Novak. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1128, a Bill for an Act in relation to local governments. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Let that Bill on the Order of Second Reading. Senate Bill 1135, Representative Turner, Art Turner. Mr. Turner. Out of the record. Senate Bill 1102, Representative Ryder. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1102, a Bill for an Act concerning administrative procedure. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1152, Representative Erwin. Judy Erwin. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1152, a Bill for an Act relating to Governors State University. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1176, Representative Moore. Andrea Moore. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1176, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1177, Representative Moore. Out of the record. Senate Bill 1241,

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Representative Slone. Representative Slone. Would you like to move that Bill to Third Reading? ... read the Bill."

Clerk Bolin: "Senate Bill 1241, a Bill for an Act in relation to education. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1258. Out of the record. Senate Bill 1259. Out of the record. Senate Bill 1262, Representative Johnson. Tom Johnson. Out of the record. Senate Bill 1276, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1276, a Bill for an Act in relation to pharmaceutical assistance. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1283, Representative May. Representative May. Out of the record. Senate Bill 1284, Representative Wait. Ron Wait. Out of the record. Senate Bill 902. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 902, the Bill's been read a second time, previously today. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1304, Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1304, a Bill for an Act concerning immunizations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1305, Representative Feigenholtz. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1305, a Bill for an Act in relation to



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minors. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1309, Representative Hoffman. Out of the record. Senate Bill 1393, Representative Daniels. Out of the record. Senate Bill 1504, Representative Bellock. Patti Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1504..."

Speaker Hartke: "Oh, no, wait. Out of the record. Senate Bill 1505, Representative Mendoza. Representative Mendoza, 1505. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1505, a Bill for an Act relating to the uninsured. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1506, Representative Fritchey. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1506, a Bill for an Act concerning sanitary sewers. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Senate Bill 1522, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1522, a Bill for an Act concerning State Government. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "If there's anyone off the floor when I call their Bill from Second to Third and they would like to move it... Third Reading on Senate Bill 1522. Representative Moffitt, would you like to move your Bill from Second to

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Third? Does anyone have a Bill on Third that they would like to pass today? Representative Lang now moves that the House stand adjourned, allowing perfunctory time for the Clerk, 'til the hour of 11 a.m. on Wednesday, May 9th. 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."