

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

102nd Legislative Day

March 25, 1998

Speaker Turner, A.: "The hour of 12:00 having arrived, the House of Representatives will come to order. We will be led in prayer today by the Reverend James Lynch with the Faith Eternal Metropolitan Church of Springfield. Reverend Lynch is the guest of Representative Larry McKeon, and guests in the gallery may rise... may wish to rise for the invocation. Reverend Lynch."

Reverend Lynch: "You join me in prayer. Holy and loving God, we pause in this moment. We pause to take a break from the busyness of the day to refresh ourselves and renew our hearts. We pray, Oh God, this day for each person in this chamber, that they might open their hearts and do the business to which they're called by the people of this great state. We pray today for our Governor and First Lady. We pray for all of the elected and appointed officials and all of the staff people who make this work happen. Loving God, we just pray that You'll touch each one here with a moment of that refreshing love that is God, in whose name we pray. Amen."

Speaker Turner, A.: "We will be led in the pledge by Representative Arline Fantin."

Fantin - 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 Turner, A.: "Roll Call for Attendance. The Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. If the record would reflect that Representative Biggins and Lindner are both excused today."

Speaker Turner, A.: "The record should also reflect that we have 115 Members present, and a quorum is present. Representative Currie."

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

Speaker Turner, A.: "The record will so reflect. The House would like to recognize Representative John Jones. If he would come forward for a special presentation."

Jones, J.: "Thank you, Mr. Speaker. It's a great pleasure for me and should be for all of the Members of the General Assembly. I know we all have a lot of FFA students down here today. They represent all of us very well throughout the State of Illinois, but it's my deep pleasure to introduce the President of the State FFA, a young man from my district from Cisne High School in Wayne County, Mr. Matt Wells. Matt."

Wells: "Thank you, Mr. Jones. Agriculture, one of the most misunderstood words used today. You ask me, how do I know this? Well, let me just give you a few of the explanations that I have found. According to Webster's Dictionary, agriculture is the science and practice of the tillage of soil. And if you listen to the U.S. Department of Labor statistics, the only job opportunities in agriculture is farming and ranching. But, if you would talk to any one of the 350 high school agriculture instructors in the State of Illinois, they will tell you, agriculture has more job opportunities than any other future. In the last decade, agriculture has taken a road to become the wonderfully diverse and complex industry it is now, today. But unfortunately in 25 years, this world's population is going to double, and someone is going to have to successfully produce, market, and distribute foods to those people. My generation, along with your help, has to solve this problem. And the first step to solving this problem is ensuring that young people receive a quality education that

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includes agriculture, agriculture education, and FFA. Well, let's talk about what FFA and agriculture is doing today. In the classrooms today, agricultural students not only learn about basic production agriculture, but they also learn the basics of all the way to food sciences to commodity marketing. Students in Illinois have realized that agriculture is their ticket to the future. Over the last seven years, Illinois' FFA membership has grown to over 15,000. And in Chicago, taken from only a handful of chapters, we now have 16 chapters started in less than two years. And isn't it ironic, in the largest city in our state, we also have the largest agricultural FFA Chapter there. Thanks to the efforts of you, the policy makers, Legislators, and Committee Members, FFA is able to make the difference... a positive difference in the lives of many students. And that difference will show later on, whenever we help solve the growth problems of this nation and this country. So, for you, I thank you for your support and hope that you continue your support for ag education, agriculture, and FFA to help meet the growing needs of not only our state, but our nation, and our world. Thank you very much."

Speaker Turner, A.: "We want to thank Matt for those remarks and they were ummmm good. We would like to invite up Representative Gary Hannig for a special introduction. Representative."

Hannig: "Thank you, and I have a group of young ladies here today who are the State Basketball Champions in the Class A Division. They're from Nokomis, Illinois, and I'd like to introduce the coach, and he can introduce the players, and we'd ask that you give them your attention, please."

Coach: "Thank you very much. I'd like to, first of all, present

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to Representative Hannig this championship t-shirt from the... from Nokomis High School and thank him, thank... we'd like to thank him for this wonderful opportunity. Since we are in the business of education, not only are we into sports, we're into education. This has been quite an educational opportunity for the young ladies that represent our high school basketball team. This basketball team that you see here behind me finished with a record of 33 wins and two losses. They won the Prairie Conference Championship. They won the Nokomis Tournament. They won the Carrollton Invitational Tournament. They won the Nokomis Regional. They won the Bridgeport-Redhills Sectional, the Decatur-Millikin Super Sectional, and eventually became the State Champions. Our community is very proud of them, as well as our school district. I'd like to at this time introduce the members of the team that we have with us here today. I have my assistant coach, Rochelle McDowell, with us today. This basketball team has only one senior on it, so we will be returning the entire basketball team next year, with the exception of our one senior, Miss Amy Prater, right here. We have a group of six juniors on this basketball team, led by all-stater, Molly McDowell. We also have Carrie Eisenbarth. We have junior, Rachelle Detmers. We have junior, Bonnie Meiners. We have junior, Crystal Hayes and we have junior, Janice Spears. We also carry a number of young sophomores on this basketball team. We have sophomore, Jessica Hough. We have sophomore, Amy Braye; sophomore, Andie Probst; sophomore, Ashley Keller; sophomore, Rynne Hadley. Have I forgotten any sophomores? We do carry three freshmen on this basketball team. If you're aware, the State of Illinois does allow co-oping, and we co-op with Raymond

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High School... Lincolnwood High School, excuse me, and we have a freshman here, Va'Nicia Waterman. We have two freshmen from Nokomis. We have freshman, Laura Ruppert and freshman, Emily Heck. We have a few managers on our team I would like to recognize: Tisha Morris, Janen Kates, Misty Johnson, and Cassie Englehardt. I, once again, would like to thank you for this great opportunity."

Speaker Hannig: "Mr. Clerk, do we have a Resolution to read for the ladies? Mr. Clerk, could you please read the Resolution?"

Clerk Bolin: "House Resolution 358

WHEREAS, The members of the Illinois House of Representatives wish to congratulate the Nokomis Redskins on winning the IHSA Girls Class A State Basketball Tournament at the Redbird Arena in Peoria, Illinois; and

WHEREAS, Nokomis, Illinois is a small town located in the South-Central part of the State; the people of Nokomis and the surrounding area gathered on the Sunday afternoon following the tournament to welcome home the Lady Redskins; and

WHEREAS, The Nokomis Redskins Team is made up of Lora Ruppert, Molly McDowell, Ashlee Keller, Jane Spears, Amy Prater, Rynne Hadley, Carrie Eisenbarth, Emily Heck, Rachelle Detmers, Amy Braye, Jessie Hough, Crystal Hayes, Andrea Probst, Bonnie Meiners, and Va'Nicia Waterman; and

WHEREAS, The 33-2 Redskins played the number one ranked Carthage Bluegirls to win the State tournament; before heading to the State tournament the Redskins had to beat South Holland Seaton Academy in the quarter-final game; the final score was 64-38 Nokomis and on to the semi-finals; and

WHEREAS, In the semi-final match-up Nokomis faced Sterling

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Newman and won 68-47; it was on to the State tournament and a chance to upset number one Carthage, and upset they did, beating them 70-60; at the tournament Molly McDowell and Carrie Eisenbarth were named to the First Team Associated Press All-Tourney Picks and Jessie Hough was chosen for the Second Team; with Coach Maury Hough leading them the Nokomis Redskins proved that they had what it takes to make champions; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate the Nokomis Lady Redskins on winning the IHSA Girls Class A State Tournament; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Nokomis Lady Redskins."

Speaker Hannig: "Okay, so, you've heard the Resolution. The question is, 'Shall the Resolution be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Resolution is adopted. And once again, let me congratulate our State Champs, the Nokomis Lady Redskins Basketball Champs in Class A. Thank you for coming to Springfield and how about one last round of applause."

Speaker Turner, A.: "There's some future WMBA's here. I would like to invite Representative John Turner to the podium. Representative John Turner."

Turner, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen. I have the distinct honor and pleasure of introducing Natalie Jeckle, the Illinois County Fair Queen. She resides in my district, in Lincoln, Illinois. She's very talented, extraordinarily accomplished, and obviously, very beautiful as well. Please help me in welcoming her to Springfield and the Illinois House of Representatives."

Jeckle: "Thank you, Representative Turner, and good afternoon. I

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am here today very proud to represent the 105 county fairs in the State of Illinois. This summer I will have the opportunity of being the official hostess for the Illinois State Fair and the DuQuoin State Fair. Last year alone at the Illinois State Fair, over 15,000 animals were showcased. These included cattle and hogs, rabbits, chickens, and there were even some llamas. But the state and county fairs don't just showcase the animals; they showcase the industry upon which Illinois was built - and that's agriculture. Now, agriculture is not just about production; it also includes many facets of industry including marketing, transportation, and processing. In the past, fairgoers have had the opportunity to taste these delicious products produced by these processors. They include Eli's Cheesecake and the Leaf Corporation, which makes the Heath candy bar. Needless to say, the Illinois State Fair has much to offer. There's really something for everyone, so I'd like to see all of you back here in Springfield this summer, August 13th through the 24th to join me in this great adventure. Thank you."

Speaker Turner, A.: "Thank you. One more round of applause for Miss Illinois County Fair Queen. Representative Smith to the podium for a special introduction."

Smith: "Thank you, Mr. Speaker and Members of the House. I'm pleased today to have the Class 8A State Champions from Logan School in Peoria County from Hanna City. Logan School is a small elementary school with 218 students and grades four through eight. The Logan basketball team finished a very successful season, losing only once in the Lewiston Grade School in the Fulton County championship game. They went on to win the West Central Conference and the Peoria County championship. The IESA state tournament

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was held at Concord Triopia near Jacksonville, and Logan was able to defeat all teams in route to its final season record of 24 wins and one loss. They're coached by Larry Whitmore, who is a veteran of 38 years of coaching at the junior high level. He's taken many teams to state championship, in fact, nine times. Perhaps most remarkable are the members of this team, not just athletically talented, with the majority involved in sports year round, they also have demonstrated a strong commitment to academics and involvement in school activities. Of the 15 members of the team, 14 have been on the honor roll, with three earning straight A's. Considering they kept their grades up during the hectic days of basketball, it is also all the more remarkable accomplishment. In addition to the honor roll, 12 of them participated in Science Olympiad, five are on the scholastic bowl team, five competed in speech contests, six are in band or chorus, four are on the newspaper staff, and four serve as elected representatives on the student council. I'd like to introduce their coach, Larry Whitmore, who will make the team introductions."

Whitmore: "Okay, I'd like to introduce the team members. We'll start off with my manager Chris Bills; Brandon Bracket, these are all team members, Jeremy Bracket, Rich Alrich, Tim Finney, Zach Benny, Ryan Gazza, Matt Smith, Ryan Welker, Gavin Welker, and you notice these guys look a little bit alike, Danny Farcant, Jake Melton, Adam O'Field, Jay Crow, Doug Schmied, Treavor Williams, Jake Airs, Josh Kemp, and Ryan Smith. Thank you very much for this opportunity to come in and speak."

Smith: "I'd like to ask the House to join in congratulating the Logan School Class 8A State Champions."

Speaker Turner, A.: "This is honor our youth day. I'd like to

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invite Representative Kosel to the podium to introduce for a special introduction. Representative Kosel."

Kosel: "Today, in the State of Illinois, Members of the General Assembly, has been declared by the Governor of this state to be Lincolnway Knights Championship Day. And it's been declared that day because for the first time in the history of the school, Lincolnway High School has taken home a state championship. It was done, thank you very much... it was done on November 29th of last year in Bloomington, Illinois, where they took 6A championship. And it is with great pleasure that I am able to introduce to you today the principal of Lincolnway High School, Jay Johnson; their coach, Rob Gleime; the two co-captains Rich Shunt and Cory Pause. Expect to see both of these young men in the future. Rich will be attending Eastern Michigan as a running back and Cory will be attending UCLA as a quarterback. If you could please give them a round of applause, I would appreciate it. Thank you."

Speaker Turner, A.: "Now let's congratulate Lincolnway again, one more time, today being Lincolnway Day. I believe that concludes all of the introductions and honorary or otherwise. Representative Lawfer, for what reason do you rise?"

Lawfer: "Thank you, Mr. Chairman, (sic-Speaker) Ladies and Gentlemen of the House. I would like to call the group's attention to Resolution 347. That Resolution, when the Clerk reads it, you'll realize that today is designated as Illinois Agriculture Day. I'm glad to be supported in that Resolution as Cosponsors, Representative Noland, Representative Woolard, Representative Hartke, and Representative Wirsing, and if the Clerk could read that Resolution."

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Speaker Turner, A.: "Mr. Clerk, could you read House Resolution 347, please."

Clerk Bolin: "House Resolution 347

WHEREAS, The week of March 15-21, 1998 is designated as National Agriculture Week, and March 25th is designated as Illinois Agriculture Day; and

WHEREAS, Illinois is gifted with some of the richest agricultural resources in the world, with more than 28 million acres of farm land, allowing Illinois to be recognized as a world supplier of food and fiber with agricultural exports totaling more than \$3.4 billion; and

WHEREAS, Each American farmer produces enough food and fiber for 129 people, 97 in the United States and 32 abroad, supplying consumers with abundant, safe, and wholesome food; and

WHEREAS, Americans only have to spend 11 percent of their disposable personal income on food, earning enough to pay for their annual food supply by February 9th of each year; and

WHEREAS, Illinois farmers are leaders in both livestock and grain production; are leading producers of corn and soybeans, which make up about one-fourth of all United States agricultural exports; and are also leaders in natural resource protection; and

WHEREAS, Agriculture is an important part of life in Illinois, contributing nearly \$50 billion to the State economy, employing nearly 900,000 Illinoisans, with approximately 1,400 food producing companies located within the State; and

WHEREAS, Illinois ranks near the top of the national scale in both production agriculture and agricultural processing, and ranks number one among all states in the production of ethanol; therefore, be it

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RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we salute the Illinois farmer and farmers across the nation during National Agriculture Week, honoring their continued efforts in agricultural production and natural resource protection."

Lawfer: "Thank you very much. Mr. Chairman, (sic-Speaker) I think this points out the importance of agriculture as a very important industry of the State of Illinois, and it's good to see everybody here, the future farmers that will be the leaders of the agriculture industry in the future. I would ask that and move that this be... Resolution be passed."

Speaker Turner, A.: "You've heard the Motion that the Resolution 347 be adopted. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Representative... the Gentleman from Kendall, Representative Cross, for what reason do you rise?"

Cross: "Well, Mr. Speaker, thank you. Apparently, there's a problem today that I just... I wish we could get an answer to. It's 12:33, we've been here now for 33 minutes, Representative Schoenberg hasn't brought any new guests today. Does he have any intentions of bringing in Miss America again, or Miss Illinois?"

Speaker Turner, A.: "Well, Representative, you know we'll be here to the hour of eight o'clock, and I'm certain that Representative Schoenberg has lots of time to fulfill your request."

Cross: "Well, we're missing his guest of the day and I remember back on Romper Room we would always have guests, so, I'm hoping that, you know, if it's not Romper Room, Captain Kangaroo, Mr. Green Jeans, Chelviston the Duck, we'd like

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to see his guest of the day."

Speaker Turner, A.: "You've got a few hours yet, Representative."

Cross: "Alright, thank you very much."

Speaker Turner, A.: "And your request will probably be honored. On the Order of Second Readings, we have House Bill 109. Read the Bill, Mr... House Bill 174, read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 174, a Bill for an Act to amend the State Comptroller Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Out of the record. On the Order of Second Reading, we have House... Mr. Clerk."

Clerk Bolin: "Committee Reports. Representative Harold Murphy, Chairman from the Committee on Personnel and Pensions, to which the following measures were referred, action taken on March 25, 1998, reported the same back with the following recommendations: 'do pass Short Debate' Senate Bill 1270. Representative Tom Dart, Chairperson from the Committee on Judiciary I - Civil Law, to which the following measures were referred, action taken on March 25, 1998, reported the same back with the following recommendations: 'do pass Short Debate' House Joint Resolution Constitutional Amendment #20. Representative Saviano, Chairperson from the Committee on Registration and Regulation, to which the following measures were referred, action taken on March 24, 1998, reported the same back with the following recommendations: 'be approved for consideration' Floor Amendments 1, 2, and 3 to House Bill 2590. Representative Dan Burke, Chairperson from the Committee on Executive, to which the following measures were referred, action taken on March 24, 1998, reported the same back with the following

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recommendations: 'be approved for consideration' Floor Amendment #1 to House Bill 3564. Representative David Phelps, Chairman from the Committee on Elementary and Secondary Education, to which the following measures were referred, action taken on March 24, 1998, reported the same back with the following recommendations: 'be approved for consideration' Floor Amendment #1 to House Bill 2614 and Floor Amendment #1 to House Bill 3325. Representative Jay Hoffman, Chairperson from the Committee on Transportation, to which the following measures were referred, action taken on March 24, 1998, reported the same back with the following recommendations: 'be approved for consideration' Floor Amendment #2 to House Bill 2667. Representative Coy Pugh, Chairman from the Committee on Human Services, to which the following measures were referred, action taken on March 24, 1998, reported the same back with the following recommendations: 'be approved for consideration' Floor Amendment #2 to House Bill 3399. Representative Todd Stroger, Chairman from the Committee on Local Government, to which the following measures were referred, action taken on March 24, 1998, reported the same back with the following recommendations: 'be approved for consideration' Floor Amendment #3 to House Bill 2716."

Speaker Turner, A.: "On the Order of Second Readings, we have House Bill 2299. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 22..."

Speaker Turner, A.: "Out of the record. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. A Point of Personal Privilege if I might."

Speaker Turner, A.: "State your point."

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Black: "Yes, thank you. An abject violation of the House Rules. I would like to recognize the advisor and some of the members of the outstanding FFA Chapter in the State of Illinois: Ron Lynch and the Members from the Cissna Park FFA. Ron, good to have you in Springfield today. Thank you."

Speaker Turner, A.: "Your violation is well taken. On the Order of Second Reading, we have House Bill 2301. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2301, a Bill for an Act to amend the Election Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. We have House Bill... House Bill 2306. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2306, a Bill for an Act concerning vehicles. Second Reading of this House Bill. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative Tim Johnson, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Champaign, Representative Johnson."

Johnson, Tim: "Thank you, Mr. Speaker, Members of the House. This Bill simply modifies one of the provisions of the Bill to respond to some of the concerns of Members of the committee who supported the Bill anyway, but now this puts it in a form that, I think, makes it unobjectionable. Narrows the language and I move for its adoption."

Speaker Turner, A.: "The Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker, I'd like to rise to a Point of Personal Privilege."

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Speaker Turner, A.: "State your point."

Poe: "Yeah, I'd like to introduce Terry Brown and Athens FFA that's in my district, and we're glad to have them here today in Springfield. Thank you."

Speaker Turner, A.: "Terry, welcome. You've heard the Gentleman's... The Gentleman from Madison, Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Turner, A.: "He introduced... He says he will."

Hoffman: "Representative, this Amendment, could you please explain once again how this affects the underlying Bill?"

Johnson, Tim: "One of the provisions, Representative, of the underlying Bill provides for, in limited cases, provides for forfeiture of vehicle in drunk driving cases, when the individual is aware of a second or later suspension and also knowingly uses the car, notwithstanding that suspension. Representative Turner, Representative Cross, and at least one other had a concern about vehicles that were co-owned by a spouse and having spouse's rights cut off by the forfeiture provision. So, this Amendment addresses that concern. I'm not sure the original Bill really caused that problem, just to clarify that it doesn't, it specifically eliminates any forfeiture of any spouse's rights under the underlying provisions of the Bill. I do that, not only as a matter of policy, but as you're well aware, I think is a matter of constitutionality, too. I don't want to be divesting people of rights without due process. So, it exempts any co-owned vehicles of spouses."

Hoffman: "Does this... Does this have to do with only a subsequent DUI offense or does it have to do with driving on revoked license also?"

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Johnson, Tim: "Pardon me?"

Hoffman: "Does this have to do with a subsequent DUI offense or..."

Johnson, Tim: "No."

Hoffman: "...only a subsequent DUI offense or also if you're caught driving on a revoked license?"

Johnson, Tim: "The underlying Bill, Representative, or the underlying provision of the Bill, is... is a limited forfeiture Bill that would allow for the forfeiture of a vehicle under the.... under the other forfeiture provisions of the Illinois Statutes. In the case of somebody's second or subsequent DUI, the individual is suspended for the second or subsequent DUI, and then the individual knows that the car... his car is being used while he is suspended, he or she is suspended for the second or subsequent DUI. But all the Amendment does is to say that all that notwithstanding, that even in those cases where there's a second or subsequent DUI, that a car that's driven by a... by a, let's say the husband, and is subject to forfeiture cannot be forfeited as against the rights of a spouse who may be innocent and have no knowledge of it. And even if they do have knowledge of it, they're still co-owners of it and their rights ought not to be able to be cut off."

Hoffman: "But shouldn't this actually, I mean, if you... Does the Amendment actually go far enough? It's my understanding that your whole idea of the Amendment is that an innocent person, essentially who has nothing to do with the underlying DUI, who owns the vehicle won't lose that vehicle because someone is driving their vehicle drunk, unbeknownst to them."

Johnson, Tim: "I can't even hear you, Representative."

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Hoffman: "It's my understanding, and correct me if I'm wrong, that the intent of this Amendment is essentially to say that if you are an innocent owner of a vehicle and had nothing to do with the underlying DUI, you're an innocent owner of the vehicle, that you won't be penalized if someone drives your car drunk and you won't lose your vehicle."

Johnson, Tim: "No."

Hoffman: "However, it doesn't really go that far. It puts in some provisions to that effect, but shouldn't the Amendment actually provide that only the owner of a vehicle should be penalized by vehicle forfeiture, if he or she commits the offense?"

Johnson, Tim: "Just... it's a good question, but let me explain the underlying Bill. The underlying Bill is, or provision, again, is written so narrowly that no innocent person or person without actual knowledge, other than the owner, can have their rights divested in any event. That's the underlying provision, even without this Amendment. Period. This Amendment simply says, even with knowledge, that a spouse as a co-owner cannot have their rights divested if they're not the one who's guilty of the subsequent offense with their license suspended. So, you're right. But the underlying Bill does not allow divestiture of an innocent person or a person without knowledge of the... of the suspension and knowledge of the use. That's why I think the Bill is unique, as among some of the others that are around the General Assembly, because it is written so narrowly. I've had some of the same concerns that I think you have, Representative, with respect to weapons and narcotic forfeiture Bills that we've passed in the past... passed in the past. And that's the reason I drew it so

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narrowly and the reason this Amendment #2 addresses that subsequent issue that Representative Cross and Turner raised. Very good point, but I believe that it's addressed in the Bill and if it's not, I'm certain that it is, Representative, but if it's not, it's certainly my intention that it is, and if you see any language to indicate to the contrary, I'd be glad to know."

Hoffman: "So essentially, what this Amendment would do is, it would, although some would say it doesn't go far enough, what it does is, it provides some culpability of the action..."

Johnson, Tim: "Correct."

Hoffman: "...of an individual before they would lose..."

Johnson, Tim: "The practical application after the adoption of this Amendment, and with the enactment of the Bill, Representative, would be that the third or fourth or fifth time person who is suspended for drunk driving, they can be uninsured and drive anyway. You can take away their license and they can drive anyway. They... As soon as they're out of jail, they drive anyway. But if they haven't got their own car to hit and kill people, they can't drive anyway. So, that's the act...actual and practical effect of this Bill, as amended."

Hoffman: "Well, I think that, that this Amendment does make the Bill better, so I think there's no reason to oppose the Amendment. However, I wish there was another Amendment that maybe went a little bit further. So, I would support this Amendment because it does make the Bill better."

Johnson, Tim: "Representative, between now and when we adopt this Bill on Third Reading, if you'd come to me and you have any suggestions as to how we can make it any more workable, effective, and still appropriately and constitutionally

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narrow, I'll be glad to entertain that. I believe the Bill, as written, does that. But I certainly respect your legal acumen, and I'd be glad to sit down and visit with you about it."

Speaker Turner, A.: "The Gentleman from Effingham, Representative Hartke, for what..."

Hartke: "Will the Sponsor yield?"

Speaker Turner, A.: "He indicates he will."

Hartke: "Representative Johnson, I think there's two levels of DUI right now with the CDL, it's .04. Is that correct?"

Johnson, Tim: "Again, I didn't hear your question, Representative."

Hartke: "For a CDL..."

Johnson, Tim: "The background noise..."

Hartke: "... license, the point..."

Johnson, Tim: "Representative, I... It's not your fault, but there's just a lot of background noise. I can't hear your question."

Hartke: "Currently, under the DUI laws, we have a CDL that has a different level of blood alcohol count than a personal driver's license. Correct?"

Johnson, Tim: "I don't understand the question. I'm not trying to be hostile; I just don't understand the question."

Hartke: "A CDL is a commercial driver's license. A commercial driver who drives a semi or maybe a delivery truck for hire can be charged with DUI at a .04."

Johnson, Tim: "They can be charged at .04?"

Hartke: "Yes."

Johnson, Tim: "Okay. I wasn't aware of that, but go ahead."

Hartke: "Personal driver's license, mine or yours, that we do not have a CDL, that amount is .08. Does this apply to the .04 as well?"

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Johnson, Tim: "Well, Representative, nobody's ever raised that issue with me. If they... they can have their license suspended for that level of blood alcohol, and then they use the vehicle anyway, not withstanding having been suspended a second or subsequent time for DUI, then my reading of the Bill and the Amendment would mean that this, that it would apply to them. But I haven't specifically researched that limited issue; nobody's ever raised that before."

Hartke: "Well, we might... might want to look into that before we vote this on Third Reading."

Johnson, Tim: "Well, frankly, you've educated me beyond what I knew, with respect to CDL's because I wasn't aware that there was a different level, but I appreciate your bringing that up. But, again... and again, with all due respect to you, Representative, this Amendment really addresses the innocent spouse."

Speaker Turner, A.: "The Lady from DuPage, Representative Biggert."

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

Speaker Turner, A.: "He indicates he will."

Biggert: "Representative Johnson, does your Amendment mean that, even though the person is driving who has the DUI but his spouse is a co-owner of the auto, that it cannot be seized?"

Johnson, Tim: "That's correct."

Biggert: "But if he were driving his own car, it could be seized."

Johnson, Tim: "Correct."

Biggert: "Wouldn't that behoove everybody really to have co-ownership if they have a spouse? Wouldn't that behoove everyone that has a car to put it in the name of their

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spouse as well as themselves to protect them?"

Johnson, Tim: "There may be situations, yes, and that certainly wouldn't include everybody, but I mean, a big percentage of vehicles are not going to joint tenancy the same way that houses are. But in those cases where there's a common ownership between a spouse and the alcohol ridden spouse, then that individual spouse is protected. I doubt seriously if anybody would try to deed their, not deed, but title their vehicle over to their spouse's name just on the thought that they might get a DUI someday. But, there may be a few situations that would allow the spouse to keep the vehicle where, you know, where their spouse with a DUI had been convicted and drove the vehicle. But the feeling of the committee was, or at least Members of the committee was, that you'd rather err on that side than you would take the only asset that a woman had, or in most cases a woman, but not always, to be able to drive her kids to school or go to work or anything like that."

Biggert: "So, if they've had, let's say one conviction, they can still go ahead and change the title of their car?"

Johnson, Tim: "They can still what?"

Biggert: "Change the title of their car to add their spouse."

Johnson, Tim: "Yeah, I suppose they can change it anytime they want."

Biggert: "Okay. And you don't see that, that there would be sufficient abuse?"

Johnson, Tim: "No, I would be concerned about that and if we see evidence that there's really abuse. But frankly, not to be crass about this, but I don't believe that most drunk drivers are operating at an intellectual level where they're going to title over their cars to avoid a forfeiture law. I just don't think they're that street

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smart or practical smart or that they want to go in and spend the time that's necessary to do that. There may be a limited number of cases of abuse, but I think they'd be so limited that they'd be outweighed by the number of situations where women would be without a car because of a spouse who's beyond their control. And as a result, they didn't have a car to take their kids to school or to go to work or to see their family or whatever it might be."

Biggert: "Okay. If a child of someone who owns a car is driving, that car can still be seized?"

Johnson, Tim: "Yes."

Biggert: "Okay. Thank you."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #2 be adopted to House Bill 2306?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Lindner, on House Bill 2373. Out of the record. Representative John Jones, on House Bill 2374. Out of the record. Representative Hassert, on House Bill 2436. Out of the record. Representative Capparelli, on House Bill 2443. Out of the record. Representative Capparelli, on House... out of the record. Representative Phelps, House Bill 2485. Representative Phelps... out of the record. Representative Cowlshaw, on House Bill 2493. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2493, a Bill for an Act to amend the School Code. Second Reading of this House Bill. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative Cowlshaw, has been approved for consideration."

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Speaker Turner, A.: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill, this underlying Bill, which came out of the Education Committee by a unanimous vote, has to do with education on the subject of organ and tissue donation and transplantation. One thing that I neglected to remember is that the Christian Science Church always asks to have christian science young people who are students in our schools to be exempt from these kinds of educational opportunities. Consequently, this Amendment is simply the standard exemption for the Christian Science Church, and I move for its adoption."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Amendment #2 be adopted to House Bill 2493?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Flowers, on House Bill 2498. Are there any Amendments, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #1 has been referred to the Rules Committee."

Speaker Turner, A.: "Out of the record. Representative Lindner, on House Bill 2503. She's excused. Out of the record. Representative Meyer, on House Bill 2509. Out of the record. Representative Moffitt, on House Bill 2555. Out of the record. Representative Winters, on House Bill 2558. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2558, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill."

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No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Hoeft, on House Bill 2560. Out of the record. Representative Hoffman, on House Bill 2570. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2570, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. There are no Committee Amendments. No Floor Amendments. No Motions filed. A Fiscal Note has been requested on the Bill and that Note has not yet been filed."

Speaker Turner, A.: "Out of the record. The Gentleman from Cook, Representative Schoenberg, for what reason do you rise?"

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I understand that Mr. Cross earlier made an inquiry as to who was going to be my celebrity guest for the day. I'm pleased to introduce here, Matt Kriezelman is a Page today. He is every much the celebrity as Sara Tueting and Kate Shindle. Matt is a freshman at New Trier High School and please give him a Springfield hello."

Speaker Turner, A.: "Thank you, Representative..."

Schoenberg: "By the... by the way, Mr. Speaker, I understand that Ms. Morgan Fairchild will be visiting us later, so my three... my streak is intact."

Speaker Turner, A.: "Representative, we knew you'd come through. Thank you. Representative Saviano, on House Bill 2590. Out of the record. Representative Ryder, on House Bill 2614. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2614, a Bill for an Act to amend the School Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ryder, has been approved for consideration."

Ryder: "Thank you, Mr. Speaker. House Amendment 1 to House Bill

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2614 was approved for consideration last night in the Elementary Education Committee. It does two things. After passage and signing of House Bill 652, which deleted the nonpartisan election, there were some considerations that needed clean-up language, and it does contain those three bits of clean-up language. Additionally, it addresses a concern in the... by the Midstate Special Education Cooperative. They're required to have seventeen members. Unfortunately, several of the schools have consolidated. They're now below that amount, and we need to change the numbers. I would be happy to answer any questions on this Amendment."

Speaker Turner, A.: "Seeing none, the question is, 'Shall House Amendment 1 to House Bill 2614 pass?' All those in favor say 'aye'... sorry, the Gentleman from Vermilion, Representative Black."

Black: "Yes, Mr. Speaker, take a sip of water and slow down. You're moving a little fast there. This is only Second Reading and there you were going to move this Bill on Third Reading. And I need to ask the Sponsor a question or two, if he would yield."

Speaker Turner, A.: "The Gentleman indicates he will."

Black: "Thank you."

Speaker Turner, A.: "And we shall slow down."

Black: "That's... by the way, Mr. Speaker, where's the real Speaker today?"

Speaker Turner, A.: "He's marking up the Calendar."

Black: "Yes, Representative Ryder, would you yield for a question?"

Ryder: "Yes."

Black: "Are you incorporating into your Amendment some Bills that you had? I think the... Wasn't the Special Ed Cooperative,

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the cooperative language, wasn't that in a stand alone Bill at one time?"

Ryder: "Not to my... not to my knowledge and it was certainly not a Bill that I had. This is a situation that was just created within the last few months because a school wishes to drop out of that cooperative, and it changes the necessary numbers of participants. I was frankly surprised to see that the legislation required those numbers, that the legislation was that specific, but it was, so we have to change it."

Black: "Well, Representative, you have about 88 percent of all the Bills on the Calendar, so it's hard for me to keep track."

Ryder: "No, no, Representative. You're confusing me with the real Speaker."

Black: "Oh, I'm sorry. So, does the Amendment become the Bill?"

Ryder: "Yes."

Black: "What was wrong with the underlying Bill?"

Ryder: "It was a vehicle."

Black: "Oh."

Ryder: "Or it could have been a shell, I've never been able to determine the difference."

Black: "Okay. Is it your intent then to move the Bill as amended and keep this a clean education initiative Bill?"

Ryder: "It's my intention that this Bill will remain as it is going out of the House, and I hope that it passes the Senate in this fashion. In fact, if... until you stood up, I was ready to move it on Third."

Black: "Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Amendment."

Speaker Turner, A.: "To the Amendment."

Black: "I think the Amendment, well, thank goodness the Amendment

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does something because the underlying Bill didn't do anything. And in all due respect to the Representative, he gave a reasonably clear explanation of what the Amendment does, so I... given the limitations of the Sponsor of the Amendment, I stand in support of that Amendment."

Speaker Turner, A.: "We're happy to hear that, Representative. The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. Has this, has this Amendment been distributed or put onto the computer for updating?"

Speaker Turner, A.: "Representative, it's on your lap top."

Moore, A.: "We can't get it."

Speaker Turner, A.: "Would you like a copy of it? The Gentleman from Jersey, Representative Ryder, to close."

Ryder: "Thank you, Mr. Speaker. I will speak slowly on behalf of Representative Black. Am I speaking slowly enough, Representative Black? Please support this Amendment. Thank you."

Speaker Turner, A.: "The question is, 'Shall Amendment #1 to House Bill 2614 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #1 passes. Further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Lady from Lake, Representative Moore, for what reason do you rise?"

Moore, A.: "For the record, Mr. Speaker. That Amendment was not distributed; it was not on the lap tops. And according to the House Rules, it is suppose to be distributed to the Members before the Amendment is adopted."

Speaker Turner, A.: "Representative, we're checking that and we will get back. It's my understanding it is on the lap top, though. I believe you. Representative Biggins, on House

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Bill 2630. He's excused. Out of the record. Representative McAuliffe, on House Bill 2634. Out of the record. Representative Winkel, on House Bill 2636. Out of the record. Representative Klingler, on House Bill 2645. Out of the record. Representative Kosel, on House Bill 2652. Out of the record. Representative... Representative Persico, on House Bill 2668. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2668, a Bill for an Act concerning underground storage tanks. Second Reading of this House Bill. Amendments #1 and 2 were adopted in Committee. No Floor Amendments. No Motions filed. A Fiscal Note has been requested on the Bill and that Note has not yet been filed."

Speaker Turner, A.: "The Bill shall remain on Second. Representative Saviano, on House Bill 2687. Out of the record. Representative Saviano, on House Bill 2590. Out of the record. Representative Saviano, on House Bill 2688. Out of the record. Representative Saviano, on 2690. Out of the record. Representative Brunsvold, on House Bill 2721. Out of the record. Representative Black, on House Bill 2729. Read the Bill, Mr. Clerk."

Black: "Mr. Speaker, I believe there's a Floor Amendment to the Bill that's been approved by Rules."

Clerk Bolin: "House Bill 2729, a Bill for an Act to amend the Illinois Horse Racing Act of 1975. Second Reading of this House Bill. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative Black, has been approved for consideration."

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 is a good Amendment. I urge approval."

Speaker Turner, A.: "The Gentleman from Jersey, Representative

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Ryder. For what reason do you rise?"

Ryder: "I was wondering if Mr. Black could hurry up a little bit. We have other business to take care of and he's slowing down the process. Would the Gentleman yield for a question?"

Speaker Turner, A.: "He indicates he will."

Ryder: "What is a due Bill?"

Black: "What does what do?"

Ryder: "Your, your Amendment."

Black: "Oh, the Amendment. The Amendment makes the legislation permissive. It takes out the word 'shall' and puts in the word 'may'."

Ryder: "Representative Black, what did the Bill 'shall' do in the first place?"

Black: "Well, the underlying Bill says that the County of Vermilion and Iroquois shall get 85 percent of all the appropriations, and the Amendment says Vermilion and Iroquois Counties may get 85 percent of all the appropriations. Oh, I'm sorry, that's the wrong Amendment. This Amendment amends the Horse Racing Act, and it was brought to me by the quarter horse folks, and it simply says that tracks may have a... more than one race a day of Quarter Horses, Arabians, Appaloosas, and Paints if the track chooses to do so. And that's all the Bill does and that is all I will allow the Bill to do as long as it's under my sponsorship."

Ryder: "Now that you've slowly and distinctly explained what the Bill does, I think that I'd be happy to support you on this Quarter Horse Bill, if you found out what happened to the rest of the three-quarters."

Black: "If you hadn't asked me so many questions, we lost three-quarters of the horse while you were asking

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questions."

Ryder: "Thank you, Mr. Speaker. I appreciate the opportunity to cross examine the hostile witness."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black, to close."

Black: "This is a fine Bill for all of you horse lovers out there. I have given my assurance in all seriousness to the Speaker. It is not my intent, while this Bill is under my control, to allow any other racing or gambling language to be added to it. It's a straightforward simple Bill that will benefit those people who raise and train Quarter Horses, Appaloosas, Paints, and Arabians and allow them to race at our tracks more than once, one race a day if the track owners so desire. I think it's a good Bill. I would urge approval of the Amendment."

Speaker Turner, A.: "The question is, 'Shall Amendment 2 pass... be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment 2 is adopted. Further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative McAuliffe, on House Bill 2734. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2734, a Bill for an Act to amend the Attorney General Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. The Lady from St. Clair, Representative Younge, on House Bill 2774. Out of the record. Representative Righter, on House Bill 2800. Out of the record. Representative Stephens, on House Bill 2802. Out of the record. Representative Turner, on House

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Bill 2812. Out of the record. Representative Biggins, on House Bill 2818. Not here. Not here. Representative Moffitt, on House Bill 2823. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2823, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Second Reading of this House Bill. Amendments #1 and 2 were adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Lang, on House Bill 284... out of the record. Representative Parke, on House Bill 2860. Out of the record. Representative Mitchell, on House Bill 2885. Out of the record. Representative Silva, on House Bill 2909. Out of the record. Representative Ronen. Out of the record. Representative Smith, on House Bill 3019. Out of the record. Representative Coulson, on House Bill 3034. Out of the record. Representative Wood, on House Bill 3041. Out of the record. Representative Durkin, House Bill 3063. Out of the record. Representative Durkin, on House Bill... out of the record. Representative Kubik. Out of the record. Representative Kenner. Out of the record. Representative Hassert, House Bill 3128. Out of the record. Representative Durkin, on House Bill 3158. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3158, a Bill for an Act in relation to street gangs. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Turner, on House Bill 3162. Out of the record. Representative Wood, on House Bill 3173. Out of the record. Representative Durkin, on House Bill 3180. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3180, a Bill for an Act relating to electronic consumer security... electronic commerce security. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Durkin, has been approved for consideration."

Durkin: "Thank you, Mr. Speaker. Floor Amendment 1 to House Bill 3180 is an Amendment to the Electronic Commerce Act. This is a very expansive Bill and what we did is that when the Bill was drafted, it repealed language which was previously passed in the Public Act 90-37, which gave the State Comptroller a reasonable amount of control over the content and format of digital signatures. That was repealed under the original Bill, 3180. We are taking that repealer language out and reinstating that language, which was given to the Comptroller under Public Act 90-37."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Amendment #1 to House Bill 3180 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment 1 passes. Further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Saviano, on House Bill 3225. Out of the record. Representative Schoenberg, on House Bill 3235. He must be waiting on Morgan Fairchild. He'll be back shortly. Out of the record. Representative Myers, on House Bill 3236. Out of the record. Representative Hassert, on House Bill 3256. Out of the record. Representative Mitchell, on House Bill 3262. Out of the record. What are you doing over there? Representative Lindner, on House Bill 3279. Out of the record. Representative Lyons, on House Bill 3280. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 3280, a Bill for an Act to amend the Crime Victims Compensation Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Wait, on House Bill 3356. Out of the record. Representative Bergman, on House Bill 3375. Out of the record. Representative Coulson, on House Bill 3377. Out of the record. Representative Saviano, on House Bill 3383. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3383, a Bill for an Act concerning regulated professions. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative McAuliffe, on House Bill 3494. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3494, a Bill for an Act to amend the Dance Studio Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative... Representative Murphy, on House Bill 3513. Take it out of the record. Representative Saviano, on House Bill 3520. Out of the record. Representative Morrow, on House Bill 3593. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3593, a Bill for an Act concerning budget items for a south suburban airport. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Biggert, on House Bill 3652. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3652, a Bill for an Act to amend the

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Firearm Owners Identification Card Act. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Giglio, on House Bill 3556. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3556, a Bill for an Act concerning contractor license and permit bonds. Second Reading of this House Bill. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative Giglio, has been approved for consideration."

Giglio: "Thank you, Mr. Speaker, Members of the House. I would move for the favorable adoption of Floor Amendment #2 to House Bill 3556."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Amendment... Shall Amendment #2 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment 2 is adopted. Mr. Clerk."

Clerk Bolin: "No further Amendments. Several Notes have been requested on the Bill and those Notes have not yet been filed."

Speaker Turner, A.: "We will hold the Bill on Second Reading. Representative Cowlshaw, on House Bill 2091. This is on the Order of Third Reading. Out of the record. On the Order of Third Readings, Representative Capparelli, on House... out of the record. On the Order of Second Readings, we have Representative Bugielski on House Bill 3135. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3135, a Bill for an Act concerning rulings of the Commissioner of Banks and Real Estate. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner, A.: "Third Reading. On the Order of Third Readings, we have Representative Jones on... John Jones on House Bill 2430. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2430, a Bill for an Act to create the Illinois Petroleum Education and Marketing Act. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Jefferson, Representative Jones."

Jones, J.: "Thank you, Mr. Speaker and Members of the General Assembly. What we have here in 2430 is a Bill that last year was known as House Bill 998 and which passed the General Assembly 116 or 114 to 0 and the Senate, 54 to 2. But, we failed to concur with the Governor on his veto on a couple of minor changes. We put those minor changes in House Bill 2430, and this Bill creates the Illinois Petroleum Education and Marketing Act and the Illinois Petroleum Resources Board and repeals the Board on July the 1st... Hey. Thank you, Mr. Speaker."

Speaker Turner, A.: "Continue."

Jones, J.: "Let's put a little light on the subject here, you know. But I would just ask for a favorable vote. It did pass the Illinois House 114 to 0 last year and the Senate 54 to 2, and so I would ask for a favorable vote."

Speaker Turner, A.: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Turner, A.: "He indicates he will."

Jones, J.: "Yes."

Hartke: "Representative Jones, what is the price of oil today?"

Jones, J.: "You know, I'm not sure today, Representative Hartke, but I think it's probably around 11.5 to \$12 a barrel at the most."

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Hartke: "And what was it last year?"

Jones, J.: "Last year it was around \$20 a barrel."

Hartke: "So, which estimate are we looking at here on the amount of funds that would generate? If this Bill passed last year, and they were expecting to receive about what last year under the fund?"

Jones, J.: "Well, it provides for an assessment of 1/10 of 1 percent of the gross revenue, so it will be less, but we'll live with that."

Hartke: "So, the estimate that's in my analysis that says that this will generate about \$300,000, is that on \$12 a barrel or on \$20 a barrel?"

Jones, J.: "That was figured on \$20 per barrel of oil."

Hartke: "So, we'll probably be receiving a little less than that, correct?"

Jones, J.: "Exactly."

Hartke: "Is there a cap on the amount of money that would be collected for this fund?"

Jones, J.: "No, not to my knowledge, Representative."

Hartke: "Well, I don't anticipate right away, but if oil went to \$30 a barrel, we could see as much as half a million put into this fund. Is that correct?"

Jones, J.: "That is very possible, yes."

Hartke: "I don't, and I'm not objecting to what you're doing, but I'm just saying that this is pretty open-ended. We put 1/10 of one percent for an educational program. I would like to suggest to you that maybe when we get it to the Senate, we ought to put a cap of 200,000 max dollars and any dollars beyond that should... the tax, maybe, should be stopped for that year or at some limit on the amount. You know, I've got a... the Oil Well Task Force and one of the things they were suggesting was a tax on oil that would

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raise funds for the orphaned and abandoned well system. Possibly, we might tie the two together over in the Senate and we could kill two birds with one stone with this thing, not only an education program, but also something to help clean up the environment and plug some of those orphaned and abandoned wells."

Jones, J.: "I'll be more than happy, Representative Hartke, to see if we can work something out like that over in the Senate."

Hartke: "Okay, thank you."

Speaker Turner, A.: "Are there any further questions? Representative Jones, to close. The question is, 'Shall House Bill 2430 pass?' All those in favor say 'aye'; all those opposed will vote... should say vote 'aye'; all those opposed vote 'no'. The Roll Call is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 voting 'aye', 11 voting 'nay', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Turner, A.: "State your inquiry."

Black: "Are you going to stay on the Order of Third Reading now?"

Speaker Turner, A.: "It's the intention of the Chair to go through the Order of Third Reading and then come back to Seconds."

Black: "Would you make sure that you ring that all important bell? There are people wandering out in the rotunda who might be missing Third Reading votes without our secret bell code."

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Speaker Turner, A.: "Absolutely, Representative."

Black: "Alright, thank you."

Speaker Turner, A.: "On the Order of Third Readings, Representative Saviano, on House Bill 2445. Out of the record. Representative Poe, on House Bill 2478. Out of the record. Representative Beaubien, on House Bill 2557. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2557, a Bill for an Act to amend the Counties Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Lake, Representative Beaubien."

Beaubien: "Yes, it's Beaubien, by the way, Art."

Speaker Turner, A.: "Beaubien. Didn't I say that?"

Beaubien: "No."

Speaker Turner, A.: "I'm very sorry."

Beaubien: "That's okay."

Speaker Turner, A.: "Must be the microphone."

Beaubien: "It's all in good fun."

Speaker Turner, A.: "We'll try again"

Beaubien: "This is a Bill that amends the county zoning ordinance. Municipalities currently have this authority. It provides for the gradual elimination of useless buildings and structures, which are incompatible with the characters in the district in which they are made or located. When I first brought this Bill to committee, there were various objections from the Farm Bureau, the utility companies, movie industry, and other business interests. It went through four redrafts, and at this time, all of those entities are in support of the Bill. It completely eliminates the agricultural issue and also completely eliminates the utility issue, since this never was the target of the Bill in the first place. Inasmuch as

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we received consensus, I'd appreciate the House's positive vote on this Bill. I'd ask that the Bill be passed."

Speaker Turner, A.: "Are there any questions? The Gentleman from Effingham, Representative Hartke."

Hartke: "Pardon me, but I tried to follow you through that. It's pretty noisy. I didn't understand that. Exactly what are you doing?"

Beaubien: "I can't hear Mr. Hartke either, so... I can't hear the question."

Speaker Turner, A.: "Could we have some order in the House, please."

Hartke: "Will the Gentleman repeat his explanation to the Bill?"

Beaubien: "Yes, I'd be happy to. This Bill is an Amendment to the County Code. It gives the counties the same authority that municipalities now have for the gradual elimination of nonconforming uses and structures. When the Bill first came forward, the Farm Bureau, the utility companies, various business groups and the movie industry were concerned about it. The final draft, the second Amendment to the Bill, takes the farm and agricultural community completely out of the Bill, takes utilities completely out of the Bill, has answered the concerns of the movie industry and other people that object it. So as of this point, there are no objectors to the Bill."

Hartke: "I didn't ask who objected to the Bill. I said what does the Bill do?"

Beaubien: "Alright, I'm sorry. I thought you wanted me to repeat it. It provides that a county can provide for the elimination of a use in basically three circumstances. One is when a building is burned down or destroyed and the underlying use is incompatible with the underlying zoning. Then they can require the new structure or the new use to

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be compatible with the underlying zoning. It also provides when a use is no longer used for the purposes intended. Let's say it's an industrial building in a commercial area, and it's no longer used for that purposes; the new use must be compatible with that use. It also provides that over a period of time, an amortization period with underlying and zoning...consistent, they can gradually over time eliminate uses. And again, I would emphasize all municipalities currently have this authority."

Hartke: "Would not those units, those buildings were probably there and grandfathered in. Correct?"

Beaubien: "That's correct and that's why..."

Hartke: "But once a building is no longer used for that, it cannot be converted to another type of business or industry if it's not compatible with that zoning. Isn't that current law?"

Beaubien: "It is in the municipalities. They have the right to do that in municipalities."

Hartke: "But it's not in county zoning ordinances. Counties don't have that authority to..."

Beaubien: "They do not currently have that authority. That's correct."

Hartke: "It would seem to me that would be part of the zoning ordinance of the county, that if the structure is no longer used or is three-fourths destroyed by fire, they cannot rebuild that under the grandfather clause."

Beaubien: "That's correct, but that's not currently the... The counties currently do not have the authority to require that. Municipalities do, so in the county, if a building is destroyed or is no longer being used and the use is incompatible, there's no authority for the county to say, 'You can no longer use it for the initial use.'"

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Hartke: "Alright, I really think they have that authority now, but if you say not, I'll agree with you."

Beaubien: "That's what they tell me. Thank you. Any more questions? If not, I'd ask for a vote on the Bill."

Speaker Turner, A.: "There are more questions, Representative. Slow down. The Gentleman from Vermilion, Representative Black."

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

Speaker Turner, A.: "He indicates he will."

Black: "Yes, yes. Representative, how many counties in the state have a zoning ordinance? Do you know?"

Beaubien: "No, I don't, but I don't believe the majority of them do."

Black: "Okay. That... I guess the point of the question, if a county does not have a zoning ordinance, then this Bill has absolutely no impact or effect on that county. Correct?"

Beaubien: "That's correct."

Black: "There's nothing in this proposal that would say a county that does not have a zoning ordinance, but a city in that county does, the county can't piggyback on that city ordinance to do away with property that it doesn't want or nonconforming use."

Beaubien: "That's correct."

Black: "So, if they don't have a zoning ordinance, this doesn't impact that county at all."

Beaubien: "That's correct..."

Black: "Thank you..."

Beaubien: "...I believe that's the majority..."

Black: "Thank you. Thank you very much."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall House Bill 2557 pass?' All those in favor

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should vote 'aye'; all those opposed should vote 'no'.
Have all voted who wish? Have all voted who wish? Have
all voted who wish? Have all voted who wish? The Clerk
shall take the record. On this question, there are 114
voting 'yes', 1 voting 'no'. This Bill, having received
the Constitutional Majority, is hereby declared passed. On
the Order of Resolutions, we have House Resolution 357.
Read the Resolution, Mr. Clerk."

Clerk Bolin: "House Resolution 357.

WHEREAS, Professional social workers have a century of
experience helping individuals and effecting social change that
benefits everyone; and

WHEREAS, Social work developed in the last century in response
to poverty, homelessness, mistreatment of prisoners and persons
with mental illness, and the plight of widows and orphans; and

WHEREAS, The first training classes for social workers began
in 1898; and

WHEREAS, Social workers have played key roles in every major
social reform movement, from settlement houses to labor reform,
from the New Deal to civil rights; and

WHEREAS, Many things we take for granted today, Social
Security, child labor laws, the minimum wage, the 40-hour work
week, Medicare, unemployment insurance, humane treatment of
persons with mental illness, came about because social workers saw
injustice, acted and inspired others; and

WHEREAS, Professional social workers continue to provide
valuable services in health and mental health, child welfare,
aging, and other areas; continue to increase opportunities for all
members of society; and continue to speak out on behalf of the
poor, the vulnerable, and the voiceless; and

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WHEREAS, Professional social workers daily help alleviate society's most intractable problems, working one-on-one with troubled children and families, organizing communities for change, performing cutting edge research, and administering social programs; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that in recognition of professional social workers and all that they do to increase the well-being of individuals and society, we recognize 1998 as Professional Social Work Centennial Year, and call upon members of the community to join with the social work profession in support of appropriate programs, ceremonies, and activities honoring social workers, America's real heroes, celebrating 100 years of professional social work."

Speaker Turner, A.: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is the 100th Anniversary of professional social work education, and today happens to be Social Worker Lobby Day. I move adoption of House Resolution 357."

Speaker Turner, A.: "You've heard the Lady's request. All those in favor of House Resolution 357 should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and Resolution 257 (sic-357) is adopted. On the Order of Third Reading, Representative Righter, on House Bill 2583. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2583, a Bill for an Act to amend the Child Care Act of 1969. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Coles, Representative Righter."

Righter: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2583 would create, through the

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Department of Children and Family Services, a 1-800 toll free number through which parents and other people could inquire with regards to day care centers throughout the state, child care centers throughout the state, their backgrounds with regards to substantiated complaints by the department and licensing violations. Right now the status with the department is that they do have regional day care resource and referral phone lines and they can, through those, inquire concerning the availability of day care centers. It's very difficult for them to obtain other information regarding the quality of the center that they might be considering to put their children in. DCFS is in support of this legislation. In a time when we have so many families where both parents are working, I think this is a very simple tool for the state to provide to parents so they can make sure that they are putting their children in a safe place. I'd be happy to answer any questions, Mr. Speaker."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black."

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

Speaker Turner, A.: "He indicates he will."

Black: "Representative, what's the genesis of this Bill? Where did this come from?"

Righter: "Well, Representative Black, as a person who works and my wife also works, we're fortunate enough to have a day care provider come into our home, but I know that all parents aren't fortunate enough to have that. And I think this is a good idea and a very simple thing we can do."

Black: "I thought DCFS already had a toll free number, a hot line number."

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Righter: "Not concerning this issue to my knowledge, Representative Black."

Black: "Well, what's the difference between the hot line number that they have and the toll free telephone line that you want to create?"

Righter: "I'm not aware of that 1-800 line that they have now."

Black: "You mean you're not aware of the hot line that DCFS already has?"

Righter: "Well, there is a hot line concerning child abuse complaints or something along those nature... along that nature, but there's nothing with regards to checking information for child care centers."

Black: "Well, why don't you just ask the department on the hot line number to give information about bad day care, and we'll save the cost of another hot line number."

Righter: "The... Well I think that the 1-800 number that you're referring to again, Representative Black, is staffed by people who are trained to take complaints with regards to child abuse or neglect and not with regards to a database that would provide the information that this Bill calls for."

Black: "Well, if I understand your Bill, then you want to create a toll free telephone number that I can call up and see who could baby-sit my children Saturday night? Is that what you want?"

Righter: "Yes, exactly, that's it."

Black: "Well, that's an outrage, Representative. I don't have any children at home. You mean you're getting the State of Illinois, the Department of Children and Family Services, that agency that does not have enough staff and ability to carry things out the way we'd like, now you want them to offer a baby-sitting referral service? You know... you..."

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You're going to call them up from, what is that town you live in, Mattoon?"

Righter: "I didn't hear the question."

Black: "Do you live in Mattoon?"

Righter: "I do, Mr. Speaker. I mean, I do, Representative Black."

Black: "Well, you know, that's... that's 65 miles from nowhere. You're going to call up DCFS and ask if they know you can find a baby-sitter, so you can go to the movie on Saturday night?"

Righter: "Yes."

Black: "Well, what if the baby-sitter is in Chicago? How are you going to get him to Mattoon?"

Righter: "I'm sorry, I didn't hear the question, Representative Black."

Black: "Well, I can understand that. I don't understand this at all. You want... You want a toll free number so that you can call DCFS to see if they can recommend a baby-sitter so you and your wife can go to the movie on Saturday night?"

Righter: "So they can recommend a day care center for our children for placement."

Black: "Well, wait a minute. I'm talking about going to the movie on Saturday night, and now you're talking about day care."

Righter: "Well, Representative Black, if you want to talk to me after the vote on the Bill, I'll be happy to see if I can't find someone who might be willing to baby-sit the children that you have."

Black: "Well, I'll be a grandparent shortly, then maybe I'll feel differently about this Bill. How much does this 800 number cost?"

Righter: "Last year the fiscal note on it was \$875,000."

Black: "Do you... Representative, as a personal question, you

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don't have to answer this, do you have children?"

Righter: "Representative Black, last... that is last, from the Bill last year that is cost from last year. This year they have the cost down to about a \$100,000, because the Bill last year had more items in it."

Black: "Wait a minute, I asked you if you had children, and you told me it cost \$100,000. What does that have to do with it? Do you have any children?"

Righter: "This... DCFS advises us that this will cost them \$100,000."

Black: "Representative, you're avoiding the question. You don't have to answer if you don't want to; this is a personal question. But do you have children?"

Righter: "I do."

Black: "All right."

Righter: "I have two children, Representative Black."

Black: "All right. Now we're finally getting somewhere. Now, don't you think you would be in conflict of interest, if you're trying to set up a baby-sitting hot line and you have children, I see a potential conflict right there. Do you not see that?"

Righter: "Representative Black, I would be more than happy to add you as a cosponsor of the Bill if you don't have any children."

Black: "Why, not on your life. I'm not going to be on this giveaway Bill. I'll tell you what, this is a... Representative, I still don't understand this. If you're looking for day care or a child care so you can go to the movie on Saturday night and you call this 800 number, where are these people going to be? Where does this number ring into?"

Righter: "It will ring into the offices of DCFS."

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Black: "Well, where is that office? They have offices all over the state. Is it going to ring into the Chicago office?"

Righter: "I think that's an issue, Representative Black, that DCFS can address."

Black: "Oh, don't leave it up to DCFS. They'll put it in Chicago. I think it should be in Vermilion County."

Righter: "I'm happy to meet with them, with you, on that."

Black: "Well, I'll meet with you on that. I... Well, Mr. Speaker, to the Bill. I don't know what this 800 number will be, probably 1-800 call Dale, I don't know. How many 800 numbers are we going to have in this state? We've... look, look what has happened in Chicago. We've added so many 800 numbers, you people have more area codes up there than I can keep track of. I tried to call the Speaker last month; his area code changed for the fourth time in one month because he failed to pay his bill, as I understand it, but that's another issue. I think this is completely out of hand! You know when I was raised, I'm not as young as Representative Righter, when my wife and I needed a baby-sitter for our children, we found that baby-sitter. We didn't need an 800 number. That's our responsibility. I'm telling you right now... I'm telling you right now, this, this is carrying big brotherism to the infinite degree. At some point... at some point, Ladies and Gentlemen, you must stand up on this House Floor and say enough is enough is enough! No more 800 numbers. No more. If the man needs a baby-sitter, he can call somebody down the street. I'm not paying anymore money for this. This is an outrage."

Speaker Turner, A.: "Enough, enough. The Gentleman from Cook, Representative Lang."

Lang: "Well, thank you very much, Mr. Speaker. And, Mr. Black,

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the nurse is coming with a valium for you, remain calm.

Mr. Righter, Sir. Hi there."

Righter: "Yes, Sir, Representative."

Lang: "Who is that staffer to your left?"

Righter: "He's working with Representative Mautino on this."

Lang: "That's Representative Mautino, where he belongs, over there. Let me... Let me see... Let me see if I understand this, this Bill, and I'd like you to try to answer some of these detailed questions about this important Bill without your notes and without your staffer. All the staffers move aside. All the staffers move aside, except Mr. Mautino, you may stay. All other staffers move aside. Now, Mr. Black was ranting and raving about this 800 number. Is it not true, Sir, that this could be an 888 number?"

Righter: "I'm not... I don't know."

Lang: "You don't really know... Sir, you don't even know much about that, do you?"

Righter: "My understanding is both those would be toll free numbers."

Lang: "So, toll free, but not toll free to the department. Certainly they're going to pay something, aren't they?"

Righter: "They are."

Lang: "Now, don't they already have some toll free numbers that people call to get information?"

Righter: "I'm not aware of a resource, a toll free number that people throughout the state can call and get this kind of information from."

Lang: "No, no, no, not this kind of information, but doesn't DCFS already have some kind of toll free number for some other issues?"

Righter: "Yes. But the point of this Bill is to allow people who need a day care center to access this kind of information."

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Lang: "Right. But why can't we use the same number we already have and you have one of those... one of those menus when you call: punch one if you need a baby-sitter, punch two if you need a diet Pepsi, punch three, four, five. Why don't we have just one toll free number for DCFS? No, no, staffers... Staffers step aside, step aside. Mr. Mautino may help, if it's possible."

Righter: "I'll be happy to talk to you about that and amend the Bill in the Senate, if you would like to with regards to that."

Lang: "Well, listen they're not going to listen to you anymore in the Senate than they listen to me, believe me when I tell you that. So, so this Bill, this Bill talks about substantiated complaints against a day care center. What is that?"

Righter: "That is a term used by the department after receiving a complaint, and they do an investigation if they feel that there is evidence to substantiate it. That's what they consider... They consider it a complaint to be of some credit insofar as credibility."

Lang: "Well, who is... Who is they? Who investigates these complaints?"

Righter: "The Department of Children and Family Service's investigators."

Lang: "Now, before it becomes substantiated, does the day care center who has been accused, do they have due process? Do they get a hearing? Are they able to state their case?"

Righter: "I know that there are Department of Children and Family Services regulations on that point; I don't know what those are."

Lang: "Well, Representative, in the few months you've been here, you've evidenced a propensity to be pro-business, I think

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that would be fair to say. Wouldn't you think in all fairness, there should be a separate hot line for the businesses that are being complained about to state their case?"

Righter: "To state their case against DCFS?"

Lang: "Well, yeah. If DCFS wrongly accuses someone and I call this hot line to get the information about the day care center, maybe there... maybe we should have another line I can call for the X-Y-Z Day Care Company, to tell me why DCFS is wrong."

Righter: "Well, the point of this Bill is to allow parents to access the number for child care centers. It doesn't address what businesses and their complaints may have against DCFS."

Lang: "Well, isn't it true that some day care centers in our state are 24 hour day care centers?"

Righter: "I'm not aware of that. I don't know the answer to that question."

Lang: "Well, I think there are people that work late at night that sometimes need care for their children late at night. What if... Will these be 24 hour toll free numbers?"

Righter: "Is this a 24 hour toll free number, is that what you're asking?"

Lang: "That's the question."

Righter: "Is that the question?"

Lang: "That's the question."

Righter: "I do not know."

Lang: "It's your Bill."

Righter: "It calls for them to establish a 1-800 Bill... the 1-800 number. The Bill doesn't speak to whether or not it's a 12 or an 18 or 24 hour."

Lang: "Well, so wouldn't you admit that you have an incomplete

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Bill here? If you and Mattoon need this day care service at midnight, and at a quarter to 12 you say, 'Well gee, I better call and find out before I bring little Johnnie over there.' If no one is manning that phone at 11:45 p.m., how will you get the information you need?"

Righter: "I didn't hear the question. Could you repeat it, please."

Lang: "Now we have to move the other staffer away. Mr. Mautino. So, if you call late at night and you need this information before you take your child to this day care center, how will you get the information unless somebody is at the phone?"

Righter: "That... I agree."

Lang: "So, shouldn't your Bill be amended to call for a 24 hour hot line?"

Righter: "No, I think the Bill is fine the way it is, and I think that DCFS will understand the problem that you're raising."

Lang: "One more area I wish to discuss with you, Sir. Do you think this is a very important Bill for the citizens of the State of Illinois?"

Righter: "Yes, for the families of the state, I believe it is."

Lang: "Do you think it's of critical importance?"

Righter: "I do."

Lang: "Well, then why do you have an effective date January 1, 1999? Why don't you have an immediate effective date on this Bill?"

Righter: "So it will take 60 votes to pass."

Lang: "Well, I think you better reread the rule. You can have it immed... If you pass this today, you can have an immediate effective date on it with 60 votes."

Righter: "I think that it's appropriate to let the Department of Children and Family Services have some time to create the

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database out of which the information will be disbursed and set up the line itself."

Lang: "Well, thank you for your answers. Mr. Speaker, Ladies and Gentlemen, to the Bill. I believe this is the Gentleman's first Bill. I can't believe that DCFS would trust a royal rookie with such important matters. I can't believe that we have a Bill that is stated to be so important without an immediate effective date. And, frankly, if I have a child I want to take to a day care center, and I call at midnight to find out if it's alright to take my child there, I need some answers. I don't think we can trust DCFS to make these decisions. We definitely should make these decisions for them, and I'm hoping that if the Representative passes this Bill, and I don't think he will, if he does pass this Bill, we ought to make sure that the Senate properly changes the flaws in this very serious and important Bill. I would recommend 'no' votes."

Speaker Turner, A.: "The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Turner, A.: "He indicates he will."

Novak: "You know, Representative, I've been listening to this debate this afternoon. The Gentleman from Vermilion County, I know he thinks it's socialism or big government with this 1-800 number, but you know, in the last five minutes I've been approached by five lobbyists outside asking me to ask you on the House Floor if you would be willing to take this Bill back to Second Reading and amend it?"

Righter: "For what..."

Novak: "Now, let me... let me just explain some of these respectable lobbyists. They think this is a great idea,

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and they would like to see it expanded a little bit. One of the... one of the lobbyists that approached me represents the Restaurant Association. So I think it might be a good idea for those of us who want to take our wives or our husbands out for dinner, not only get, get a reference for a good baby-sitter, but how about a reference for a good restaurant on Saturday night? How about a reference for the best gas station to go to, because the gas prices are coming down and competition's great? How about a reference if you get in trouble on a Saturday afternoon, you might need a lawyer Saturday night? How about a good reference for a lawyer on Saturday night? Not only that... Not only that, you might have been working on your car Saturday afternoon and you got your best pants dirty, how about a recommendation for a good dry cleaner on Saturday night? So, Representative, would you be willing to amend this Bill to add all these other good consumer services that we depend on so heavily?"

Righter: "No, I think the Bill's in good form now, and I think we can work on that in the Senate, Representative. Thank you."

Novak: "Well, listen, can I ask you a question? Is Representative Ackerman for this Bill? Now he's just shaking his head no."

Righter: "He's not part of this Bill. He's not, but he's paying very close attention to the debate though."

Novak: "Now, I mean we're doing a great service for our children by providing this 800 number so we can have competent, professional, sensitive child care. Don't you think it's right that we should amend this Bill, add these other services? My God, I have a very difficult time deciding whether I should go see the Titanic or As Good as it Gets."

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Maybe this 800 number could give me a better recommendation at what show to see on a Saturday night. And a restaurant, there's so many restaurants in the City of Chicago; I don't even know which one to pick. I like Italian. I like Polish. I like Greek food. Maybe this 800 number could really... and I like Yiddish food, as well. But maybe this 800 number could really give us some good recommendations. Would you be amenable to that?"

Righter: "No, I don't think the Department of Children and Family Services would be the appropriate agency to give you referrals on restaurants, Representative."

Novak: "Well, the thing is... I mean, when you get a baby-sitter for Saturday night, why do you usually go out? You go out to visit friends, or you go to the show, you go to dinner, you go to the gas station and fill up first before you go to the show or go to the dinner. But I really think your concept is great, but it needs to be broadened. We could provide a tremendous service for our constituents in the State of Illinois, and I really wish you would... really wish you would reconsider and pull this back to Second Reading. We can put these Amendments on and this Bill would fly out of this chamber."

Righter: "I think the Bill's in good form as it is, Representative. Thank you."

Speaker Turner, A.: "The Lady from Cook, Representative Schakowsky. For what reason...?"

Schakowsky: "Thank you, Mr. Speaker. On a point of personal privilege. I would like... if Representative Novak would please describe to us, what is Yiddish food?"

Speaker Turner, A.: "Representative Novak."

Novak: "Well if... I think a proper explanation would be given if we were able to call this toll free number, we have have a

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succinct definition of Yiddish food."

Speaker Turner, A.: "Thank you, Representative, and I might want to remind you that if you're looking for a soul food restaurant, you may contact a few of us here. The Gentleman from McHenry, Representative Skinner, for what reason do you rise?"

Skinner: "Well, Mr. Speaker, we already have Regional Day Care Advisory Services. One is run by the McHenry County Y.M.C.A; Y.W.C.A's all over the state run such advisory services. Why couldn't you just add the information to that database and let that person hand out the information? It wouldn't cost \$875,000."

Righter: "As I stated, Representative, the cost of this Bill is \$100,000 according to the department and the money is already in their budget. Not all the communities in the state are as fortunate as McHenry County to have that kind of resource."

Skinner: "Actually, I think they all are covered by these day care resource centers."

Righter: "Well, I don't know of any service in my district that has the database that the Department of Children and (Family) Services has with regards to all of the child care facilities everywhere in the state."

Skinner: "Is there a DCFS lobbyist on the floor?"

Righter: "I'm sorry."

Skinner: "Is there a DCFS lobbyist on the floor? Perhaps they could come over or he or she could. I have one other question, which is a more partisan nature. Yesterday, Representative Deuchler stole Representative Schakowsky's Prison Privatism Bill and passed it. Today, you have stolen Representative Flowers' Bill, and you're about to pass it. Why are Republicans doing this to Democrats?"

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Righter: "This is Representative Flowers' Bill?"

Skinner: "Yes, last year it was House Bill 466; it's in our analysis."

Righter: "Well, I think it's a good Bill."

Skinner: "And it died."

Righter: "I think Representative Flowers should be congratulated on introducing it, and I'm proud to be able to sponsor it this time."

Skinner: "Well, is the state going to be liable if somebody... if some kid gets hurt at one of these day care centers that the state's recommended?"

Righter: "I'm sorry, Representative, I'm not..."

Skinner: "It's a lawyer question. Will the state be liable if a recommendation is given for a day care center and the kid gets hurt?"

Righter: "This is not a recommendation. It's a presenting of what's in the record. They're not saying, 'Don't take your kids there' or 'Take your kids there'. They're just saying this is what we have on this child care center."

Skinner: "So what might those little things in the record be? That a sex offender is you as a kid?"

Righter: "Licensing violations and substantiated complaints."

Skinner: "Are you aware there are no more 800 numbers available?"

Righter: "Am I aware there are no more? Is that what you asked me?"

Skinner: "Yes."

Righter: "Well, I'm sure we can turn to a 1-888."

Skinner: "Well, actually, there's a third exchange now, so there are probably no more 888 numbers."

Righter: "I was not aware of that."

Skinner: "I think it's 878 now or something like that. Well, it seems to me that this ought to be decentralized in addition

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to your little proposal. The local day care... the local day care resource centers ought to have this information. Will that be allowed under your Bill?"

Righter: "That the local day care centers have..."

Skinner: "Not the local day care centers, but there's a day care resource center in each part of the state."

Righter: "Will they be allowed to have that information?"

Skinner: "Will they be allowed to under your Bill?"

Righter: "This Bill doesn't address that."

Skinner: "Oh."

Righter: "This Bill wouldn't prohibit that."

Skinner: "It ought to, thank you."

Speaker Turner, A.: "The Gentleman from Logan, Representative Turner. For what reason do you rise?"

Turner, J.: "Will the Sponsor yield?"

Speaker Turner, A.: "He indicates he will."

Turner, J.: "Representative, I believe Representative Skinner indicated the cost was \$875,000; however, I thought you had said earlier that the cost was \$100,000 annually. Which is it?"

Righter: "It's 100. The Bill last year would have been 875."

Turner, J.: "Does DCFS support this Bill?"

Righter: "Yes."

Turner, J.: "Does DCFS indicate whether or not they will have to hire additional personnel in order to take on the additional responsibilities that are set forth in your piece of legislation?"

Righter: "Yeah. They indicate that it will probably be two new personnel."

Turner, J.: "I'm sorry, they will have to hire new personnel?"

Righter: "Yes."

Turner, J.: "I'm just curious in your discussions with DCFS, and

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I know it's common to... I would guess everybody on the floor has seen the situation where you read in the paper or hear on the radio where there's been some kind of an abuse case, and inevitably DCFS will indicate that they simply didn't have enough personnel to cover the situation or that they did not have sufficient funding, I'm just curious whether, and I know this is your first Bill, but this is a serious question. I'm curious whether you think it's prudent to add additional responsibilities onto DCFS when every time we have an abuse case, DCFS indicates that they did not have sufficient personnel or that money was inadequate and whether we should actually be giving them new responsibilities?"

Righter: "I think that that would be a serious concern if DCFS were telling us on this Bill that they don't have enough people and they don't have enough money. But their position on this Bill is they support it. They have enough money. The money is in the budget and they're ready to go on it."

Turner, J.: "So DCFS has enough money to do this, and all the other responsibilities that we give them?"

Righter: "I don't know about the other responsibilities. I'm talking about for this particular Bill."

Turner, J.: "All right. Thank you, Representative."

Speaker Turner, A.: "The Gentleman from Cook, Representative Parke. For what reason do you rise?"

Parke: "Thank you, Mr. Speaker. I call for the question."

Speaker Turner, A.: "The Gentleman yields. Oh, the Gentleman moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the main question is put."

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Representative Righter, to close."

Righter: "Mr. Speaker and Members of the House, I think this is a good Bill. It's a very simple step that we can take here in the Legislature to help provide information for all the families, where both parents work, so they can have a good idea whether or not they're putting their children in a place that will be safe and has a clean record. I appreciate an 'aye' vote."

Speaker Turner, A.: "The question is, 'Shall House 2583 pass?' All those in favor should vote 'aye; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? This is the Gentleman's first Bill. Have all voted who wish? The Gentleman wishes more. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 109 voting 'aye', 1 voting 'nay', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hartke in the Chair."

Speaker Hartke: "On Page 17 of the Calendar appears House Bill 2637, Representative Winkel. Out of the record. On Page 17 appears House Bill 2650, Representative Persico. Representative Persico. Out of the record. On Page 18 in the Calendar appears House Bill 2758, Representative Coulson. Representative Coulson. House Bill 2758. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2758, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of this House Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is a Bill that requires each long term-care facility to display in multiple conspicuous public places, a placard

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that tells about the Ombudsman Program. I have one right here. Currently, they are required to display them, but many facilities have them behind kitchen doors and in places that visitors and residents can not see. And we are encouraging the... requesting that the nursing homes put them in more conspicuous places. I'd be happy to answer any questions."

Speaker Hartke: "You heard the Lady explain her Bill. Are there any questions? The Chair recognizes the Gentleman from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman (sic-Speaker), Ladies and Gentleman of the House. I have to commend the Sponsor for this. As they were holding hearings in this subject, they realized that there needed to be some changes made, that there needed to be that this legislation was necessary for the benefit of the... our aging population. So, I urge your strong support of this Bill and thank the Sponsor for doing a lot of work on this."

Speaker Hartke: "Is there any other discussion? Seeing no one seeking recognition, Representative Coulson, to close."

Coulson: "Thank you. I would urge an 'aye' vote."

Speaker Hartke: "The Lady has asked for the passage of House Bill 2758. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2758, there are 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present', and having received the Constitutional Majority, this Bill is declared passed. On Page 18 of the Calendar appears House Bill 2791, Representative Crotty. Maggie Crotty. Out of the record. Page 18 of the Calendar appears House Bill 2822, Representative Capparelli. Out of

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the record. Page 18 appears House Bill 2842, Representative Kubik. Out of the record. House Bill 2864, Representative Meyer. Meyer, Jim Meyer. Mr. Clerk, call the Bill."

Clerk Rossi: "House Bill 2864, a Bill for an Act for to amend the Local Records Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2864 establishes standards for public records' disposal and retention regarding digitized electronic form. This Bill originated as a request by the City of Chicago, the Illinois Municipal League and also DuPage Mayors and Managers, and it addresses a problem of the cost of storing non-digitized forms or records. And it provides that the state will... the archives and the rec... local Records Commission will establish a formatting that is appropriate for digitized record storage. Be happy to answer any question."

Speaker Hartke: "The Gentleman has explained his Bill. Does any seek recognition for discussion? Seeing none, the Gentleman has asked for the passage of House Bill 2864. All those in favor signify by saying 'aye'; those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2864, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Page 18 of the Calendar appears House Bill 2986, Representative Saviano. Out of the record. On Page 18 in the Calendar appears House Bill 3026, Representative Biggins. Representative Biggins. Out of the record. Page 18 in the Calendar appears House Bill

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3028, Representative Wirsing. Out of the record. On page 18... Mr. Clerk, return this Bill to Second Reading. On Page 18 in the Calendar appears House Bill 3055, Representative Novak. Out of the record. The same page appears House Bill 3139, Representative McAuliffe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3139, a Bill for an Act in relation to public officials. Third Reading of this House Bill."

Speaker Hartke: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3139 is a legislation that amends Election Code and the Illinois Municipal Code which will provide that a conviction for an offense that disqualifies an office-holder from holding his or her office shall occur on the date of the return of a guilty verdict or an entry of finding guilt. The purpose of this Bill is... send a strong message back to our constituents to let them know that somebody is convicted of a crime while holding office that that person will be moved immediately. And I'd be happy to answer any questions on this."

Speaker Hartke: "The Gentleman has explained his piece of legislation. Are there any questions? Are there any discussion? No one seeking recognition, the Gentleman has asked for the passage of House Bill 3139. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3139, there are 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Page 18 of the Calendar appears House Bill 3181, Representative Noland. Mr. Clerk, read the

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Bill."

Clerk Rossi: "House Bill 3181, a Bill for an Act to amend the Election Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Noland."

Noland: "Mr. Speaker, thank you. Ladies and Gentlemen, House Bill 3181, it amends the Election Code, and it deals with the issue of address changes because of your 911 re-addressing. So, what it says that if you have... if you have not moved, but yet your address has changed because of 911, and your... you're qualified to voted for every other reason, you are still eligible to vote, even though your address changed because of the 911 implications."

Speaker Hartke: "You've heard the Gentleman explain his Bill. Is there any discussion? Seeing none, the Gentleman has asked for the passage of House Bill 3181. All those in favor vote 'aye'; all those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3181, there are 115 Members voting 'yes', 0 voting 'no' and 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar appears House Bill 3248, Representative Leitch. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3248, a Bill for an Act concerning special license plates. Third Reading of this House Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is a license plate which promotes mammography research and grants and so forth. It's being introduced on behalf of the Susan Colman Foundation in Peoria. I know of no opposition and I would ask for its approval."

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Speaker Hartke: "You've heard the Gentleman explain the Bill. Is there any discussion? There's no one seeking recognition, yes, the Representative from Livingston, Representative Rutherford. He's declined comment. Anyone else seeking recognition? Seeing none, Representative Leitch has asked for the passage of House Bill 3248. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3248, there are 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And House Bill 3248, having received a Constitutional Majority, is hereby declared passed. Page 19 of the Calendar appears House Bill 3254, Representative Saviano. Out of the record. On the same page appears House Bill 3292, Representative Wait. Representative Ron Wait. Out of the record. Going back on the Calendar, Page 19, is House Bill 3254, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3254, a Bill for an Act amending the Liquor Control Act of 1934. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 3254 provides for an affirmative defense when an establishment properly requests identification for an individual or customer before serving them liquor and eventually gets... gets arrested based on the fact that the person provided a false form of identification. This allows for an affirmative defense to be used by the defendant in defending themselves on those charges. This Bill came out of committee unanimously, there's no known opposition, and I would ask for your favorable

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consideration."

Speaker Hartke: "You've heard the Gentleman explain his piece of legislation. 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: "Indicates he will."

Black: "Representative, there... this Bill has been amended in committee, that's my understanding, the Amendment's on the Bill? I... I think there was an Amendment to clarify..."

Saviano: "Yeah... Yes."

Black: "...Restaurants, et cetera. Correct?"

Saviano: "Yes... Yes, the Bill is amended."

Black: "And so... so that Amendment is on the Bill, and I think that addressed a lot of the concerns that people had."

Saviano: "That is correct."

Black: "Thank you very much."

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

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

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 3254. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3254, there were 112 Members voting 'yes', 0 voting 'no', and 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Page 19 of the Calendar appears House Bill 3330, Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3330, a Bill for an Act to amend the

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School Construction Law. Third Reading of this House Bill."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When the language for the school construction program was put together, was indicated that the debt service help went back to January 1 of '96, but somehow there was a slip up in the drafting and it did not indicate that the actual construction help went back to January 1 of '96. That... That is really... I... I know that that was the intent, and all this does is provide the correct language so that the intent is clear. That's all the Bill does, Mr. Speaker."

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

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

Speaker Hartke: "Indicates she will."

Black: "Yes, Representative, how... how far back does this go? This makes the bond program retrospective. Am I correct in that assumption?"

Cowlshaw: "This Bill says that you are entitled to have some help with your construction costs, depending on however you fall within the various formulas that are used. If you passed a referendum every... anytime after January 1, '96, and if you have any bonds not yet sold."

Black: "Okay, so... so, a school district that had passed a bond referendum ten years ago, could not get in the program to help..."

Cowlshaw: "No, Sir."

Black: "...them retire the bonds outstanding?"

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Cowlishaw: "No... no..."

Black: "Okay."

Cowlishaw: "Rep... Representative, it... it was not the... Even the debt service doesn't go back any further than January 1 of 1996. So, no, there would be no intent of going back as far as ten years."

Black: "And... And this... this... Is this good for schools, only named after Legislators, or would this be good for schools named after past presidents?"

Cowlishaw: "This would be good for schools no matter for whom they are named."

Black: "Yes, well I... I recall reading, oh, I think it was a weekly newspaper, The Chicago Tribune or something, a year or two ago that one of our colleagues had a school named after her and the name now escapes me, but I..."

Cowlishaw: "I did hear a rumor to that effect, Representative."

Black: "Yes, I... Was it the Mary Lou school or...?"

Cowlishaw: "It's a very nice school..."

Black: "Very close... yes."

Cowlishaw: "I've actually had a chance to visit it, yes. Thank you."

Black: "Yes, well, I knew it wasn't the Kubik School. I knew that for sure."

Cowlishaw: "Thank you."

Black: "Has the State Board of Education taken a position on the Bill?"

Cowlishaw: "I do not believe so."

Black: "And as far as you, is there any way... Obviously, Representative, you know the question that always comes up on these things, can this be construed by people in the collars as somehow circumventing the tax cap?"

Cowlishaw: "Absolutely not. It has nothing to do with the tax

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cap."

Black: "Well, I'm glad to hear a forthright answer on this floor. It's a refreshing and rare occurrence, and I thank you very much for your forthright answer."

Cowlshaw: "Anytime at all."

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

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

Speaker Hartke: "Indicates she'd be happy to."

Cowlshaw: "Yes, Sir."

Giles: "Representative, I think I just heard you respond to Representative Black that the Illinois State Board of Education has no position on this Bill. Is that correct?"

Cowlshaw: "Representative, that is the best of my knowledge at the moment. I believe the State Board of Education has been so busy trying to revise the rules for this program that have come before JCAR, that we have turned down them twice and made them go back and start over. I think they probably, at this point, are in so much upheaval over all of this, that they probably have not actually taken a lot of time to try to address things like this individual Bill."

Giles: "Representative, according to my analysis, I'm not sure if your analysis has the same data, but..."

Cowlshaw: "I'm sorry, Representative, I cannot hear one word you are saying; it is so noisy in here."

Speaker Hartke: "Let's give the Gentleman your attention, please."

Giles: "Once again, Representative, according to my analysis here on my lap top, I see where the Illinois State Board of Education is an opponent to this legislation..."

Cowlshaw: "No, Sir. I just got the final word..."

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Giles: "Maybe that's a mistake or maybe you have not been notified."

Cowlshaw: "I just got the final word from our staff person here that they are, in fact, neutral on this Bill."

Giles: "They are neutral?"

Cowlshaw: "That is correct."

Giles: "Okay, well, then maybe my lap top and I'm sure many of the... of the Democratic Legislators, their lap tops maybe need to be changed. Seeing that they are neutral, why would they be neutral? How come they would not be supportive of this excellent piece of legislation, as you have proposed? Why would they be neutral, Representative?"

Cowlshaw: "Representative, the last thing in the world that I would ever do is... is to make any assumptions or speak in behalf of the State Board of Education. I have virtually no idea why they're neutral, but then most of the time I don't understand why they're for or against things either."

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

Cowlshaw: "Thank you very much, Sir."

Giles: "Mr. Speaker, to the Bill. I think, I... I truly feel that according to my lap top, the State Board is opposed of this legislation..."

Cowlshaw: "No, it isn't."

Giles: "It seems to be an all right piece of legislation, but once again, we need to truly take a look at what we're... what we are voting on and trying to pass out of this chamber. And because of the State Board is neutral, I offer that our Membership be neutral as well on this legislation. Thank you."

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

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

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Speaker Hartke: "Indicates she will."

Cross: "Representative, would this apply to... I had a school district that did some Certificates of Participation back last year, and I'm trying to figure out whether or not this Bill would apply to those, th... that particular school district?"

Cowlshaw: "I'm sorry, Representative Cross, I could not hear your question."

Cross: "Maybe I should repeat the question."

Cowlshaw: "I'm sorry to make you do that, but I didn't hear it."

Cross: "Woul... Could you tell me if House Bill 3330 would apply to schools that had built their school districts... or school buildings with Certificates of Participation? I'm told they're referred to as just COP's. There would now... there would not be a referendum voted on and they would just... they would raise their money through the Certificate of Participations. Would this apply?"

Cowlshaw: "Representative Cross, many... on many occasions when I am asked a question here, I am hesitant to give a definitive answer only because I am not an attorney, and the last thing I want to be accused of is practicing law without a license. However, I believe that the language of the School Construction Law actually says that this is meant for any bond program authorized by referendum and consequently any program that, no matter how worthy that may have been undertaken by a school district, that did not involve a general vote by the general public within that school district and be approved in that way, would not fall under the provisions of the construction... the School Bond Construction Act of the State of Illinois, anyway."

Cross: "Thank you. I have a couple other questions, if that's okay, Mr. Speaker?"

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Speaker Hartke: "That's fine."

Cross: "I appreciate it. I think that was a no, Representative."

Cowlshaw: "I... I think it was a no."

Cross: "Would the State Board of Education be able to help me out more?"

Cowlshaw: "I do not know whether the spokesperson for the State Board of Education is here today or where he is. Yes."

Cross: "I'm sorry, I guess we're looking for the State Board of Education, Repr... Mr. Speaker."

Speaker Hartke: "I thought he just walked over to Representative Cowlshaw."

Cross: "Is he going up there to ask... to answer the question?"

Cowlshaw: "Represent... Pardon me. Mr. Speaker, may I ask a favor, please?"

Speaker Hartke: "Sure."

Cowlshaw: "Representative Schoenberg knows the exact and accurate answer to Representative Cross' question. And since I don't know the answer, would you be willing to recognize Representative Schoenberg to give the answer?"

Speaker Hartke: "I think Mr. Cross is seeking the answer to the question and I really think that if Mr. Schoenberg has the answer, that we ought to let Mr. Schoenberg answer the question."

Cowlshaw: "Thank you."

Speaker Hartke: "The Chair recognizes..."

Cross: "Especially if he has another guest here."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "I do wish to thank you, Mr. Cross, before I answer your question for the acknowledgment of Sara Tueting, which is on my microphone today. To address the question, Certificates of Participation, which you may recall, we have discussed last year and the year prior, have to do

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with lease purchase agreements. So, under a lease purchase agreement, the entity technically does not own the... does not own the building. So the school district would not own the building technically until the completion of the lease purchase agreement. So, that... It's my belief based on my understanding of Certificates of Participation, these are entirely different animals than bonds. Not just in that, whether they... whether or not they require referenda, but they are... As far as who actually owns the physical structure, there's a distinct difference. For Certificates of Participation, they're owned by the person... they're owned by the party that enters into the lease purchase agreement. Whereas a school district that enters into a bond, they are al... they are from the minute the building is built, they're in possession of total ownership of the building."

Cross: "Jeff, I appreciate the answer. I guess one of my concerns is, are we discour... are we encouraging school districts to issue bonds through referendums and not take advantage of the Certificate of Participation Programs which may... may be good vehicles to finance schools, the building of schools?"

Schoenberg: "Certificates of Participation are instruments which are, which are actually less advantageous for a public body to use. I would... My guess is that it's unlikely that a school district want... would want to use Certificates of Participation because they cost more than actual bonds do. Certificates of Participation are only backed by moral authority. They... Because they need to be insured, they cost more. The interest rate is higher. I would find it highly unlikely that... I would think it would be highly unlikely the school district would want to use Certificates

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of Participation: one, because there credit worthiness would not be that bad; but two, because I don't...any school district that would be able to get away even if they wanted to with paying more on the interest rates because these instruments do need to be insured."

Cross: "Thank you, Jeff. Mr. Speaker, thanks for the time."

Speaker Hartke: "You're welcome. Further discussion? The Chair recognizes the Gentleman from DuPage, Representative Persico."

Persico: "Thank you, Mr. Chairman (sic-Speaker). Will the Sponsor yield?"

Speaker Hartke: "Which one? Representative Cowlshaw? Yes, she will."

Cowlshaw: "Thank you."

Persico: "Representative, if this piece of legislation, this fine piece of legislation, becomes law, are they... the new districts that would become eligible, are they under the same ration of 35% to 75% of recovery of the original bonds as House Bill 452?"

Cowlshaw: "Yes, I understand the question, and the question... and the answer is absolutely. The formulas that are used by the State Board of Education to determine any kind of rankings for these projects and the formulas that are used by the Capital Development Board, including the sliding scale that starts at the bottom of 35 and goes higher, all of those things would apply to this exactly the way they do to all of the other projects."

Persico: "So, the wealthier school districts would receive less in return and... as other school districts throughout the state might?"

Cowlshaw: "Well, I'm glad you made that point, Representative Persico, because that's absolutely right. The provisions

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within the Capital Development Board rules for these kinds of projects, are based partly upon the EAV per student, and then there is a sliding scale. So clearly, wealthier school districts get a much smaller percentage of help toward these projects than do poorer school districts, and I'm sure you would agree that it is as it should be."

Persico: "Yes, I do and to the Bill, Mr. Chairman (sic-Speaker). I stand in strong support of House Bill 3330. When we debated the School Education Bill last December, one of the things that many Legislators felt was that we wanted to help all the school districts in the State of Illinois, and one way was to do it was through the school construction bonds. And as far as I'm concerned, I had two districts that passed referendum in '97, which I thought was eligible for these particular bonds, and so I'm very much in support of House Bill 3330."

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

Turner, J.: "Sponsor yield?"

Speaker Hartke: "Indicates she will."

Turner, J.: "Representative, how many school districts does the legislation affect?"

Cowlshaw: "About 79."

Turner, J.: "If a referendum has been passed, but the bonds have not been issued, does that make any difference under the wording of your Bill?"

Cowlshaw: "Yes, that is what the wording is."

Turner, J.: "What... Could you just explain that to me?"

Cowlshaw: "All right. This applies if you have got voter approval, it applies to that portion of the bonds that were still unsold as of January 1, 1998."

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Turner, J.: "Thank you. No further question."

Speaker Hartke: "Further discussion? Seeing none, Representative, excuse me. The Chair recognizes the Gentleman from Bureau, Representative Mautino."

Mautino: "Will the Sponsor yield?"

Speaker Hartke: "Indicates she will."

Mautino: "Would these... Representative, this is the Bill that we discussed yesterday?"

Cowlshaw: "Indeed, it is."

Mautino: "Okay. Would the... Would this also cover the bonds that have been sold on life safety?"

Cowlshaw: "No."

Mautino: "Okay. That's... That's something I wanted to find out..."

Cowlshaw: "That's a separate category entirely from this program."

Mautino: "Okay. What I wanted to find out then is, what is the net effect? How many other school districts then will this affect or allow back into the construction site?"

Cowlshaw: "Although it's hard to hear your question, I think the ans... I think your asking the same question that was asked before, and the answer is 79."

Mautino: "I apologize, over the noise in the chamber, I haven't been able..."

Cowlshaw: "It is so noisy. It is 79."

Mautino: "Seventy-nine additional schools?"

Cowlshaw: "Districts, that's right."

Mautino: "Okay, that have already started construction and then this would be the unused portion of the..."

Cowlshaw: "No, no, not necessarily."

Mautino: "Shouldn't we have already..."

Cowlshaw: "Some of those may not necessarily already have

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started construction."

Mautino: "Okay, and they would be able to answer... Now under the law we passed earlier, they would have been allowed into the debt service, the 10% portion?"

Cowlshaw: "Yes, indeed, but not the regular construction fund help."

Mautino: "Okay, now why is that? What was in 452 that..."

Cowlshaw: "Well, I tell you the truth, Representative, the language of that Bill was drafted very poorly. It was very sloppy."

Mautino: "I remember. That was... My comments were to that on 452."

Cowlshaw: "Indeed, they were, and you were right on the button on that. The fact is that although the intent originally was that both the debt service portion of this program and the construction portion of the program should both go back and include every approved referendum since January 1 of 1996, but that isn't what the language, when read by those who interpret this says. The debt service goes back to February 1, '96, but the construc... Unless we pass this Bill, the construction only applies to those referenda that have been passed within the calendar year that we are now in."

Mautino: "Now, these projects, these 79 projects, do we have a dollar cost?"

Cowlshaw: "I don't think we do, Sir, because until they know whether they qualify at all, they would not have worked those through those formulas, which as you know it, if you're a wealthier school district, you only get 35%; if you're a poorer school district, you get as much as 65%. I don't think we have those numbers yet."

Mautino: "Well, what I'm just wondering is, when we open that, I

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think there's 30 million available for this year and then it moves to 200 million the year after that, and is there... What I'm just wondering is what the dollar value, I guess, once we open these up. Since these towns have already sold, these school districts have already sold their bonds, would they then move up higher on the priority list since they're ready to go?"

Cowlshaw: "Well, Representative, there really is no adequate way to answer your question, because of the fact that the rules and regulations that the State Board of Education adopted as emergency rules earlier this year have now twice been before JCAR. And in neither situation have they been approved; and therefore, until we know what those rules and regulations are going to be, we can't really calculate some of the kinds of things that you're talking about. One of the issues, for example, that is unresolved is whether if... if SBE and CDB put together a priority list, and they say... say they have 11 school districts and they're numbered 1-11, and at the end of that fiscal year of the state, only ten of those have been completed. Does that one that's left roll over into the next fiscal year and become number one all over again, or does it roll over into the next fiscal year and compete..."

Mautino: "And then get re-prioritized."

Cowlshaw: "...in a new set of groupings and compete all over again?"

Mautino: "Well, that's... that's what I wanted to figure out on here, because in effect, what we're doing with the 79 schools that were left out of 452, they would have been eligible for 10% only, under the debt service side. Now we're going to say it's a minimum of 35% that they would now be eligible for in funding, and these projects are

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ready to go. There is cash in hand. So, I think that moves you up on the CDB drawing. That's where my concern is, is... Will these 79 projects from two years prior end up using up the \$30 million allocation that we have for this year's round? Do you follow me?"

Cowlshaw: "I... I follow you, Sir, and yet I heard someone, I think it was just yesterday, explaining that over the past five years, the total amount that has been dedicated to... that has been approved through referendum and actually spent by school districts throughout the state for construction and renovation is just slightly over a billion dollars. This program is \$1.4 billion, also spread over four years. And so, it would seem to me that there... although I know the State Board of Education says that we need way more money, but then every agency always tell you they have to have way more money, I think there is adequate money there to take care of this program and satisfy the needs of all these school districts in accordance with the formula. And I do not believe in absolute truthfulness, Sir, I do not believe that this would interfere with that."

Mautino: "Okay. That's... My concern is right now, there are ten schools who have cash in hand and have met that, that portion of the program where CDB would go down the list now of the priorities say, 'Are you ready? Have you sold the bonds? Do you have cash in hand?' If it's no, you move off to the side, they go to the next. There are ten schools at this point that do. Now, by passage of this legislation, do we then move 79 schools into that..."

Cowlshaw: "No, no, because not all 79..."

Mautino: "Those ten schools will most likely use up this year's appropriation."

Cowlshaw: "Not all 79 of them are even going to qualify."

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Mautino: "Okay. That's just what I was wondering, because that's a concern if we do shift them and someone has cash in hand and has a \$20 million level. Well, then with this program that bonding took 20% off the top and gave to the City of Chicago, leaves \$24 million available. If this project moves in at \$20 million, there's the funding and... but you assure me that is not the case."

Cowlshaw: "That is correct."

Mautino: "Okay."

Speaker Hartke: "The Chair now recognizes Representative... from Kankakee, Representative Novak."

Novak: "Yes, will the Lady yield?"

Speaker Hartke: "Indicates she will."

Novak: "Representative Cowlshaw, did I hear you right? Just a few minutes ago, when you were speaking with Representative Mautino that you felt there was enough money in this bond program to accommodate the school districts in Illinois that are wishing to access these dollars?"

Cowlshaw: "Yes, Sir."

Novak: "You did? Okay."

Cowlshaw: "Yes."

Novak: "Let me... Ladies and Gentlemen, let me just speak to this Bill and just point out a couple things. And I know she has a problem with a school in her district and like I have a problem with a school in my district. But, we were all excited about this bond program last fall that was part of House Bill 452. This is the first one we've seen in 20 years, \$1.4 billion. Let me tell you right now that a lot of school districts are going to be disappointed because we've made a number of changes, either through JCAR or the State Board has through their rule making process. We took the threshold out that the State Board put in that put in

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a 129 more small school districts, which they should have been put in. They dropped the 20% cap on new growth and enrollment. That benefitted the suburban school districts because of all the population growth. Now, we're doing this for another set of school districts about eight or nine, because it goes back retroactively as far as a successful bond issue. That's good and well, that's fine, but the pot remains the same. It's still \$1.4 billion. We better get serious about making that pot bigger, so we don't disappoint more school districts around the state. I don't care whether they're in Naperville or St. Anne or in Timbuktu, that's all I care for. We better make sure, that hopefully at the end of this fiscal year, that we can find some mechanism to sweeten this \$1.4 billion pot to accommodate all these school districts that want to access these dollars. And I would like to indicate that Representative Schoenberg also has a similar situation in his district."

Speaker Hartke: "Further discussion? For what reason does Representative Schoenberg rise?"

Schoenberg: "Mr. Speaker, my name was mentioned in debate. I'd like to..."

Speaker Hartke: "Yes, go ahead. You have a personal privilege to respond."

Schoenberg: "Thank you. Very briefly, I... I just wish to underscore a point that Mr. Novak has made, which is something that we should consider when we are arriving at a final budget figure. There's a lot of discussion about what kind of tax relief we're going to provide certain segments of the population. The Governor has already drawn his line in the sand, as to how he feels about tax relief. And there have been many plans about tax relief. But as

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Mr. Novak indicated, this is not going to address all the capital construction needs for the schools that are out there; however, what we need to bear in mind is the following: for every one million... there's a ten to one ratio of dollars that we commit of bonding capacity... to bonding capacity that we can receive. In another words, for every million dollars more that we give in our budget for the coming fiscal year for school bond construction, we'll be able to do ten million more in bonds. If we commit ten million more in general revenue funds or any other source, that's a hundred million more. That's a large number of more districts that will be able to help. I just wish to raise this point so that we can bear this in mind as our budget discussions draw to a close. Thank you."

Speaker Hartke: "No one else seeking recognition, Representative Cowlshaw, to close."

Cowlshaw: "Thank you very much, Mr. Speaker. In response to Representative Giles, I have been able to determine from the official spokesperson that the State Board of Education is neutral on this Bill. This is a matter of simply... It's a fine tuning sort of thing to simply make clearer the provisions that were passed in House Bill 452 on December 2, 1997. Also, I could not agree more with the last two speakers on any issue that we have raised here. This is an excellent program and certainly we ought to make it as inclusive, rather than exclusive, as we can. We ought to try to include just as many school districts as possible. And I, for one, would be glad to work with the people from the other side of the aisle who have spoken about this. If \$1.4 billion is not sufficient and if that... if it is insufficient to the point that there are genuine needs for

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construction and renovation of our public schools that are not being met through this program, I would most certainly be glad to see if we could possibly increase that amount of money that is available for this purpose. However, Mr. Speaker, I do want to point out that this Bill has nothing to do with that. All this Bill does is make sure that we have defined clearly which school districts are eligible for this help and which ones are not. It is a matter of fairness and it is a good Bill. I would ask for your support. Thank you."

Speaker Hartke: "The Lady has asked for the passage of House Bill 3330. All those in favor signify by voting 'aye'; those that are opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3330, there are 70 Members voting 'yes', 33 Members voting 'no', and 10 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair would like to announce that if any Member who has a Bill on Third Reading that needs to be returned to Second Reading for purposes of an Amendment should inform and advise the Chair and we'll take the number and move that Bill back. On page 19 of the Calendar appears House Bill 3395, Representative Durkin. Mr. Clerk."

Clerk Rossi: "House Bill 3395, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. House Bill 3395 will expand the Consumer Fraud and Deceptive (Business) Practice Act by which... what we're doing is applying the current damages

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which are... let me start over again. This Bill 3395 will hold that... states that a holder of a retail installment contract is subject to the same damages as that of a new and used automobile dealer under the Consumer Fraud and Deceptive (Business) Practice Act."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, except Representative Black from Vermilion County, Representative Black."

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

Speaker Hartke: "Indicates he will."

Black: "Representative, what... what additional enhancements are we giving the automobile trade by the enactment of your Bill?"

Durbin: "Well, Representative, this isn't exactly dealing directly with the automobile industry. It's more on the end of the banks and finance companies. Because when you enter into a... when an automobile, new or used automobile, is sold, it's usually done through an installment contract. After that initial deal has been consummated, what happens is that the holder of the contract, which is the seller of the automobile, will have that purchased by the finance company. What we're doing is stating the finance company, the holder of the contract, after who is not involved with the original, the original deal will be... is awarded the same types of rights and li... and defenses that are... is currently under the Deceptive (Business) Practice Act."

Black: "But, what happens in the case where under so many of these contracts for installment sale, the contract is sold, often without the knowledge or constructive notice to the individual who entered into the agreement, and suddenly rather than make payments at Acme Motors or The Durkin

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General Store, they're payments to some finance company that they've never heard of out of state. And the finance company becomes a little bit aggressive. You miss a payment or you've delayed a payment, and pretty soon you lose everything that you thought you were purchasing. Does this hold that finance company that bought that contract, does this give them additional means to escape responsibility in the case of a foreclosure without due process?"

Durkin: "No. It's contrary what the finance company still will be held liable for actual economic damages, and they still will be liable for punitive damages if you can show that there is a willful and wanton or reckless action on behalf of the finance company. I mean, we're still not lowering the standard for the finance company then that presently isn't the law, but still there are damages which are available to the individual if they feel that some way that the provisions of the original contract, if they feel that there was a breach along the way."

Black: "I just had a case in my district office about two weeks ago, and without being specific, it involved a purchase of a motor vehicle on what I would call a 'rent to own' agreement which is something new, I think, coming into the market. The interest rate was 24%, I think, annual or 28% annual. The vehicle in question lasted about two days, and to make a long story short, the consumer was not very happy and that the person who sold the vehicle said, 'You know, that's not my problem and you're going to lose all that you've paid and if I have to come get the car, I'm going to come get the car.'. And I thought at the time that my constituent's remedy was somewhat limited, and I'm just wondering if this gives a company, like that, additional..."

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an additional barrier to hide behind, rather than work with the consumer?"

Durkin: "Well, Representative, my understanding is that when that initial contract is entered into, it, I believe it spells out that this is what the percentage and this is what the interest rates are going to be..."

Black: "Right, right, oh yeah, it was on there."

Durkin: "...and it's transferred to the finance company. Whether or not they agree that the interest rates are too high or not, I mean it's... you know it's unfortunate, but you know sometimes we have... When we sit down and make contracts as adults, we have to, you know, read the print. And I don't believe in Illinois, maybe that's something we have to address in the future, whether or not there's any prohibition against some people who refer to it as usury statutes, but... because of the high percentage of the interest rate..."

Black: "Okay."

Durkin: "...I mean that's something which I think we should address..."

Black: "Sure."

Durkin: "...but I think we're not lessening the ability of an individual to seek a cause of action against the finance company under...in this Bill. But I do appreciate your concern, but I think that that's another issue which we may have to address very shortly."

Black: "Okay. I appreciate your response. Thank you."

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

Durkin: "Thank you, Mr. Speaker. I would ask for favorable consideration of this Bill."

Speaker Hartke: "The Gentleman has asked for the passage of House

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Bill 3395. All those in favor vote 'aye'; all those opposed voted 'no'. Mr. Clerk, open the poll. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, House Bill 3395, there are 113 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. Having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 3202?"

Clerk Rossi: "House Bill 3202 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Place that Bill on Second. What is the status of House Bill 3436?"

Clerk Rossi: "House Bill 3436 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Place that Bill on Second Reading. What is the status of House Bill 2637."

Clerk Rossi: "House Bill 2637 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Place that Bill on Second. Finally, House Bill 2478."

Clerk Rossi: "House Bill 2478 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Move that back to Second for purposes of an Amendment also. On page 19 of the Calendar appears House Bill 3406, Representative Kubik. Out of the record. On page 19 also appears House Bill 3410, Representative Saviano. Out of the record. 3415, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3415, a Bill for an Act amending the Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House

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Bill 3415 was amended yesterday with Floor Amendment #2, which I explained the Amendment became the Bill. This was a Bill...an Amendment that was negotiated with the Department of Public Aid, the Secretary of State's Office. It put into law... or puts into law the ability to suspend or revoke drivers' licenses of deadbeat parents who are found in contempt of court. It also offers alternative sentencing methods in the way of work release programs and also local sheriffs' work alternative programs, and I would ask for a favorable vote."

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

Black: "Yeah, thank you very much, Mr. Speaker. Will the Sponsor yield? Hello, Hello, Mr. Speaker? Are you with us? Are you with us, Mr. Speaker? Will the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Black: "Thank you very much. Representative, what is the due process provision on the deadbeats? I mean, how are they notified and do the time to correct an error in the fact they may, in fact, not be a deadbeat?"

Saviano: "The due process is the same as in current law, and what we've done with this Bill is even given them a little bit more of a safeguard, cause we extended it for 90 days before it will take effect. So, if there is any problems in that time, the individual will have a chance to straighten it out."

Black: "So, it... as far as you're concerned then, you would think that the due process provisions would be adequate?"

Saviano: "Well, since it's current law and it's worked pretty good in the past and with this additional language, we feel that this is the fairest way to go."

Black: "Thank you very much, Representative. Mr. Speaker, Ladies

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and Gentlemen of the House, to the Bill. Since we can't explain our vote, I'll just simply indicate why I probably will be the only 'no' vote. It's a statement of what I've seen in my district time and time again. I have people come in every year whose taxes have been intercepted by the Bureau of Child Support for being in arrears, and they are not in arrearage. And every year we spend 6, 9, 10, 12 weeks getting this straightened out. And I know as sure as clock work, I'll see the same 35 or 40 people next year who we were promised this year that they... their records would be, in fact, cleared up. Now, I know there's been some changes in the Bureau of Child Support, I think the Gentleman, the Sponsor of this Bill is a good friend. It's a good Bill; it's not a Bill you should vote against. Quite frankly, nobody wants an actual deadbeat when we owe... when we should have more than \$500 million in unpaid child support on the books. But I just feel that I need to send a message to the Division of Child Support that until you get your house in order, I'm not going to give you any more tools to go after deadbeats, when it seems to me, the only people you catch are, in fact, not deadbeats. They're people who are current in child support. That's why I sponsored, and I believe with the Majority Leader, a legislation to move child support from the Department of Public Aid to the Attorney General's Office. It's nothing personal with me, and it's certainly not in opposition to the Bill. It's simply a statement of my utter dissatisfaction with the way things have been going and working in the division of child support."

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

Jones, Shirley: "Yes, will the Sponsor yield?"

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Speaker Hartke: "Indicates he will."

Jones, Shirley: "Representative, you're saying that if someone...
If a deadbeat dad do not pay their child support, that the
Secretary of State can take their license? Their driver's
license?"

Saviano: "Ultimately that's true, but first it has to be
adjudicated. The person has to be found in contempt of
court, and there's got to be at least a 90 day arrearage,
and you have those 90 days before the revocation or
suspension will go into effect. So, there's enough notice,
there's enough safeguards in place where that individual
would know that he or she has a problem, and they should
straighten it out before it gets to that point."

Jones, Shirley: "Okay. So, who's going to... I mean, will the
Secretary of State collect these license or do the judge
tell the person to turn over their license? How will the
Secretary of State know?"

Saviano: "I don't know if I understand your question, but the..."

Jones, Shirley: "How will the Secretary of State know that this
is a deadbeat dad?"

Saviano: "There would be an order... a contempt order issued by
the court, and the Secretary of State would be notified and
that would reflect it on his computers."

Jones, Shirley: "Oh, Okay. Thank you."

Speaker Hartke: "Further questions? The Chair recognizes the
Gentleman from McHenry, Mr. Skinner."

Skinner: "Wonder if the Sponsor would answer a couple questions?"

Speaker Hartke: "Indicates he will."

Skinner: "What is the law now? What is the law now?"

Saviano: "There is no law regarding your driver's license."

Skinner: "Sure, there is."

Saviano: "There's laws in place. They could suspend your license

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once they get notification from the court. That's current law. And also current law provides that professional licenses also could be revoked for nonpayment of child support."

Skinner: "I'm interested in the driver's license Section. How many driver's license have been suspended under current law?"

Saviano: "We don't know that answer."

Skinner: "All right. Well, there's one part of your explanation that is profoundly troubling. It seems to me that you're going to allow those who are not paying their child support on time to continue not paying their child support on time forever. They could be 90 days late, and there will be no penalty. Families that have custodial children need the child support the month that it is due, not 90 days later."

Saviano: "Well, the 90 day provision addresses the concerns that Representative Black had brought up. It gives a period of time where that individual would have had sufficient notice and was advised that this proceeding was going to take place. I agree with you, it would be nice that you could get a hold of them in a week and say, 'Come on, bring your child support check in', but the logistics of the process just wouldn't allow that. And also just going back to your question, there's a little over 600 drivers' licenses have been suspended under the current law."

Skinner: "Can you tell us why there have been so few suspended?"

Saviano: "I guess I could only assume that the state's attorneys or the private attorneys that move or the judges who issue these contempt orders under their discretion, that's just as many as they wanted to revoke or suspend."

Skinner: "Well, Representative, we have several households coming into my office complaining about late child support

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payments, continually complaining. If in a year or two years we have a record that show that a fairly large number of people are deliberately waiting 90 days because of this law, will you agree to make it less than 90 years... 90 days?"

Saviano: "Well, to be honest with you, this is only one provision. I mean, the current laws are still in effect on collection of past child support. If you're on public aid, the state's attorney acts on that to recover those funds. If you're private, if you're not on public aid, you hire an attorney to go after and chase them. We all have to access the court systems, and unfortunately the court systems move very slow. I think that, you know, this Bill doesn't do everything, but it at least clarifies some areas, puts a little bit more of a bite into the law. And I personally probably have 16 or 20 pending cases right now on back child support. But it's not... it doesn't fall in this scenario, they fall in the scenario where the people move out of state, change jobs continually. They know how to play that system. I think we'd probably be more effective if we tried to tighten up those rules if there's a way. We all know that these people operate in a gray area. And that gray area sometimes is very hard to clear out without, without being unfair to one side or the other."

Skinner: "Thank you, Representative."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Davis, Cook County."

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

Speaker Hartke: "Indicates he will."

Davis, M: "Representative, what is a driver's license suppose to signify? When I pull a driver's license out and show it to

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anyone, what does it mean?"

Saviano: "A driver's license...is, is the vehicle which allows you the privilege to operate an automobile in the State of Illinois."

Davis, M: "But does it say that I have some knowledge of driving an automobile?"

Saviano: "We would hope so."

Davis, M: "Does a driver's license say that I have paid my federal or state income tax?"

Saviano: "No."

Davis, M: "Does a driver's license say that I've paid my credit card bills?"

Saviano: "No."

Davis, M: "So, why should a driver's license indicate whether you've paid your child support? Now, I know this Bill will probably fly out of here, because no one wants to be perceived as not wanting to support a person who is trying to collect child support from a deadbeat dad. And I, too, support women and men who are deserving of, and the court has ruled should get, child support. But I have a very big problem, Representative, with all due respect to you, I have a very big problem when we start to say to a person that because you are accused of not paying child support, you are subject to not getting your driver's license. Now, we have trial lawyers in the State of Illinois who can take child support cases. Are we taking work away from them, by turning the job over to the Secretary of State? I, too, similar to Representative Black, I have had people come to my office who had paid the child support, but the clerk, the clerk of the county, had failed to get the information in a timely fashion. So, the clerk of the county was doing whatever he or she does by preventing this person perhaps

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from getting their tax refund. They grabbed the tax refund erroneously. That may be okay, but to take away a person's opportunity to go to and from work, which could be very, very erroneously by them being excused of not paying child support. Now, we have... we've tried to attach school attendance to a driver's license. We've tried to attach school grades to a driver's license. We've tried to attach many things, but I believe in every state in the United States, a driver's license is simply suppose to indicate that you are an individual who lives at a certain address in a particular city and state and that you have the ability to drive. Your vision is okay, or you need glasses, and you may put on there if you want to be a donor, a body donor, an organ donor. But I think it's so important that we not clutter up the meaning of having a driver's license with the debt that one owes. This Bill is going to fly out of here, but it is taking business from attorneys whose job it is to go after those deadbeat dads. I'm not sure that the child support division is always the one in error; sometimes the clerk's office had made that error in saying a person hadn't paid. And it is unfair for this Body to prevent a person from going to work. Now, suppose that father lives in Denver, Colorado, Representative Saviano. How are we going to attach his driver's license? Suppose he lives in Alaska, does that dad get away? But the dad in Chicago can't drive. That's discrimination, Representative. This is a very bad Bill. Let the driver's license continue to mean what it's suppose to mean. That this is the individual with it, he's been tested and he knows how to drive and hopefully he'll drive safely, safely. Child support belongs in the courts, and it belongs with the judges, and it belongs with the

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attorneys, and it does not belong on a driver's license. I don't want it on my driver's license."

Saviano: "I'm sorry. Could you repeat the question?"

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

Brown: "Will the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Brown: "Representative Saviano, on your Floor Amendment #2, you state that someone who does not pay their child support may be sentenced to community service and a work program. How are they going to participate if we've taken their license away from them?"

Saviano: "That doesn't necessarily mean that their license is go... that's just an alternative sentencing method. They may not have their license revoked at that point."

Brown: "But if we take away their driver's license, particularly in rural areas where public transportation is difficult to come by, how are they going to get to their work program or their community service?"

Saviano: "It's very possible that they could get a judicial driving permit to allow them to comply with their work release sentence or their sheriff's work alternative program sentence."

Brown: "Thank you."

Speaker Hartke: "Further questions? No one seeking recognition, Representative Saviano, to close."

Saviano: "This Bill has evolved over the last couple months through the process. It's been exposed to the Trial Lawyers, the State Bar Association, the Public Aid, Secretary of State's Office. There's over 40 cosponsors on this Bill. I believe everybody knows that this is a good piece of legislation, and I would ask for your favorable

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vote. Thank you."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 3415. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 104 Members voting 'yes', 2 Members voting 'no', and 5 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 19 of the Calendar appears House Bill 3427, Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3427, a Bill for Act to amend the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3427 amends the Illinois Insurance Code regarding women's health care providers. It requires insurances to notify insureds of the right to designate a woman's principle health care provider and to provide a list of participating women's health care providers within 30 days after a request for the list is made. It would be immediately effective. It actually is an addendum to the Bill that I passed two years ago that would allow women to choose an obstetrician/gynecologist as their primary care provider. And it came about because we found out that companies were not informing women of this, nor were some of them providing a list of the providers within their plan that women could choose. I would be ready to answer any questions."

Speaker Hartke: "The Lady's explained her Bill. Is there any discussion? Is there any discussion? Seeing no one

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seeking recognition, the Lady has asked for the passage of House Bill 3427. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3427, there were 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And having received a Constitutional Majority, this Bill is declared passed. House Bill 3428, Representative Zickus. Out of the record. House Bill 3431, Representative Zickus. Out of the record. House Bill 3463, Representative Cross. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3463, a Bill for an Act concerning Franchise Disclosure Laws. Third Reading of this House Bill."

Cross: "Thank you, Mr. Speaker. House Bill 3463 is an initiative of several groups here in the State of Illinois to ease up at least with respect to state laws the restrictions on the franchise laws in this state. This is a Bill that's been amended in committee. It passed out unanimously, and we've had the input of the Attorney General's Office as well in pursuing this Bill. The Illinois Retail Merchants, the Illinois Automobile Dealers' Association, the Restaurant Association, the State Chamber of the NFIB, all support this Bill. And if you have questions, I would be glad to try to answer them."

Speaker Hartke: "The Gentleman has explained the Bill. Is there anyone seeking recognition for discussion? The Chair recognizes Representative Parke from the County of Cook."

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

Speaker Hartke: "Indicates he will."

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Parke: "Representative, my question simply is how are the major franchise corporations in the state on this, such as Pepsico, and McDonalds, and some of the big franchise groups are? Are they in support of your legislation?"

Cross: "Yes."

Parke: "Is there any part of this now that would be considered controversial?"

Cross: "I don't think so, Terry. But some of the groups in the committee, the spokesman for the International Franchise Association was there on behalf of groups like Marriott, Holiday Inn, KFC, Century 21, Mail Boxes Inc., Thrifty Car, McDonalds."

Parke: "Did anybody speak against the Bill in committee?"

Cross: "The American Franchise Association had a representative there and spoke against it, but that was under the underlying Bill. I don't know how they are after the Amendment, Terry."

Parke: "Thank you. Then in that case, I'll support your legislation."

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

Acevedo: "Mr. Speaker, on that last Bill, House Bill 3415, I pressed yes and my button never went off. I would like to be recorded as a 'yes' vote."

Speaker Hartke: "The record will so reflect. The Chair recognizes the Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Johnson, Tom: "Tom, is the Attorney General... is he signed off on this?"

Cross: "Tom, technically he's neutral. There's an Advisory

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Committee that the Attorney General has to deal in the area of franchise law."

Johnson, Tom: "Right."

Cross: "They actually support the concept of this change, but the Attorney General has taken a neutral position. But their committee met, they took testimony, they analyzed, discussed the Bill, and the actual franchise group committee of the Attorney General supports the concept, but the Attorney General officially is neutral."

Johnson, Tom: "Okay, as I understand it, Tom, basically what we are doing now is saying as long as you have complied with the federal registration requirement or as far as putting together a uniform offering circular that that is sufficient. You just file it with the state here now, and you're in business. Right?"

Cross: "Yes. I mean, and maybe you're already aware of this, Tom, there's the feeling that everything we've been doing has already been covered by the Federal Government, and we've been somewhat duplicative, but to answer your question, yes."

Johnson, Tom: "Okay. Does this... Do you know if this maintains provisions that if you are a new franchisor in this state, brand new with no history, in other words, I'm just beginning, you know, under our current law there are provisions that you have to escrow franchise fees up front for a period of up to a year from new franchisees, and that's to protect new franchisees from buying into a new franchise system that has no history?"

Cross: "No change in that... in the Amendment at all in that area."

Johnson, Tom: "Okay, as far as you know, that is still going to be a requirement, and people are going to have to still

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comply and see that those funds are escrowed?"

Cross: "Yes."

Johnson, Tom: "And there's a check through the Attorney General's Office, even under this legislation that, that in fact, will be complied with by new franchisors. Is that correct?"

Cross: "None of the Escrow Section at all was repealed, Tom, either in the Bill or the Amendment."

Johnson, Tom: "Okay. Well, I understand it's in a uniform offering circular, but the enforcement mechanism in the past, as I understand it, was through the Attorney General's Office that made sure that when a new franchisor started up a franchise chain that those monies were, in fact, impounded in escrow until they had complied with the franchise agreement."

Cross: "As the Bill is right now before us, it will continue to remain in the escrow area the same."

Johnson, Tom: "Okay, thanks."

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

Erwin: "Thank you, Mr. Speaker. I just want to rise in support of House Bill 3463. You know, old bureaucratic systems die hard sometimes. I think that this Bill not only will modernize and update Illinois law as it relates to franchise disclosure, but also will reduce bureaucratic and unnecessary procedures that are a serious disincentive for people doing business in the State of Illinois. And most of all, it still protects consumers and franchisees. So, I would urge everyone to support House Bill 3463."

Speaker Hartke: "Further discussion? Seeing none, Representative Cross, to close."

Cross: "I'll rely on Representative Erwin's remarks as a closing."

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I'd appreciate a 'yes' vote. Thank you."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 3463. All those in favor will vote 'aye'; all those opposed vote 'no'. Mr. Clerk, open the polls. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3463, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And having received a Constitutional Majority, this Bill is declared passed. Going back to page 17, we have House Bill 2326, Representative Currie. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2326, a Bill for an Act to amend the Children and Family Services Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker. This measure merely beefs up legislation we passed last year ensuring that personal information about foster parents should not be made public, and the Bill, as amended, requires the department to let people who know that information, let them know they are not permitted by law to disclose it. We value our foster parents, and this is a way of protecting their privacy and confidentiality. I know of no opposition, and I'd appreciate your 'aye' votes."

Speaker Hartke: "The Lady's explained her Bill. Is there any discussion? The Chair recognizes the Gentleman from Logan, Representative Turner."

Turner, John: "Thank you. Will the Sponsor yield?"

Speaker Hartke: "Indicates she will."

Turner, John: "Representative, I couldn't hear your explanation. I hate to ask you to repeat it, but it's kind of loud, just real quickly so I make sure that I understand what your

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Bill does."

Currie: "Last year, we adopted legislation protecting the privacy of foster parents. This Bill adds a penalty to that provision for people who improperly violate confidentiality and requires the department to make sure that people who have that information understand that they are not permitted to make it public."

Turner, John: "The legislation previously passed did not have a penalty provision? Is that what you're suggesting?"

Currie: "Yes, yes."

Turner, John: "And what is the penalty under this Bill?"

Currie: "Class A Misdemeanor."

Turner, John: "What would be considered a violation so that the Class A Misdemeanor, which is up to a year in jail, might be imposed by a court?"

Currie: "It is my contention that there would be very few, if any, prosecutions under the statute. But the fact of a penalty, I believe, would discourage people from improperly violating the privacy rights of a foster parent. There have been some incidents involving information going to the press, information going to neighbors or others that make it hard for people to serve as foster parents. We want to encourage foster parents, not discourage that activity."

Turner, John: "And it's your understanding that there is no opposition to your Bill?"

Currie: "That is right."

Turner, John: "Did it pass out of committee? I believe my notes indicate unanimously."

Currie: "It did and the Department of Children and Family Services is comfortable with the provision."

Turner, John: "Okay, thank you, Representative."

Speaker Hartke: "Further discussion? Seeing none, Representative

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Currie, to close."

Currie: "I appreciate your support."

Speaker Hartke: "The Lady's asked for the passage of House Bill 2326. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2326, there are 115 Members voting 'yes' and 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 19 of the Calendar appears House Bill 3464, Representative Mautino. Representative Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3464, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3464 addresses a problem that currently Illinois, we don't expressly regulate the sale of service contracts, and this would leave consumers unprotected and creates an uncertainty for the retailers who provide these. The Department of Insurance is in agreement with the provisions of the Bill, along with consumer groups, and the Retail Merchants Association. This will essentially give us a structure based within the Department of Insurance to regulate these contracts. And I'd be more than happy to answer any questions. I know of no opposition."

Speaker Hartke: "The Gentleman has explained the Bill. Is there any discussion? The Chair recognizes the Gentleman from Kendall, Representative Cross."

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

Speaker Hartke: "He indicates he will."

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Cross: "Frank, there's no opposition?"

Mautino: "No, there's not. As a matter of fact, it's... there are some pretty stringent contract disclosure requirements. And we're actually requiring that any companies selling these service requirements have either a substantial asset base, over a \$100 million, or at least carry an insurance policy which will cover and make sure that should anything happen, the monies would be there to back up the contracts."

Cross: "And I see if I'm reading our analysis correctly, the Department of Insurance also supports the Bill?"

Mautino: "Yes, they were an integral part in getting this drafted and structured."

Cross: "All right. Thank you very much."

Speaker Hartke: "Further discussion? Seeing none, Representative Mautino, to close."

Mautino: "I'd like to thank the Speaker, Ladies and Gentlemen of the House, appreciate your favorable consideration on House Bill 3464."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 3464. All those in favor signify by voting 'aye'; those opposed voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3464, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present', and having received the Constitutional Majority, is hereby declared passed. On page 19 of the Calendar appears House Bill 3472, Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3472, a Bill for an Act to amend the Uniform Commercial Code. Third Reading of this House Bill."

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Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill essentially just allows for CD's to be used as security and to borrow against them. This is an initiative of the Community Bankers' Association. Nobody's against the Bill; it's a common sense piece of legislation and I ask for an 'aye' vote."

Speaker Hartke: "The Gentleman has explained his legislation. Is there any discussion? The Chair recognizes the Gentleman from Logan, Representative Turner."

Turner, John: "Sponsor yield?"

Speaker Hartke: "Indicates he will."

Turner, John: "Representative, could you run through the process of how the security interest is perfected?"

Hoffman: "It would be perfected pursuant to the Uniform Commercial Code, which has been adopted in Illinois."

Turner, John: "I haven't visited the UCC recently. Could you be a little more specific on how one would go about perfecting it, other than just suggesting that the UCC provides for it."

Hoffman: "Now, Representative, you remember in the Illinois Bar Exam, we were lucky enough that there was... I don't believe there was a question on UCC at least the year I took it. Otherwise, I may not of been a lawyer in Illinois. So, that's a very complicated and difficult answer that somebody would probably charge around \$175 an hour to answer, and I'm not equipped to answer that at this time. Although, I know with your legal expertise, you probably could give me some ideas that would assist."

Turner, John: "Well, let's start at the beginning then. What does UCC stand for?"

Hoffman: "The Uniform Commercial Code."

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Turner, John: "And you say you did not study that in your law school. Where did you go to law school?"

Hoffman: "No, I... We did study it. I don't know that I comprehended it."

Turner, John: "All right. But my question was, where did you go to law school?"

Hoffman: "Oh, St. Louis University, the Billikens."

Turner, John: "At whose request did you file this Bill, Representative?"

Hoffman: "This is an initiative of the Community Bankers' Association of Illinois."

Turner, John: "And why are the Community Bankers interested in this?"

Hoffman: "Because they ran into situations where they were not allowed to utilize Certificates of Deposit as security interest. Makes no sense, a Certificate of Deposit is a security interest just like anything else. And it really just clarifies Illinois law to allow that."

Turner, John: "So..."

Hoffman: "Representative, I did find some... You would perfect the security interest in a uncertified CD in the same manner as a deposit account. So, however, the UCC indicates a deposit account can be perfected, for security you would do it for the Certificate of Deposit. It's my understanding you can now do it in use for security deposit accounts, but you couldn't use CD's, and this allows you to."

Turner, John: "Well, the person who purchases this CD, is there some... Did they have to sign a document or something at the time that they purchase it?"

Hoffman: "When they buy a CD, a certificate you mean?"

Turner, J.: "Yeah."

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Hoffman: "Like a CD that you play on the stereo? You don't have to sign anything when go to a music store and buy a CD, Representative, no."

Turner, John: "Oh. Well, it's pretty clear to me now, but I see Representative Cross has his light on. So, I think he has a couple questions for you, but thank you for addressing mine."

Hoffman: "Thank you."

Speaker Hartke: "Further questions? The Gentleman from Kendall, Representative Cross."

Cross: "Mr... Will the Sponsor yield?"

Speaker Hartke: "I'm not sure. Indicates he will."

Cross: "Representative Hoffman, it was kind of loud in here. Could you exp... and maybe you asked...answered this question, could you explain for everybody the whole theory and concept behind the Uniform Commercial Code?"

Hoffman: "The theory behind the Uniform Commercial Code?"

Cross: "You know, in a succinct, concise manner."

Hoffman: "I think I could probably, can do that."

Cross: "Well, I'd love... I never did understand it."

Hoffman: "The Uniform Commercial Code, I believe, was essentially adopted several years ago, Representative, in Illinois. And it really is a manner in which businesses and people who work in commercial type industries made a uniform. And they took this code regarding commercial transactions, and they made it uniform. Hence the name, Uniform Commercial Code."

Cross: "Thank you very much."

Hoffman: "You have apparently missed some of the crucial days in the UCC class, I take it, Representative."

Cross: "Does this have anything to do with sales?"

Hoffman: "Sales?"

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Cross: "In the Uniform Commercial Code."

Hoffman: "I believe it has everything to do with sales."

Cross: "Let me ask you a couple questions, and thanks for that.
I feel a lot better knowing all about the UCC."

Speaker Hartke: "Excuse me, Representative Cross."

Hoffman: "Well, there are Sections that deal with sales."

Cross: "One more serious question."

Hoffman: "There are Sections that deal with sales and there are
Sections that don't deal with sales."

Cross: "So, some deal with sales; some don't deal with sales.
So, essentially, it does in some places deal with sales,
yes, the Uniform Commercial Code?"

Hoffman: "Yes."

Cross: "Thank you very much. I don't have any other questions."

Speaker Hartke: "The Chair recognizes the Gentleman from Cook,
Representative Durkin. I might remind you this is not his
first Bill."

Durkin: "Will the Sponsor yield?"

Hoffman: "Yes."

Durkin: "Representative, as I read our Bill, it says that we are
creating and defining a legal status for Certificates of
Deposit. Are you trying to tell me for the last 200 years
that Certificates of Deposit have been illegal?"

Hoffman: "Well, no, your analysis, obviously, is in error
because I would doubt that you have read the Bill. So, the
analysis may have been in error. However, if you were to
have perused the Bill and read its fine print, you would
understand that we're just allowing that Certificates of
Deposit can be utilized as security interest, as a security
interest."

Durkin: "Well, let's get a little bit into the nuts and bolts of
this Bill, Representative. How would the Statute of Frauds

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apply to this provision?"

Hoffman: "Well, as you know, Representative, the Statute of Frauds is a very comprehensive document. Essentially what it says is that certain things have to be in writing, such as a contract for the sale of goods, or \$500, anything having to do with land. I believe that you have to, you have to have other things in writing as you know, Representative. I think there's like 7 or 8 things in order to be enforceable. Now, they could be voidable, of course, but in order to be enforceable and not voidable or void, they have to comply with the Statute of Frauds."

Durkin: "Well, that brings me to my next question. Now, we're talking about voidability of the CD. Applying the rule against perpetuities, as we all know is that, you know, lives of beings in 21 years. How would that fall into if a CD would fall into the 22nd year, and it's passed along from the second generation?"

Hoffman: "Well, Representative, I believe that you if... if you were a student as Representative Turner and Cross, you would know that we have repealed, I believe, the rule for perpetuity here in Illinois. Obviously, you are an expert in criminal law, and have had... been a little bit behind. I understand that because your day is so filled with legislative matters that you don't have time to read the advance sheets. But really when you look at the rule of perpetuity in the abstract, when you look at it in the abstract, and you compare it with the way the Statute of Frauds and really the current status of the law concerning adverse possession, you'll find that that interrelated adverse possession, the Statute of Frauds, the Uniform Commercial Code, and the rule against perpetuity still are generally alive and well here in the State of Illinois."

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Durkin: "Well, even though we did get rid of this rule against perpetuities last year, I want to know that's still alive in my heart, Mr. Hoffman. Two more questions and matter fact, a fine outstanding probate lawyer in front of me asked me, said, 'Well, since we got rid of the rule against perpetuities, does the rule in Shelly's case, is that going to prohibit the transfer ability of the CD's once again for the next generation?'"

Hoffman: "The rule in Shelly's case? The rule in Shelly's case? Well, obviously, that has been overturned by the rule in Melvin's case. And Melvin's case, as you know, made substantial changes in the current common law in the State of Illinois."

Durkin: "Okay. I just got one last..."

Hoffman: "I can't remember Melvin's last name, but..."

Durkin: "Thank you very much. I guess one last question. When you ask first of all, a little overview of what the Uniform Commercial Code is, you said, 'We created a uniform'. What color are the uniforms in the Uniform Commercial Code?"

Hoffman: "Well, obviously, being a Cardinal fan, they would have been red."

Durkin: "Thank you very much."

Hoffman: "Thank you."

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

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

Speaker Hartke: "Indicates he may."

Persico: "Representative, being a non-lawyer, I was originally looking very forward to voting on your Bill, but after pointed questioning by Members on this side, I'm unsure, but I do have one question. Is this your first Bill since

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you came back to the House?"

Hoffman: "Yes. Hopefully this will be my... This is my first Bill since I came back, and hopefully this will be my last first Bill."

Durkin: "Thank you, Representative."

Hoffman: "Thank you."

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

Hoffman: "I ask for a favorable Roll Call."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 3472. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3472, there are 113 Members voting 'yes', 1 person voting 'no', and 1 person voting 'present'. And having received a Constitutional Majority, is hereby declared passed. Representative Hoffman. Representative Hoffman."

Hoffman: "I would just like to thank the Members of the General Assembly. I think that Representative Ackerman voted against my first, first Bill also."

Speaker Hartke: "Representative Ackerman, for what reason do you rise?"

Ackerman: "Thank you, Mr. Speaker. I really meant to vote 'yes' on the previous Bill. However, I was on the phone and missed it. Sorry, Jay."

Speaker Hartke: "The record will reflect. Representative Mautino."

Mautino: "Yes, Mr. Speaker, having voted on the prevailing side, oh sorry."

Speaker Hartke: "On page 20, there appears House Bill 3492, Representative Kubik. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 3492, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Bill 3492 does is it requires that the Illinois Administrative Office of the Courts, upon court order, to pay the cost of transcripts of court proceedings where a person who is involuntarily committed and who's indigent is involuntary committed into an institution. These particular transcripts are used in appealing those involuntary commitment procedures. This is a relatively small group of people. The cost to the state is going to be \$10,000 a year or less. The Illinois Administrative Office of the Illinois Courts is neutral on this issue. I'd be happy to respond to any questions and would appreciate your support of House Bill 3492."

Speaker Hartke: "The Gentleman explained his Bill. Is there any discussion? No one seeking recognition, the Gentleman asks for the passage of House Bill 3492. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3492, there are 114 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Page 20 of the Calendar appears House Bill 3626, Representative Saviano. Out of the record. On page 20 also appears House Bill 3631, Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 3631 is a Department of Nuclear

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Safety Administration Bill. Amends the Illinois Nuclear Safety Preparedness Act. It assesses fees on owners of nuclear reactors that are permanently ceased operation."

Speaker Hartke: "Excuse me, excuse me, Mr. Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3631, a Bill for an Act concerning Nuclear Safety. Third Reading of this House Bill."

Hassert: "Thank you. As I was saying, it increases, it assesses fees on nuclear reactors that are going to cease to operations; in particular, we're talking about the Zion plant up in Lake County. It also increases the fees on shipment of spent nuclear fuel, and it expands the access of Nuclear Safety Emergency Preparedness Fund to include the state police and Illinois Commerce Commission to related activities of removing this waste. I'll be happy to answer any questions."

Speaker Hartke: "The Gentleman has explained his Bill. Is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Johnson, Tom: "Brent, this Bill, does this do anything as far as ... West Chicago and the thorium and the fees there? Does this go to that at all or is it strictly with the..."

Hassert: "No."

Johnson, Tom: "Okay, thank you."

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

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

Speaker Hartke: "Indicates he will."

Novak: "Representative Hassert, I think we need to just let all our Members know here, we've got the word 'fees' up there

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and sometimes people get a little skittish about it. But let me just ask you a couple questions. These fees are assessed on Commonwealth Edison and Illinois Power with respect to their reactors, right?"

Hassert: "Yes, that's correct."

Novak: "Okay, could you tell us roughly what is the fee per reactor?"

Hassert: "Well, the fee is going to be assessed on the Zion plant; it's going to be \$1.3 million for Fiscal '99 and \$1.4 million for the year 2000."

Novak: "Okay, and the reason why we're doing this is because in light of the Com Ed's announcement of the Zion closing, there's... so there's two reactors there, so there won't be any fees charged on those as I understand, is that correct?"

Hassert: "Yes, that's correct."

Novak: "Okay. So, in essence, what we're doing is prorating this number to the other reactors that are still up and running and subject to these fees, correct?"

Hassert: "That's correct."

Novak: "And this is an agreement worked out with the utilities, correct?"

Hassert: "That's correct."

Novak: "Okay. One last question, to our knowledge these fees that the Department of Nuclear Safety assesses Commonwealth Edison and reactors are not bypassable, is that correct?"

Hassert: "To my knowledge, that's correct."

Novak: "And the money used from these fees is for the operation for personnel and whatever opera... ordinary contingent expenses for the Department of Nuclear Safety, is that correct?"

Hassert: "Yes."

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Novak: "Okay. Ladies and Gentlemen, just to the Bill here. I think we need to support this. These are fees that the utilities pay. They are not bypassable through...to the consumers and the dollars that are raised actually saves the taxpayers money, because the fees are used to operate the Department of Nuclear Safety and their mission with respect to the safe operation of nuclear power plants in Illinois. And I certainly rise in support of Representative Hassert and this Bill."

Speaker Brunsvold: "Any further discussion? Representative Brunsvold in the Chair. Any further discussion? Seeing none, Mr. Hassert, to close."

Hassert: "Just ask for a favorable vote."

Speaker Brunsvold: "The question is, 'Shall House Bill 3631 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 113 voting 'yes', 0 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar appears House Bill 3620, Mr. Saviano. Read the Bill, Mr. Clerk. Excuse me, it's marked 3626, Mr. Clerk."

Clerk Bolin: "House Bill 3626, a Bill for an Act to amend the Counties Code. Third Reading of this House Bill."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 3626 is a Bill which would furnish stipends for county sheriffs, county recorders, and county treasurers. It would be staggered accordingly where it would, for sheriffs they would receive an annual stipend up to \$6500 up until December 1st in the year 2000. County clerks and recorders 6500 by December 1st, the year 2000. The Committee

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Amendment #1 proposed by Representative Hartke would call for the county clerks to be increased from \$3500 to \$4500 per year after January 1st, \$5500 per year after January 1st '99, and \$6500 per year after January 1st, year 2000. And I would ask for a favorable vote, thank you."

Speaker Brunsvold: "The Gentleman has asked for a passage of House Bill 3626. And on that question, is there any discussion? Is there any discussion? Seeing none, the Gentleman has asked for passage of House Bill 3626. All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 93 voting 'yes', 16 voting 'no', 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 20 of the Calendar appears House Bill 3610. Mr. Rutherford. Read the Bill, Mr. Clerk."

Rutherford: "Thank you, Mr. Speaker."

Clerk Bolin: "House Bill 3610, a Bill for an Act in relation to the sale of certain information. Third Reading of this House Bill."

Speaker Brunsvold: "Mr. Rutherford."

Rutherford: "Mr. Speaker, I appreciate you calling the Bill."

Speaker Brunsvold: "Excuse me... "

Rutherford: "That's fine."

Speaker Brunsvold: "... Mr. Rutherford. Mr. Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. For the first time in my long and very mediocre career in the House, I must ask the record to reflect that I tried to vote 'yes' on 3626 and my switch doesn't work, neither does my computer, and I don't feel that well either. So if you

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could have the computer guy come over, if you could have the record reflect that I intended to vote 'yes'... "

Speaker Brunsvold: "The record will so reflect."

Black: "... And if the nurse is in the building, I wouldn't mind seeing her either."

Speaker Brunsvold: "The record will so reflect, Mr. Black. Anyone on the floor dealing with computers, will they please go see Mr. Black."

Rutherford: "Thank you, Mr. Brunsvold. I appreciate..."

Speaker Brunsvold: "Mr. Rutherford, continue please."

Rutherford: "Thank you, I appreciate you calling the Bill. Thirty-six ten is an intuitive being presented that would prohibit the state from the ability to be able to sell for commercial making purposes, private and personal information that is on file with State Government. It's a very simple philosophical belief that myself and over 80 cosponsors of this Bill have...is ... The fact is that you as individual citizens of the State of Illinois are required to file with government, certain information, inclusive of the color of your eyes, your height, how much you weigh, how old you are, and what address you live at. There are those of us that believe it's inappropriate for government to go out and actually sell this information to people that are going to go out and put additional direct mail or telephone solicitation to you from information that you are required to file with government. Secretary of State George Ryan had initiated a rule that would prohibit his office from doing that. He was challenged in court. They're still tied up in court because of some procedural means, and it was the intent to go ahead and bring forward statutory language which would prohibit the sale of this information. I'd be glad to answer any questions."

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Speaker Brunsvold: "The Gentleman has asked for passage of House Bill 3610. And on that question, are there any questions? Any discussion? The Gentleman from Effingham, Mr. Hartke."

Hartke: "Sponsor yield?"

Speaker Brunsvold: "Sponsor yields."

Hartke: "Representative Rutherford, I heard you mention agencies, not only the Secretary of State's Office, is that correct?"

Rutherford: "That is correct."

Hartke: "This is all agencies that government cannot sell information that they have on anything to anyone, is that correct?"

Rutherford: "Yes, it is the agencies under constitutional officers, and there are certain provisions in which information can be released though to other entities that are not for commercial solicitation purposes, such as law enforcement or...and those types of efforts."

Hartke: "Such as, how many categories of sales are there?"

Rutherford: "I'm not sure, Representative Hartke, that it is outlined statutorily."

Hartke: "Do you have staff aside you to answer that question?"

Rutherford: "I'm sorry, Representative Hartke, repeat the question? I mean, it's in the statute; we'll get a copy of that. If you got other questions, they're going to have the staff look that up right now."

Hartke: "I think there are about 30 categories, and I think that there's only 1 or 2 that you're refusing to sell to. What is the income... "

Rutherford: "Well, if I could respond..."

Hartke: "... of the Secretary of State's Office?"

Rutherford: "I'm sorry."

Hartke: "What is the income to the Secretary of State's Office from the sale of the...of these materials every year?"

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Rutherford: "Yeah, I've got that. The sale of the material that is for commercial solicitation purposes is approximately \$160,000. The revenue for the sale of information beyond those for commercial solicitation purposes, approximately \$10 million. What this statute would do would prohibit the sale for commercial solicitation purposes so the fiscal impact of the state would be about \$160 million. If I could additionally add though, from an economic... a \$160,000. If I could additionally though, today the State of Illinois has an opt out program, which says that if you as a citizen would like to file a form with the Secretary of State's Office, particularly to opt out of it, the cost to our taxpayers today to process that is approximately \$20,000 a month. So, the net effect of the \$160,000 loss, the \$20,000 a month of not having to expend, will be a net gain to the State Treasury."

Hartke: "How much are we spending now for the opt out program?"

Rutherford: "Approximately \$20,000 a month to process the paper that comes into the State of Illinois to opt out."

Hartke: "And it's my understanding that this piece of legislation eliminates the opt out program. Is that correct?"

Rutherford: "This piece of legislation would not require an opt out program because it would statutorily state that you cannot, as a State Government, sell this information for commercial solicitation purposes. It does not... You do not need to have an opt out program if the state is prohibited from selling it."

Hartke: "If we're going to be saving the Secretary of State's Office \$20,000 a month, is that reflected in a \$240,000 cut in his budget for this year?"

Rutherford: "I think you're going to find it almost to be a net wash because we've got a \$160,000 of revenue loss because

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of that."

Hartke: "That revenue loss, is there any one particular company that you are targeting and not selling information that you feel is violating the current rules as far as commercial use?"

Rutherford: "No, I don't have any particular motive in trying to target any specific company. As you recall in my opening remarks, I said this is a philosophical belief that if you are a citizen of this state required to file specific information, of which includes your personal data, that it is a philosophical belief by myself, Secretary Ryan, and many, that selling that for solicitation/commercial purposes is just basically wrong."

Hartke: "I think you mentioned in your opening remarks that there was a lawsuit that was filed, which the Secretary of State lost if I recall."

Rutherford: "Its gone onto appeal to the Appellate Court."

Hartke: "Absolutely, and so now in order to avoid the decision by the Appellate Court, you tend to change the statutes to do what you want to do. Is that correct?"

Rutherford: "That is not correct, because the reason for the lawsuit was regards to the JCAR rulings and objection there, and that was used as a part of the debate before the courts. This also though goes beyond the Secretary of State's purview. This is for all agencies of State Government under constitutional officer's purview."

Hartke: "Are there other agencies that have signed on that agree with the Secretary's position?"

Rutherford: "It's my understanding that the Secretary has discussed this with the Governor's Office, and they are not opposed to it."

Hartke: "That's not the question I asked. Are they in favor of

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this piece of legislation?"

Rutherford: "I have not gone out to solicit specific support from state agencies. I figure it's more important to the people of Illinois, and let me give you an example. For the opt out program, in approximately 7 to 8 months that it has been in existence today, the Secretary of State's Office alone has approximately one half of a million people of this state who have said they do not want to have their information available to be sold for personal or for commercial solicitation purposes. And another example, and again, I'm answering your question. I have not asked any state agency, but I have asked the people in my legislative district. Alone in my area, I have over 1,000 people that through my office have opted out of this, irregardless of what's happened through the Secretary of State's Office. I think there is absolutely testimony that the citizens of this state do not want to have their height, their weight, their eye color, their blood type, and whether they're an organ donor be able to be sold for commercial solicitation purposes. If I get a solicitation by the telephone at 9 o'clock at night in my home, I get a piece of mail in my mailbox asking me to buy something, if they got that list from someone else and another marketing vehicle, let it be the free market. But if their buying it from my government, because I'm required to file it, that is wrong."

Hartke: "How do you know if the unwanted mail that you get is coming through information from the Secretary of State's Office?"

Rutherford: "As of today the... if you... I'm sorry. If your question is, the Secretary of State is today obligated to sell this information, how do we know if they are using it in the right purposes or means? If that is your

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question..."

Hartke: "No, that's not..."

Rutherford: "Okay."

Hartke: "That's not the question. The question is, how do you know if you get some piece of mail or a phone call that that information that made it possible for them to give you this mail or send you this mail or make this phone solicitation came from the Secretary of State's office?"

Rutherford: "It's my belief today that you cannot verify that it did."

Hartke: "And so, you're going on the assumption then that you're going to stop all this junk mail out there?"

Rutherford: "Absolutely not, Representative Hartke. You never heard this Sponsor in any statement on this House Floor, any public comments, ever suggest to try to stop direct mail or telephone solicitation. What this Sponsor has adamantly and will repeatedly say is that this Sponsor is doing this so that the information that when you get telephone solicited at night and when you get the direct mail piece hitting your mailbox was not received from State Government by your obligation to have to file it as a citizen of this state."

Hartke: "I think you mentioned in your remarks something about the organ donor bank? Was that one of Secretary Ryan's programs as well?"

Rutherford: "Absolutely."

Hartke: "How many people have signed up for the organ donor program?"

Rutherford: "I'm not quite sure positively, but I can get that answer for you."

Hartke: "You have a database of all those individuals of the Secretary of State's Office who have signed on to be organ

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donors?"

Rutherford: "I would assume that that is absolutely correct."

Hartke: "Would you sell that information to hospitals?"

Rutherford: "Not for commercial solicitation purposes, no. That's the point here, Representative Hartke. If you're going to try to go out and buy a liver, kidney, or a heart and make money off of it, those are the type things someone could do for commercial solicitation purposes. This Bill specifically says for commercial solicitation purposes, you cannot buy it from State Government."

Hartke: "Have you found the question that I answered to the question that I asked you earlier?"

Rutherford: "The Gentleman, if you're asking in regards to the number of organ donors, we're looking for it right now."

Hartke: "Yes. Is there a database that's available to Secretary of State's Office? That in case the hospital has an individual come in and I know maybe that's not part of the Bill you're talking about, but if a person comes in, has a heart attack and so forth, hasn't his driver's license with him, how does the organ bank know that this person or the hospital know this person may or may not have signed that slip?"

Rutherford: "To be very candid with you, Representative Hartke, I would only tell you how I assume it to be. And since this isn't particularly relevant to this Bill, I didn't go research those answers. I would either be able to put the Body on hold and get the answers for you or maybe you and I could chat about it in the front of the chamber after we are done here."

Hartke: "Okay. Well, I've got the answer to your question in case you're wanting to know. I think the Secretary of State and many agencies bring in a lot of funds for the

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State of Illinois. They have probably some of the most accurate records, and I really don't want personal information sold, either, for solicitation purposes. However, I think that it probably is and I think this is probably a good PR move by the Secretary of State's Office. Probably make a very good campaign brochure to put out there this fall, you know, that he's for privacy. But I guarantee you that you will be causing more junk mail and more phone solicitations to come into the home simply because the information they gathered from other sources are not near as accurate. I also believe that the current laws there that says that if they violate the rules and is used for personal solicitation, they can be fined and cut off from that list. And I don't know that you have a list that says there has been violations and that these lists have been used for personal solicitation, and maybe that's an avenue that we ought go rather than banning all these things. I don't plan to support this legislation, not that I'm against privacy, but I just think that it's the wrong approach that you are taking."

Speaker Brunsvold: "Any further discussion? The Gentleman from Vermilion, Mr. Black. Mr. Black."

Black: "Turn me on. Oh, thank you very much. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise simply to support House Bill 3610. We've debated this issue on more than one occasion. I know we did last year. It's really a very simple issue, and I think you should just simply vote your conscience or your district. If your district is like mine, where you are inundated with opted out forms, phone calls everyday, letters everyday, to stop the sale of information that we often require, we require people to do certain things in government. If you want to

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drive, you have to go to the driver's license station, you have to fill out all kinds of information. When you fill out your tax forms, it lists the number of dependents, whether you're divorced, whether you're separated, whether you're widowed; we're requiring this information. We are under no obligation, and in fact, should be prohibited from the sale of information that we require our citizens to give us. That should be private. They have other resources. Direct mail people are not going to go out of business if we pass this legislation. So, if you think that when government asks you to submit information that you should be able to submit that in a reasonable expectation of privacy, you vote 'yes'. If you think everything we require citizens to fill out and send into state agencies should be available for sale on the Internet or anybody who walks in, vote 'yes'. My constituents have made it very clear to me they do not think we, the government of the State of Illinois, should be in the business of selling personal information about them or their families to direct marketers of any kind for any reason. It's a reasonable Bill. The opted out provision clearly has shown in the last year how many people are outraged to find out that this legislation did not, in fact, exist and that we were selling information to them. It's a simple straightforward Bill. If you think we owe a reasonable degree of privacy to our citizens, vote 'yes' as I intend to do. If you think we should be in the business of selling information, then vote 'no' and explain to your constituents why you did so. Vote 'aye'."

Speaker Brunsvold: "Further discussion? The Gentleman from Kankakee, Mr. Novak."

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

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Speaker Brunsvold: "Sponsor yields."

Novak: "Representative Rutherford, are there any exemptions built into this Bill for industries that would continue to have access to information?"

Rutherford: "I'm not sure if I want to define what you're saying is industries. There are provisions that will allow certain entities to be able to acquire information from State Government."

Novak: "Can you let us know who they are?"

Rutherford: "An example would be law enforcement agencies."

Novak: "No, I'm talking about... Okay, law enforcement, that's..."

Rutherford: "Law enforcement is an example, perhaps insurance industry to verify..."

Novak: "Okay, let's just stop there."

Rutherford: "Okay."

Novak: "Why the insurance industry?"

Rutherford: "Because they would need to be able to verify if there is certain driving records available. I mean, for them to be able to recognize as to whether if someone has certain violations, moving violations."

Novak: "Well, that may be a partial explanation, Representative. I just can't... I mean, if we want to be consistent here, I can't see why the insurance industry... What is the difference between the insurance industry accessing information, and then one week later, you get a solicitation in the mail from a different insurance agent?"

Rutherford: "No, if I could... if I could..."

Novak: "Change your auto insurance?"

Rutherford: "No, no. Mr. Novak, they cannot..."

Novak: "What is the difference between that?"

Rutherford: "Representative Novak, that's not correct. As I told

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you, it would be for them to be able to verify certain type of driving records and so forth. They would be prohibited from being able to solicit that person. For example, insurance reasons and so forth. There's a statutory provision that they would be obligated to sign a form testifying or notifying the Secretary of State for what purpose they're going to be utilizing this list. If an insurance agency took that list, and then used it to solicit for the sale of insurance, they would be violating state statute and be under the penalties of this provision."

Novak: "Okay. So, what you're saying, Representative, that in this Bill the exception for the insurance industry is only for them to verify certain information about drivers, is that it?"

Rutherford: "That's an example; another may be for..."

Novak: "And it is written..."

Rutherford: "If I could finish my senten..."

Novak: "...in the Bill cause I haven't perused the Bill entirely. Is it written in the Bill that if they do use this information for solicitation purposes in the future, they are subject to a fine?"

Rutherford: "That is correct and it is in the Bill."

Novak: "Okay. Are there any... How much is the fine?"

Rutherford: "I think it's \$10,000."

Novak: "How much?"

Rutherford: "Ten thousand dollars."

Novak: "Ten thousand dollars for each business violation?"

Rutherford: "Ten thousand dollars and they cannot have the list for five years."

Novak: "Okay."

Rutherford: "So, I would suggest they would not want to go out

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and violate that."

Novak: "Are there any other exceptions in the Bill for any other groups?"

Rutherford: "Universities."

Novak: "Pardon me?"

Rutherford: "Universities."

Novak: "Okay. Why are universities exempted?"

Rutherford: "Universities because..."

Novak: "Give me an example."

Rutherford: "They would use it to be able to verify certain student loan program information is an example."

Novak: "Could banks get access to this information from the universities?"

Rutherford: "If they sold the list or made it available to them for commercial solicitation purposes, they would be in violation of this law. See, I think what we need to be very... you know, if you recall, Repre... the previous Representatives' questions and somewhat putting it quantifiable form, the amount the information the government has and is available for proper purposes, it generates approximately \$10 million worth of revenue for the state. For those that go out and generate it... I'm sorry, for those that go out and utilize it for solicitation purposes is dramatically less. We are not stopping rightful use of government attained information for research and analysis and law enforcement. We are saying though you cannot use it to go out and solicit that person for commercial purposes."

Novak: "Okay. What about... Are there any other exemptions, exceptions?"

Rutherford: "No, they're not identified specific exemptions outside of the couple that I noted to you. It's very..."

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Novak: "But are they listed in the Bill, Representative?"

Rutherford: "The only one that I recall off hand is universities."

Novak: "So, you said law enforcement, the insurance industry, and the universities, is that... is that..."

Rutherford: "Yeah, and those were just examples, if I could, university is the only one that I recall is specifically outlined. And the reason for that was there was question to whether they should or should not be."

Novak: "Okay, but to your knowledge, those are the only ones that come to mind? To your knowledge those are the only ones that come to mind?"

Rutherford: "That is correct."

Novak: "Okay. Thank you."

Speaker Brunsvold: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker. I rise in strong support of House Bill 3610. It's been said by several prior speakers, and I think it just deserves one more iteration, that state government should not be in the business of selling information we collect for public purposes to people in the private sector to come back and harass us for commercial solicitation purposes. People in my area were appalled to discover that there had been a long term practice in state government of selling private information, weight, height, age, all those kinds of personal bits information were available for commercial solicitation. And I don't know how your folks felt, but my folks felt that we had no business turning around and selling driver's license information, selling car registration information, so somebody else could make a buck off of us. I think it's a pretty straightforward proposition. Is this our business or is it not? If you believe with me that state government

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should do its business, not the business of the commercial solicitation market, the right vote on this Bill is a 'yes' vote."

Speaker Brunsvold: "Mr. Rutherford, to close."

Rutherford: "Thank you, Mr. Speaker. Very simply stated, we have a philosophical opinion here, that government who is collecting your personal, your private information, that you as citizens are obligated and required to file. Everything has been noted, your height, your weight, your eye color, your age. This belief states simply that government will not, cannot, and shall not sell this information to entities to go out and make money off of it.

This is to stop the government sale of your personal information for commercial solicitation purposes, and I would appreciate an 'aye' vote, Mr. Speaker."

Speaker Brunsvold: "The question is, 'Shall House Bill 3610 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 113 voting 'yes', 1 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair's going to go back to Second Readings and do the Bills that have had updated Fiscal Notes filed and all the Notes have been filed. So we'll be going back and picking up the Bills that are ready to go. The first Bill on the Calendar is House Bill 2307. Mr. Hannig. Out of the record. House Bill 2425, Mr. Davis. Steve Davis. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2425 has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Brunsvold: "Third Reading. House Bill 2633, Representative Lyons. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2633, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Joe Lyons, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Cook, Representative Lyons, on House Floor Amendment #1."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is to change language on the request of the Secretary of State's Office on line 15. It takes out the words 'rule, ordinance, or Resolution', and replaces them with similar provision of a local ordinance. It did this again on request of the Secretary of State's Office. Thank you."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the Gentleman's moved for the adoption of Floor Amendment #1. All in favor say 'aye'; all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and Floor Amendment #1 has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2656, Mr. Burke. Representative Burke. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2656 has been a read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2668, Representative Persico. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2668..."

Speaker Brunsvold: "There's still a Note filed on that Bill."

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That Bill should be out of the record. House Bill 2710, Mr. Mautino. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2710 has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Ladies and Gentlemen, we'd like to take a short break here. We have a distinguished guest on the Floor, Morgan Fairchild, who Mr. Durkin would like to introduce."

Durkin: "Thank you, Ladies and Gentlemen of the Illinois House of Representatives. It's every so often when we are making these great policy decisions that we are graced with presence of dignitaries, either it being heads of state, sports athletes, as we had an olympic yesterday, or a celebrity. Today we are very much honored to have a celebrity who came in from a very long way to spend a few moments with us. She's appearing tonight at the cable TV reception. This Lady needs no introduction, Morgan Fairchild."

Morgan Fairchild: "Hi, thank you, thank you very much. Well, I really appreciate that warm welcome, thank you. I don't want to hold things up too long here. I'm just thrilled to be here in Springfield. We've been running around all day today, and it looks like a great city. I'm here on behalf of the romance channel, and I want all of you ladies to know we are very lucky 'cause as of tomorrow, romance is in the air, honey, and on the air because the romance channel gets launched tomorrow on TCI. And it's a... Oh, did I hit that. It's a network that deals with nothing but romantic miniseries, romantic films. We're trying to find the romance in John Wayne movies at this point and some original programming, and we're hoping that all of you will

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come over this evening. We're having a reception at the State Library, and I hope I'll get to meet all of you one on one later on. I don't want to hold things up too much right now. Thank you very much. And, especially you guys."

Durkin: "As we heard earlier, we're to be out of here at 8 o'clock. I suggest we keep our debate very short if you want to get a picture taken with Morgan. So, in the interest of fair play and fun, let's get out of here early."

Speaker Brunsvold: "I want everybody to know this is a dirty job, but someone's got to do it. Representative Black."

Black: "Thank you very much, Mr. Speaker. I move we adjourn."

Speaker Brunsvold: "That Motion is almost in order. We have a large loss in the male membership of the House. House Bill 2667, Representative Fantin. Mr. Clerk, read the Bill. Sixty-seven, Mr. Clerk, 2667."

Clerk Rossi: "House Bill 2667, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Fantin, has been approved for consideration."

Speaker Brunsvold: "Representative Fantin, on Floor Amendment #2."

Fantin: "Thank you. Floor Amendment #2 is a clarification of the word 'rail carrier', and it just clarifies what a rail carrier is. Wait a minute. Be happy to answer questions."

Speaker Brunsvold: "The Lady has asked for the adoption of Amendment #2. And on that question, is there any discussion? Seeing none, the question is, 'Should Floor Amendment #2 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and Floor Amendment #2 has been

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adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. Wait a minute. A Fiscal Note and a State's Mandates Note as amended by Amendment #2 has been requested on the Bill and has not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. House Bill 2710, Mr. Mautino. House Bill 2746, Mr. Hoffman. Out of the record. House Bill 2884, Representative Schakowsky. Out of the record. House Bill 2908, Mr. Mautino. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2908, a Bill for an Act amending the Comprehensive Health Insurance Plan Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2910, Mr. Smith. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2910, a Bill for an Act amending the Counties Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Brunsvold: "On the Amendment #1, Mr. Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an Amendment at the request of the Municipal League, which would restrict this legislation to two counties, those counties between the population of 180,000 and 200,000, which happen to be the counties of Peoria and McHenry. I know of no opposition to the Amendment or to the Bill."

Speaker Brunsvold: "The Gentleman has asked for adoption. Is there any discussion? Seeing none, all in favor of the adoption of Floor Amendment #1 say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

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Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2940, Mr. Reitz.
House Bill 2940, Mr. Reitz."

Reitz: "Yes, Mr. Speaker... on this."

Speaker Brunsvold: "Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2940, a Bill for an Act in relation to
climate change creating the Kyoto Protocol Act of 1998.
Second Reading of this House Bill. No Committee
Amendments. Floor Amendment #1, offered by Representative
Reitz, has been approved for consideration."

Speaker Brunsvold: "And on Floor Amendment #1, Mr. Reitz."

Reitz: "Yeah, Floor Amendment #1 makes some changes in the Bill
at the request of the Illinois EPA. Clarifies some... few
parts of the Bill that allows them to continue doing the
job they're doing on climate control."

Speaker Brunsvold: "The Gentleman has asked for adoption. Is
there any discussion? Seeing none, all in favor say 'aye';
all opposed 'nay'. The 'ayes' have it and Floor Amendment
#1 has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 3339,
Representative Jones. Lou Jones. Representative Erwin.
Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3339, a Bill for an Act concerning
benefits for certain health treatments. Second Reading of
this House Bill. No Committee Amendments. Floor Amendment
#1, offered by Representative Erwin, has been approved for
consideration."

Speaker Brunsvold: "On Floor Amendment #1, Representative Erwin."

Erwin: "Thank you, Speaker. Floor Amendment #1 essentially adds
to the Bill a number of provisions that were agreed to in
committee. The main one is to remove a provision asking

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the Illinois Department of Insurance to conduct a study on this piece of legislation, which the underlying Bill sunsets within three years. The department, because of cost considerations, did not want to do the study and secondly, I think that the insurance industry and employers will be able to tell us the adequate cost data. So, that was unnecessary and there are two other technical changes just clarifying language."

Speaker Brunsvold: "The Lady has asked for adoption. And on that, is there any discussion? The Gentleman from Cook, Mr. Parke."

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

Speaker Brunsvold: "The Sponsor yields."

Parke: "Representative, are you saying that you do not know the cost or there is no cost to this?"

Erwin: "Representative Parke, what the underlying Bill, which we're actually not discussing right now, the underlying Bill would establish a three year pilot essentially, because the Bill sunsets in three years."

Parke: "I got that."

Erwin: "And we'll get into the rest of this. It's much more narrowly focused now than the Bill that has passed this chamber on three separate occasions. But, speaking to the Amendment, there will be cost data that will be collected, but employers, and in the insurance industry, will present it themselves as opposed to the Department of Insurance conducting a study to determine the same information."

Parke: "Again, do we have any idea what cost there will be to the Department of Insurance to compile this information?"

Erwin: "Representative Parke, this is what I'm telling you. The Department of Insurance is not going to conduct a study. That's what this Amendment does. So, there would be zero

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cost."

Parke: "Well, then if it's not costing the Department of Insurance, who is it costing to compile this information?"

Erwin: "Representative Parke, when we..."

Speaker Brunsvold: "Excuse me, excuse me, Representative. Mr. Parke, will you please address the Amendment and we'll do the Bill on Third Reading."

Erwin: "There's no cost."

Parke: "I guess I'm misunderstanding her Amendment, so could you try, tell me one more time what the Amendment does, because I'm obviously not on the same page."

Erwin: "What the Amendment does is removes the provision asking the Illinois Department of Insurance to conduct a study on the cost of this Bill as it might relate to the cost of health insurance in the State of Illinois. The Department of Insurance didn't want to do the study for lots of reasons, and secondarily, it became evident that employers and insurance companies will be able to provide the data after the three years themselves. We don't need a state agency to conduct a study. As you know, the insurance industry in this state and I think the employers in this state are not shy about stepping forward with what they believe the cost of doing business with, and in this case, I concur with them. So, it removes a requirement asking the Department of Insurance to conduct a study. They don't want to do the study and it's really not necessary, Representative Parke."

Parke: "So, therefore, the insurance department supports this Amendment? Probably."

Erwin: "I..."

Parke: "Alright."

Erwin: "I don't think it's consequential in terms of their

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support or lack there of."

Parke: "Okay then, if the Department of Insurance is not going to do this, and in three years the business community will do it, what is the position of the business community on your Amendment? Do they care? Okay. Thank you very much."

Speaker Brunsvold: "Further discussion? Seeing none, the Lady has asked for the adoption of Floor Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 3403, Mr. Hartke. Out of the record. House Bill 3477, Mr. Clerk. Mr. Lang. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3477, a Bill for an Act to grant family and temporary medical leave under certain circumstances. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3341, Mr. Turner. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3341, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3527, Mr. Capparelli. Excuse me, the Gentleman from Vermilion, Mr. Black."

Black: "Yes, Mr. Speaker."

Speaker Brunsvold: "Yes, Sir."

Black: "The hour grows late, it's hard to hear and now I can't even see in the well because Mr. Durkin is, I don't know what he's up to. He's moving the official picture. Could

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you, perhaps..."

Speaker Brunsvold: "I think he's going to give it to the young lady that was here."

Black: "Well, could you perhaps have him go back to his seat. For heaven's sakes. I mean, five minutes ago he introduces Morgan Fairchild, and I don't know what he's up to now."

Speaker Brunsvold: "And he has another group of young ladies around him. I don't know. He must be doing something right."

Black: "Alright, well. I just want to know he will be held responsible if the official picture is damaged any further."

Speaker Brunsvold: "Absolutely. Mr. Winkel, for what reason do you rise? Mr. Winkel's light's on. House Bill 3630, Representative McGuire. Out of the record. House Bill 37... excuse me, there's a note on that one. On page 17 of the Calendar appears House Bill 2700, Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker..."

Speaker Brunsvold: "Read the Bill. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2700, a Bill for an Act to amend the Liquor Control Act of 1934. Third Reading of this House Bill."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2700 addresses a situation that has just come up... come out lately regarding the use and sale of alcoholic beverages over, through the mail and over the Internet to minors. In addition, it ensures, first of all, it requires that all beer and liquor shipped in Illinois go through the current system. This system would verify the consumers are 21 years old or older and assures that all applicable taxes are paid. In addition, House Bill 2700 will continue to allow the Illinois Interstate Reciprocal

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Wine Shipment Agreement Statute under Section 6-29 of the Illinois Liquor Control Act. It does not affect that. This will assure that all individuals receiving alcoholic beverages by common carrier, express company, or contract carrier are 21 years of age or older. What has happened in Illinois and in other places is, we've seen an increase in the amount of liquor that is being sold through the mail and delivered without verification of an individual being age 21. This addresses that. This has a wide... a wide array of supporters including MADD (Mothers Against Drunk Driving), the state police are in favor of this, as is individuals who work in the liquor industry here in Illinois. I believe that it's a good Bill and I ask for your support."

Speaker Brunsvold: "The Gentleman's asked for passage of House Bill 2700. And on that question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, the Bill before us is embodied in Committee Amendment #1. That's the Bill, right?"

Hoffman: "Yes, Representative."

Black: "Okay. Now, I've never heard of these things, but I've had people from bigger areas tell me that there are various marketing clubs that you can get into, like the 'wine of the month club'. And obviously, the question then comes is if you want to participate in a wine of the month club, where you get various California or New York vintages mailed to your home, does this prevent that?"

Hoffman: "This does not in any way prevent that, but what it would do is make sure that the person who receives delivery

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of that is 21 or older."

Black: "I was somewhat shocked. There were some people in my office talking to me about this, and you know, I'm just not familiar with this. And perhaps you could enlighten me that this is actually going on, that minors are ordering a 12 pack of beer over the Internet or some address, and it's delivered to their home without any parental involvement, nobody asks for an I.D. I wasn't aware this was happening. You mean this is actually going on?"

Hoffman: "It's my understanding, Representative, that it has gone on and there has been documented cases in other states. In addition, right here, individuals actually ordered liquor that was delivered and left on people's doorstep for days at a time. Obviously, that creates a couple of problems. First of all, there was no verification that actually a person 21 years of age or older was receiving that and leaving it on an individual's doorstep, anybody in the neighborhood could have taken it. So, this actually addresses that situation, and I believe that it makes a lot of sense."

Black: "Well, it would also seem to me, if you can order beer through the mail, that somehow, what about the taxes? Could somebody be evading the taxes on such a transaction?"

Hoffman: "That's the second reason that this is so important. What's happening now is, essentially, out-of-state companies can ship alcoholic beverages, liquor and beer into Illinois, and we have no way of tracking and making sure that the taxes are paid. We could, we don't know for sure, but we could literally be losing millions of dollars in revenue. You know, the liquor industry is a regulated industry. What we're saying is continue to regulate it, continue to tax it, and continue to enforce the current

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laws and make sure that minors aren't getting liquor."

Black: "Alright, and I certainly don't have any problem with that and I really, until some people had come in as I mentioned, I was not aware of the extent of the problem. But, can you give me a delineation now, so that, because I have had people call me from my district, that said, you know, 'We've been buying wine through the mail for years.' And they're concerned now that this will stop. And as you said earlier, you know, I want to make sure I understand the difference between an established wine of the month, or I think there's something even called the Beer Across America, where you get some microbrewery. And I want to make sure that I'm clear with my constituents that these kinds of legitimate marketing devices will still be available, and yet, not some fly-by-night outfit that's selling a case of beer to a minor. I mean, how do we distinguish? What's the difference?"

Hoffman: "First of all, what it says is that with regard to the issue with wine, this does not in any way affect the Interstate Reciprocal Wine Shipment Agreement Statute. And that's just what it is. It's a reciprocal agreement with other states that allows what you talked about to occur. In Illinois we've kind of had, for years, we've had two systems. One was that system, which is the reciprocal wine agreement, and then one is the way we do other alcoholic beverages. Essentially, what this is saying is, is that it is enforcing what's called, and it's all very complicated, the three tier system here in Illinois, and saying that you... If you're going to sell any other type of alcoholic beverage, you're going to have to go through what's called the three tier system. And you're going to have to verify the person's 21 years of age or older."

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Black: "Okay, let me ask a clarification on the... and staff was just telling me that Beer Across America is an established mail order, and it is based in Illinois, and it follows the three tier system. Now does that mean that the shipment then goes to a retailer and then you pick it up or deliver it or... I'm really having a hard time figuring out it goes through the three tier."

Hoffman: "Okay. As long as they will go through the three tier system, which I understand they already do, which means that they are licensed essentially. I don't know specifically about, what was the name of the...Beer Across America, you said, I don't know specifically about that corporation; although, I've heard that they do. So, they are licensed and they are therefore regulated through the Liquor Control Commission. What we're saying is, for instance, if you're in California, you cannot be licensed or have somebody in Illinois licensed so that we can regulate and we can monitor and we can assure that the fees and the taxes are paid, and some way, have some kind of control over them to ensure that you're actually selling it to a person who is 21 years of age or older."

Black: "Alright, so if you follow this out a couple of years, I guess what concerns me is that we might have to revisit this issue, even on established reciprocal agreements, because according to staff, when you want, if you really want to get technical, a 14 year old could fill out an application for Beer Across America and maybe fraudulently get beer or..."

Hoffman: "No, that's... No, that's not the case because what this Bill does do, is even in that situation, it says that in order, when it is delivered, it has... You have to have a person who is 21 years of age or older sign for it."

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Black: "So, in all the liquor... okay. So it is..."

Hoffman: "It says that you have to be, when it's delivered to a person's home or place of business, when it's done through the mail, a person 21 years of age or older has to sign for it."

Black: "So, it isn't like many a teenager's dream where the mailman just leaves some beer on the porch?"

Hoffman: "The whole idea here is to avoid that and stop that from happening."

Black: "I think I was born 30 years too soon, but... and the industry has no problem with this and we've not heard from any of the direct marketers or the Illinois Winery or you know, that we're trying to help them grow. So, as you indicated earlier, there doesn't seem to be any real opposition to this. We're just trying to stop something that evidently has popped up. And before it gets out of hand, we'd like to take some preemptive action."

Hoffman: "Yes, the individuals in the current liquor industry here in Illinois are all in favor of this."

Black: "Okay. I appreciate you answering the questions, Representative, and I think you've crafted a very good Bill. And I, for one, am not afraid to stand up on the floor and say until about 48 hours ago, I had no idea that this was going on and the extent of it, and the ease that some children were able to buy alcoholic beverages. So, I commend you for your action. And this is not your first Bill on your second tour, is it? Good."

Hoffman: "My second Bill on my second tour."

Black: "Alright."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. To the

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Bill. This Bill represents a culmination of a lot of work over the last couple of months with the different law enforcement agencies, Mothers Against Drunk Driving, myself, Representative Hoffman, the Illinois Liquor Control Commission. We worked very hard on this Bill. We appreciate the cooperation that we experienced throughout the process, and I assure you that it's a good Bill. It's a Bill that closes necessary loopholes and keeps our laws up to date with the new trends in the liquor industry, and I would ask for a favorable vote."

Speaker Brunsvold: "Further discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker and Members of the House. I, too, rise in support of this legislation. It is not going to harm the wineries in Illinois and it will not affect the reciprocal wine purchase either. But, it's something that is going to be an asset to those, and especially to offset the deliveries of the alcohol to the young children. So, I support it."

Speaker Brunsvold: "The Gentleman from Tazewell, Mr. Ackerman."

Ackerman: "Thank you, Mr. Speaker. I just wanted the Sponsor to know that I think he has crafted a fine Bill here, and I am in strong support of it. Also, if you would like to take a chance on recalling your first, second-term Bill, I would be happy to add my vote for it. Thank you."

Hoffman: "Thank you, Representative."

Speaker Brunsvold: "Thank you, Mr. Ackerman. The Gentleman from McHenry, Mr. Skinner."

Skinner: "Yes, I wonder if the Sponsor would yield to a question or two?"

Speaker Brunsvold: "The Sponsor yields."

Skinner: "Who is the Sponsor?"

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Speaker Brunsvold: "Mr. Hoffman."

Hoffman: "Yes, yeah. I'm sorry."

Skinner: "I think there are two clubs in McHenry County, although not operating out of my district, maybe one of them operates out of my district. What impact would it have on them?"

Hoffman: "They would have to go through the current... What do they do, Representative?"

Skinner: "They solicit orders for a Beer of the Month Club. I think one of them is based in McHenry and one's based in Cary."

Hoffman: "What they would have to do is, they would have to be licensed as any other retailer is in the State of Illinois through what's called the three tier system."

Skinner: "Through what?"

Hoffman: "It all... What they would have to do is they would have to be licensed and they would be regulated by the Liquor Control Commission. They may very well, because they are an Illinois company already, the chances are very, very, very, very, very good that they already are. So, it wouldn't have, generally it wouldn't have any impact on them, except what they would have to do is, when they do ship it, they would have to, the carrier, or if they deliver it themselves, would have to ensure that whoever receives it is, signs for it, is 21 years of age or older."

Skinner: "Okay, and this is just for beer."

Hoffman: "No, it is for beer and all other liquor, but does not affect the reciprocal wine agreement that we have here in Illinois."

Skinner: "Thank you."

Speaker Brunsvold: "The Gentleman from Madison to close."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. I think this has been thoroughly debated. I appreciate the support of the other speakers and I would ask for an 'aye' vote to really curb a problem that is becoming very, very, very definite here in the State of Illinois. To ensure that people who are the age of 21 actually do, are 21 or older, are the ones that actually receive through the mail, liquor, and to ensure that we collect the taxes that are due us and to regulate the liquor industry."

Speaker Brunsvold: "The question is, 'Shall House Bill 2700 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... record yourself. Mr. Clerk, take the record. And on that question, there are 114 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 17 of the Calendar appears House Bill 2385, Mr. Capparelli. Mr. Capparelli. Out of the record. We're on page 17 of the Calendar. Starting right at the top of... Mr. Granberg, House Bill 21. Mr. Granberg. Out of the record. House Bill 2445, Mr. Saviano. Out of the record. House Bill 2466, Representative Schakowsky. Out of the record. House Bill 2478, Mr. Poe. Excuse me, Mr. Poe, ... have you moved that Bill back to Second? Okay, thank you. House Bill 2517, Mr. Daniels, Mr. Ryder. Out of the record. House Bill 2650, Mr. Persico. Out of the record. House Bill 2842, on page 18 of the Calendar, Mr. Kubik. Mr. Kubik. Out of the record. House Bill 2986, Mr. Saviano. It appears we're on the Order of Mr. Saviano. Out of the record. House Bill 3026, Mr. Biggins. Excuse me. House Bill... House Bill 3292, on page 19 of the

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Calendar, Mr. Wait. Mr. Wait. Out of the record. House Bill 3406, Mr. Kubik. Out of the record. House Bill 3410, Mr. Saviano. Do you wish this Bill called, Mr. Saviano? House Bill 3428, Representative Zickus. Out of the record. House Bill 3431, Representative Zickus. Out of the record. That ends the Third Reading Bills. We're going back to Second Reading now. House Bill 37... excuse me, Mr. Black."

Black: "Inquiry of the Chair, Mr. Speaker."

Speaker Brunsvold: "State your inquiry."

Black: "On behalf of all of the foot soldiers, who sit out here hour after hour after hour, and try to do the work of the people, and empathize with you going through the Calendar for the nineteenth time, now going back to Second Reading for the 20th time. I believe a rumor is sweeping the floor that the real Speaker is over at a reception discussing the merits of cable television with Morgan Fairchild, and I would think that perhaps he would want us to join him at the earliest opportunity. So, we've gone through the Calendar, I mean, this is like going over the Order of Lee Preston, for God's sake. Some of these Bills have been called 20 times. I think we should adjourn, really."

Speaker Brunsvold: "Thank you, Mr. Black. I think you're on the right track."

Black: "Are you going to take that Motion under advisement?"

Speaker Brunsvold: "Oh, absolutely, absolutely."

Black: "Oh, thank you."

Speaker Brunsvold: "House Bill 3793, Mr. Clerk. Read the Bill."

Clerk Rossi: "House Bill 3793, a Bill for an Act to amend the School Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Brunsvold: "Third Reading. House Bill 3797. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3797, a Bill for an Act amending the School Code. Second Reading of this House Bill. No Committee Amendment..."

Speaker Brunsvold: "Take the Bill out of the record. House Bill 3561. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3561, a Bill for an Act amending the Election Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3532."

Clerk Rossi: "House Bill 3532, a Bill for an Act amending the Public Utilities Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3480. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3480, a Bill for an Act amending the School Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3478. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3478, a Bill for an Act amending the School Code. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 3513, Mr. Clerk."

Clerk Rossi: "House Bill 3513, a Bill for an Act amending the Illinois Pension Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Brunsvold: "Third Reading. Mr. Clerk, what's the status of House Bill 3637? Thirty-six thirty-seven, Mr. Clerk. Excuse me, 2637, Mr. Clerk."

Clerk Rossi: "House Bill 2637 is on the Order of House Bills, Second Reading."

Speaker Brunsvold: "Leave it there, Mr. Clerk. Mr. Clerk, 2668. Mr. Persico. Mr. Persico. Mr. Novak. Out of the record. Mr. Persico, would you like this Bill moved? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2668, a Bill for an Act concerning underground storage tanks. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, what's the status of House Bill 2668?"

Clerk Rossi: "House Bill 2668 is on the order of House Bills, Third Reading."

Speaker Brunsvold: "That Bill shall be placed on Second Reading. On page 6 of the Calendar, House Bill 2724, Mr. Clerk."

Clerk Rossi: "House Bill 2724, a Bill for an Act amending the Workers' Compensation Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments. A State Mandates Note has been requested on the Bill, which has not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. Mr. Clerk, House Bill 3093."

Clerk Rossi: "House Bill 3093, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. Various Notes have been requested on the Bill that have not been filed."

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Speaker Brunsvold: "The Bill will remain on Second Reading.
House Bill 3094, Mr. Clerk."

Clerk Rossi: "House Bill 3094, a Bill for an Act amending the
Illinois Income Tax Act. Second Reading of this House
Bill. No Committee Amendments. No Floor Amendments. No
Motions filed. Various Notes have been requested on the
Bill that have not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading.
House Bill 3095, Mr. Clerk."

Clerk Rossi: "House Bill 3095, a Bill for an Act to amend the
School Code. Second Reading of this House Bill. No
Committee Amendments. No Floor Amendments. No Motions
filed. A Home Rule Note has been requested on the Bill and
the Note has not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading.
House Bill 3165, Mr. Clerk."

Clerk Rossi: "House Bill 3165, a Bill for an Act concerning
livestock management facilities. Second Reading of this
House Bill. Amendment #1 was adopted in committee. No
Motions have been filed. No Floor Amendments approved for
consideration. A Fiscal Note and a State Mandates Note
have been requested on the Bill and the Notes have not been
filed."

Speaker Brunsvold: "House Bill 3518, Mr. Clerk. Hold that Bill
on Second Reading, Mr... Mr. Clerk, 3518."

Clerk Rossi: "House Bill 3518, a Bill for an Act amending the
Legislative Information System Act. Second Reading of this
House Bill. No Committee Amendments. No Floor Amendments.
No Motions filed. A State Mandates Note has been requested
on the Bill and the Note has not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading.
House Bill 3519, Mr. Clerk."

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Clerk Rossi: "House Bill 3519, a Bill for an Act in relation to torts. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. Various Notes have been requested on the Bill that have not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. House Bill 3534, Mr. Clerk."

Clerk Rossi: "House Bill 3534, a Bill for an Act amending the Environmental Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A State Mandates Note has been requested on the Bill and the Note has not been filed."

Speaker Brunsvold: "Remain on Second Reading. House Bill 3535."

Clerk Rossi: "House Bill 3535, a Bill for an Act amending the Environmental Protection Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A State Mandates Note has been requested on the Bill and the Note has not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. House Bill 3719."

Clerk Rossi: "House Bill 3719, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments. Various Notes have been requested on the Bill that have not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. House Bill 3807, Mr. Clerk."

Clerk Rossi: "House Bill 3807, a Bill for an Act concerning governmental ethics. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A State Mandates and a Judicial Note and a Home

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Rule Note have been requested on the Bill and the Notes have not been filed."

Speaker Brunsvold: "Will remain on Second Reading. House Bill 3808."

Clerk Rossi: "House Bill 3808, a Bill for an Act to amend the Election Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. A Fiscal Note's been requested on the Bill, as amended, and the Note has not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. House Bill 3809."

Clerk Rossi: "House Bill 3809, a Bill for an Act concerning state purchases and delivery of services. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. A State Mandates Note has been requested on the Bill, as amended, and the Note has not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. Mr. Clerk, House Bill 3813."

Clerk Rossi: "House Bill 3813, a Bill for an Act amending the Illinois Pension Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, 3814."

Clerk Rossi: "House Bill 3814, a Bill for an Act amending the Illinois Pension Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, 3834."

Clerk Rossi: "House Bill 3834, a Bill for an Act in relation to prison reform. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed. A State Mandates Note and a Judicial Note have been requested on the Bill and the Notes have not been filed."

Speaker Brunsvold: "The Bill will remain on Second Reading. I thank the House for their indulgence. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Your thanking us for the indulgence takes the edge off my remarks, but I, for one, am losing my patience. Seventeen consecutive Bills on the Order of Speaker Madigan, who isn't even here to tell us whether he wants these Bills moved a second... from Second to Third Reading. For all you know, he may not want these Bills moved. It's on your head when he comes back. I'm not responsible for it, but I think this is ridiculous. Thirty minutes to move the order of Madigan. I thought we got a memo earlier in the year, said we were only supposed to have two Bills. Well, I'm going to tell you something. What's good for the Speaker is good for us ducklings. Now, I suggest that you have Rules Committee, and I've got about 22 Bills in the Rules Committee, I'd like reported out tonight, and I know there are a lot of my colleagues here that have at least that many Bills. Now, we demand a little fairness. We've been here all day. We're hungry, we're tired, we're missing the reception, and this is an outrage. Now, come on. Let's wrap this thing up. Let's have a Rules Committee meeting. Where are our Bills? Where's the order of Larry Wennlund? Oh, he's gone, I forgot. Where's the order of some of the, those of us who have been here all day? I haven't been off of this floor all day. Now, this is an outrage. We're going through the order of Madigan. Is this a special order?"

Speaker Brunsvold: "It came right after the order of Saviano."

Black: "Oh, sure, throw it back in my face on my side of the

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aisle. Yeah, I think Representative Saviano had four or five Bills. We just went through 15 Bills on the order of Madigan and he isn't even here. I... I'll say this to you, Mr. Speaker, if he comes back and finds out that you've moved all these Bills, and you didn't have permission, the office you get is going to make mine look pretty good, I'll tell you that. Let's adjourn. I'm hungry. The popcorn's stale. The soda pop is warm. Either that or we're buying pizza on you... If we can deliver it through the mail, I think we outlawed that."

Speaker Brunsvold: "Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 333, offered by Representative Currie; House Resolution 334, offered by Representative Steve Davis; House Resolution 335, offered by Representative Novak; House Resolution 336, offered by Representative Churchill; House Resolution 337, offered by Representative Lang; House Resolution 338, offered by Representative Schakowsky; House Resolution 339, offered by Representative Cowlshaw; House Resolution 340, offered by Representative Cross; House Resolution 341, offered by Representative Granberg; House Resolution 342, offered by Representative Granberg; House Resolution 343, offered by Representative Capparelli; House Resolution 344, offered by Representative Capparelli; House Resolution 345, offered by Representative O'Brien; House Resolution 346, offered by Representative Brosnahan; House Resolution 348, offered by Representative Monique Davis; House Resolution 349, offered by Representative Monique Davis; House Resolution 350, offered by Representative Tenhouse; House Resolution 351, offered by Representative Bost; House Resolution 352, offered by Representative Gash; House Resolution 353, offered by Representative Howard; House Resolution 355,

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offered by Representative Crotty; House Resolution 356,
offered by Representative Crotty; House Resolution 358,
offered by Representative Hannig; House Resolution 360,
offered by Representative Schoenberg; House Resolution 361,
offered by Representative Schoenberg; House Resolution 362,
offered by Representative Schoenberg; House Resolution 363,
offered by Representative Cowlshaw; House Resolution 364,
offered by Representative Brady; House Resolution 366,
offered by Representative Noland; House Resolution 371,
offered by Representative Schoenberg."

Speaker Brunsvold: "Representative Currie moves for the adoption of the Agreed Resolutions. Has... Is there any discussion? All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Agreed Resolutions are adopted. Mr. Persico, for what reason do you rise?"

Persico: "A question of the Chair, Mr. Speaker."

Speaker Brunsvold: "State your question."

Persico: "I've been down here for a few years and I know that sometimes rumors fly that are true and untrue, but I was wondering if the Chair would have any knowledges if we are going to adjourn tomorrow, because some of us less affluent Members don't own condominiums or apartments down here, and we would like to check out of our hotel tomorrow if we are not going to be in Session on Friday. I was wondering if you could enlighten us on that?"

Speaker Brunsvold: "That decision has not yet been made yet, Mr. Persico. On page 18 of the Calendar appears House Bill 3026. Excuse me, Mr. Clerk, let's go to House Bill 3027 and Representative Fantin will handle this Bill for Mr. Biggins. Read the Bill, Mr. Clerk."

Fantin: "Thank you. This... "

Clerk Rossi: "House Bill 3027, a Bill for an Act in relation to

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truth in taxation. Third Reading of this House Bill."

Speaker Brunsvold: "Representative Fantin."

Fantin: "This Bill amends the Property Tax Code. It revises the purposes section of the Truth in Taxation Law. In the Property Tax Code... Mr. Biggins had requested that I do this, Representative Black."

Speaker Brunsvold: "Representative Fantin."

Fantin: "Okay. Okay. Yes."

Speaker Brunsvold: "Representative Fantin, just a minute. Mr. Black... Will you turn Mr. Black's mike on."

Black: "I thought... excuse me, I thought it was on."

Speaker Brunsvold: "Mr. Black. Take the Bill out of the record, Mr. Clerk."

Black: "Mr. Speaker, Mr. Speaker, in all due respect, now this is what happens when we sit here with not enough to do. Representative Biggins is excused because of an illness in the family. Now, if she's going to move this Bill on behalf of Representative Biggins, I need to see something in writing where he has given her the authority to do that. Otherwise, I stand in absolute opposition to this. I don't know what's going on here. I can't get a hold of Representative Biggins. Now, this is not the way to run the House. Let's not even start this tonight."

Speaker Brunsvold: "Thank you, Mr. Black. The Bill will be taken out of the record."

Black: "Thank you."

Speaker Brunsvold: "If anyone would like a Bill moved from Third to Second for Amendments, please bring your requests to the well. I don't think I said that, Mr. Black. If anyone would like a Bill moved back... Mr. Clerk, what's the status of House Bill 3249?"

Clerk Rossi: "House Bill 3249 is on the Order of House Bills,

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Third Reading."

Speaker Brunsvold: "The Bill shall be placed on Second Reading, Mr. Clerk. Mr. Clerk, what's the status of House Bill 2466?"

Clerk Rossi: "House Bill 2466 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading, Mr. Clerk. Mr. Clerk, House Bill 3095."

Clerk Rossi: "House Bill 3095 has been read a second time previously. It was held pending the filing of the Home Rule Note. That Note has now been filed."

Speaker Brunsvold: "Third Reading. Representative Lang in the Chair."

Speaker Lang: "Committee announcements."

Clerk Rossi: "The Rules Committee will meet at 6:00 in the Speaker's Conference Room. The Rules Committee will meet at 6:00 in the Speaker's Conference Room."

Speaker Lang: "Attention to Members, it is expected that the Rules Committee is going to assign some Bills and some Amendments to committees for tomorrow morning at 9:00 a.m. So, those of you who are thinking of sneaking out the back door, you won't know when your committees are, so please wait. Mr. Stephens, for what reason do you rise?"

Stephens: "The sneaky Members have already snuck."

Speaker Lang: "But we're glad you're here, Representative. Representative Joe Lyons, for what reason do you rise?"

Lyons, J.: "Thank you, Mr. Speaker. It's been brought to my attention that I missed the vote on House Bill 3330. Thirty-three thirty. I'd request I be reflected as voting 'aye'."

Speaker Lang: "The record will reflect your intentions, Sir."

Lyons, J.: "Thank you, Speaker."

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Speaker Lang: "Mr. Black, for what reason do you rise?"

Black: "Yes, thank you very much, Mr. Speaker. A reasonable inquiry of the Chair, if I might."

Speaker Lang: "State your reasonable inquiry."

Black: "Yes. Have you not already been in the Chair once today? Weren't you in earlier?"

Speaker Lang: "I don't believe I was in the Chair today, Sir."

Black: "I think many of us on our side of the aisle would prefer, in the absence of the real Speaker, that the Majority Leader should be in the Chair."

Speaker Lang: "As you know, Sir, from the brief moment you were in the Majority, that a Majority Leader has many important duties and, of course, she's attending to those."

Black: "I understand that, and among them, among them, there's nothing more important than being in the Chair. I remember a previous Majority Leader who was in the Chair hour after hour after hour. In fact, some hours that he shouldn't have been in the Chair, he was in the Chair, but, I think the Majority Leader should get in the Chair. I have a note, given to me by someone whose name I cannot recall, he said, 'I can replace her on the Rules Committee if she would go in the Chair.'"

Speaker Lang: "We'll take your suggestion under advisement, Sir."

Black: "Thank you. Thank you. We'll speed things up."

Speaker Lang: "Is there a Rules Committee announcement, Mr. Clerk?"

Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room."

Speaker Lang: "Mr. Cross, could you introduce your guest, please?"

Cross: "He's a little upset because his Bills haven't been called either and he also wants to go see Morgan. He wants to

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grow up tonight."

Speaker Lang: "Representative Klingler, for what reason do you rise?"

Unknown: "Thank you. I'd like to know which one is the mannequin?"

Speaker Lang: "Representative Cross, would like to tell you."

Cross: "No, I'd just appreciate you calling on me. I move to adjourn and I'd like a Roll Call vote."

Speaker Lang: "Sorry, you weren't recognized for that purpose. If Representative Art Turner can hear the sound of my voice, please go to the Speaker's Conference Room. Mr. Clerk, Committee Report."

Clerk Bolin: "Representative Currie, Chairman from the Committee on Rules, to which the following legislative measures were referred, action taken on March 25, 1998, reported the same back with the following recommendations: 'for consideration for House Bill' Amendment #1 to House Bill 3436; Amendment #1 to House Bill 2498; Amendment #1... excuse me... Amendment #7 to House Bill 2605; Amendment #1 to House Bill 2802; Amendment #1 to House Bill 3262; Amendment #1 to House Bill 2814; Amendment #2 to House Bill 3387; Amendment #2 to House Joint Resolution Constitutional Amendment #2 and Amendment #2 to Senate Joint Resolution #15."

Speaker Hannig: "Okay, Representative Hannig is in the Chair. We have a number of Amendments that the Rules Committee sent directly to the floor. It's our intention to consider those Amendments tonight, and then we'll adjourn until tomorrow morning. There will be a schedule passed around that will detail the committee schedule and when and where they will meet tomorrow. So, on page 3 of the Calendar is House Bill 2498, Representative Flowers. 2498."

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Twenty-four ninety-eight, Representative Flowers."

Clerk Bolin: "House Bill 2498, a Bill for an Act in relations to persons wrongfully imprisoned. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Flowers, has been approved for consideration."

Speaker Hannig: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 changes, it adds language for the amount of the award, and it shall be at the discretion of the courts. And I'll be more than happy to address any questions anyone may have in regards to this Amendment."

Speaker Hannig: "And on that question, Representative Black is recognized."

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

Speaker Hannig: "She indicates she will."

Black: "Representative, I really don't understand why the Amendment is necessary. The actual... is not the determining factor of the award already left up to the Court of Claims? I mean, they would decide whether to award 10,000 or 100,000 or whatever it is."

Flowers: "You're absolutely right, Representative. But in committee, the question was brought up for clarification and this Amendment purposely, it clarifies the language."

Black: "What does the Amendment change that's already current law? I don't understand."

Flowers: "No, as far as in the Bill. In the Bill, I had had that it would be that the persons that was wrongly convicted would be given 10 points and the Amendment reduced it to five. And also it inserts a date and it inserts the word 'date', and also it clarifies... after 'date', it indicates

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that the amount of the award shall be at the discretion of the courts, because a question came up in committee that, what if this person was wrongly imprisoned for one day? Does that mean that they get that total sum? It is up to the discretion of the courts, but I wanted to put it in the Bill so there will not be any misunderstanding."

Black: "And do you... You also said something that the Amendment changes the point system..."

Flowers: "Yes."

Black: "...that will be given for employment."

Flowers: "Yes. It went from 10..."

Black: "Okay, from 10..."

Flowers: "From 10 to 5."

Black: "To five."

Flowers: "Yes."

Black: "Alright."

Flowers: "Those were the commitments that I had made to change on the Bill."

Black: "How would you characterize the Amendment, Representative? Would it be your position that the Amendment would eliminate opposition to the underlying Bill?"

Flowers: "I would hope so. That's my intention."

Black: "You would hope so, but perhaps that might be wishful thinking."

Flowers: "I would not imagine, I would truly think that the Amendment would eliminate any opposition to the Bill, because none of us want to see innocent people in prison."

Black: "Representative, I do appreciate your indulgence in answering the questions, and I don't want you to misunderstand what I'm about to do. It is not aimed at you."

Flowers: "I promise you..."

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Black: "Alright, and it's not aimed at..."

Flowers: "... whatever you do, I will never take it personally."

Black: "It's not aimed at the Amendment, because my staff person,
Representative Parke..."

Flowers: "I see him sitting there."

Black: "...is saying that your Amendment does do some good
things. He's not convinced yet he's going to vote for the
Bill, but he thinks the Amendment's a reasonable Amendment,
and I would agree with him. But as the hour grows late and
it gets hard to understand some of these things, Mr.
Speaker, I'm joined by a requisite number of people on my
side of the aisle, and I think we need a Roll Call vote on
the Amendment. And should the Amendment get the requisite
number for passage, we would seek a verification."

Speaker Hannig: "Representative Durkin."

Flowers: "Mr. Speaker."

Speaker Hannig: "Do you prefer to take this out of the record,
Representative Flowers?"

Flowers: "Yes, until I can talk to Mr. Black."

Speaker Hannig: "Okay. We'll take this out of the record."

Flowers: "Thank you."

Speaker Hannig: "On page 4 of the Calendar is House Bill 2605,
Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2605. The Bill has been read a second
time previously. Amendments #1, 2, 3, 4, and 5 were
adopted in committee. Floor Amendment #6, offered by
Representative O'Brien... excuse me, offered by
Representative Ronen, has been approved for consideration."

Speaker Hannig: "Representative Ronen. Amendment #6.
Representative, 6 will be followed by 7 by Representative
O'Brien. Representative Ronen. Representative Ronen.
Representative Ronen on Amendment #6."

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Ronen: "I would like to table Amendment 6."

Speaker Hannig: "Okay, Lady withdraws Amendment #6. Are there any further Amendments?"

Clerk Bolin: "Floor Amendment #7, offered by Representative O'Brien, has been approved for consideration."

Speaker Hannig: "Representative O'Brien on Amendment #7."

O'Brien: "Floor Amendment #7 to House Bill 2605 would become the Bill, and the first provision set forth in Floor Amendment #7 would set aside 6% of the total child care budget for activities to enhance the quality of child care, and it sets aside another 4% to build the supply of child care. Among things... among other things, these funds could be used to invest in facilities, training, and support for providers, consumer education, and collaboration and would develop and expand family day care home networks, provide incentives for programs that are open during nontraditional hours, provide incentives to serve children with special needs. A second provision would require the Department of Human Services to create a task force with representatives from the community and General Assembly to review the results of the '98 market rate survey and make recommendations for implementing reimbursement rate charges. Now, the third provision would adjust the new sliding fee co-payment scale, limiting parent fees to no more than 10% of family income. It makes fees for school age children affordable during the summer, and it helps newly employed families by giving them a two month grace period before fees are instituted and helps providers with fee collection."

Speaker Hannig: "Okay. And on that question, Representative Black is recognized."

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

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yield?"

Speaker Hannig: "She indicates she will."

Black: "Yes, Representative, I think I heard you say that Amendment #7 becomes the Bill. Correct?"

O'Brien: "Yes."

Black: "Alright. Let's take a look at some of the material that's in Amendment 7. As I understand this, if I am a child care provider and the parent does not pay me, you're going to require the taxpayers to reimburse me because I failed to collect or was unable to collect the co-pay from the parent?"

O'Brien: "This is just a... Representative Black, this is a technical Amendment. All of these provisions are in the original Bill. The original Bill had additional items in it that we have chosen to take out because they are included in Representative Klingler's Bill, and we are... This is just a cleanup so that we don't have duplicative legislation in the chamber."

Black: "Representative, I'll defer to your expertise, but you clearly said Amendment 7 becomes the Bill. So to my way of thinking, that takes Amendment 7 out of the realm of a technical Amendment. If the Amendment becomes the Bill, then we should debate the substantive merits of this Amendment."

O'Brien: "It is a cleanup of a prior Amendment. Obviously, the substance of it is not technical in nature, but the Amendment itself is technical, in that it cleans up what is already there."

Black: "Well, let me ask you this question, because I want to speak to the Amendment if I'm getting into the Bill. I don't want to do that, and by the rules, I'm not supposed to. In Amendment #7, do you create a construction set

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aside account?"

O'Brien: "Doesn't s..."

Black: "It does?"

O'Brien: "No, it do..."

Black: "Alright, so evidently, I'm a little confused then. The Amendment simply adds to the Bill..."

O'Brien: "No, it does not..."

Black: "...It would be my..."

O'Brien: "...What the Amendment does..."

Black: "... Does it incorporate the language of the Bill and then make some changes?"

O'Brien: "It... right. The Bill itself had two additional provisions in that Bill. This language in Amendment 7 doesn't add anything new. As a matter of fact, it deletes two provisions... "

Black: "Okay."

O'Brien: "...that were previously in the Bill, which are identical in nature to Representative Klingler's Bill, and that's why they were removed."

Black: "So, what I'm trying to make certain of is that I don't abrogate any of the rights that I have under the House Rules. If I don't ask you questions about the Amendment, and the Amendment becomes the Bill, then I may be giving up some of my ability to ask questions about the Bill. You see, you see where I'm confused? In other words, Amendment 7 incorporates all the language and deletes some..."

O'Brien: "But it adds nothing new..."

Black: "It adds no new provisions to the original Bill."

O'Brien: "That's correct."

Black: "Alright. Well, does it... the days... the hours have run together. Does this create an 800 number where I can call to get information on a baby-sitter or a good Yiddish meal,

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or was that an earlier Bill?"

O'Brien: "That was an earlier Bill, but Representative Ryder could use that 800 number to call and find out about one of these facilities."

Black: "Alright, okay. Well, you are an attorney, are you not, Representative?"

O'Brien: "I am."

Black: "Well, I think that's why I'm thoroughly confused by this Amendment. So, since I am J.D. deprived, I think I will turn the questioning over to my side of the aisle, who also are attorneys, and I know two or three of them did take correspondence courses and, I think, actually got through. So, I'll... with your permission, I'll reserve my right to question the Bill on Third. Would that be alright?"

O'Brien: "That would be fine."

Black: "Okay. Thank you."

Speaker Hannig: "Representative Cross."

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

Speaker Hannig: "She indicates she will."

Cross: "Representative, we may be asking some... or duplicate some questions, but no one's been able to hear a thing over here."

Speaker Hannig: "Could we have some order in the chamber? Representative Cross."

Cross: "Alright, I don't have any questions. Thank you."

Speaker Hannig: "Representative Biggert."

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

Speaker Hannig: "She indicates she will."

Biggert: "Thank you. Representative, the Amendment becomes the Bill?"

O'Brien: "Yes, it does."

Biggert: "Was the provision that on line 19 of the Amendment, on

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page 4, on 18 and 19... with the grace period for two months, was that in the original Bill, too?"

O'Brien: "Yes."

Biggert: "Well, it's in the Amendment and I have a little... serving on the Governor's Task Force for the reorganization of Human Services, and then we went over all of the issues concerning child care, and that was very much an important part of that welfare reform. My concern, just with that provision of the two free months of child care, is that, really thought that Bill, in providing the Welfare to Work, was really a... really emphasized the personal responsibility of people. And that was why we really wanted to put in, that even if these people paid only a quarter at a time for that child care, it still was a responsibility that they... that when there was a fee that they really had, took part of really paying for their own child care. And I think that just to give the two months free care really, then, after two months, then they go back, it really doesn't emphasize that personal responsibility. And I don't know why you changed that or put that in."

O'Brien: "Well, I think one of the first things that, is that I don't know of any day care center that charges a quarter and during that first two months, when an individual is at work, is when they are going to incur great expense. They may have to purchase items of clothing. They may have to, you know, make a car repair or do something. And what we're trying to do is to get them into the work force and not falling back into public assistance as a full time measure, and this is one thing that we think we can do at the front end. But, I don't, since this wasn't added to the Bill on the Amendment, I think it's something that

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should be argued on Third Reading."

Biggert: "Okay. Well, I have no objection to that, but, you know, I think that's something to think about, because that was something that we'd really emphasized in our discussions of this whole issue of child care. So, I have some real concerns with that."

O'Brien: "And it certainly, you know, something I'd be willing to talk with anyone about. Absolutely."

Speaker Hannig: "Okay. Is there any further discussion? Being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted."

O'Brien: "Thank you."

Speaker Hannig: "Any further Amendments?"

Clerk Bolin: "No further Amendments. A Fiscal Note has been requested on the Bill as amended by Amendment #7 and that Note has not yet been filed."

Speaker Hannig: "Okay, and so the Bill will remain on the Order of Second Reading. Mr. Clerk, read House Bill 2802."

Clerk Bolin: "House Bill 2802, a Bill for an Act to amend the School Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Hannig: "Okay. Representative Holbrook. Representative Stephens, to handle the Amendment."

Stephens: "Thank you, Mr. Speaker. Representative Holbrook and I are working together on this. This Amendment simply deals with an objection that the State Board of Education had to clarify language to make sure that there was not a double payment for transportation costs made. That makes sense. We agree with the Amendment to make sure that there's just

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a single payment made. I would move its adoption."

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

Black: "I'm sorry, Mr. Speaker. That didn't sound like Representative Holbrook. Did he present his Amendment? I didn't even see him over there."

Speaker Hannig: "He's standing behind Representative Stephens and assisting him. He's a part time staffer on your side, too, I think."

Black: "Oh, I obviously got a crossed signal. This is a wonderful Amendment."

Speaker Hannig: "Very wonderful. Is there any further discussion? The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On the Calendar, on page 10 is House Bill 3262. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3262. The Bill has been read a second time previously. No Committee Amendments. Floor Amendment 1, offered by Representative Mitchell, has been approved for consideration."

Speaker Hannig: "Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you Amendment #1 to House Bill 3262, a Bill previously run by an esteemed colleague, Congressman Phelps. Excuse me, Representative Phelps. This is a Bill to create the new Teacher Certification Board. In committee, there were several concerns that have been addressed by Amendment #1. The first one being one of party affiliation for some of the offices and for some of the positions that will be filled. And the Amendment

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language will now read, 'One of the parents and one of the representatives of the business community, so upon it should be members of the Democratic party, and the other parent representative of the business community shall be members of the Republican party'. The Amendment continues on to say that on page 18, immediately following below line 7, we will insert, '3.5 renewed certificates of teachers employed by a school district, subject to Article 34', and this covers the Chicago teachers and their certificates, because they were not addressed in the Bill originally, and that was a concern. There were also some dates that needed to be changed to the year 2000 from 1999, which were on page 24, line 22, page 24, line 23; changes the date 2001 to 2002 and page 27, line 27 by replacing the number 7 to the number 5, which means the number... the number of years needed to renew the standard certificate and the professional... required for that renewal. This changes it back and makes it compatible with House Bill 452. I'd be happy to answer any questions. Thank you."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. On the Calendar, on page 6 is House Bill 2814, Representative Giles. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2814, a Bill for an Act to amend the Election Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Giles, has been approved for consideration."

Speaker Hannig: "Representative Giles."

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Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 simply changes some technical language. It changes the word 'shall'... changes the word 'shall' to 'may' and also exclude a part of the Election Code, which deals with absentee voting and curbside voting as well. And I ask for its adoption."

Speaker Hannig: "And on that question, Representative Skinner is recognized."

Skinner: "Yes, I wondered if the Representative would yield for a question?"

Speaker Hannig: "He indicates he will."

Skinner: "The change that I see here, which is interesting, is that you are requiring the voter to put the ballot into the box, rather than to hand the ballot to an election judge, who shall put it in the box. Why are you suggesting that change?"

Giles: "Representative, that's a good question. In my district, there were many constituencies of mine who requested and asked to have the opportunity to put their own ballot into the ballot box. For instance, sure, Representative, of course you know this is just, this is the Amendment. The underlying Bill is what we're talking about now. But, I will answer you. My own self, when I went to the polls and cast my vote in this last primary election, I... after I had voted and handed my ballot to the election judge, for some reason that judge was in conversation and distracted by someone, and it took that judge a little bit of time to cast my ballot. So, I simply want, and I waited there for about four minutes to make sure that my ballot was cast. So, I think this is the actual Bill, which you are having me to talk on. I think this is a good Bill. I think there is a lot of residents that would love to have the

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opportunity to make sure, before they leave the polling place, that their ballot is cast.

Skinner: "I guess you don't trust the judge?"

Giles: "In many elections, there's a lot of different election judges. Of course, we know the turnover of election judges is very high for some reason or another, but what this Bill simply does... There's a lot of people who want to make sure that their ballot actually get cast and to leave that polling place with the assurance that they have done so."

Skinner: "Okay. You say that's in the original Bill. It's also in the Amendment. What other... What change do you make in the Amendment?"

Giles: "The Amendment, what it does is changes the word 'shall' to 'may'. That will give the option of the voter to have... to be able to place their ballot into the box. It doesn't necessarily mandate. It just gives that voter the option and in some instance in committee we had a case in which someone said, 'Well, what if that person is short in stature. They cannot reach the actual ballot box.' Then, of course, we will proceed with the current situation in which the election judge will actually put the ballot into the ballot box."

Skinner: "I'm trying to find where you put the word 'may' instead of 'shall'. Could you tell me what line that's on?"

Giles: "Representative, I believe the Amendment will change every 'shall' to 'may'."

Skinner: "Well, on line 14, it says, 'The voter shall then vote by depositing the primary ballot in the ballot box.'"

Giles: "Yes, Representative. You're looking at the underlying Bill, but the Amendment will change that."

Skinner: "No, I'm looking at Amendment 1. Where you're making it permissive, it's saying that the..."

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Giles: "I'm sorry, Representative. My computer is not giving me all of my Amendment."

Skinner: "But doesn't it say that the primary election judge may observe the voter while the ballot is deposited into the ballot box? I would think we darn well want to make sure the primary judge observes the putting of the ballot into the ballot box. I mean, that ought to be a 'shall'."

Giles: "Sure, but, Representative, the Amendment addresses the option of the voter to put the ballot into the election box."

Skinner: "Well, I can only read what is on the language on line 14 through 17. It says, 'The voter shall then vote by depositing the primary ballot in the ballot box.' And the next two lines says, 'The primary judge may observe the voter while the ballot is being deposited in the ballot box.' That sounds like, I mean, it sounds like you should have the verbs reversed. The voter may and the primary judge shall observe."

Giles: "Representative, maybe I may have to come over and look at your lap top. I don't have it on mine. But, the intent is, is that the voter will have the option to place his or her ballot into the election ballot box."

Giles: "I think you've reversed them. Mr. Speaker, I notice that the Morgan Fairchild contingent is badgering you. So, I will stop talking."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "He... he will."

Black: "Representative, I'll hold my questions until the Bill is on Third, but you said something that I need to make notes on the file. Being vertically challenged myself, you said,

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'If a voter was short, he or she may not be able to see the judge put the ballot in the ballot box.' How tall are ballot boxes in your area?"

Giles: "No, Representative, no. That wasn't the statement that I made."

Black: "Oh..."

Giles: "The statement was that in committee, instance, or a person, Member asked, 'Well, what if an individual is too short in stature to actually put a ballot into the ballot box?' Well, because what we're trying to do is give that voter an option to place their own ballot into the box to make sure that it's cast, and so the answer is, is that that voter will proceed to give that ballot to the election judge, the current situation that we have now, to put into the ballot box."

Black: "Okay, well, I... I wanted to make sure I didn't misunderstand any of it. I... obviously there'll be some questions that we'll bring up on Third Reading, but in the interest of time, I appreciate your indulgence."

Giles: "Thank you, Representative."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. A State Mandates Note has been requested on the Bill and that Note has not been filed."

Speaker Hannig: "Okay. On the Order of Second Reading, on page 11 of the Calendar is House Bill 3387, Representative Pugh. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3387, the Bill's been read a second time previously... previously. Amendment #1 was adopted in

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

Speaker Hannig: "Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Floor Amendment #2 is an agreed Amendment that works out some of the flaws in the initial piece of legislation, which will allow it to be a compromise piece of legislation to be moved from Second to Third Reading."

Speaker Hannig: "Is there any discussion? The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments. The Fiscal Note and a State Mandates Note have been requested on the Bill, as amended, and those Notes have not been filed."

Speaker Hannig: "Okay, and so the Bill will remain on the Order of Second Reading. On page 19 of the Calendar on the Order of Third Reading is House Bill 3436, Representative Klingler. Does the Sponsor request the Bill mov... be remov... be moved back to Second for purposes of an Amendment? Have you done that?"

Klingler: "Yes, Mr. Speaker."

Speaker Hannig: "Okay, the Clerk indicates..."

Klingler: "This Amendment is a technical Amendment to correct a drafting error in the original Bill. The original Bill provided that in the case of a person attending school and working at least 20 hours a week, if that person were claimed as a dependent on the family's income tax, that person would be automatically ineligible for any child care assistance. The Amendment changes the original intent of the Bill to say that the income of the parent shall be considered in determining the applicant's eligibility for

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services and the amount of the co-payment required. If the applicant is claimed as a dependent on the parent's federal income tax return."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Okay, the House is prepared to adjourn at this time. Representative Stephens, for what purpose do you rise? You want to stay a little longer?"

Stephens: "I would like to make that Motion. Can I be recognized for that purpose? I've never made the Adjournment Motion."

Speaker Hannig: "Okay, first let us remind the Members that there is a schedule passed around on the House Floor that indicates when there will be committee meetings tomorrow for purposes of an Amendment... of Amendments to be heard in committee. So, Representative Stephens now moves that allowing perfunctory time for the House that the House stand adjourned until Thursday, March 26 at the hour of 10 a.m., 10 a.m. All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the House stands adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 1225, offered by Representative Acevedo, a Bill for an Act in relation to public officials. Senate Bill 1260, offered by Representative Bost, a Bill for an Act to amend the Criminal Code. Senate Bill 1273, offered by Representative McGuire, a Bill for an Act to amend the Bingo License and Tax Act. Senate Bill 1279, offered by Representative Joe Lyons, a Bill for an Act concerning

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certain state poll... payroll deductions. Senate Bill 1331, offered by Representative Roskam, a Bill for an Act to amend the Property Tax Code. Senate Bill 1383, offered by Representative McKeon, a Bill for an Act to amend the Civil Administrative Code. Senate Bill 1384, offered by Representative McKeon, a Bill for an Act concerning children. Senate Bill 1425, offered by Representative Ryder, a Bill for an Act in relation to criminal law. Senate Bill 1427, offered by Representative Zickus, a Bill for an Act in relation to the unlawful use of weapons. Senate Bill 1471, offered by Representative Kosel, a Bill for an Act to amend the Unified Code of Corrections. Senate Bill 1547, offered by Andrea Moore, a Bill for an Act to amend the Liquor Control Act. Senate Bill 1695, offered by Representative Tenhouse, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 1728, offered by Representative Mautino, a Bill for an Act to amend the Illinois Insurance Code. Senate Bill 1755, offered by Representative Holbrook, a Bill for an Act amending the Probate Act. Senate Bill 1246, offered by Representative Kosel, a Bill for an Act concerning schools. Senate Bill 1324, offered by Representative Reitz, a Bill for an Act to amend the Senior Citizen and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Senate Bill 1617, offered by Representative McAuliffe, a Bill for an Act to amend the Dance Studio Act. Senate Bill 1425, offered by Representative Daniels, a Bill for an Act in relation to criminal law. First Reading of these Senate Bills."

Clerk Rossi: "House Bills - Second Reading. I'm going to read the Bills on Second Reading and hold them. House Bill 109, a Bill for an Act to amend the Build Illinois Bond Act.

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House Bill 174, a Bill for an Act to amend the State Comptrollers Act. House Bill 26... 2167, a Bill for an Act in relation to community service. House Bill 2299, a Bill for an Act to amend the Illinois Enterprise Zone Act. House Bill 2301, a Bill for an Act to amend the Election Code. House Bill 2306, a Bill for an Act concerning vehicles. House Bill 2307, a Bill for an Act concerning mass transportation grants. House Bill 2370, a Bill for an Act concerning religious freedom. House Bill 2373, a Bill for an Act concerning motor vehicle raceways. House Bill 2374, a Bill for an Act concerning highways. House Bill 2380, a Bill for an Act amending the General Obligation Bond Act. House Bill 2443, a Bill for an Act to amend the Illinois Pension Code. House Bill 2444, a Bill for an Act to amend the Illinois Pension Code and State Mandates Act. House Bill 2469, offered by Representative Fritchey, a Bill for an Act to amend the Criminal Code of 1961. House Bill 2498, a Bill for an Act in relation to persons wrongfully imprisoned. House Bill 2503, a Bill for an Act to amend the Freedom of Information Act. House Bill 2509, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2555, a Bill for an Act to create the Auctioneer Licensing Act. House Bill 2558, a Bill for an Act to amend the Criminal Code of 1961. House Bill 2560, a Bill for an Act to abolish the Regional Board of School Trustees. House Bill 2564, a Bill for an Act to amend certain Acts in relation to liens. House Bill 2565, a Bill for an Act to amend the Board of Higher Education Act. House Bill 2568, a Bill for an Act to amend the Criminal Code. House Bill 2573, a Bill for an Act to amend the Unified Code of Corrections. House Bill 2593, a Bill for an Act to amend the Criminal Code. House Bill 2624, a Bill for an Act to

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amend the Mental Health and Developmental Disabilities Administrative Act. House Bill 2625, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. House Bill 2630, a Bill for an Act concerning the safety and soundness of public investments. House Bill 2634, a Bill for an Act to permit retired peace officers to carry concealed firearms. House Bill 2636, a Bill for an Act amending certain Acts in relation to pensions. House Bill 2645, a Bill for an Act concerning certain medical procedures relating to reconstructive surgery. House Bill 2652, a Bill for an Act concerning toll highways. House Bill 2687, a Bill for an Act amending the Naprapathic Practice Act. House Bill 2688, a Bill for an Act amending the Barber, Cosmetology, Esthetics and Nail Technology Act of 1985. House Bill 2690, a Bill for an Act amending the Liquor Control Act of 1934. House Bill 2724, a Bill for an Act to amend the Workers' Compensation Act. House Bill 2746, a Bill for an Act amending the Illinois Highway Code. House Bill 2774, a Bill for an Act to amend the School Code. House Bill 2800, a Bill for an Act amending the Criminal Code of 1961. House Bill 2812, a Bill for an Act amending the Counties Code. House Bill 2821, a Bill for an Act amending the Environmental Protection Act. House Bill 2843, a Bill for an Act amending the Illinois Municipal Code. House Bill 2844, a Bill for an Act amending the School Code. House Bill 2846, a Bill for an Act amending the Metropolitan Water Reclamation District Act. House Bill 2857, a Bill for an Act amending the Metropolitan Water Reclamation District Act. House Bill 2860, a Bill for an Act amending the Illinois Insurance Code. House Bill 2885, a Bill for an Act concerning driving under the influence of intoxicating compounds. House Bill 2896, a

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Bill for an Act amending the Illinois Public Labor Relations Act. House Bill 2909, a Bill for an Act amending the Civil Administrative Code of Illinois. House Bill 2921, a Bill for an Act relating to advanced practice registered nurses. House Bill 2944, a Bill for an Act to amend the Illinois Municipal Code. House Bill 3000, a Bill for an Act amending the Unified Code of Corrections. House Bill 3016, a Bill for an Act to amend the Health Maintenance Organization Act. House Bill 3019, a Bill for an Act to add Article 19c to the School Code. House Bill 3030, a Bill for an Act to amend the Liquor Control Act. House Bill 3034, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3041, a Bill for an Act to amend the Unified Code of Corrections. House Bill 3063, a Bill for an Act to amend the Code of Criminal Procedure of 1963. House Bill 3067, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3088, a Bill for an Act to amend the Service Occupation Tax. House Bill 3126, a Bill for an Act relating to higher education. House Bill 3127, a Bill for an Act to amend the School Code. Second Reading of these House Bills."

Clerk Rossi: "Continuing on the Order of House Bills - Second Reading. House Bill 3528 (sic-3128), a Bill for an Act to amend the Soil and Water Conservation Districts Act. House Bill 3142, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 3147, a Bill for an Act in relation to Chicago Express Partnership Program. House Bill 3162, a Bill for an Act to amend the Illinois Domestic Violence Act. House Bill 3170, a Bill for an Act in relation to methamphetamine. House Bill 3173, a Bill for an Act to amend the Sale of Tobacco to Minors Act. House Bill 3225, a Bill for an Act concerning allied health practices.

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House Bill 3229, a Bill for an Act concerning insurance company privilege taxes. House Bill 3235, a Bill for an Act concerning computer operations of certain financial institutions. House Bill 3236, a Bill for an Act to amend the Illinois Motor Vehicle Theft Prevention Act. House Bill 3256, a Bill for an Act to amend the Environmental Protection Act. House Bill 3265, a Bill for an Act to amend the Health Maintenance Organization Act. House Bill 3273, a Bill for an Act to amend the Freedom of Information Act. House Bill 3279, a Bill for an Act to amend the Violent Crime Victims Assistance Act. House Bill 3287, a Bill for an Act concerning environmental protection. House Bill 3318, a Bill for an Act to amend the Communicable Disease Prevention Act. House Bill 3321, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. House Bill 3325, a Bill for an Act to amend the School Code. House Bill 3347, a Bill for an Act to amend the Road Workers Safety Act. House Bill 3352, a Bill for an Act to amend the Counties Code. House Bill 3354, a Bill for an Act concerning governmental ethics. House Bill 3356, a Bill for an Act to amend the Unified Code of Corrections. House Bill 3375, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. House Bill 3377, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3389, a Bill for an Act to amend the Unified Code of Corrections. House Bill 3403, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 3446, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 3447, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 3461, a Bill for an Act to amend the... to create the Chicago Southland Civic Center Authority. House Bill 3476, a Bill for an Act in

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relation to conditions of employment. Second Reading of these House Bills."

Clerk Bolin: "House Bill 3500, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3502, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3518, a Bill for an Act to amend the Legislative Information System Act. House Bill 3519, a Bill for an Act in relation to torts. House Bill 3520, a Bill for an Act concerning advanced practice registered nursing. House Bill 3524, a Bill for an Act to amend the Illinois Purchasing Act. House Bill 3527, a Bill for an Act to amend the Illinois Horse Racing Act of 1975. House Bill 3528, a Bill for an Act to amend the Riverboat Gambling Act. House Bill 3533, a Bill for an Act to amend the Public Utilities Act. House Bill 3534, a Bill for an Act to amend the Environmental Protection Act. House Bill 3535, a Bill for an Act to amend the Environmental Protection Act. House Bill 3539, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3556, a Bill for an Act concerning contractor license and permit bonds. House Bill 3559, a Bill for an Act to amend the Community Services Act. House Bill 3564, a Bill for an Act to amend the Good Samaritan Act. House Bill 3575, a Bill for an Act to amend the Property Tax Code. House Bill 3579, a Bill for an Act to amend the Code of Civil Procedure. House Bill 3581, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 3625, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 3628, a Bill for an Act to create the Land Banking Beneficial Disclosure Act of 1998. House Bill 3630, a Bill for an Act in relation to sale and transfer of firearms at gun shows. House Bill 3632, a Bill for an Act to amend the Citizens Utility Board Act. House Bill 3665,

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a Bill for an Act to amend the Juvenile Court Act of 1987. House Bill 3672, a Bill for an Act to amend the Juvenile Court Act of 1987. House Bill 3674, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3696, a Bill for an Act concerning construction safety. House Bill 3697, a Bill for an Act to amend the Sexually Violent Persons Commitment Act. House Bill 3710, a Bill for an Act to amend the Illinois Plumbing License Law. House Bill 3719, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. House Bill 3724, a Bill for an Act creating the offense of aggravated domestic battery. House Bill 3741, a Bill for an Act relating to the forfeiture of motor vehicles. House Bill 3753, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3758, a Bill for an Act to amend the Criminal Code of 1961. House Bill 3771, a Bill for an Act to amend the School Code. House Bill 3775, a Bill for an Act to amend the Illinois Health and Hazardous Substances Registry Act. House Bill 3778, a Bill for an Act to amend the Adoption... a Bill for an Act to amend the Adoption Act. House Bill 3794, a Bill for an Act to amend the School Code. House Bill 3797, a Bill for an Act to amend the School Code. House Bill 3806, a Bill for an Act concerning campaign reform. House Bill 3811, a Bill for an Act to amend the Property Tax Code. House Bill 3833, a Bill for an Act concerning judicial districts. These Bills will be held on the Order of Second Reading."

Clerk Bolin: "Having no further business, the House Perfunctory Session will stand adjourned. The House will reconvene in regular Session Thursday, March 26th at 10 a.m."