

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

42nd Legislative Day

April 14, 1997

Speaker Granberg: "The hour of one o'clock having arrived, the Members shall be in their seats. Unauthorized visitors should leave the House Floor. We will be led in prayer today by the Reverend Lee Crawford, our doorkeeper."

Reverend Crawford: "Let us pray."

Speaker Granberg: "Mr. Crawford. The Minister just, the scheduled Minister just made it into the chambers. We will be led in prayer today by Pastor Jeff Blevins with the Western Oaks Baptist Church in Springfield. Pastor Blevins is the guest of Representative Raymond Poe. Guests in the Gallery may wish to rise for the invocation."

Pastor Blevins: "Would you join me as we go to the Lord in prayer? Our God and our Father, stand before this House today as an intercessor, an intercessor for these men and women whom You and Your sovereign plan have allowed to serve. I pray that they will be given wisdom, wisdom to discern that which is true and a understanding that there are spiritual absolutes in this world to determine which is right and that which is wrong. Give them the courage to make decisions based on the truth of Your eternal word and the tenacity to live that truth. I pray that they will be given strength both for their personal lives and their professional lives. Here in this room are our Legislators, but they are first and foremost men and women, parents, grandparents, sons, daughters, they are people. God, these are Your people. May Your strength equip them for their work. May the strength that the Prophet Isaiah spoke of cause them to rise up with wings like eagles this very day. May they know that You are here and that they can know You. We pray in the name of our Savior, Jesus Christ. Amen."

Speaker Granberg: "We will be led in the Pledge of Allegiance today by the Representative Verna Clayton."

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

42nd Legislative Day

April 14, 1997

Clayton - 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 Granberg: "Roll Call for Attendance. Mr. Cross."

Cross: "We're all here on the Republican side. Thank you very much, Mr. Speaker."

Speaker Granberg: "Thank you very much, Mr. Cross. Mr. Hannig."

Hannig: "Thank you, Mr. Speaker. Let the record reflect that there are no excused absences on the Democratic side of the aisle."

Speaker Granberg: "Thank you, Mr. Hannig. Hundred-sixteen Members indicating their presence, a quorum is present, the House is hereby convened. House Bill...it is the Chair's intention to go to the remainder of non-controversial Bills that were agreed to by both sides of the aisle that were not completed last Saturday. We have six Bills on that order. We will complete that order and then go to Second Readings where we left off Saturday. The first Bill is House Bill 623, Representative Fantin. One minute explanation, if you so desire."

Fantin: "Thank you, Mr. Speaker."

Speaker Granberg: "The Lady from Cook, Representative Fantin."

Fantin: "This is a clarification of a Bill that was done last year, and what it does is take homestead exemption improvement for property that has been destroyed by fire or flood. And the people would be able to get...just pick up their homestead exemption up to \$30 thousand if the home is rebuilt."

Speaker Granberg: "Thank you. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 623, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

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

42nd Legislative Day

April 14, 1997

Speaker Granberg: "The Lady moves for the passage of House Bill 623. On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hannig, 'aye'. Mr. Clerk, take the record. On that question, 116 voting 'aye'; 0 voting 'no', 0 voting 'present'. House Bill 623, having received a Constitutional Majority, is hereby declared passed. House Bill 693, Representative Deering. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 693, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Washington, Mr. Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill requires that board of reviews in commission counties have to meet the state certification and registration requirements. I would like to ask for a favorable Roll Call."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall 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. On this question, 116 voting 'yes'; 0 voting 'no', 0 voting 'present'. House Bill 693, having received a Constitutional Majority, is hereby declared passed. House Bill 981. Read the Bill, Mr. Clerk. Excuse me, Mr. Clerk. Is Representative Schoenberg in the chamber? Out of the record. House Bill...is Representative Curry in the chamber? Julie Curry. House Bill 1298, Representative Schakowsky. House Bill 2076, Representative Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2076, a Bill for an Act relating to the

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

42nd Legislative Day

April 14, 1997

rehabilitation and improvement of school facilities. Third Reading of this House Bill."

Speaker Granberg: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 2076 would set up a task force to study how private activity bonds can be used to construct and repair schools. I move for the passage of the Bill."

Speaker Granberg: "The Lady moves for the passage of House Bill 26 (sic - 2076). On that question, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Lang, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question, 116 voting 'aye'; 0 voting 'no', 0 voting 'present'. House Bill 2076, having received the Constitutional Majority, is hereby declared passed. House Bill 981, Representative Schoenberg. Does Representative Andrea Moore have leave to handle this Bill for Representative Schoenberg? Any objection?. Leave is granted. Representative Moore. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 981, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Lake, Representative Andrea Moore...moves for the passage of House Bill 981."

Moore, A.: "Thank you, Mr. Speaker."

Speaker Granberg: "Representative Moore, could you give a brief explanation?"

Moore, A.: "Not without 30 seconds, I can't."

Speaker Granberg: "Representative Moore, Representative Currie might know something a little bit more about the Bill without the file. Representative Currie, the Lady from

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

42nd Legislative Day

April 14, 1997

Cook."

Currie: "Thank you, Speaker. Did the Clerk read the Bill?"

Speaker Granberg: "Yes."

Currie: "Okay. This is an effort to make sure that people who are required to pay information and do filings at the federal level for household help when the pay is below a certain threshold, will not have to go through the bureaucratic paperwork of filing instead at the state level. This was an issue at the federal level a few years ago, and the effort is to make sure that the federal paperwork burdens that were lifted would not instead stay on as paperwork burdens for Illinois employers of household help."

Speaker Granberg: "The Lady moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall 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. On this question, 116 voting 'aye'; 0 voting 'nay', 0 voting 'present'. House Bill 981, having received the Constitutional Majority, is hereby declared passed. House Bill 1121, Representative Julie Curry."

Clerk Rossi: "House Bill 1121, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Macon, Representative Curry."

Curry: "Thank you, Mr. Speaker. House Bill 1121 amends the Property Tax Code. Provides that if mineral rights have been offered at a scavenger sale for over 10 years, the mineral rights then revert to the surface owner. The treasurer, the county treasurers, to deliver a notice of the reversion to the party in whose name the mineral rights were last assessed and to the County Recorder of Deeds."

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

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

42nd Legislative Day

April 14, 1997

All in favor shall vote 'aye'; all opposed shall 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. On this question, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1121, having received the Constitutional Majority, is hereby declared passed. House Bill 1298, Representative Schakowsky. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1298, a Bill for an Act amending the Illinois Act on Aging. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What this Bill does is create a planning process to see how resources from the state can be shifted from institutional care to more home based and community based care for the elderly. It's part of a package of Bills under the banner of, 'There's no place like home', which are...which is supported by a wide range of organizations, including the Home Care Agencies and the AARP, and all the other senior citizens groups, the Alzheimer's Association, et cetera. I urge 'do pass'."

Speaker Granberg: "The Lady moves for the passage of the Bill. On that, all in favor shall vote 'aye'; all opposed shall 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. On this question, 112 voting 'aye', 4 voting 'no', 0 voting 'present'. House Bill 1298, having received the Constitutional Majority, is hereby declared passed. House Bills, Second Reading. We're going back to the order where we left off Saturday. House Bill...House Bill 1784, Representative Schakowsky. Read

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

42nd Legislative Day

April 14, 1997

the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1784, this Bill has been read a second time previously. No Committee Amendments. No Floor Amendments approved for consideration."

Speaker Granberg: "The Lady from Cook, Representative Scha... Representative Schakowsky, do you have an Amendment prepared for this Bill? It has not been referred to the Floor. Out of the record. House Bill 1809. Read the Bill."

Clerk Rossi: "House Bill 1809, a Bill for an Act amending the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Granberg: "The Lady from Cook, Representative Ronen. Representative Carol Ronen. There are no Amendments pending, Representative Ronen? You want to move the Bill to Third?"

Ronen: "Yes."

Speaker Granberg: "Third Reading. House Bill 1821, Representative Biggert. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1821, a Bill for an Act to amend the Property Tax Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Skinner has been approved for consideration."

Speaker Granberg: "The Gentleman from McHenry, Representative Skinner, on the Amendment."

Skinner: "Mr. Speaker, this is a Bill which I think will do as much harm to the tax cap or more than Senate Bill 368. I can tell you that Senate Bill 368 has resulted in the issuance of \$868 million worth of bonds in the last two years."

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

42nd Legislative Day

April 14, 1997

Speaker Granberg: "Excuse me, Mr. Skinner. Excuse me. Mr. Brunsvold in the Chair. To the Amendment, Mr. Skinner."

Skinner: "This Amendment will say that any tax rate referendum question after the effective date of this Bill will have to say that the tax rate in question will not be subject to the tax cap. It seems to me it's a sort of a consumer protection idea. It does not, however, improve the basic underlying nature of the Bill, which will allow any tax rate that was passed since 1989 to be issued without limitation under the tax cap."

Speaker Brunsvold: "Questions of the Sponsor of the Amendment. Seeing no questions, all those in favor of the Amendment say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment is adopted. Third Reading. Excuse me. Mr. Clerk, further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Biggert."

Speaker Brunsvold: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #2 is really to gut the Bill. In discussions with other Representatives, including Representative Skinner, I've had a concern over the referendums under the tax cap, but I don't believe that the underlying Bill really does what I wanted it to do. So, I would rather work on it at some future time and just gut the Bill."

Speaker Brunsvold: "Any questions of the Representative? Seeing none, all in favor of the Motion say 'aye'; all opposed say 'no'. The 'ayes' have it and the Motion is adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Mr. Biggert, would you like to leave this on Second Reading?"

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

42nd Legislative Day

April 14, 1997

Biggert: "Mr. Speaker, I prefer to move it to Third Reading."

Speaker Brunsvold: "The Sponsor would like to move it to Third Reading. Third Reading. House Bill 1822, Mr. Clerk. Mr. Clerk, take that Bill out of the record. House Bill 1823."

Clerk Rossi: "House Bill 1823, this Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winkel, has been approved for consideration."

Speaker Brunsvold: "Representative Winkel."

Winkel: "Thank you, Mr. Speaker. This is...some technical changes in the underlying Bill itself. The underlying Bill makes some changes to streamline the funding of the Safe Schools Act. And Floor Amendment #1, we define what is work and work related learning in the curriculum for safe schools, and it also includes an effective date of July 1, 1997."

Speaker Brunsvold: "Any discussion on the Amendment? Seeing none, the Gentleman moves for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 1825. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1825, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading...or Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1828."

Clerk Rossi: "House Bill 1828, a Bill for an Act amending the Alternative Health Care Delivery Act. Second Reading of

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

42nd Legislative Day

April 14, 1997

this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1843."

Clerk Rossi: "House Bill 1843, a Bill for an Act amending the Prevailing Wage Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1869."

Clerk Rossi: "House Bill 1869, a Bill for an Act amending the Medical Examination of Employees Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1891."

Clerk Rossi: "House Bill 1891, a Bill for an Act to amend the Counties Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1895."

Clerk Rossi: "House Bill 1895, a Bill for an Act to amend the Medical Practice Act of 1987. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1898."

Clerk Rossi: "House Bill 1898, 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."

Speaker Brunsvold: "Third Reading. House Bill 1904."

Clerk Rossi: "House Bill 1904, a Bill for an Act amending the Medical Practice Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

42nd Legislative Day

April 14, 1997

Speaker Brunsvold: "Third Reading. House Bill 1906."

Clerk Rossi: "House Bill 1906, a Bill for an Act amending the Illinois Banking Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1914."

Clerk Rossi: "House Bill 1914, a Bill for an Act amending the Illinois Uniform Conviction Information Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. House Bill 1915."

Clerk Rossi: "House Bill 1915, a Bill for an Act in relation to telecommunications providers. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1917."

Clerk Rossi: "House Bill 1917, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2030."

Clerk Rossi: "House Bill 2030, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2047."

Clerk Rossi: "House Bill 2047, a Bill for an Act to amend the Illinois Pension Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2066."

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

42nd Legislative Day

April 14, 1997

Clerk Rossi: "House Bill 2066, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2067."

Clerk Rossi: "House Bill 2067, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amend..."

Speaker Brunsvold: "Representative Turner, would you want to hold this on Second? The Gentleman requests that this be held on Second Reading. House Bill 2068, Mr. Clerk."

Clerk Rossi: "House Bill 2068, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Excuse me, Mr. Turner, for what reason do you rise?"

Turner, J.: "Thank you, Mr. Speaker. I would like that to be held on Second, please."

Speaker Brunsvold: "Mr. Clerk, put that Bill back on Second Reading. House Bill 2069."

Clerk Rossi: "House Bill 2069, a Bill for an Act amending the Firearm Owners Identification Card Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Wood, has been approved for consideration."

Speaker Brunsvold: "Representative Wood, to present the Floor Amendment."

Wood: "Yes. Thank you. House Amendment #1 merely reflects the understanding that we reached with the Department of State Police regarding the enforcement of the revoked card as was

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

42nd Legislative Day

April 14, 1997

discussed in committee."

Speaker Brunsvold: "Any questions on the Amendment? Seeing none, the Lady has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2077."

Clerk Rossi: "House Bill 2077, 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 2098."

Clerk Rossi: "House Bill 2098, a Bill for an Act concerning state property. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Black, has been approved for consideration."

Speaker Brunsvold: "And on that, Representative Black with the Floor Amendment."

Black: "Thank you very much, Mr. Speaker. Floor Amendment #1 just simply says that the State Legislators shall not drive nor park a foreign vehicle on state property."

Speaker Brunsvold: "A few Members would like for you to repeat that description of the Bill, Mr. Black."

Black: "Yes. The Amendment, which passed the committee with an overwhelming vote, adds to the 'Buy American - Buy Illinois' Bill. It just simply says that Legislators shall set the example. Either you're going to have to trade in your Mercedes Benz or you are not going to park it on state property."

Speaker Brunsvold: "Discussion on the Amendment. Mr. Davis, the Gentleman from Madison. Mr. Davis."

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

42nd Legislative Day

April 14, 1997

Davis, S.: "Thank you, Speaker. Would the Sponsor yield?"

Speaker Brunsvold: "He indicates he will."

Davis, S.: "Representative Black, can you inform this Body as to the reasons for you filing the Amendment?"

Black: "Yeah, this...I've added this two or three times over the years. Number one, I think anytime you're going to do a 'Buy America' Bill, the General Assembly Members ought to take the lead in this. We talked everything from clothing to shoes to you name it. I have some first hand experience in my district about how easy it is to say, 'Buy American' and how difficult it is to do. I had a General Motors plant that at one time employed 3,000 UAW workers. It's gone, it's padlocked. I had a General Electric plant that employed about 750, it's gone, it's padlocked. You know, it's a... I think if this Body wants to get into this, then this Body should set the standard, set the example, and it's got a percentage content. In other words, if it's got a foreign name plate, but about 50% of that vehicle is, in fact, value added in the United States, that's perfectly acceptable. It really kind of dovetails with what the underlying Bill is attempting to do."

Davis, S.: "Representative, do you think that by us passing this Floor Amendment that we would be violating any of the agreements on NAFTA and GATT?"

Black: "Well, I...you know, I'm one of the few Republicans who thought NAFTA was a 'SHAFTA', but that was done in Washington, D.C., not here. You know, it might, and that's a good point. But I...you know, I really wouldn't mind a court case on that just to see, quite frankly."

Davis, S.: "There were some concerns, I think, brought up in the Labor Committee about the implementation of this law when it comes to really trying to find out where these cars are

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

42nd Legislative Day

April 14, 1997

built and where the parts come from, when the cars are being built. How are we going to identify that? I believe you were trying to explain that in committee. Possibly you should explain that to the full Body."

Black: "Sure. I'm of the opinion and I have some literature and material. I have a book called, Made in the U.S.A., excuse me. And when General Motors closed in Danville, we gave a lot of talks about how you can use a VIN number, a vehicle identification number, to track down, in fact, where the bulk of that automobile was manufactured and/or assembled. So, while it's not the easiest thing to do, for example, one of the foreign name plate cars is put together almost in entirety in Ohio. It can be done. It isn't the easiest thing to do, but I think we would all be a little bit surprised and shocked if we really got into this to find out how many, what we would consider American name plates are, in fact, not made in the United States."

Davis, S.: "Well, Representative, I believe that this goes hand and hand with the 'Buy Illinois - Buy American Bill' that I've introduced. I think it is a good idea; I support your Amendment. I think it helps in job creations. I think it could help workers in the State of Illinois and workers throughout the United States of America. So, I support your Amendment."

Black: "Well, I appreciate that, Representative. And I think it does, too, and again, I think if we're going to pass Bills like this, we need to take the lead."

Speaker Brunsvold: "Thank you. The Clerk has indicated to the Speaker, if this would relate to his vehicle also?"

Black: "I believe it does."

Speaker Brunsvold: "I believe it does, yes. Mr. Brady, on the Amendment. The Gentleman from McLean."

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

42nd Legislative Day

April 14, 1997

Brady: "Will the Sponsor yield?"

Speaker Brunsvold: "Indicates he will."

Brady: "Representative, as I read the Amendment, it seems pretty simple, but I'm concerned. How do you define an imported car?"

Black: "It's based on percentage content, U.S. made. And I'm not sure how..."

Brady: "As I read the Amendment, Representative, it says vehicles of elected officials, no elected official in the State of Illinois may own an imported car or truck, or a part imported car or truck on state proper...or park on state property unless the car or truck consists of 55% United States content."

Black: "Right. That's the underlying Bill."

Brady: "You're saying you can't have... You're saying you could only have an imported car or truck parked on state property if 55% of that is domestic content. It doesn't seem to be consistent. You're calling something an import, and then you are defining how an import could be parked on state property."

Black: "No, I don't think so. It's going to have to be 55% American content. There are some cars with foreign name plates that have no problem meeting that threshold at all, and there are some that don't have any American content."

Brady: "I guess my question is, you're saying no...it says you can't. No elected official in the State of Illinois may own an imported car or truck or park an imported car or truck on state property. And so we can't own them and we can't park them, is what you're saying. So every elected official would have to sell. Not alone can't they park it, they would have to sell it. And then secondly, you go on to redefine what kind of imports can be owned and parked."

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

42nd Legislative Day

April 14, 1997

I think you're doing more than you want, and I think your language is inconsistent."

Black: "Well, many people have called me inconsistent, but I kind of like the Amendment. I think the General Assembly should take the lead when they talk about 'Buy America and Buy Illinois', and this simply says that you're not going to get around this by driving your wife's car or your sister-in-law's car. If it doesn't meet American content percentage, you're not going to park it on state property."

Brady: "Can you own one?"

Black: "Not under my Amendment."

Brady: "So, no elected official can own or park under your Amendment. Correct?"

Black: "That's...That was my intent. You can park it on the street, but you're not going to own one."

Brady: "Representative, I'm really confused with the language you've got in this."

Black: "Just vote 'yes'."

Brady: "Representative, I've got a question for you. Who decides, who decides whether or not the content consists of 55%?"

Black: "There are ways to find that out by the VIN number. I'll share that inside information with you at a later date."

Brady: "Do you know how they decide?"

Black: "Yeah, it's decided on where things like the engine, the drive train..."

Brady: "In all seriousness, Representative, I have an automobile plant..."

Black: "Yeah. No, I understand that and I don't...I would imagine that that plant in your district would probably meet the 55% content."

Brady: "But you don't know."

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

42nd Legislative Day

April 14, 1997

Black: "I...If you give me an hour to check my book, I could find out for you, but off the top of my head, no, I don't know. But I would imagine that it would, the same way, I think Honda does in their plant in Ohio."

Brady: "Representative, it's important to me. I would prefer not to vote on this issue until I know."

Black: "I don't blame you."

Brady: "Would you wait an hour?"

Black: "No, time grows short."

Brady: "Okay. Let me then clarify..."

Black: "While we're talking, who knows who is out buying another foreign car, Representative. I've got to put a stop to it."

Brady: "How about we talk for an hour and you look in your book? Representative..."

Black: "While we're doing that, somebody may be at a Mercedes Benz dealership right now."

Brady: "If a Ford product was made entirely in a foreign country, would that qualify under your Amendment?"

Black: "Yes, it would not meet the American content."

Brady: "So you would have to sell that, okay."

Black: "If it was made in England, maybe you could go to England and sell it."

Brady: "You would have...If you're a sitting elected official, you would have to sell that car?"

Black: "If it were, you know, if it was completely...all the value added and the assembly was done in England or Ireland or Mexico or..."

Brady: "Mr. McGuire wants to talk about Ireland."

Black: "Yeah, you would have to sell it."

Brady: "You would have to sell it."

Black: "Well, under this Amendment you would. You could always

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

42nd Legislative Day

April 14, 1997

give up your office, you know."

Brady: "Thank you, Representative. I appreciate the advice."

Speaker Brunsvold: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Brunsvold: "Indicates he will."

Hartke: "Representative Black, do you know if the State of Illinois owns any foreign made vehicles?"

Black: "If they own any?"

Hartke: "Yes."

Black: "No, I don't know. I would not be surprised, given the way we've shipped things off shore. I wouldn't be surprised if there were cars of less than 55% U.S. content in our fleet."

Hartke: "Well, you know, us as Legislators, you know, we make a choice whether to buy a American made vehicle or a foreign vehicle. But you probably voted for and maybe I voted for the State of Illinois buying foreign made vehicles. And you probably voted for those expenditures, correct?"

Black: "Gee, I hope not. I try to be very careful, as do you."

Hartke: "Would you like to say then that in Illinois to amend this piece of legislation, say the State of Illinois will only buy American made automobiles?"

Black: "I think we could work on that in the Senate and I think as Representative Howard said in committee, there are other things we could do as well. Domestic made clothing, shoes, I mean any number of things."

Hartke: "You would be supportive of that?"

Black: "Oh, yes."

Hartke: "And I realize how big a labor record you have and I'm sure that labor would be right there for you in the next election for such a piece of legislation."

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

42nd Legislative Day

April 14, 1997

Black: "Well, if I about two more plants close, I'm not going to have any labor constituents to worry about, and that's what concerns me."

Hartke: "Why I'm glad you're so concerned about labor here."

Black: "As you know I am. And we've gone down that path together, Representative. You and me."

Hartke: "Right. Thank you."

Speaker Brunsvold: "The Gentleman from Cook, Representative Morrow."

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

Speaker Brunsvold: "He indicates he will."

Morrow: "Representative Black, I walked in on this Bill in the midst of you being questioned by some other colleagues of ours. So, I haven't heard the full debate. Your Bill right now is saying that if we as Legislators own a foreign car. What if our secretaries are fortunate enough to own a foreign car and they utilize our parking space. Would this Bill ban them from..."

Black: "You mean, unfortunate enough to own one."

Morrow: "Well, okay, I'll go along with that."

Black: "Okay."

Morrow: "But let's say in the case of my secretary."

Black: "She would have to park it in a non-state owned lot."

Morrow: "That's bad. That's a bad Bill. What if my wife, what if my wife is visiting me down here in the fine City of Springfield, if she owned a foreign car, would she not be able to park in my parking space?"

Black: "No. But we would reserve a spot for her out here on the street by the Armory. We probably would have to change that. But we could reserve some of those for Legislators' spouses."

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

42nd Legislative Day

April 14, 1997

Morrow: "Well, my wife owns an American car, but if she ever decided..."

Black: "God bless her."

Morrow: "...to buy a Mercedes, I'm going to be on her side."

Speaker Brunsvold: "The Gentleman from Bureau, Representative Mautino. Representative Mautino. Someone please switch his speak button off, please. The Gentleman from McHenry, Representative Skinner."

Skinner: "Representative, isn't it true that there is a parking lot just two blocks in that direction?"

Black: "I believe there is."

Skinner: "That anybody could park in that had a car...in this Amendment."

Black: "Absolutely, and the price is very reasonable. Of course, if we pass this Amendment, the price may go up. I don't know."

Skinner: "Well, it might. Now, this is an Amendment to the Steel Products Procurement Act. Is there any steel left in the car?"

Black: "Very little. That's one of the reasons my General Motors plant is closed."

Skinner: "Oh, okay. I'm reliably informed that that parking lot is under reconstruction, has been for the last two years. So, where is the nearest..."

Black: "Then it should be done in time for the Bill signing."

Skinner: "I yield the floor."

Speaker Brunsvold: "Seeing no further discussion, the Gentleman moves for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment is adopted."

Black: "The 'ayes' have it."

Speaker Brunsvold: "The Amendment has been adopted. Any further

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

42nd Legislative Day

April 14, 1997

Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2100."

Clerk Rossi: "House Bill 2100, a Bill for an Act in relation to labor. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2120."

Clerk Rossi: "House Bill 2120, a Bill for an Act amending the Medical Practice Act of 1987. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2127."

Clerk Rossi: "House Bill 2127, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2138."

Clerk Rossi: "House Bill 2138, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Roskam, has been approved for consideration."

Speaker Brunsvold: "Representative Roskam, on Floor Amendment #1."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2138 has to do with post conviction DNA testing. The Floor Amendment #1 is the result of some discussions with some State's Attorneys on substantive language. My suggestion is that we adopt it and then debate the Bill on Third Reading. I would move for its adoption."

Speaker Brunsvold: "Any discussion? Seeing none, the Gentleman

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

42nd Legislative Day

April 14, 1997

has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2174."

Clerk Rossi: "House Bill 2174, a Bill for an Act amending the Juvenile Court Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative John Turner, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Logan, Representative Turner, on the Amendment."

Turner, J.: "Thank you, Mr. Speaker. The Bill indicates that in a juvenile proceeding, dependency or abuse cases that the case must be commenced within 90 days. The Amendment adds the language, 'Once commenced, subsequent delay in the proceedings may be allowed by the court where necessary to ensure a fair hearing.' And that's what the Bill does, and I move for its adoption."

Speaker Brunsvold: "Any discussion on the Amendment? Seeing none, the Gentleman has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2181."

Clerk Bolin: "House Bill 2181, a Bill for an Act to amend the Local Government Debt Reform Act. Second Reading of this House Bill. No Committee Amendments."

Speaker Brunsvold: "Take the Bill out of the record, Mr. Clerk. House Bill 2188."

Clerk Bolin: "House Bill 2188, a Bill for an Act in relation to

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

42nd Legislative Day

April 14, 1997

taxes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kubik, has been recommended for consideration."

Speaker Brunsvold: "Mr. Kubik in the Chamber? Take the Bill out of the record, Mr. Clerk. (House Bill) 2191."

Clerk Bolin: "House Bill 2191, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments and no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2192."

Clerk Bolin: "House Bill 2192, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments and no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2201."

Clerk Bolin: "House Bill 2201, a Bill for an Act to amend the Service Occupation Tax. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2203."

Clerk Bolin: "House Bill 2203, a Bill for an Act to amend the Use Tax Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2211."

Clerk Bolin: "House Bill 2211, a Bill for an Act concerning financial transactions. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2219."

Clerk Bolin: "House Bill 2219, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor

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

42nd Legislative Day

April 14, 1997

Amendment #2, offered by Representative Leitch, has been recommended for consideration."

Speaker Brunsvold: "Representative Leitch, on Floor Amendment #2."

Leitch: "I move for the adoption of Floor Amendment #2. It had some standards in it that we promised we'd put on in committee."

Speaker Brunsvold: "Any questions on the Amendment? Representative Moore, the Lady from Lake."

Moore, A.: "Mr. Speaker, is it intended that the computer keep rolling along as our Bills are rolling along? This is not occurring at our places."

Speaker Brunsvold: "That is the intent to roll along with us, but..."

Moore, A.: "Well, we're all stuck on 2174."

Speaker Brunsvold: "And we'll check on that, Representative. Thank you. The Gentleman has moved for the adoption of Amendment #2. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it; Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2224."

Clerk Bolin: "House Bill 2224, a Bill for an Act in relation to nursing home facilities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments and no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2226."

Clerk Bolin: "House Bill 2226, a Bill for an Act relating to insurance company finances. Second Reading of this House Bill. Amendments #1, 2 and 3 were adopted in committee. Floor Amendment #4, offered by Representative Brady, has been approved for consideration."

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

42nd Legislative Day

April 14, 1997

Brady: "Thank you, Mr. Speaker."

Speaker Brunsvold: "The Gentleman from McLean, Representative Brady, on Floor Amendment #4."

Brady: "Thank you, Mr. Speaker. House Amendment #4 codifies the role of a producer as an agent of a premium finance company when accepting commercially financed premiums. It also shortens the length of time from five to three years for the conversion of a religious or charitable trust to insurance companies. I ask for your favorable adoption."

Speaker Brunsvold: "Discussion on the Amendment? Seeing none, the Gentleman has moved for the adoption of the Amendment. All those in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it, and the Amendment's been adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 2239. Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. My worst fear has been realized. When this technological system crashes, as it evidently has, there's no way we can follow you. We don't have the old printed copies anymore of these Amendments and so forth and so on. And some people here are getting a little nervous that we can't follow along on our laptops."

Speaker Brunsvold: "There seems to be a glitch in the system, Representative Black, and we're trying to fix that."

Black: "Well, maybe we can stand at ease until the Chief Clerk could fix it. We didn't have these problems the last two years."

Speaker Brunsvold: "You can follow it manually if you wish."

Black: "How do you do that?"

Speaker Brunsvold: "Taking off the pop-up sequence on

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

42nd Legislative Day

April 14, 1997

your...which is not working anyway, the pop-up sequence on the front of your computer, then going to each Amendment as it comes up."

Black: "You mean punch each Bill number in as we go?"

Speaker Brunsvold: "Well, when you've got a question on the Amendment, you might, in fact, ask a question on the Amendment if you wish."

Black: "Okay, well, if you could speak a little more slowly. That would help, too."

Speaker Brunsvold: "Thank you, Mr. Black. I'll do that."

Black: "Thank you."

Speaker Brunsvold: "House Bill 2239."

Clerk Bolin: "House Bill 2239, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments and no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2241. The Gentleman from St. Clair, Mr. Holbrook."

Holbrook: "Thank you, Mr. Speaker. I don't want to move this to Third. I want to leave it on Second, please. We're still working on an Amendment with the AFL-CIO on this."

Speaker Brunsvold: "That's fine. Mr. Clerk, leave this Bill on Second Reading. House Bill 2241."

Clerk Bolin: "House Bill 2241, a Bill for an Act to amend the Counties Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments and no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2246."

Clerk Bolin: "House Bill 2246, a Bill for an Act to amend the Counties Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

42nd Legislative Day

April 14, 1997

Speaker Brunsvold: "Third Reading. House Bill 2251."

Clerk Bolin: "House Bill 2251, a Bill for an Act to amend the Uniform Peace Officers' Disciplinary Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Gash, has been approved for consideration."

Speaker Brunsvold: "Representative Gash, on Floor Amendment #2. She does not wish to call the Amendment. Mr. Clerk, leave the Bill on Second Reading. House Bill 2254."

Clerk Bolin: "House Bill 2254, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments and no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2255."

Clerk Bolin: "House House 2255, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this House Bill. No Committee Amendments. No Floor Amendment and no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2256."

Clerk Bolin: "House Bill 2256, a Bill for an Act to amend the Firearm Owners Identification Card Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2258."

Clerk Bolin: "House Bill 2258, a Bill for An Act to amend the Unified Code of Corrections. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2265."

Clerk Bolin: "House Bill 2265, a Bill for an Act to create the Welfare Reform Act of 1997. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No

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

42nd Legislative Day

April 14, 1997

Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2266."

Clerk Bolin: "House Bill 2266, a Bill for an Act to create the Child Support Enforcement Act of 1997. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2282."

Clerk Bolin: "House Bill 2282, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2263. Excuse me, 83...2283."

Clerk Bolin: "House Bill 2283, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2284."

Clerk Bolin: "House Bill 2284, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2288."

Clerk Bolin: "House Bill 2288, a Bill for an Act concerning criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Committee Reports, Mr. Clerk."

Clerk Bolin: "Representative Gash, Chairman from the Committee on Judiciary II, Criminal Law, to which the following Bills and Resolutions were referred, action taken on April 14,

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

42nd Legislative Day

April 14, 1997

1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #3 to House Bill 723. Floor Amendment #2 to House Bill 1433. Floor Amendment #2 to House Bill 2067. Floor Amendment #1 to House Bill 172. Floor Amendment #1 to House Bill 1194. Floor Amendment #1 to House Bill 1139. And Floor Amendment #2 to House Bill 2251. Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #2 to House Bill 552. And Floor Amendment #1 to House Bill 1168. Representative Stroger, Chairman from the Committee on Local Government, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #1 to House Bill 1089. And Floor Amendment #3 to House Bill 1735. Representative Dart, Chairman from the Committee on Judiciary I, Civil Law, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #3 to House Bill 8. Representative Woolard, Chairman from the Committee on Agriculture and Conservation, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #2 to House Bill 818. Representative Deering, Chairman from the Committee on Transportation, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'be adopted' Floor

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

42nd Legislative Day

April 14, 1997

Amendment #1 to House Bill 489. And Floor Amendment #1 to House Bill 1220. Representative Burke, Chairman from the Committee on Executive, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment #4 to House Bill 169. Floor Amendment #2 to House Bill 1212. And Floor Amendment #1 to House Bill 1628. Representative Schakowsky, Chairman from the Committee on Labor and Commerce, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #2 to House Bill 1292. 'Be not adopted' Floor Amendment #2 to House Bill 735. Representative Pugh, Chairman from the Committee on Human Services, to which the following Bills and Resolutions were referred, action taken on April 14, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment #2 to House Bill 957. And Floor Amendment #3 to House Bill 1556."

Speaker Brunsvold: "The Chair intends to go back to the front of the Calendar now, on page 2, starting with House Bill 8, Mr. Moffitt's Bill. These are Second Readings. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 8, a Bill for an Act concerning genetic information. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted and Floor Amendment #3, offered by Representative Moffitt, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Knox, Representative Moffitt, on Floor Amendment #3."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 becomes the Bill. This genetic

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

42nd Legislative Day

April 14, 1997

testing confidentiality legislation is one that we passed in the House last year. Single digit Bill, it's been out before you for a long time. The Amendment addresses some of the concerns that were raised in committee when the Bill went through the first time, and it is identical language to what the Senate has already passed this year. Their Senate Bill 672, which is over here now, has passed and that's what that does. It addresses the concerns. Be happy to answer any questions that anyone might have."

Speaker Brunsvold: "And on the adoption of the Amendment, are there any questions? Seeing none, the Gentleman has moved for the adoption of Amendment #3. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 32. Mr. Clerk, House Bill 169."

Clerk Rossi: "House Bill 169, a Bill for an Act in relation to certain games of chance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment..."

Speaker Brunsvold: "The Sponsor has requested to hold this Bill on Second Reading. House Bill 190. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 190, a Bill for an Act to create the Illinois State Ensured College and University Responsive Education Trust and provide for advance tuition payment contracts. Second Reading of this House Bill. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments."

Speaker Brunsvold: "Third Reading. House Bill 207. Mr. Clerk, read the Bill."

Clerk Rossi: House Bill 207, a Bill for an Act to amend the

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

42nd Legislative Day

April 14, 1997

Illinois Municipal Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Ronen, has been approved for consideration."

Speaker Brunsvold: "Representative Ronen, on Floor Amendment #1."

Ronen: "Yeah, thank you, Mr. Speaker and Members of the House. Floor Amendment 1 really narrows a bit the original House Bill 207 by allowing current vendors to be grandfathered in. If a local non-home rule unit passes an ordinance, any vendor that is in business 30 days before that ordinance is passed is grandfathered in. I urge 'do adopt'."

Speaker Brunsvold: "The Lady has moved for the adoption of the Amendment. On that, Mr. Black, the Gentleman from Vermilion."

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, it is very hard to hear in here. If our files are accurate, this Amendment says that the municipality may, in other words, it's permissive. Is that the way I understand it?"

Ronen: "On the Amendment, Sir?"

Black: "Yes, it says that a municipality may provide for the regulation licensing, et cetera. Is that your intent?"

Ronen: "That's the underlying Bill that you're speaking of."

Black: "Okay. So, 'may' rather than 'shall'."

Ronen: "Yes. Absolutely. The whole purpose here is...of the underlying Bill is to give local non-home rule communities the ability to license."

Black: "Okay. So, if they want to they can, if they don't want to they don't have to."

Ronen: "Yes, Sir."

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

42nd Legislative Day

April 14, 1997

Black: "All right. Thank you very much, Representative."

Speaker Brunsvold: "Further discussion? Seeing none, the Lady moves for the adoption of Amendment #3. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 291."

Clerk Rossi: "House Bill 291, this Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang, has been approved for consideration."

Speaker Brunsvold: "The Gentleman indicates he wants the Bill out of the record. House Bill 424. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 424, this Bill has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. What's the status of House Bill 424?"

Clerk Rossi: "House Bill 424 is on the Order of Third Reading."

Speaker Brunsvold: "Place that Bill back on Second Reading, Mr. Clerk. Is Julie Curry here? Representative Curry, Julie Curry. Would you want to handle House Bill 18 for Mr. Novak? The Lady indicates... Does the Lady have leave to handle this Bill for Mr. Novak? Leave has been granted. Mr. Clerk, read the Bill, House Bill 18."

Clerk Rossi: "House Bill 18, a for an Act relating to bonds for school construction. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. A Balanced Budget Note has been requested and has not been filed."

Speaker Brunsvold: "Representative Cowlshaw, did you... Mr. Black has filed a slip withdrawing that request. All Notes have been satisfied. Mr. Clerk, Third Reading. House Bill

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

42nd Legislative Day

April 14, 1997

697."

Clerk Rossi: "House Bill 697, this Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 708. Read the Bill. Hold that Bill, Mr. Clerk. Mr. Clerk, House Bill 710. Please read that Bill."

Clerk Rossi: "House Bill 710, a Bill for an Act amending the Sex Offender Registration Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed."

Speaker Brunsvold: "Third Reading. Clerk, House Bill 573."

Clerk Rossi: "House Bill 573, a Bill for an Act amending the Department of Veterans' Affairs Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Hannig, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Macoupin, Representative Hannig, on the Amendment."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. In committee, as introduced, this Bill was opposed by the Department of Natural Resources. The Committee asked me if I could work with them to try to find some common ground, and this Amendment is an agreed Amendment between the Department of Conservation. It's also supported by the Department of Veterans' Affairs, and I would move for its adoption."

Speaker Brunsvold: "Any discussion on the Amendment? Seeing none, the Gentleman has asked for the adoption. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Any further

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

42nd Legislative Day

April 14, 1997

Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 524."

Clerk Rossi: "House Bill 524, a Bill for an Act concerning districts. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Peoria, Representative Leitch, on the Amendment."

Leitch: "Thank you, Mr. Speaker. This Amendment finally puts into place the final technical changes recommended by the bond lawyers so that we'll be able to present the Bill. I ask for its favorable consideration."

Speaker Brunsvold: "Is there any questions on the Amendment? Any discussion? Seeing none, all those in favor of the Amendment say 'aye'; all opposed say 'no'. The 'ayes' have it, and the Amendment has been adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 541."

Clerk Rossi: "House Bill 541, 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 Hartke, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Effingham, Representative... The Gentleman indicates he doesn't want the Bill called. Please remove the Bill from the record. Hold that Bill on Second Reading, Mr. Clerk. House Bill 609. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 609, a Bill for an Act amending the

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

42nd Legislative Day

April 14, 1997

Personnel Code. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kenner, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Cook, Representative Kenner, on Amendment #1."

Kenner: "Thank you, Mr. Speaker. House Bill...Amendment #1 to House Bill 609 just makes a few technical changes to the Bill. I would ask for your favorable consideration. Thank you."

Speaker Brunsvold: "Any discussion on the Amendment? Seeing none, the Gentleman has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it; the Amendment has been adopted. Any further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 630. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 630, a Bill for an Act amending the Children and Family Services Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Ronen, has been approved for consideration."

Speaker Brunsvold: "Representative, the Lady from Cook, Representative Ronen, on Amendment...Floor Amendment #2."

Ronen: "Thank you, Mr. Speaker. Floor Amendment 2 really narrows a bit the scope of House Bill 630. While we're talking about the same goals, we're taking a little longer to achieve them. It...rather than requiring everybody to be at the same level of 60% of median state income immediately, we're giving that to the year 2000, which...so, basically the underlying purpose of this is to

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

42nd Legislative Day

April 14, 1997

provide child care for working families and for families who will be required of child care services as a result of welfare reform. I urge 'do pass'."

Speaker Brunsvold: "And on that issue, the Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, this Amendment becomes the Bill. Is that correct?"

Ronen: "Yes."

Black: "And in this Amendment, have you taken out the 10% reimbursement rate increase?"

Ronen: "Yes, we have. Although I will say the Tribune yesterday did support such an increase. Yes, we did. I was just being silly."

Black: "I know Amendment #1 had a rather hefty Fiscal Note. Does Amendment #2 lower that?"

Ronen: "Yes, it does significantly."

Black: "All right. Thank you, Representative."

Ronen: "Thank you."

Speaker Brunsvold: "Any further discussion on the Amendment? Seeing none, the Lady has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it, and the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A Fiscal Note has been requested on the Bill as amended and has not been filed."

Speaker Brunsvold: "We'll hold that Bill on Second Reading, Mr. Clerk. House Bill 522. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 522, this Bill has been read a second time previously. Amendment #1 was adopted in committee."

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

42nd Legislative Day

April 14, 1997

Floor Amendment #2 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments."

Speaker Brunsvold: "Mr. Clerk, check and see if the Fiscal Notes have been filed on this Bill as requested by Mr. Black."

Black: "The Fiscal Note that was requested as amended has been filed."

Speaker Brunsvold: "Thank you. Third Reading. Representative Mautino, would you care to handle 588 for Mr. Scott? Is Mr. Scott here? Okay, Clerk call Bill 588, please. Read the Bill. Mr. Clerk, take that Bill out of the record. Mr. Clerk, read 655, please. Read the Bill."

Clerk Rossi: "House Bill 655..."

Speaker Brunsvold: "Excuse me, Mr. Clerk. He indicates he does not want the Bill moved. House Bill 697. Excuse me, Mr. Clerk, take that out of the record. House Bill 724, Mr. Clerk. Read the Bill."

Clerk Rossi: "House Bill 724, a Bill for an Act amending the Prevailing Wage Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Cross, has been approved for consideration."

Speaker Brunsvold: "Floor Amendment #1, offered by Representative Cross. Is the Gentleman in the Chamber? Representative Black. Representative Black, do you want to handle this Amendment for Mr. Cross?"

Black: "Yes, thank you very much. Mr. Speaker, Representative Cross is meeting with some constituents and has been for quite awhile. The Amendment replaces a paragraph with the following. Let me read the new provisions underlined. 'Notwithstanding any other provision of the Act, whenever a public utility company contracts with an outside contractor on any project', and here's the new language, 'that includes the transmission or distribution of gases or

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

42nd Legislative Day

April 14, 1997

liquids or that includes cable, telecommunications, or electrical power systems and all appurtenances and ancillaries and its construction employer, crafts or trades person'. So it adds to the Bill by changing some of the language. Be glad to try and answer any questions that you have."

Speaker Brunsvold: "And on the Amendment, any discussion? Seeing none, the Gentleman has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it; the Amendment has been adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 725."

Clerk Rossi: "House Bill 725, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

Speaker Brunsvold: "Representative Burke, on Floor Amendment #1."

Burke: "Thank you, Speaker. On Floor Amendment 1, it simply removes pharmacists from the effect of the legislation. And I would ask for the Body's favorable consideration. Thank you."

Speaker Brunsvold: "And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "Indicates he will."

Black: "Representative, the Amendment is straightforward, but I don't understand why. Why are you deleting pharmacist from a definition of health care personnel? I would think a pharmacist would be a key player in the health care delivery system."

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

42nd Legislative Day

April 14, 1997

Burke: "I would agree entirely, Representative. Pharmacists are those that are crucial in the offering of health care in our society, and they are those that would prepare the medications that physicians prescribe. But they do not have a one on one relationship with the patient, aside from the fact that they are preparing medications, and they indeed are those that not...do not engage in any medical treatment of a patient. So, they are not performing procedures. They are preparing the medications that are prescribed, and that's why they are asking to be removed. They do not have to make a decision relative to a patient's care, aside from the fact that they follow the prescribed medication of a licensed physician."

Black: "Well, you know, I've had personal experience with a pharmacist who has caught an interaction on drugs or the fact that different doctors are prescribing different drugs that will have an adverse reaction. And I have always appreciated the fact that pharmacists have been able to catch that. I just thought your Bill was better, quite frankly, than the Senate Bill."

Burke: "Well, I appreciate that and I certainly agree with your remarks relative to the effect a pharmacist could have on the care of a patient and their general health. Indeed, we are all made aware regularly in the media that these interactions occur, and I think it is important for pharmacists to continue to be astute and be aware of the total patient's care before they administer these drugs."

Black: "Well, it's, you know, I will defer to your judgement, Representative, on your Amendment, but I still liked your Bill better than I like the Senate Bill."

Burke: "Thank you, Representative."

Speaker Brunsvold: "Further discussion? Seeing none, the

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

42nd Legislative Day

April 14, 1997

Gentleman has moved for the adoption of Amendment #1. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it, and the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 773. Please read the Bill."

Clerk Rossi: "House Bill 773, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Clerk, House Bill 805. Please read the Bill."

Clerk Rossi: "House Bill 805, a Bill for an Act amending the Pawnbroker Regulation Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read House Bill 813."

Clerk Rossi: "House Bill 813, a Bill for an Act in relation to burial expenses for State Police Officers killed in the line of duty. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read House Bill 818."

Clerk Rossi: "House Bill 818, a Bill for an Act to amend the Soil and Water Conservation Districts Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Hassert, has been approved for consideration."

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

42nd Legislative Day

April 14, 1997

Speaker Brunsvold: "The Gentleman on Floor Amendment #2, Representative Hassert."

Hassert: "Thank you, Mr. Speaker. Floor Amendment #2 is a compromise between Illinois Nurserymen's Association, the Soil and Water Conservation Districts. I ask for your approval."

Speaker Brunsvold: "Any questions on the Amendment? The Gentleman has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read House Bill 865."

Clerk Rossi: "House Bill 865..."

Speaker Brunsvold: "Mr. Clerk, take that Bill out of the record. Mr. Clerk, House Bill 903."

Clerk Rossi: "House Bill 903, a Bill for an Act amending the Liquor Control Act of 1934. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 936. Please read the Bill."

Clerk Rossi: "House Bill 936, a Bill for an Act to amend the Minimum Wage Law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read House Bill 1011."

Clerk Rossi: "House Bill 1011, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No

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

42nd Legislative Day

April 14, 1997

Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read House Bill 1031."

Clerk Rossi: "House Bill 1031, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 1063. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1063, a Bill for an Act to amend the Illinois Public Labor Relations Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Phelps, has been approved for consideration."

Speaker Brunsvold: "Representative Phelps, on Floor Amendment #1 to House Bill 1063. Proceed."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 1 to 1063 was pretty much an agreement that I would modify from the...what the original Bill said. We now want to bring the threshold for consideration to 75% of the employees that applies to units of local government, 75% of those that are under 35, and between 5 and 35, will be allowed to now automatically be recognized for a bargaining unit. And this number is really identified to make sure that the smaller local units of government throughout the state that we have downstate be recognized for the purposes of being able to enter into bargaining agreements. And so, since it's a smaller group, right now it only recognizes 35 in number of employees more than 35. So, since we have a lot of units of local government less than 35, this is a way to rectify what I feel is an inequity situation."

Speaker Brunsvold: "And on the Amendment, Mr. Black."

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

42nd Legislative Day

April 14, 1997

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

Speaker Brunsvold: "He will."

Black: "Representative, the underlying Bill, and forgive me, I need to ask you a question about the underlying Bill before I can get to the Amendment. I know you don't have to answer me, but if you would. The underlying Bill says that any unit of government with... You take it down to as few as five employees."

Phelps: "But the Amendment changes that."

Black: "Now how does the Amendment change that?"

Phelps: "The Amendment says now there will be 75% of under 35."

Black: "Okay. So if you're under 35, you have to have a vote... an affirmative vote of 75% or more of those employees under the base total of 35, correct?"

Phelps: "It's actually not a formal vote as much as it is... They get automatic recognition if they sign an intent. Seventy-five percent of those under 35 assign an intent or wishes for the bargaining unit to be created automatic recognition."

Black: "Okay. So, if you've got those signed cards, then you wouldn't even have to have an election?"

Phelps: "That's right, if 75% of under 35 employees do that."

Black: "Alright. Does that change existing law? Don't you have to have an election now? Even if you get the number of cards signed?"

Phelps: "Yes."

Black: "So, you're making a significant change to existing law."

Phelps: "Well, with this number of employees, yes."

Black: "All right. Now you confuse me. You mean the cards would take the place of the election only in those units under 35?"

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

42nd Legislative Day

April 14, 1997

Phelps: "Yes."

Black: "It doesn't change the law if you're over?"

Phelps: "I don't believe it changes the law above that, no."

Black: "Okay."

Phelps: "I do not believe that."

Black: "All right. Thank you, Representative."

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman has moved for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment's been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, call Bill 473."

Clerk Rossi: "House Bill 473, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Capparelli, has been approved for consideration."

Speaker Brunsvold: "Representative Capparelli, on Floor Amendment #1 to House Bill 473."

Capparelli: "Floor Amendment #1 was a quick take in Morton Grove. And then Floor Amendment #3 includes that with two others, so that's also in #3. That was the original Bill. I would like to go to 3."

Speaker Brunsvold: "Okay. The Gentleman has indicated that he would like to withdraw Amendment...Floor Amendment #1 and Floor Amendment #2. Clerk informs me, Mr. Capparelli, that Floor Amendment #1 has been adopted in committee. Would you care to..."

Capparelli: "The way I understood it is that #3 took everything out; that was the Bill. Is that right, Rossi?"

Speaker Brunsvold: "Give us a second here. Give us a second, Mr. Capparelli, and we'll check with the Clerk. The Gentleman

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

42nd Legislative Day

April 14, 1997

is correct. Floor Amendment #1 is for consideration at this time and the Gentleman moves to withdraw Amendment #1. Amendment #2 remains in the Rules Committee. And, Mr. Clerk, let's proceed with Amendment #3."

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

Speaker Brunsvold: "And on that question, Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #3 contains two provisions, one for the Village of Rosemont, one for the Village of Oak Park. It's quick-take language for the Village of Oak Park for commercial property only, no residential. It's for our downtown redevelopment plan at Lake and Harlem Avenue. And in Rosemont on Higgins and Manheim Roads, and that's also commercial property only, no residential area. And I'd ask for the Amendment to be adopted. Thank you."

Speaker Brunsvold: "Any questions of the Sponsor of that Amendment? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Brunsvold: "Yes. State your inquiry."

Black: "I simply cannot hear, and I want to make sure my file is accurate. Amendment #1 was adopted in committee. Now how did you dispose of Amendment #1?"

Speaker Brunsvold: "Amendment #1 was not adopted in committee. It was a Floor Amendment and remained... was acted on here on the Floor. I was mistaken, Representative."

Black: "Was it passed on the Floor or adopted on the Floor?"

Speaker Brunsvold: "No, no, no. It was not adopted. We were trying to find a disposition of the Amendment."

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

42nd Legislative Day

April 14, 1997

Black: "Okay. So, let me make sure our file is in order. Amendment #1, through some chicanery of the Clerk's Office, has been withdrawn."

Speaker Brunsvold: "Mr. Capparelli withdrew Amendment #1."

Black: "Okay. Amendment #2 was not reported from Rules."

Speaker Brunsvold: "That's correct."

Black: "And Amendment #3 is being explained by my good friend and colleague, Representative Saviano."

Speaker Brunsvold: "You're right on target, Representative."

Black: "Ah, so that's where we are. Okay, thank you."

Speaker Brunsvold: "Amendment #3. On the question, Representative Moore, the Gentleman from Cook."

Moore, E.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm certainly in support of Amendment #3 that Saviano is presenting. The community did come here from Oak Park to share that Amendment with us, and I just want to make sure that we support this Amendment #3. Thank you very much."

Speaker Brunsvold: "Thank you, Representative. Any further questions of Mr. Saviano on the Amendment? If not, the Gentleman moves for the adoption of the Amendment. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 1076. Please read the Bill."

Clerk Rossi: "House Bill 1076, the Bill's been read a second time previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, what's the status of 1076?"

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

42nd Legislative Day

April 14, 1997

Clerk Rossi: "(House Bill) 1076 is on the order of Third Reading."

Speaker Brunsvold: "Place that Bill back on the Order of Second Reading, Mr. Clerk. If Members would like a Bill to remain on Second, please let the Chair know of your desires on your particular Bill. Mr. Clerk, House Bill 1087. Please read the Bill."

Clerk Rossi: "House Bill 1087, a Bill for an Act amending the Illinois Lottery Law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "The Lady wishes the Bill to be withdrawn. It will remain on Second Reading. Mr. Clerk, read House Bill 1088."

Clerk Rossi: "House Bill 1088, a Bill for an Act regarding support for unemployed persons. Second Reading of this House Bill. No Committee Amendments."

Speaker Brunsvold: "Withdraw the Bill, Mr. Clerk. The Lady does not want to act on the Bill. It will remain on Second Reading. Representative Gash, would you like to move 1090? The Gentleman indicates she would like to move 1090. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1090, the Bill's been read a second time previously. No Committee Amendments. No Floor Amendments approved for consideration."

Speaker Brunsvold: "Third Reading. Representative Ronen, would you like to move 1129?"

Clerk Rossi: "House Bill 1129, a Bill for an Act to amend the Public Aid Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Ronen, has been approved for consideration."

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

42nd Legislative Day

April 14, 1997

Speaker Brunsvold: "And on Floor Amendment #2, the Lady from Cook, Representative Ronen."

Ronen: "Thank you, Speaker. Amendment 2 is just a further clarification of the underlying Bill and Amendment 1. It's been language that's agreed to with the Illinois Department of Public Aid. I move to adopt."

Speaker Brunsvold: "Any discussion on the Amendment? Seeing none, the Lady has moved for the adoption of the Amendment. All in favor vote 'aye', or excuse me, say 'aye'; all opposed say 'no'. The Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. House Bill 1141, Representative Lopez."

Clerk Rossi: "House Bill 1141."

Speaker Brunsvold: "Take the Bill out of the record, Mr. Clerk. House Bill 1173, Representative Fritchey. Please read the Bill."

Clerk Rossi: "House Bill 1173, a Bill for an Act amending the Illinois Vehicle Code. 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. Representative Hughes on 1188. Representative Hughes. Out of the record. Representative Kenner, on House Bill 1202. Is Representative Kenner here? Out of the record. Representative Meyer, on 1207. Representative Meyer. Out of the record. Representative Noland, on 1212. Representative Noland. Out of the record. Representative Saviano, on 1276. Representative Saviano. Out of the record. Representative Morrow, 1292. Out of the record. Representative Bost, 1356. Representative Bost, 1356. Mr. Bost. Out of the record."

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

42nd Legislative Day

April 14, 1997

Mr. Capparelli, on House Bill 1375. Mr. Capparelli. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1375, a Bill for an Act amending the Metropolitan Reclamation District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Representative Wood, on House Bill 1389. Representative Wood. Out of the record. Representative Holbrook. Out of the record. Representative Fantin, on 1427. Do you wish the Bill called?"

Clerk Rossi: "House Bill 1427, a Bill for an Act to amend the Property Tax Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Representative Beaubien, on 1433. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1433, a Bill for an Act concerning Law Enforcement Records and Reports. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Beaubien, has been approved for consideration."

Speaker Brunsvold: "The Gentleman on House Bill 1433, Amendment...Floor Amendment #2, Mr. Beaubien."

Beaubien: "I would like to have the Amendment adopted here, please."

Speaker Brunsvold: "Would the Representative like to describe the Amendment, please?"

Beaubien: "I'll try, but I don't think anybody is listening. This is the Illinois State Police Bill, and what we've presented are some technical changes to the Act and cleaned

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

42nd Legislative Day

April 14, 1997

up some of the language. It went through committee this morning with full support. And I would ask that this Bill be moved to Third Reading."

Speaker Brunsvold: "Any discussion on the Amendment? Seeing none, the Gentleman has moved for the adoption of Amendment #2. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Representative Younge. Out of the record. Representative Ryder, on 1447. Out of the record. Representative Burke. Representative Burke, on 1451. Representative Burke, would you like that Bill called? Representative Burke, would you like... Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1451, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Representative Moore, on 1456. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1456, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Giglio. Mr. Giglio, on House Bill 1458. Would you like that called? He does not want that Bill called. Take it out of the record, Mr. Clerk. Mr. Schoenberg, on 1481. Mr. Schoenberg. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1481."

Speaker Brunsvold: "Excuse me, Mr. Clerk, take that Bill out of

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

42nd Legislative Day

April 14, 1997

the record. Mr. Black, on House Bill 1501. Hold the Bill, Mr. Clerk. Mr. Clerk, 1356, please read the Bill."

Clerk Rossi: "House Bill 1356 has been read a second time previously. No Committee Amendments. Floor Amendment #2, offered by Representative Bost, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Jackson, Mr. Bost, on Floor Amendment #2."

Bost: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 simply removes the City of Chicago and, from this Bill, and also changes the...what is described as junk guns to \$200 level, instead of the \$100 level. I would ask for the approval."

Speaker Brunsvold: "Discussion on the Amendment? Seeing none, the Gentleman has moved for the adoption of Amendment #2. All in favor say 'aye'; opposed say 'no'. The 'ayes' have it, and the Amendment has been adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Phelps, do you wish to call House Bill 1556? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1556. The Bill's been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Phelps, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Saline County, Representative Phelps, on the Amendment."

Phelps: "Thank you, Mr. Speaker. Amendment 2 actually is technical in nature and remove the first three pages of the Bill and now in essence leaves the Bill making the chiropractic practice for any willing provider in the

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

42nd Legislative Day

April 14, 1997

Medi-Plan Plus Plan."

Speaker Brunsvold: "Questions on the Amendment? No questions. The Gentleman has moved for the adoption of Amendment #2. All those in favor say 'aye'; opposed say 'no'. The 'ayes' have it and the Amendment's been adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Phelps."

Speaker Brunsvold: "Representative Phelps, on Amendment #3."

Phelps: "This Amendment just changes a word, I think 'the' at the request of the Medical...State Medical Society, which is technical clean up."

Speaker Brunsvold: "Any questions on that Amendment? Seeing none, the Gentleman moves for the adoption. All in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read House Bill 1664."

Clerk Rossi: "House Bill 1664, a Bill for an Act to amend the Clinical Psychologist Licensing Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mitchell, has been approved for consideration."

Speaker Brunsvold: "Representative Mitchell, on Floor Amendment #1."

Mitchell: "Thank you, Mr. Speaker. This Amendment is an agreement between all of the parties involved. We're still working on that; however, the Amendment was offered to us by the clinical psychologists. I would like to attach the Amendment today, but hold this Bill on Second Reading, pending agreement by all parties involved."

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

42nd Legislative Day

April 14, 1997

Speaker Brunsvold: "Thank you. Any discussions on the Amendment? Seeing none, the Gentleman has moved for the adoption of Amendment #1. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and Amendment #1 is adopted. Leave the Bill on Second Reading, Mr. Clerk. Mr. Weaver, do you wish to call House Bill 1557? Withdraw the Bill. Representative Krause. On House Bill 1565, Representative Krause. She does not wish to have the Bill called. Representative Leitch, 1628. Please read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1628, a Bill for an Act concerning the Illinois Wild Life Prairie Park. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Leitch, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Peoria, Representative Leitch, on Floor Amendment #1."

Leitch: "Floor Amendment #1 makes some changes that were agreed to in a meeting in Peoria, and I simply ask for its adoption."

Speaker Brunsvold: "Any discussion on the Amendment? Seeing none, the Gentleman moves for the adoption of Amendment #1. All in favor say 'aye'; opposed 'no'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Floor Amendments."

Speaker Brunsvold: "Third Reading. Mr. Hassert. Representative Hassert, would you care to handle House Bill 1629 as a Cosponsor? Okay. Remove it from the record, Mr. Clerk. Representative Davis. Steve Davis, 1668. Take that Bill out of the record, Mr. Clerk. Representative Scott, on House Bill 1684. Representative Scott. Mr. Scott, do you wish to have that Bill? Okay. Take the Bill out of the

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

42nd Legislative Day

April 14, 1997

record. How about 1685, Mr. Scott? Take that Bill out of the record. Mr. Black, on 1696. That's Mr. Daniels' Bill. Would Mr. Kubik or Representative Mulligan like to handle that? Take the Bill out of the record, Mr. Clerk. Representative Ronen, on House Bill 1758. 1758, Representative Ronen, would you like that Bill called? Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1758, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. Floor Amendment #1 was adopted to the Bill. No further Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Representative McKeon. Representative McKeon, on 1781. Take the Bill out of the record, Mr. Clerk. Mr. Clerk, what's the status of Senate Bill 8?"

Clerk Bolin: "Senate Bill 8 is on the Order of House Bills - Second Reading... Senate Bills - Second Reading."

Speaker Brunsvold: "Mr. Clerk, read Senate Bill 8."

Clerk Bolin: "Senate Bill 8, an Act in relation to blood alcohol concentration levels. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been recommended for adoption. Several Notes have been requested and have not been filed."

Speaker Brunsvold: "Mr. Deering, on the Notes filed on Senate Bill 8."

Deering: "Thank you, Mr. Speaker. I move to withdraw the Note request."

Speaker Brunsvold: "Mr. Deering has requested to withdraw all his Note requests on Senate Bill 8. Third Reading. Mr. Clerk, House Bill 1696."

Clerk Bolin: "House Bill 1696, a Bill for an Act concerning taxes. Second Reading of this House Bill. No Committee

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

42nd Legislative Day

April 14, 1997

Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Representative Mulligan, who is Cosponsor of this Bill."

Mulligan: "Move it to third, please."

Speaker Brunsvold: "Okay. Third Reading. Third Reading. If you're following in the Calendar, Ladies and Gentlemen, we are on page 43. We're starting with House Bill 1119. Representative Curry. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1119, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Speaker Brunsvold: "The Lady from Macon, Representative Curry."

Curry: "Thank you, Mr. Speaker. House Bill 1119 is an initiative of the Illinois County Treasurer's Association. It amends the Property Tax Code and requires a property...a tax collector to collect a fee of \$10 from a delinquent taxpayer who pays taxes on the property after the notice of application for judgement and sale is made, but before the property taxes are sold. The fee is intended to cover the cost incurred by the county collector for the registered and certified mail and cost of the advertisement to publish the delinquent list in the local papers. To make this a little bit more simpler, county collectors across this state when taxes are paid...past the last due date, they become delinquent. The county collector is then required by state law to file judgement for the tax sale, and they are required by the state to send out a certified letter and publish in all the local newspapers in the county a list of delinquent taxpayers. Now we're required to do that for every person who has not or has failed to pay their taxes. What this Bill does, is basically says that for those individuals who have failed to...who have failed to pay their taxes before their taxes are sold at the tax sale

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

42nd Legislative Day

April 14, 1997

that they have to pay a \$10 fee to the county. That \$10 fee is currently being charged to those taxpayers whose taxes are sold at the tax sale. So it's a way for the counties to recover their costs. As a former county collector, we would send out more than 5,000 certified letters every year. That... Certified mailings, you have to do individually, and it takes a lot of staff time. It would take us a week to prepare all the certified letters. We would also have to publish in all the local newspapers a list of the delinquent taxpayers. Counties with a difficult financial situation they're in now, it's just a way for them to recoup their costs. If we don't do this, then people who do pay their taxes are going to continue to have to be responsible for those who do not. I would be happy to answer any questions."

Speaker Brunsvold: "And on that, the Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, don't you already have to pay \$10 if you're going to pay your taxes and you're delinquent? Isn't there already a \$10 fee?"

Curry: "No."

Black: "Would you look on page two of your Bill, line four? That isn't underlined. So it says the collector shall collect \$10 from the proceeds of each sale. Is that different? Am I not on the same wave length?"

Curry: "It's... What... The change is for individuals who have, who are paying their taxes after the due date."

Black: "Oh, okay."

Curry: "They would have to pay the \$10 fee. Right now the only

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

42nd Legislative Day

April 14, 1997

individuals who are having to pay the \$10 fee are those taxpayers whose taxes have gone to the tax sale. So the people who go in and redeem their taxes before their taxes are sold, they're not paying that \$10 fee. Although the county collector is still required to send them a certified letter and to publish their name in local newspapers."

Black: "All right, so let me make sure I understand this. If I've had a bad year and I just don't have the money to pay my property taxes, then all of a sudden I get a registered letter from the county collector saying they're going to sell my property for back taxes. I call my in-laws and I borrow the money and I run right down to the courthouse and pay them that day, then I'm going to have to pay a \$10 charge over and above my back taxes?"

Curry: "Yes, Sir. Yes, Sir. The county is mandated by the state right now again to send out a certified letter and to publish the names of the individuals and the amount of taxes that are delinquent. So, the counties right now already have to absorb that cost. County collectors are just asking for a way to pay for what we already mandate."

Black: "Well, I, now I assume I'm going to pay penalties and interest because I'm late. That's going to be figured in, right?"

Curry: "Yes. One and a half percent per month."

Black: "Wow. What if I can scrape up all the money, but the \$10 fee. Am I still going to lose my house?"

Curry: "Your, your taxes would go to the tax sale and they could be sold, yes."

Black: "So, I could lose my house, for the lack of \$10."

Curry: "Your taxes could be sold. It doesn't mean you're going to lose your house."

Black: "Where does the \$10 go?"

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

42nd Legislative Day

April 14, 1997

Curry: "The \$10 covers the cost of the certified mailing and covers the cost of publishing the delinquent taxpayer's name in all the local papers in the county. It's an exorbitant cost for counties right now."

Black: "Well, now your Bill is silent. Does the money go to the County General Fund? Or does it stay with the collector?"

Curry: "Goes to the General Fund."

Black: "Goes to the General Revenue Fund. All right. Thank you, Representative."

Speaker Brunsvold: "The Lady from Cook, Representative Mulligan."

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

Speaker Brunsvold: "She indicates she will."

Mulligan: "Representative Curry, what happens to that amount if it's a sale in error, or there is an error in saying that the person is delinquent and they have already paid that money? Will they have a hard time getting it back?"

Curry: "I would hope that the local county collector would refund that money to the taxpayer if there has been an error."

Mulligan: "In a county such as... as large as Cook, where we live, this happens not un routinely, that there's errors in who's paid and who hasn't. And to add another fee on top of that, when there is an error, I would think would compound the bookkeeping and the problem for the person that's already got a problem, because it's an error. And it takes a long time for that to be addressed or to ever get your money back."

Curry: "Well, I would hope that the county collector and the local assessor would...the county assessor would do the right thing. That if they have made an error, that the taxpayer would be refunded in any penalties or interest or whatever that they have paid. You know, the problem is this, as a former county collector and one who had to send

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

42nd Legislative Day

April 14, 1997

out more than 5,000 certified letters, it takes a lot of staff time to prepare these individually for the local post office. So we're talking about, not only the cost of sending out the letter, we're talking about staff time, and then to have these individuals come in and pay before the tax sale, but we still have to send out all these letters and we still have to publish their names in the paper. Local counties cannot afford this, and this is just a way for them to recoup their cost. It's a mandate that this Legislature and that this State has put on counties. And all they're asking is to be able to charge the individuals who have paid their taxes between the time of the last due date, which would be September 1st if you follow the cycle correctly, and the date of the tax sale."

Mulligan: "Well, if we impose the tax, and in my county if they sometimes overlook the fact that those taxes have been paid, and then we impose another penalty, I think that it's not necessary for them to collect a fee on top of that. Because what they should have been in our area is more careful to begin with not to make a mistake, and you've put nothing in your Bill that would allow them to recoup if it is a mistake. I think that would be necessary, because you've already mailed, so they might continue to believe that they are entitled to that \$10 whether it was a sale in error or they looked whether the taxes have been paid or not because they have already completed. And \$10 certainly wouldn't cover this. So I would think that they would try real hard not to give it back and your Bill is not specific about that."

Curry: "Well, the only thing that I would say, Representative, for all of us who do pay our taxes on time, we end up paying those costs in the end for those people who don't

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

42nd Legislative Day

April 14, 1997

take the time and who don't pay attention, who don't pay their real estate taxes on time. So it's all the taxpayers in all the 102 counties across this state, who are diligent about paying their taxes on time, who are are going to pay for those who can't make it down to the county treasurer's office to pay their taxes."

Mulligan: "Well, I think we just have a disagreement probably, depending on what county you live in. Thank you."

Speaker Brunsvold: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker. I rise in support of House Bill 1119. This is a taxpayer friendly Bill. Those taxpayers that pay on time do not have to incur the cost of those taxpayers that don't. For whatever reason that they don't pay on time, some by accident and some because of unavailability of funds, but currently the system makes other taxpayers pay for those that don't pay on time by forcing the county to incur further expenses. This Bill is not only supported by the County Treasurers' Association, but it is sponsored by three of the finest ex-county treasurers that we have in the State of Illinois. I urge an 'aye' vote."

Speaker Brunsvold: "Further discussion? Seeing none, the Lady from Macon, Representative Curry, to close."

Curry: "I would just ask this Body for a 'yes' vote on this Bill. Again to reiterate what Representative Biggins has just said, this is a taxpayer friendly Bill. We have mandated on local counties so many different laws. This just allows them to recoup their cost. And so, I would ask for a 'yes' vote. Thank you, Mr. Speaker."

Speaker Brunsvold: "The question is, 'Shall House Bill 1119 pass'? All those in favor vote 'aye'; all those against

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

42nd Legislative Day

April 14, 1997

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 76 'yesses', 39 'noes', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 1135, read the Bill."

Clerk Bolin: "House Bill 1135, a Bill for an Act to amend the University of Illinois Act. Third Reading of this House Bill."

Speaker Brunsvold: "The Lady from Sangamon, Representative Klingler."

Klingler: "Thank you, Mr. Speaker. This Bill is part of an initiative to help middle class working families and individuals who receive no significant state or federal assistance and to look at ways of expanding that. The Bill provides that the Illinois Student Assistance Commission shall annually report to the General Assembly the amount of funding necessary to expand the monetary award program grants to students from middle income families. The commission is to report to what additional income levels the MAP awards could be awarded if additional funding were put into the MAP system. This Bill does not obligate the state to provide additional annual appropriations for MAP and consequently House Bill 1135 has no fiscal impact upon state revenue."

Speaker Brunsvold: "Are there any quest...discussion on the Bill? The Gentleman from Cook, Representative Morrow."

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

Speaker Brunsvold: "She indicates she will."

Morrow: "Representative Klingler, maybe I've got a concern about the title of the Bill. Would this proposal that you have on the Bill, would this include all public state

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

42nd Legislative Day

April 14, 1997

universities or is this designated for U of I only?"

Klingler: "Representative, this does not change the qualifications for students receiving MAP awards. It's simply looking at to what extent the MAP, if the Illinois Student Assistance Commission has additional funds, how many additional families can be served? As one example, if \$30 million in additional funding were given to MAP, 9,300 additional students would be able to be served up to a family income of \$34 thousand."

Morrow: "But this is, but this is for all, for people going to all state, to all public universities within this state."

Klingler: "This applies to all schools."

Morrow: "All schools, that's all I want to know. I want to make sure that we're not giving U of I a break over everyone else."

Klingler: "No. That's correct."

Morrow: "Okay. Thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the Lady from Sangamon to close, Representative Klingler."

Klingler: "I urge an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall House Bill 1135 pass?' All those in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? And on that... Take the record, Mr. Clerk. And on that question, there are 115 'ayes'; 0 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1149."

Clerk Bolin: "House Bill 1149, a Bill for an Act in relation to insurance. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Cook, Representative Lang."

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

42nd Legislative Day

April 14, 1997

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1149 would create the Consumer Insurance Board. It's modeled after CUB. As you know, Citizens Utility Board has done an excellent job protecting rate payers in the utility industry to make sure that their interests are protected, to make sure that they are advocates, to make sure that people get their questions answered. The Consumer Insurance Board Act would work the same way. The mailings would work the same way. And in this way, we would know that our constituents would be able to have an advocate for them in the Department of Insurance. When considerations are being made as to rules and regulations regarding insurance, at a time when we are concerned about the cost of insurance and access to health care, I think this is an appropriate way to go. There have been numerous editorials for this around the State of Illinois, numerous endorsements about this proposal. And I would ask you to join me in supporting it."

Speaker Brunsvold: "And on that question, the Gentleman from Vermilion County, Representative Black."

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

Speaker Brunsvold: "He indicates he will."

Black: "Representative, I remember this Bill. Do you remember when this Bill was first filed? It's been around awhile."

Lang: "I think I introduced it two or three sessions ago, Representative. I'm not sure we ever got it out of committee or even tried, but I know I did introduce it once previously."

Black: "Our notes indicate that this Bill first surfaced back in 1985. So it's been around even longer than you and I. Would it be your intent that the Consumer Insurance Board

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

42nd Legislative Day

April 14, 1997

would have the same kind of duties, responsibilities as the Citizens Utility Board, ie: would they have access to state mailings, et cetera?"

Lang: "That would be how it would work and that's exactly the procedure. It would work exactly the same way as CUB."

Black: "Do you have any estimate on what the Department of Insurance estimates this would cost annually?"

Lang: "The Department of Insurance estimated \$215 thousand; however, that was an all inclusive figure, not just for mailings. They didn't estimate any additional cost for mailings. They were assuming that a given number of cases would arise through this that would require court reporters and the like. But we have no way of knowing if there will be any cases that there will...need a court reporter for. Three quarters of the money they've estimated are for court reporters."

Black: "Refresh my memory on how this is set up. Is this the members of the Consumer Insurance Board? Would they be elected by regions? In other words, this is a quasi-independent board. It's not something you are establishing within the Department of Insurance."

Lang: "That is correct. They would be elected members within each of the Congressional Districts and they would be elected by members."

Black: "How is that financed? I mean I really don't understand how the Citizens Utility Board is financed. Through member contributions or..."

Lang: "Member contributions and private donations."

Black: "Okay. As always, Representative, I appreciate your forthright answers to the questions. Mr. Speaker, if I might, to the Bill."

Speaker Brunsvold: "To the Bill."

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

42nd Legislative Day

April 14, 1997

Black: "You know, regardless of how you feel about the Citizens Utility Board, I think you could historically understand why that was created, why it got a majority vote in both Houses of the General Assembly. That is at that particular point in time and still to this day, although there's deregulation in the air, utilities were absolute monopolies. And depending on where you live, you were served by one utility. It isn't like you had any choice in the matter. And it was obvious that consumers had a vested interest and a very legitimate concern in the way these monopolistic utilities were run. I would submit to the Members of this Body that we have 19 hundred insurance companies in this state, and that competition generally keeps rates down. Our auto rates are twenty-fifth best in the nation on average, even though we're the seventh most populated state with the third largest population center, obviously, that being Chicago and Cook County. You know if you're really unhappy with your insurance rates in this state, with over 95 thousand insurance agents, you can do something about that. You can shop around. You can use the marketplace. You couldn't do that when the Citizens Utility Board was established. I submit to you, you can do that if you don't like an insurance rate or you don't like the way your insurance company is doing business and you do have access to the Department of Insurance hotline, but the competition, and believe me, there are some hungry insurance agents out there, and if it's anything you're upset about, but particularly a rate, you can shop around and get...I'm sure you could find a more competitive rate. I get a lot of mail and phone calls, as do you, about mailings that end up in state mailings as to who pays for it. And we know how that works, and we can explain it, but

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

42nd Legislative Day

April 14, 1997

there are a lot of people that think we have gone too far, and I just don't have anybody in my district asking me to support this. So, I would urge an 'aye' vote...or excuse me, I would urge a 'nay' vote."

Speaker Brunsvold: "The Gentleman from Jefferson, Representative Jones."

Jones, J.: "Thank you, Mr. Speaker. I would just like to be recorded as an 'aye' vote on House Bill 1135 that we just passed."

Speaker Brunsvold: "The record will so reflect."

Jones, J.: "Thank you."

Speaker Brunsvold: "The Gentleman from McLean, Representative Brady."

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

Speaker Brunsvold: "Yes, he indicates he will."

Brady: "Representative Lang, would this create another level of bureaucracy?"

Lang: "No."

Brady: "How do you define bureaucracy or levels of bureaucracy, Representative Lang?"

Lang: "I don't know, the dictionary I had up here when I defined chutzpah for Representative Black is no longer with me. I don't have a dictionary. You want to define it, you go for it."

Brady: "Would this create another level of government?"

Lang: "No, not at all."

Brady: "Would... What would it create then, Representative?"

Lang: "It creates a board to represent and protect insurance consumers before the Department of Insurance."

Brady: "To protect consumers. Say that again. What would it do?"

Lang: "The purpose of this is to have an advocate before

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

42nd Legislative Day

April 14, 1997

regulatory bodies under the Department of Insurance for insurance consumers in the State of Illinois, Sir."

Brady: "For what purpose?"

Lang: "For their protection."

Brady: "What type of protection?"

Lang: "Well, I'll read the statement of legislative intent to you. No, I won't; it's too long."

Brady: "Thank you."

Lang: "Page 1, line 6 through 27 will answer your question, Sir."

Brady: "Do you want to just summarize what you want to protect people from?"

Lang: "No, it's in the Bill."

Brady: "Representative, I would ask you to summarize what your intention to protect people from is."

Lang: "This would provide consumers with education and advice relative to the purchase and use of insurance by the use of this not-for-profit corporation that would be an advocate for them."

Brady: "Does the Department of Insurance already provide that, Representative?"

Lang: "I'm certain the Department of Insurance does as good a job as they can to help do that, just as the Commerce Commission does. I think CUB has worked pretty well for utility rate payers, and I think this board would do pretty well for insurance rate payers."

Brady: "You're, in fact, creating a bureaucracy, aren't you? Doesn't the Department of Insurance already do this for insurance organizations which the previous speaker has indicated are non-monopolistic?"

Lang: "Sir, bureaucracy infers a level of government, or a layer of government; this has nothing to do with government. This is a private organization. It's not part..."

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

42nd Legislative Day

April 14, 1997

Brady: "Nothing to do with government?"

Lang: "You asked me a question. I would kind of like to answer it."

Brady: "Go ahead, finish."

Lang: "This does not create a new layer of government bureaucracy. Now you can go ahead."

Brady: "Are tax resources used for this?"

Lang: "No."

Brady: "Government monies used for this?"

Lang: "No."

Brady: "Fee monies?"

Lang: "No."

Brady: "This is funded by what?"

Lang: "Excuse me."

Brady: "How is this funded?"

Lang: "It's funded by voluntary contributions and member donations."

Brady: "Where does the \$215 thousand come from?"

Lang: "Well, that's the number the Department of Insurance came up with as their estimate as to what it will cost them if this board is enacted, because it is inferred that there will be meetings that wouldn't take place otherwise that there would be some sort of cases. Three-quarters of the money that they have proposed, which I think is high, is for court reporters. It's a very minimal sum of money, Sir."

Brady: "Representative, I think it is a use of money, and I think it does create another level of bureaucracy. But let me ask you another question. You've decided the insurance industry needs this because the utility industry has it through CUB. And you have given some reasons. You want more information spread. You want better protection to the

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

42nd Legislative Day

April 14, 1997

people. Would you suggest that maybe we need a similar organization for attorneys?"

Lang: "If you have a Bill that proposes that, I'll certainly read it."

Brady: "I just want to understand your logic. Would you support that?"

Lang: "Sir, there doesn't seem to be any problem in this country with people having access to attorneys, but there is certainly a whole lot of people that have trouble getting access to health insurance."

Brady: "Health insurance. Is that because of affordability? Doesn't this Bill go more than cover just health insurance, Representative?"

Lang: "It does and it probably should. But should the Bill pass, if it was the will of the Senate to make this just deal with health insurance, I certainly would agree to that."

Brady: "Representative, I would suggest to you that this creates another level of bureaucracy. I would suggest to you that this is doing very little for the people of Illinois. I'm not sure what you... But let me ask you one last question. Mr. Speaker, before I finish though, if this should receive the requisite number of votes, I'd ask for a verification."

Speaker Brunsvold: "So recognized."

Brady: "Representative, do you... Did you make any comments about what you thought the destiny of this should be in the Senate, if it should pass the House?"

Lang: "I'm sorry. I didn't hear you, Sir."

Brady: "Did you make any comments in committee or after about what you thought the destiny of this Bill should be, if passed to the Senate?"

Lang: "I don't recall, if I did perhaps you have them there. I don't recall what I might have said."

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

42nd Legislative Day

April 14, 1997

Brady: "Okay. Thank you, Representative. Ladies and Gentlemen, I think the previous Representative, Representative Black, suggested the differences between this and CUB. This will do nothing but create another level of bureaucracy. I'm not sure why the Sponsor wants to do that, but I think it will waste 215 thousand or minimum of taxpayer resources. And I ask you to 'no' vote."

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

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I've had an opportunity in the last year to attend a National Insurance Commissioners Association meeting. At that meeting and talking to colleagues and people involved in the insurance departments throughout the United States, they've indicated that the Illinois Department of Insurance is one of the best in the nation, rated in the top five of all the nation. That's because of the professionals in the system of which we have. The Department of Insurance opposes this Bill. Not because they don't want consumers to be protected, in the contrary they do. But they find that this is another level of a bureaucracy that would be developed. Now it's not going to be a governmental bureaucracy, but it will be a bureaucracy just the same. The Department of Insurance estimates that this will cost them over \$200 thousand a year to provide staff to work to provide this. Let me also point out that as many of you are well aware, there are thousands of companies doing business in Illinois, and the rates with these companies are on a very competitive marketplace. We have very competitive rates in Illinois. Those rates change on a consistent basis. Matter of fact, they change sometimes every six months, depending on the marketplace and

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

42nd Legislative Day

April 14, 1997

depending on competition. I'm afraid that an organization like this being formed will start issuing certain information sheets as they might want to do to help consumers listing rates. If they were to do that, those rates will...may have changed by the time a consumer has that or that the consumer has in their hand, or presume, that because they have a sheet of paper listing some companies that they are the most competitive at that time, and in fact they may not be. So though the Bill may have... The Sponsor has tried this numerous times. It may, in fact, be counterproductive providing consumers most up-to-date information. So I would ask that the Body think this over, that in fact that this is not a good idea. It is also our understanding that Illinois may... This may be the first state that's even going to look at passing this. I don't know of any other state in the union that has this, which means that most other states would agree that this is not a good idea. So, Ladies and Gentlemen of the House, I would say that the Department of Insurance does a good job. That, in fact, since 1990 the Illinois Information... Insurance Information Service has had a toll free number, that if people have a concern about their insurance that they are listed in the policies. Every policy, almost every policy that I'm aware of, has an information brochure delivered with the policy, so that they know. And since 1990, over 11 thousand phone calls have come into that hotline. I think we're providing the consumers of Illinois an effective way of finding out what there is in terms of competition, an effective way to address the concerns. You and I have addressed issues that have been brought to us by our constituency. I don't know about you, but I have not had a whole lot of people clamoring for this

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

42nd Legislative Day

April 14, 1997

kind of a board to be established. When I find a consumer calls me, I call the Department of Insurance. I ask the department to research the issue, the concern that my consumer and my constituency has, and we get an answer to them in a relatively quick way, and it answers their question. They may not like the answer, but at least by law they get the right answer. So, Ladies and Gentlemen, this is not needed, and I would ask the Body not to support this."

Speaker Brunsvold: "The Lady from Cook, Representative Currie, is recognized."

Currie: "Thank you, Speaker and Members of the House. I rise in strong support of House Bill 1149. We may be the first state to enact this good idea to help protect the health of consumers in the State of Illinois. Wouldn't it be wonderful if we were first off the mark with this good idea, rather than waiting to be dragged into the 21st Century as we so often are in so many arenas? This measure is not in any way an attack upon our State Department of Insurance. I agree with the previous Speaker; they do a good job. But their job is simple straightforward regulation. What's missing at the state level is the strong voice for the consumer, a strong advocacy arm to speak up for the folks who are having trouble getting their health care needs met in an adequate and responsible way. You may know that this proposal was on the ballot last Tuesday in a couple of Illinois communities, where it won overwhelming success. Think about it. Do you want to go home and say to your voters, 'I turned down the idea of a Consumer Advocacy Organization that you could pay for, you could join if you chose. I turned that idea down, even though it would not have created a new state bureaucracy,

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

42nd Legislative Day

April 14, 1997

even though it would not have meant substantial new costs to the State of Illinois.' Think again. Explaining a 'no' vote on a Bill as simple, as straightforward, as inexpensive and as consumer friendly as House Bill 1149, surely not a vote I myself would want to explain. So I encourage you all, I encourage you to think about what this means to your people. Think about the fact that it's not costing the taxpayers, but it will give a voice to your health care consumers, a voice in the insurance operations. I think the right vote is a 'yes' vote and I hope it will have your support."

Speaker Brunsvold: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 1149 and would like to state that, and echo some of the comments. The State of Illinois is one of the largest insurance states with some of the largest number of domicile companies throughout the state, or throughout the United States rather. They do that for a reason. We have a free and open market for competition, and that is something which is a great advantage to the consumers. If you don't like the rates or the coverages that are getting, you're able to shop around. Additionally, we have a very highly rated and respected Department of Insurance, which handles thousands of inquiries and also has the power to go forward and investigate the companies themselves. They can go into individual claims. They can take a look for fraudulent practices, and they've been an excellent sounding board for consumer safety. I appreciate what the Gentleman is trying to do; however, I believe that we have been doing this effectively. We do have a strong insurance industry and a

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

42nd Legislative Day

April 14, 1997

good voice for the consumers. And I would ask for a 'no' vote."

Speaker Brunsvold: "The Gentleman from DuPage, Representative Johnson, is recognized."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Brunsvold: "He indicates he will."

Johnson, Tom: "Representative, I have a couple of questions. There... This is supposed to be a not-for-profit and fully funded by private contributions, is it not as you envision it?"

Lang: "Yes, Sir."

Johnson, Tom: "Is there anything in law right now that would prohibit people who are interested in this from forming their own group and spending their own money and put together their own not-for-profit organization and disseminate the same type of information? There's nothing that prohibits that, is there?"

Lang: "Well, there is nothing that prohibits that part of it; however, two things need be said. First, CUB got started because we allowed mailings to go...brochures to go and state mailings to go to people. Second, if you merely have an organization that deals with dissemination of information, then they are not a taxpayer advocate that's sanctioned in the State of Illinois that could go into the Department of Insurance or other regulatory agencies and state the case of the consumer. So, yes, we could do part of this without this law, but not the rest of it."

Johnson, Tom: "Has that first part even been done? It seems to me that what you're trying to do here, and I think we all know what we're trying to do, is create really a state supported lobby organization, in essence. That's basically what we're creating, is it not?"

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

42nd Legislative Day

April 14, 1997

Lang: "Well, then you must feel that way about CUB as well, because that's exactly what...this..."

Johnson, Tom: "Well, I don't want to get into CUB right now."

Lang: "Well, the answer is, no, this is not a state supported lobbying organization. This is an organization where the state recognizes that information about the insurance industry, access to health care, access to low cost health care is important to the people who live in the State of Illinois. And the state by recognizing that would enable, through these mailings, people to know about these organizations, to know they exist, and to then be able to say to people, 'You want to join this organization, we'll work for you to get questions answered about the insurance industry for you.'"

Johnson, Tom: "Well, why wouldn't you just encourage people to go ahead and form this association, since they're going to do it all voluntarily anyway? And then why don't you just confine your Bill to having the taxpayers support the mailing periodically with the Secretary of State's mailing? I mean if that's all you're after."

Lang: "Well, that's really all the Bill does, Representative, except it takes the one additional step of legitimizing the organization, just as you did with CUB, so that the organization would have sanction to advocate on behalf of insurance policyholders in the State of Illinois."

Johnson, Tom: "Okay. But to your knowledge, Lou, as of now nobody out there has even thought of forming this association of people without the state getting behind it and saying let's sponsor it, is that correct?"

Lang: "Well, I think many have tried to do this. Many have talked about doing this. But you're talking about putting hundreds together, rather than thousands together, so that

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

42nd Legislative Day

April 14, 1997

the organization will be well funded enough to be a fair advocate for insurance policyholders."

Johnson, Tom: "Okay, thank you."

Speaker Brunsvold: "Further discussion? Seeing none, the Gentleman from Cook to close, Representative Lang."

Lang: "Thank you. Representative Currie, said it best. I don't know why anyone would want to go home and say to people that they opposed an advocate for them to be able to get information about insurance. Second, I would like to say that somebody during debate said, 'Well, this whole thing is to make a list of rates so that people know who the cheapest company is.' That's not what this is about. It's about giving people access to information about insurance, giving them access to an advocate who will help insurance policyholders within the regulatory bodies. I don't know who this harms to pass this. Much legislation we have, you may want to vote 'no' because it harms somebody. You may want to vote 'no' because somebody would be interested in this not passing. Frankly, I don't know who would opposed to our constituents getting this kind of information or our constituents having this kind of advocate. If you want to vote 'no' because you think that's inappropriate, then I guess you'll do that. But I believe that it is appropriate to give our citizens every possibility of fair and equal access, especially when we're talking about the issue of health care and the health care industry accordingly. I would ask you to support me with your 'aye' votes."

Speaker Brunsvold: "The question is, 'Shall House Bill 1149 pass?' All those in favor vote 'aye'; all those 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. Mr. Brady, withdraw your request

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

42nd Legislative Day

April 14, 1997

for a verification? And on this question, there are 18 voting 'yes', 82 voting 'no', 14 voting 'present'. This Bill, having not received a Constitutional Majority, is hereby declared lost. Mr. Clerk, 1128, read the Bill."

Clerk Bolin: "House Bill 1128, a Bill for an Act to amend the Vital Records Act. Second...Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Cook, Representative Santiago."

Santiago: "Thank you, Mr. Chairman and Members of the General Assembly. House Bill 1128 amends the Vital Records Act. It will require the listing as a quote, unquote 'significant condition of death if applicable of several dementia-related diseases'. These diseases include senility, stroke with related complications of Alzheimer's disease, cognitive and motor skill disorders, Huntington disease, Pick's, Parkinson disease and Parkinson-Dementia Complex. I move for immediate consideration and passage."

Speaker Brunsvold: "Any discussion on the piece of legislation? Seeing none, the question is, 'Shall House Bill 1128 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 115 voting 'aye', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1186. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1186, a Bill for an Act in relation to rights and remedies. Third Reading of this House Bill."

Speaker Brunsvold: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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

42nd Legislative Day

April 14, 1997

House. House Bill 1186 amends the Probate Act and provides that an adoptive child who is adopted after the age 18 and who hasn't resided with adoptive parent before attaining that age is a child, not a descendant of the adopting parent for the purpose of inheriting from the adoptive parent's kindred. Provides that an adopted child is not a child or descendant of a natural parent or a natural parent's kindred for purposes of inheritance, unless certain conditions are met, and amends the instruments regarding adopted children's Act. This is a Bill from the Chicago Bar Association, the Probate Division, and I would be happy to answer any questions."

Speaker Brunsvold: "Is there any discussion? Is there any discussion? Seeing none, the question is, 'Shall House Bill 1186 pass?' All those 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 this issue, there are 113 'ayes', 0 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1195. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1195, a Bill for an Act to guarantee payment of wage supplements to certain part-time employees. Third Reading of this House Bill."

Speaker Brunsvold: "Representative Howard."

Howard: "Yes. Thank you."

Speaker Brunsvold: "The Lady is recognized, proceed."

Howard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1195 creates the Part-Time Employee Wage Supplement Act. It provides that a part-time employee is entitled to a portion of the employer-sponsored insurance,

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

42nd Legislative Day

April 14, 1997

pension, health, child care, and vacation time benefits available to full-time employees. This applies only to employers in Illinois with more than 500 employees, with the exception of the State of Illinois, units of local government and school districts. I ask for a favorable consideration."

Speaker Brunsvold: "And on that question, is there any discussion? The Gentleman from Logan, Representative Turner, is recognized."

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

Speaker Brunsvold: "She indicates she will."

Turner, J.: "Representative, I was having a hard time hearing you. To whom did you say this would apply, if we were to pass this?"

Howard: "It applies to employers within the State of Illinois that have 500 employees or more, with the exception of the State of Illinois, units of local government and school districts."

Turner, J.: "And why have you chosen to exclude units of local government?"

Howard: "Because they indicated to me that they had a problem with this and we worked it out."

Turner, J.: "What did they indicate that their problem was with it?"

Howard: "Well, they talked about having budgetary considerations to be thought of."

Turner, J.: "Did they indicate that if it applied to them that they were afraid about the cost that would be associated with this piece of legislation?"

Howard: "Yes, I would think that that would be their concern."

Turner, J.: "And with regard to the employers to whom it would apply, what would be the cost to them? Do you have an

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

42nd Legislative Day

April 14, 1997

assessment of that?"

Howard: "I do not."

Turner, J.: "Was there a certain number of employees that the employer must have in order for the provisions of this Bill to apply?"

Howard: "Yes, 500 employees."

Turner, J.: "And how did you arrive at 500 employees as the proper number?"

Howard: "Just sort of at randomly selected 500 amount."

Turner, J.: "Who are the proponents of this measure?"

Howard: "AFL-CIO is one of them."

Turner, J.: "I'm sorry, I couldn't hear you."

Howard: "AFL-CIO is one of the proponents and other unions have indicated to me that they are also supportive."

Turner, J.: "And do you know who is in opposition?"

Howard: "At this point, other than the initial opposition that is now eliminated, I've not been approached by anyone else who has indicated opposition."

Turner, J.: "Again, I'm having a hard time hearing. You said no opposition, other than someone. And who was that?"

Howard: "Initially, there was opposition. We worked that out. At this point there is no one of record that is opposed to this."

Turner, J.: "Can you tell me what it was that you worked out to eliminate what was the opposition to the measure?"

Howard: "Yes, the City of Chicago and the County of Cook indicated that it would be cost prohibitive for them to do that. Because they have budgetary considerations. And so they weren't so... So, in fact, I agreed to eliminate the government from the Bill."

Turner, J.: "Okay. And with regard to the measure, exactly what benefits would be bestowed upon the part-time employees?"

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

42nd Legislative Day

April 14, 1997

Howard: "Employer-sponsored insurance, pension, health, child care and vacation times."

Turner, J.: "Under your Bill, what would be the definition of a part-time employee?"

Howard: "Someone who works at least 25 hours during, per week that is, during the eight months of the preceding year."

Turner, J.: "That's 25 hours..."

Howard: "Per week."

Turner, J.: "Per week for..."

Howard: "During eight month of the preceding year."

Turner, J.: "Okay, Representative, thank you. That's all the questions I have. Thank you, Mr. Speaker."

Speaker Brunsvold: "The Gentleman from Washington, Representative Deering."

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

Speaker Brunsvold: "She indicates she will."

Deering: "Representative, I didn't quite hear your answer when the previous Speaker questioned you as to why you put the threshold at 500 employees. Why didn't you go down to even as far as a 100 employees?"

Howard: "You know what, Representative Deering? If I had my way, all employers would be required to give benefits to their employees, whether they be full-time or part-time. But in order to make certain that at least some individuals in our state were able to benefit, I was advised that 500 would be a good starting point."

Deering: "That's fine, Representative, and I agree with you. I think any employer in the State, if they're out there competing, they should be paying wages, comparable wages and benefits."

Howard: "Absolutely."

Deering: "The problem like this arose in my district here a

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

42nd Legislative Day

April 14, 1997

couple years ago and I had legislation, I think about two and a half three years ago, trying to correct this problem with part-time or temporary employment agencies. Can you tell me, if I am an employer and I have a salaried worker working on an assembly line making 12 or 13 dollars an hour, wages and benefits included, and I need additional employees, say I have an employee that is on a leave of absence or I just have a need to hire more employees, but I don't want to go through the expense, and I hire through a temporary employment service, can you tell me what the average cost per hour, per employee, that I as an employer may pay to the temporary employment service for that person?"

Howard: "I'm not certain I... Is that something that's germane to this? I don't quite understand it. Are you asking what hourly wage should be established?"

Deering: "Well, I'm asking because most employers in the state will make the argument that we can't afford to hire full-time employees, because of the benefits and the wages that goes along with it. In order to be competitive, we can be more competitive with temporary employees. But in a lot of cases, it's seen and it's shown in, and especially in my district, where the employers are paying the temporary services more per hour for the employee than they're paying their own employees. Is that not potentially a problem throughout the state?"

Howard: "I would imagine that it might be. But my point still is that there was a time when persons might seek part-time employment because they just wanted to. The situation that we have now a days is that people seek part-time employment because that's all they can find. They're forced to accept part-time employment. And I am saying that if, in fact, a

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

42nd Legislative Day

April 14, 1997

person has to accept part-time employment, they're forced to, and sometimes even two part-time jobs in order to be able to make a full-time job, that they have some rights. They should not be penalized because they're forced to accept part-time employment. I think that employers ought to be responsible and be required to be as responsible to those part-timers as they are to the full-timers."

Deering: "Thank you, Representative. To the Bill, Mr. Speaker. Ladies and Gentlemen of the House, I... just so there's no mixed feelings here, I totally support this Bill. I think that an employer should pay comparable wages and benefits, whether they're a full-time employ...full-time salaried employee, hourly employee, whatever the case may be. The temporary services are reaping a lot of profits at the expense of working men and women throughout the state. Some of these temp. employees are working as long as 12 months in a row without any vacation time, without any sick day time. They don't get a chance to take a day off, and if they do, they're threatened with the loss of their job. Nine times out of ten, they're standing right next to a person that's doing the same job, getting paid considerably more than minimum wage in what these part-time employees are, and the temporary employment services are reaping the benefits. I think this is a Bill whose time has been long overdue. We should pass this, and hopefully the Governor would seek to sign this Bill, and then we can go to lower the threshold to bring more employers in under the umbrella of this Bill. This is a very good Bill, Representative."

Howard: "Thank you."

Speaker Brunsvold: "The Lady from Cook, Representative Mulligan. Representative Mulligan."

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

42nd Legislative Day

April 14, 1997

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

Speaker Brunsvold: "She indicates she will."

Mulligan: "Representative Howard, I don't totally disagree with what Representative Deering said before you, except that that's not always the case, and that it's someone that's been next to somebody hired part-time and worked the same hours, the same length of time, but working through an employment agency. Wouldn't it be easier to go at a Bill that would address what a temporary employee is and what it isn't, than to try and mandate this? And I was quickly trying to go through the Bill and look at all the provisions while I was standing here, rather than just say that it would apply to anybody that's part-time without exactly defining part-time."

Howard: "I'm not certain that I'm necessarily talking about temporary employment. I'm talking about part-time persons who work these jobs ongoing. They are forced to work part-time jobs ongoing, which means that they never have been able to, or they have not for whatever unfortunate circumstance, been able to find full-time employment. The kind of thing that they are qualified to do always has to do with part-time work, not temporary, because they do this ongoing. It is not a matter of a few months. It's a matter of years and years of people do this. They have families, they get sick, they have all kinds of needs as the rest of us do. But the employer does not offer them the...any kind of benefits. This, of course, would give benefits proportionate to the time that they work."

Mulligan: "All right, as I was trying to go through the Bill and I couldn't get...I didn't get to the end. You just said one of the other questions that I have, proportionate. Is that outlined in the Bill? Say if you're vested in a

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

42nd Legislative Day

April 14, 1997

pension in five years as a full-time employee, would a part-time employee be vested in five years? And if they're not..."

Howard: "Part-time employees are never vested, is my understanding."

Mulligan: "Well, that's what I mean. If your Bill is...and that's one of the things that's covered in your Bill, it says it would apply to pensions."

Howard: "It would apply to whatever a full-time employer...employee would receive. So that we're talking about a proportionate amounts. If you work three-quarters of the time, then you get three-quarters of what an employee who is full-time would get. If you work half of the time that the full-time employee works, then you get half of the benefit or the value of the benefit that that person would get, is what this is speaking to."

Mulligan: "All right, but the one thing that jumped out at me in just looking at it was pensions. If you're vested in a pension as a full-time employee at five years, if you're a half-time or three-quarter time, how would you work that out and what would the law obligate an employer to do is what I'm trying to figure out if I looked at this Bill?"

Howard: "You know I probably could be more knowledgeable about exactly the way the pensions are operated, but I would think that just logically speaking that it would mean that if there is X number of dollars coming to an individual because they have worked for so many years at a company that would be proportionately applied to the part-time worker as well."

Mulligan: "I have some concern with the rumor that there are many large corporations that are going to go to part-time employees, so that people lose their benefits. So I can

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

42nd Legislative Day

April 14, 1997

understand where you might..."

Howard: "That is what the case is today."

Mulligan: "All right, so and in some jobs, I can understand that.

But there also is a fine line here between what someone can afford to do and the type of job and what someone can't afford to do, and although I would very much like to support this, I'm not sure if the Bill is clear. And that's what I'm trying to find out, but I thank you for answering my questions."

Speaker Brunsvold: "The Gentleman from Cook, Representative Parke. Proceed."

Parke: "Thank you, Mr. Speaker. If this receives the required number, I would like a verification of the Roll Call, please."

Speaker Brunsvold: "It's been recognized."

Parke: "Thank you. Ladies and Gentlemen, I think it's evident that the Sponsor believes that this will solve a problem on one end, because this certainly is compassionate towards those people who are working part-time and that she would like them to receive benefits that full-time employer...employees receive. But think about it. If you are going to give part-time employees the same benefits as full-time employees, why should an employer hire any part-timers any more? The advantage of a part-timer is that you don't have to provide all those benefits. Now, as well intended as your Bill is, logically if a employer has a dollar to spend on benefits for employees as a whole, and you are now by virtue of your Bill requiring him to send the same amount for any part-timer that he hires, he has two choices. One choice is not to hire any part-timers at all, which defeats the purpose of your Bill in the first place. But the other choice that he has then, is that he

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

42nd Legislative Day

April 14, 1997

then is going to have to cut back on his benefits if he needs part-timers. He's going to have to cut back on the benefits that he provides for the full-time employees. Because either he's going to have to make a profit to keep the business going, it's a matter of economics. So as well intended as the Bill is, Ladies and Gentlemen, I think in the long run, you're going to cost full-time employees their benefits also. I mean you can't have it both ways today. Business operates, many businesses, especially small businesses, though this Bill applies to 500 or more, any size business is still going to make a profit. And I would contend, Ladies and Gentlemen, that in the long run, as well intended as the Sponsor is on this Bill that, in fact, it will be counterproductive. I think we should let the marketplace do what it's supposed to do. If companies start making a profit and the business down the street at 500 employees or more starts to make a profit, they have a chance of losing employees if they can't compete with fringe benefit programs. But if you require them to hire part-timers and pay them the same benefits, I contend they just are not going to hire nearly the same amount of part-timers and, in fact, it's counterproductive. So, you can vote any way you want obviously, but I think this is counterproductive to what the Sponsor of this legislation would like to see happen."

Speaker Brunsvold: "The Lady from Cook, Representative Schakowsky, is recognized."

Schakowsky: "Thank you, Mr. Speaker. I rise in support of House Bill 1195, which I see as really a welfare prevention piece of legislation. One of the major reasons that people end up going on welfare is because they have to take part-time jobs that don't have any benefits, in fact, sometimes

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

42nd Legislative Day

April 14, 1997

working several part-time jobs that don't have any benefits, and then if someone in the family gets sick or...then they find themselves back on welfare anyway, even as hard as they may be working to provide for their family. We are trying our very best to make sure that people get off of the welfare roles and get back to work. For people who are willing to work, and that's what we're talking about, people who are wanting to put in... They probably even want to work full-time. They are willing to work part-time for part-time benefits, then we ought to be doing that instead of padding our welfare roles with people who want to be working. So, I would say if you vote for this, you're really voting for welfare reform and a sensible way to do it. So, I urge an 'aye' vote."

Speaker Brunsvold: "The Lady from McHenry, Representative Hughes, is recognized."

Hughes: "Thank you, Mr. Speaker. To the Bill. I rise in opposition to House Bill 1195. To call this a Welfare Reform Bill, I think is extremely misleading. What we ought to be doing in Illinois is expanding job opportunity. Expanding job opportunity, all types of jobs. Not everyone who is entering the job...the workforce needs benefits. Many part-time workers have those benefits elsewhere. And even for those who don't, the more we add to the cost of labor, the fewer jobs are going to be out there. What welfare reform is really about is more jobs, more full-time jobs, more part-time jobs, more jobs with benefits, more jobs without benefits, but more jobs. Those jobs pay for the services for those who are unable to do it for themselves. This job is against the creation and availability... This Bill is against the creation and availability of more jobs for Illinois citizens. Thank

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

42nd Legislative Day

April 14, 1997

you."

Speaker Brunsvold: "The Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker. To the Bill. I heard a couple of Representatives speak to the fact that this would be a welfare prevention piece of legislation. I don't know if you're aware that in the African American community and mostly minority communities that individuals are usually working anywhere from 30 to 39 hour weeks. Anything less than 40 hours would be considered as a part-time employment. Therefore, the employer is abdicating their responsibility to look out for their employees by offering them these menial health care benefits and the kind of benefits that will keep them on the job. This is an excellent piece of legislation, and I rise in strong support of it. Thank you."

Speaker Brunsvold: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I rise in opposition to the Bill. You know, once again what we're doing, and the Sponsor is well intentioned with her legislation, but what we so often do in government is we mandate this on the private sector. We say those of you in the business community, you have to do this. But we'll exempt state government and we'll exempt any form of local government. Now, if this is such a good idea, then why would we exempt state and local government who employ thousands of people. You know, even Congress has finally gotten the message, that you don't always pass a mandate on everybody else and exempt Congress. And I think it's time we follow suit. If it's good enough for the private sector, it ought to be

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

42nd Legislative Day

April 14, 1997

doubly good for the public sector. And since we're exempt, I intend to vote 'no'."

Speaker Brunsvold: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker. To the Bill. I also rise in opposition to this Bill. If you just look around at our economy today, part-time jobs are not available. When you drive into the service station, you fill your own tank. You go to Burger King, you pick up your cup. You go down and you put the ice in it; you fill your own cup. Why? Because the cost of part-time help has gone up so much that they are now figuring ways that we can do our own work. So pretty soon if this Bill advances, instead of complaining about going to work at hamburger flipping jobs, we'll be complaining as customers going in having to cook and flip our own hamburgers. So, I urge a 'no' vote."

Speaker Brunsvold: "Seeing no further discussion, the Lady from Cook, Representative Howard, to close."

Howard: "I believe that part-time workers are no less deserving of benefits than are full-time employees. I urge a 'yes' vote. Thank you."

Speaker Brunsvold: "The question is, 'Shall House Bill 1195 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourself; there has been a request for a verification. Have all voted who wish? Mr. Clerk, take the record. Mr. Parke, do you pers... There is no need for a verification. Representative Howard. The Lady requests Consideration Postponed. House Bill 1199. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1199, a Bill for an Act to amend the

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

42nd Legislative Day

April 14, 1997

School Code. Third Reading of this House Bill."

Speaker Brunsvold: "Representative Biggert is recognized."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1199 is a Bill which amends the School Code to provide that the State Board of Education is to implement and administer a three-year giant steps pilot program and make grants to participating school districts for the study and evaluation of autism and related teacher training. The pilot program is to be operated over a period of three-years, beginning with an approaching school year. And the State Board is authorized to make grants to school districts that apply to participate in the program. The State Board of Education shall by rule provide the form of application and criteria to be used and applied in selecting the participating school districts. And I would be happy to answer any questions."

Speaker Brunsvold: "On that question, is there any discussion? The Gentleman from Cook, Representative Pugh, is recognized."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Brunsvold: "She indicates she will."

Pugh: "Representative, can you explain to me if these dollars are being allocated for the students or the teachers? The training of the students or the teachers?"

Biggert: "Representative Pugh, the money that I have in the Appropriation Bill is to provide \$1.5 million over a three-year period. And it's to actually put into a school, and it would be to actually hire a director and hire the personnel of the school. The dollars for the student, I don't know what that would mean. It would be that these students that would go there would be from school districts

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

42nd Legislative Day

April 14, 1997

and actually would then free up special ed. in those schools where they would be in the autism school."

Pugh: "And where will the...where is the school physically located?"

Biggert: "Well, there has been one school district in DuPage County that has been looking at this. The model is based on a school in Montreal, which has been in existence for 14 years. It is called Giant Steps, and they have another one that they helped start up in Connecticut and one in St. Louis. But I envision this as a pilot project which could train teachers who are involved with autism from all over the state and hopefully that this is such a creative and innovative program that it could be regional schools throughout the state if it is successful."

Pugh: "So, are the students with autism limited to students in DuPage County?"

Biggert: "No, they are not."

Pugh: "So where does... Where would they recruit the students and how?"

Biggert: "Well, there have already been a number of students who have expressed an interest from it, and they come from all over Northern Illinois. But that would be up to the State Board to set up those rules of where they would come from. The...within the school, there's certain factors. For example, the autism school in Montreal, which I did visit two weeks ago, serves 30 school districts. And students participate in the program at the Giant Step School, but they have also found that with this intense, intense training that they receive at the school, that they are able to go back to their school districts and to be included. Sometimes once or twice a week after the first year or two. It usually takes a couple of years before

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

42nd Legislative Day

April 14, 1997

they are able to go back and be included in their schools."

Pugh: "Representative, can you tell me who are the opponents of this particular piece of legislation?"

Biggert: "Well, according to my analysis, we have the State Board of Education, and I think the reason for that is because of the money situation, obviously. The State Board does not have that in their budget, which is why I've also introduced an Appropriation Bill, and we did receive a \$150 thousand for start-up costs in the budget last spring. So obviously, if the money is not available out of the General Revenue Fund, this probably will not go anywhere, but I think that's the reason. There's also some question about the Autism Society, and they have some questions about the training."

Pugh: "So, a Bill designed to study the evaluation of autism and related teacher training is opposed by the Autism Society and opposed by the State Board of Education. And you want us, as State Representatives, to support this piece of legislation."

Biggert: "When the Bill was presented in the Elementary Education Committee, the Giant Steps and the Autism Society signed in in favor of it. However, I have discussed that with the Executive Director, and I would be less than candid to tell you that I think that the Executive Director has some concerns about it."

Pugh: "So, candidly speaking, the Autism Society is opposed to this legislation? Yes, or no?"

Biggert: "That's all I know. Well, they never signed, they did not sign in that way. I have a letter, and I have talked to the director. She has been involved in this process since the beginning, and I think that they would have...they'd rather have the money go to the Autism

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

42nd Legislative Day

April 14, 1997

Society."

Pugh: "To the Bill, Mr. Speaker."

Speaker Brunsvold: "Proceed."

Pugh: "All well-meaning legislation is just that, well-meaning legislation. If we are to present meaningful legislation, then we should be listening to the people who are going to actually be affected by the legislation. In this case, not only the individuals that are going to be affected by the legislation, but the individuals that are going to be responsible for implementing the legislation. We have Illinois State Board of Education, who's going to be responsible for implementing this piece of legislation, and they are not in favor of it. We have individuals who are going to be affected by this legislation, and they're not in favor of it. I submit to you that this is just a misdirected piece of legislation and I rise in opposition to it. Thank you."

Speaker Brunsvold: "The Gentleman from St. Clair, Representative Holbrook, is recognized."

Holbrook: "Thank you, Mr. Speaker. I rise in opposition to this Bill. We have one of the finest autism programs in the nation in Southern Illinois in the St. Clair/Madison County Metro East area. I've received calls from the families of those children who oppose this Bill. They feel that this is not the right way to go, and that's why the Illinois Autism Association is opposed to this Bill also. I would urge a 'no' vote. Thank you."

Speaker Brunsvold: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. If I could have your attention. The autistic child is one of the greatest enigmas we have in the educational community today. There are districts

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

42nd Legislative Day

April 14, 1997

virtually throughout the state who don't know how or what to do with these children. And when we as a educational community can focus on these children, as Representative Holbrook was saying, and can bring needed services, these people can become productive citizens. But it is so very difficult to get into their problems and to get into their brains basically to get them functional. We need to look at as many different methods as possible. I can tell you school district after school district in the state have come to me and said, 'What do we do with these children? They are individually served now by people who do not have the skills necessary for solving the puzzle to bring these kids out of their autism.' I think that this is an excellent program, a model program. We can potentially get great benefits from this in terms of other areas throughout the state. We need to take this as a satellite program so that the western part, southern part, central part, all parts of the state will have the capacity to pool their resources, pool their staffs and be able to bring needed services to these children who are such a fragile group of individuals, such puzzling group of individuals, to all of us. I would urge us to support this so we can support all the districts throughout the State of Illinois. And I thank you."

Speaker Brunsvold: "The Lady from Cook, Representative Mulligan, is recognized."

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

Speaker Brunsvold: "She indicates she will."

Mulligan: "Representative Biggert, the Autism Society was with you to begin with, weren't they?"

Biggert: "That's correct."

Mulligan: "Isn't Giant Steps considered something new and very

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

42nd Legislative Day

April 14, 1997

innovative?"

Biggert: "That's correct."

Mulligan: "Hasn't there been a break through in the last six years in the way we can understand what works with the brain and what happens?"

Biggert: "That's correct."

Mulligan: "Has the Autism Society picked up on any of this or are they still doing the things the way they used to?"

Biggert: "In 1989, they had a training program and received funding, I think, and continued their training until 1991. And as far as I know, they have done nothing to continue further training of anyone to work with autistic children. And this is one reason for having this, that there is nothing in the state, and I do respect the school that Representative Holbrook has, but that is in the southern state. This concept was brought to me by a constituent of mine who has an autistic child who has...in the school district. Although the teachers do everything that they can to work with these children, as of next year, she has no placement for this child because there is nobody in the area who has any knowledge of how to deal with an autistic child."

Mulligan: "Has... Would this in any way cut the funding that would go, say to schools like Representative Holbrook's?"

Biggert: "No, not to my knowledge. This is why there is an Appropriation Bill."

Mulligan: "To the Bill. As far as the State Board goes, I don't have...you know, their disagreement with this doesn't cut any ice with me. They have already cut out their division on developmental disabilities, and they are doing nothing to help the people that are already establishing programs. If you have anybody in your school district that works in

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

42nd Legislative Day

April 14, 1997

this area, I'm sure you have received complaints. In my district in Park Ridge, there are six students that...they're trying to program with autistic children, young children. It started off with two. They had great success and the families found out that Park Ridge was doing something that was successful, and all of a sudden we had more people moving there. I think the parents of children that are disabled are looking at things that are new and innovative, and with the breakthroughs that we have made, if we can find something in an area that seems to be new and innovative that could train teachers in our state to do something different, I think we ought to try and support it. This is such a confusing and difficult disability to deal with. And from what everything shows that the earlier you start, if you recognize it, you can prevent children from slipping into this. I think that we ought to take a look at this new program, and I think we ought to support it."

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

Stephens: "Thank you, Mr. Speaker. The Illinois Center for Autism in Fairview Heights, Illinois, is a school that is very near and dear to my heart. It started in the basement of a church. It has dealt with autistic children and provided them with countless services for more than a dozen years now. It's developed into quite a fine program in Fairview Heights. It is one that is responsible for hosting next month at McKendree College in Lebanon a symposium of the 17 leading persons in the world on the subject of autism. They are very concerned about this legislation. Certainly nothing to do with opposing helping placement of a child that happens to be autistic, but they

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

42nd Legislative Day

April 14, 1997

have real concerns about this. Family members who have...who are serviced by the Illinois Center for Autism are concerned. Representative Biggert, I believe there are other implications in this legislation that go beyond what you think is the benefit of this pilot program. So, I would urge the Members on both sides of the aisle to take a moment and to understand that this may not be the best piece of legislation to help autistic children. I rise in opposition."

Speaker Brunsvold: "The Lady from Kane, Representative Lindner."

Lindner: "Yes, thank you, Mr. Chairman. Will the Sponsor yield?
I mean, Mr. Speaker. I'm sorry."

Speaker Brunsvold: "Indicates she will."

Lindner: "Yes, Representative Biggert, I don't know very much about the Giant Steps Program. Could you tell me if this program has been enacted in other states, if it has been successful and done what it set out to do, and how it got started in Illinois? And, also is it not true that this would benefit the entire state and the children of the entire state. This is just not for DuPage County, is that correct?"

Biggert: "That's correct. This program came from Montreal, and there are several schools up there in Montreal, British Columbia. And there are also programs in Tasmania and another one starting in another place in Australia. This was...been started from Montreal in Connecticut through the public school system and has...in Connecticut it has been in existence for five years. Three years they had some attachment to the school in Montreal, and now they are on their own, and it's up and running and serves the children of the State of Connecticut. There is also a school that was started two years ago in St. Louis, and it got help

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

42nd Legislative Day

April 14, 1997

from Montreal and has been very successful in Missouri. And I might add that many...and some members of the school boards and from the State Board have been to see those programs. It's a program that takes a child and gives them a very structured environment where they do therapy based on music and play academics and physical activities, and it's just... they also have what they call a shadow who works with the child to ensure that they are able to operate in that atmosphere. You might not...most autistic children have a real problem of being in a school with the distractions. It would be very, very difficult for an autistic child to be in this Chamber because of the distractions and the noise that goes on, and they have like peripheral vision which is taking in everything that is going on as well as trying to focus on addressing the Chamber. So, it's...it has found success, as I said, that children that start at an early age are able to go back to their classroom and to be able to operate in this atmosphere so that they are able to participate in school and they are able to participate later on. I might say that we do have autistic adults in this state where there is a program called RESPET, and that has like 12 adults who are funded at \$3 million a year to take care of them. If we can avoid having them as adults be wards of the state, that this would be a great help. I really have some concerns from Representative Stephens and Representative Holbrook, because I think that as far as Northern Illinois, there is no program there that is addressing this issue and those centers are not operating in all of the State of Illinois. And this would be a help to all of those areas that are not fortunate to have your center, and just to deny other children who have autism bothers me. I think

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

42nd Legislative Day

April 14, 1997

this is so important for these children when they have no place to go, and it would be a great benefit for all of the state to have a center set up and then to have training for teachers who are having to deal with these children in the classrooms. And I...I hope you would consider it."

Lindner: "Thank you."

Speaker Brunsvold: "The Lady from DuPage to close, Representative Biggert."

Biggert: "Thank you very much, Mr. Speaker. Giant Steps does create a...combines a range of both educational and therapeutic disciplines in an intensive and coordinated program deemed to assist autistic children. It is of utmost importance that we look at this type of child and give them some support. I don't think anybody knew anything about autism until the movie Rainmaker came out. We didn't even know what was wrong with these children. They are not able to operate in an ordinary school, and the teachers in our public schools have not had the training to be able to deal with them. I ask you, please, to give them an opportunity when there is a creative and innovative program that comes along to be able to help these children and help them to lead a more normal life. I would urge an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall House Bill 1199 pass?' All those 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? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 53 'ayes', 52 'noes'. Representative Biggert."

Biggert: "Postponed Consideration."

Speaker Brunsvold: "The Lady has asked for Postponed

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

42nd Legislative Day

April 14, 1997

Consideration. Mr. Clerk, place the Bill on Consideration Postponed. Mr. Clerk, read 1193, please. Mr. Capparelli, for what reason do you rise?"

Capparelli: "Mr. Speaker, it's my pleasure to rise and introduce to the General Assembly a new Member of our House from the 20th District, Richard Bradley, right here behind me."

Speaker Brunsvold: "Welcome, Representative Bradley. I just want to know your name is out of alphabetical order there. Can you have that changed? The..."

Bradley: "It's a pleasure to be here this afternoon. I've experienced what it's like to be a UPS package. I'm here and anxious to get working on the business and the issues of the 20th District and hope to learn the ropes, and I appreciate your patience and understanding to that end. Thank you."

Speaker Brunsvold: "Thank you, Representative Bradley. Welcome to the House. Mr. Clerk, read House Bill 1193."

Clerk Bolin: "House Bill 1193, a Bill for an Act concerning local governments. Third Reading of this House Bill."

Speaker Brunsvold: "The Lady from McHenry, Representative Hughes."

Hughes: "Thank you, Mr. Speaker. House Bill 1193 basically is the same as House Bill 2735 of last Session. It has numerous provisions relating primarily to township government, almost all of which passed both Houses unanimously. There was one provision vetoed by the Governor that no longer exists in this Bill. All others are here, passed committee unanimously. The one new addition is a technical correction that has to do with the titling changing of the facilities and services for mentally retarded and developmentally disabled persons article to facilities and services for the developmentally disabled."

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

42nd Legislative Day

April 14, 1997

There is no opposition to this Bill. Happy to answer questions."

Speaker Brunsvold: "On that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, in your Bill, and forgive me, I don't have the page and line number, amending the Township Code regarding compensation - and that's including compensation of the road district treasurer which shall not...which shall be not less than 100 nor more than a \$1,000 per year. Is this road district treasurer paid currently under law?"

Hughes: "Is the road district treasurer currently being paid..."

Black: "Currently compensated under existing law?"

Hughes: "Yes, I believe so."

Black: "Would this be construed as an increase in that compensation?"

Hughes: "No. I don't believe so. If you will, let's see, I'm trying to find that in this Bill. The...This section is being amended to put into compliance all local elected officials with the requirement that their salaries be set prior to their election. And because of the township assessors taking office in a delayed manner relative to others, they fell through the cracks of prior legislation of this Body."

Black: "Okay, it's on page 21 and begins at line 4. And when you go down there, there's some changes: compensation of the road district treasurer, compensation is underlined, which shall not be less than 100, nor more than 1000, and that isn't underlined. So that's what is throwing me."

Hughes: "That is not a change in compensation. It is to put this

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

42nd Legislative Day

April 14, 1997

section in compliance with the good government legislation, which says salaries will be set prior to officials are elected to office."

Black: "So, you're simply establishing a time line..."

Hughes: "Exactly."

Black: "... by which all salaries are set, and it is not your intent, nor is there anywhere in this Bill, language that will give anybody a pay increase by virtue of the General Assembly?"

Hughes: "Absolutely not."

Black: "Thank you very much, Representative."

Speaker Brunsvold: "Any further questions? The Lady from McHenry to close, Representative Hughes."

Hughes: "Again, there is no opposition. You voted on these provisions numerous times. Thank you for your support."

Speaker Brunsvold: "And on that question, 'Shall House Bill 1193 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 115 'ayes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1209. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1209, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1209 provides that the Attorney General or the State's Attorney may file an action to abate a public nuisance, including a nuisance maintained in an owner occupied building. This piece of legislation was

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

42nd Legislative Day

April 14, 1997

brought to me by a local police department who had attempted to file such an action in my home county and the State's Attorney there had felt that the law needed to be clarified in order to do that. In checking, I've found out that many people, including the people that drafted this change, already felt that, that was provided for in the law. And so, this is a clarifying Bill that only clarifies existing law. I'd be happy to answer any other questions."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall House Bill 1209 pass?' All those in favor vote 'aye'; all those 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. On that question, there are 118 'ayes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1220."

Clerk Bolin: "House Bill 1220, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Cook, Mr. Giglio."

Giglio: "Thank you, Mr. Speaker and Members of the Legislature. There's an Amendment to House Bill 1220, Amendment #1."

Speaker Brunsvold: "Representative, do you want to move this back to Second for an Amendment?"

Giglio: "Yes."

Speaker Brunsvold: "Okay."

Giglio: "Sorry, Mr. Speaker."

Speaker Brunsvold: "Please, Mr. Clerk, take this Bill back to Second. Are there any Amendments?"

Clerk Bolin: "Floor Amendment #1, offered by Representative Giglio, has been approved for consideration."

Speaker Brunsvold: "Mr. Giglio, on the Amendment #1."

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

42nd Legislative Day

April 14, 1997

Representative Giglio, on Amendment #1."

Giglio: "Thank you, Mr. Speaker and Members of the Legislature. What Amendment #1 to House Bill 1220 does, is currently in Illinois when a violator goes around a stop gate arm on a school bus, bus drivers currently have the ability to fill out a complaint, forward it to the local school superintendent, and from there it goes directly to the State's Attorneys Office. IDOT did a study last May and in Illinois on any average day that schools in session, more than 11 thousand violations occur everyday in the state. What this Bill would do is it would explain the governing authority to local police agencies, local governing authorities, so that they...the complaint could go from the school superintendent to the local governing authority first. And I think that would dramatically cut down on a number of violations that occur each day in Illinois. And I would ask for the House's favorable consideration."

Speaker Brunsvold: "On the Amendment, the Gentleman from Kendall, Representative Cross."

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

Speaker Brunsvold: "Indicates he will."

Cross: "Representative, what's the difference between your Amendment and the current law? If you can differentiate for us."

Giglio: "Current law, it goes directly to the State's Attorney. This gives it the option to go to the local governing authority. And, I didn't say earlier, Representative, I've met with the Illinois Department of Transportation, the Illinois State Police, the Illinois Association of Chiefs of Police, the Sheriffs' Association, the State Board of Ed., and the Transportation Association, which is run by the bus drivers. And this Bill is in agreement with all of

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

42nd Legislative Day

April 14, 1997

those groups."

Cross: "The opposition from the State Police and the Illinois Sheriffs is gone with your Amendment?"

Giglio: "That is correct. There's no known opposition."

Cross: "Go back to your... If you would a second, your first answer. This takes it away from the State's Attorney and gives the authority to the...you said the local government?"

Giglio: "It does not take it away from the State's Attorney. It makes the local government an option that the complaint can go there first."

Cross: "What do you mean by local government?"

Giglio: "Local police station, for instance, if the violation were to occur in my hometown of Lansing, right now it has to go to Cook County Court House in Markham as opposed to the Lansing Police Station."

Cross: "There's nothing that prohibits someone from contacting their local police station under the current law. Is there? That I know of."

Giglio: "The process is this: it gives the local authorities the option the bill can go there. It doesn't stop it, but it...right now the number of violations that are submitted to the State's Attorneys Office aren't being prosecuted."

Cross: "Representative, that may be...maybe there's a problem in Cook. From the county which I come, I've never heard of a problem. The current law works. If a bus driver sees a violator, he or she contacts the State's Attorneys Office or contacts the local police department and a ticket is issued. In fact, I think there's a provision in the statute now that allows the State's Attorneys Office to send a letter to the driver's lic...or the owner of the car, that the bus driver...when the bus driver takes down

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

42nd Legislative Day

April 14, 1997

the driver's license, if I'm not mistaken."

Giglio: "Yes, that's correct. That is an option, but again, the complaints are not being processed through the State's Attorneys Offices for a number of reasons. IDOT did it as part of their study. They polled different State's Attorneys Offices to find out why, and it varies from a number of different reasons, is the driver not being able to identify the driver, as well as not being able to prosecute."

Cross: "Well, Representative, and maybe I just misunderstand the Bill, but there's a reason we defer to the State's Attorneys Office to file complaints, or not file complaints. And perhaps you have a problem with your State's Attorneys Office, and I'm not suggesting that you do; I think you have a good State's Attorney. But I guess I'm puzzled by the need for this. I know it's at the Amendment stage, maybe we can talk about it later. But I just... Maybe you and I can talk off the floor."

Giglio: "And that's fine, but again, the need for this is to cut down on the 11,000 violations that occur in Illinois everyday, and I look forward to discussing it with you."

Speaker Brunsvold: "The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Again, it is very difficult to hear, and I need to ask the Sponsor some questions, if I could."

Speaker Brunsvold: "Proceed."

Black: "Representative, I know the Bill was amended today in committee, but refresh my memory now. Does this Bill tell the school bus driver to go chase down the driver, run them off the road, and hold them until the police get there?"

Giglio: "Absolutely not."

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

42nd Legislative Day

April 14, 1997

Black: "What does he do? What does the bus driver do?"

Giglio: "The bus driver can file...fill out a complaint form. Many school districts already have them and provide them to the bus drivers that they can list on a brief description of the vehicle and the license plate number of the vehicle. And from there, it gets forwarded to the school superintendent. And right now from there, they go directly to the State's Attorneys Office. What I would like it to do, I would like that complaint to make a stop at the local governing authority, because I think if people are issued citations in their own municipality, it would cut down dramatically on the number of violations that occur. This is agreed language, again, with the State Police and Secretary of State and IDOT and all the other groups."

Black: "I commend you for not being surrounded by staff, but in their analysis, your legal advisors, what... Would the driver, the alleged driver of the car or owner of the car, what kind of due process would they have?"

Giglio: "They would have it through the local court. They could appeal it in the local governing court or again, if it was put up to the county level, it could go to the county level. And again, they are not prosecuted for a number of different reasons at the county level."

Black: "I guess the concern that we have, some of us have, is, is there room in this for somebody... You could be very vindictive. Maybe you had an argument with somebody and you say, 'Well, I'll get you. I'll put your license number down and sign it that you went around my stop arm.'"

Giglio: "Absolutely. And again, I want to to reiterate that this is nothing new for bus drivers. Bus drivers have had this capability and authority for many years now. Okay, that isn't new the part about them giving out the...filing the

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

42nd Legislative Day

April 14, 1997

complaint. That's number one. Second, bus drivers go through a series of individual background checks, FBI checks; these aren't people that are pulled off the street."

Black: "Our staff would like you to take a look at the Amendment, and it says, 'a signed complaint'. Now the way we look at that is that, that might mean anybody, not just the bus driver. It might mean another driver on the road would see this and that driver of a private vehicle could say, 'Well, I'm going to sign the complaint, too.' It doesn't appear to be limited to just the bus driver."

Giglio: "That signed complaint is clarified earlier in the legislation, that it's got to come from a bus driver, I believe, Representative."

Black: "Well, you have some... I wouldn't go so far as to say expert, but you have some legal advise there in front of you that he might be able to help you out if we stall long enough. I don't know. He's a little bit out of practice."

Giglio: "Well, I believe that it's stated in Subsection (a), who's allowed to issue those citations, and that's what it's referring to. We're going to check that right now, if you please be patient."

Black: "I think for legislative intent, Representative, if it is not referenced back, I would assume you would get this corrected in the Senate. I don't think you want to open this up to anybody signing a complaint. That's not your intent."

Giglio: "No, no, it isn't."

Black: "Okay."

Giglio: "Not by any means."

Black: "You know, Representative, as you amended this Bill, I think most of the opposition was removed today. I know I

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

42nd Legislative Day

April 14, 1997

worked very hard with the Department of Transportation and just got a grant to have a police officer ride on school buses in my legislative district, because the courts have held that that's a little easier to cite and convict a driver. Anything that adds to school bus safety, you know, I'm going to stand in support of. And I think if in fact, your Amendment does what it does, I think you have a reasonable piece of legislation that deserves passage. So, with that, I intend to vote 'aye', and I know your legal counsel is taking a look at that reference. And if it isn't correct, you can fix it in the Senate. Thank you."

Giglio: "Thank you."

Speaker Brunsvold: "The Gentleman from Jackson, Representative Bost."

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

Speaker Brunsvold: "He indicates he will."

Bost: "Yeah, I'm in support of your Bill. I just need to clarify a few things. Right now, if a bus driver has someone go pass the..."

Giglio: "Stop gate arm."

Bost: "...stop gate, can they, right now, contact and get... Is it automatic that a ticket is issued or not?"

Giglio: "No, it's limited to go to the State's Attorneys Office at the county level."

Bost: "All right. Then it's up to the State's Attorney to make a judgement whether to issue that ticket or not?"

Giglio: "It's up to the State's Attorney, that's the problem...of the citations, or excuse me, of the complaints that get to the State's Attorneys Office. The IDOT did a study and tried to find out why they are not being prosecuted. They are not being prosecuted for a number of reasons, and that includes the penalties, that includes it's hard to

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

42nd Legislative Day

April 14, 1997

determine who is driving the vehicle at the time, and that includes it's low on a priority chain of cases at the State's Attorneys Office."

Bost: "Is it your intent then with this legislation by going to the local authorities that they can actually track...crack down faster and get a better response?"

Giglio: "Faster and it will have a different impact and a much stronger impact coming from the local community, than it would have coming from the court level."

Bost: "Thank you, Representative."

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

Stephens: "Thank you, Mr. Speaker. I had a question of Representative Black. I want to know what kind of grant he got to get people to ride on the buses with his bus drivers? And why can't the people riding on the buses with the bus drivers drive the buses? Representative Black is ignoring me as usual."

Speaker Brunsvold: "He is not sponsoring this Amendment."

Stephens: "Maybe I should call a downstate Republican caucus."

Speaker Brunsvold: "Any further questions? Seeing no further discussion on Amendment #1, the Gentleman asks for the adoption of Amendment #1. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "House Bill 1220, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Cook, Representative Giglio, on House Bill 1220."

Giglio: "Thank you, Mr. Speaker and Members of the Legislature."

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

42nd Legislative Day

April 14, 1997

We just heard full discussion on this matter. If there are any other questions, I would be happy to try and answer them now. Other than that, I would ask for everybody's favorable support."

Speaker Brunsvold: "The question is, 'Shall House Bill 1220 pass?' Excuse me. Excuse me. Excuse me. Representative Hannig in the Chair."

Speaker Hannig: "Representative Durkin, do you have a question of the Sponsor?"

Durkin: "Will the Sponsor yield?"

Giglio: "Yes."

Durkin: "Representative, when a bus driver contests this ticket in court, is it going to require the presence...not a bus driver. When a citizen contests this ticket in court, will a bus driver have to be required to be present at that court hearing if the driver demands to go to trial on this issuance?"

Giglio: "Typically, what happens is they fill out an affidavit. Bus drivers do now; that's the way they handle them now. And without that affidavit, typically they are thrown right out of court."

Durkin: "Well, my concern is that I believe that since this is the eye witness that there would pose a problem under the Sixth Amendment confrontation clause that someone has not been able to stand in court with their accuser, which is going to be the bus driver. And my only concern is that, with the number of these tickets that are going to be issued unilaterally by bus drivers, and then citizens will start contesting these. We'll have more bus drivers sitting in the courtrooms, as we see on a daily basis with police officers, than not. So, I do have a little bit of concern about that, of what the...particularly when we

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

42nd Legislative Day

April 14, 1997

start talking about trying the individuals by affidavits, especially the ones who are the eye witnesses who are going to have to prove the case up for the state."

Giglio: "I can understand that concern, and one thing that wasn't mentioned earlier is the bus driver's primary responsibility. And that is to safely transport children to and from school. That's first and foremost, and I'm not implying that you suggested otherwise."

Durkin: "Do they have any other type of...this is their only quasi-police authority, correct? They have nothing more than... They have nothing more than just... Their only responsibility they have is just to write...issue the tickets. They have no other type, as I said, quasi-police power authority, do they?"

Giglio: "No, absolutely not."

Durkin: "All right. Thank you."

Speaker Hannig: "The Gentleman from Logan, Representative Turner."

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

Speaker Hannig: "He will."

Turner, J.: "Yes, Representative, I appreciate what you're trying to do. I'm a little bit confused. If a violation is alleged, does this go to the State's Attorney for prosecution or are you saying that there is going to be some other mechanism to prosecute these kinds of offenses?"

Giglio: "The way it currently works now, is the bus driver fills out a complaint form. It goes to the school superintendent, and from there it is forwarded to the State's Attorneys Office. I would like that complaint form to stop at the local governing authority, or at least have the option that it could stop there, and be prosecuted right there at the local level."

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

42nd Legislative Day

April 14, 1997

Turner, J.: "All right. It currently works that it is sent to the State's Attorneys Office and charging...State's Attorneys Office and a charging decision is made. Is that how it currently works?"

Giglio: "Correct."

Turner, J. "All right. How will it work under your proposal here?"

Giglio: "It could get handled right at the local governing authority or it could go directly to the State's Attorney."

Turner, J.: "All right, well, that's where I'm confused. What do you mean, it could happen with the local government? How does the local government, without a prosecutor or State's Attorney of some sort, go to court, present the evidence, and how does someone accused present their defense so that they have due process under the law?"

Giglio: "Representative, ultimately it would go to the State's Attorneys Office. And the intent of the legislation being this: if you went around a stop gate arm and you got a notice or you got a violation or complaint or a ticket from your local municipality, or the municipality that you did...committed the crime in, it would cut down dramatically on that number of violations. A measure which IDOT is looking for assistance in, when I say looking for assistance in cutting down on that number of violations. There's no fiscal impact to the state, and I think it would cut down on our number of violations dramatically."

Turner, J.: "How is this going to cut down on the number of violations? How is it going to cut down on the number of violations? I don't follow the logic there."

Giglio: "I think the number of complaints or citations or tickets issued from the municipalities would jump dramatically, and I think that the people committing the crimes, there would

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

42nd Legislative Day

April 14, 1997

be a much greater awareness program out there when the people start seeing the tickets."

Turner, J.: "Okay. I'm trying to zero in then on what you think is going to happen is, there is going to be a violation alleged to a local governmental entity, the police officer. The police officer then, based upon what a citizen has indicated to him or her, is going to issue a citation, much like a speeding ticket would be issued. The citation then will be filed with the Circuit Clerk's Office..."

Giglio: "Correct."

Turner, J.: "...and there will be notice given and then the State's Attorney will decide whether or not to prosecute on it."

Giglio: "Correct."

Turner, J.: "Am I following you correctly?"

Giglio: "Yes."

Turner, J.: "Do you think it is prudent for a police officer to have the authority to issue these citations just based upon what a citizen has said to them? And if so, why not do that in speeding cases, improper lane usage cases, turning cases."

Giglio: "Because...as I mentioned to Representative Black. It's not an average citizen, people off the street or pedestrians that are watching a violation occur, aren't the ones filing the complaints. It's the bus drivers, and this isn't anything new for bus drivers. They've had the capability and, in fact, I would say responsibility under Illinois legislation for a number of years."

Turner, J.: "Okay. If it isn't anything new, it seems to me that it's still going to go to the State's Attorney Office, and it's going to be within the discretion of the State's Attorney whether or not to pursue the matter. And if so,

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

42nd Legislative Day

April 14, 1997

I'm not sure that your legislation is actually going to either expedite these things or cause a higher degree of prosecution. How so, if it's still left up to the State's Attorney whether or not to proceed?"

Giglio: "I think this would be more evidence for the State's Attorney to use for the ultimate conviction. And again, I think it would dramatically cut down on a number of violations that occur everyday. And in agreement with me in that is the Illinois State Board of Education, the State Police, the Transportation Association, Secretary of State. You were listening earlier, I read them all off."

Turner, J.: "Were those same proponents in favor of the legislation before it was amended?"

Giglio: "No, the originally...the original legislation, the intent was not what was drafted."

Turner, J.: "To the Bill. Representative, I hope that you are correct. I certainly think you have a good idea. I fear that this is not necessarily going to cause a large...a bigger number of these cases to be prosecuted. It seems to me it's still going to be within the discretion of the prosecuting authorities, but I'm going to support your Bill, I guess. Thank you."

Speaker Hannig: "The Lady from Will, Representative Kosel, is recognized."

Kosel: "Yes, Representative. Can you tell me how you address in this legislation someone who would be falsely accused? In other words, I am issued a ticket today in my hometown, as opposed while I'm down here. What remedy would I have for being falsely accused of this?"

Giglio: "The same remedy we have now, Representative Kosel, through the court system."

Kosel: "So, I would have to go through the court system to

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

42nd Legislative Day

April 14, 1997

address this, instead of to the local municipality?"

Giglio: "Depending on who's issuing the citation, be it the State's Attorney or the local governing authority. Correct."

Speaker Hannig: "Representative Giglio to close."

Giglio: "Thank you, Mr. Speaker and Members of the House. The discussion has been...you heard all sides. I would appreciate your consideration and your 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill 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. On this question, there are 96 voting 'aye', 17 voting 'no', and 4 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1223, Representative Bergman. Mr. Clerk, call the Bill."

Clerk Rossi: "House Bill 1223, a Bill for an Act to amend the Illinois Highway Code. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Mr. Bergman."

Bergman: "Mr. Speaker, House Bill 1223, as amended, amends the Highway Code. It's a permissive piece of legislation. It allows the township road district to use money in its road district fund to pay for all or part of senior citizen transportation and mass transit programs. Currently, state law allows that only a qualified township road districts...to allocate state motor fuel tax funds available to a mass transit district in their township or serving their township. This simple change will give flexibility to road districts by allowing any road district which desires to do so, to allocate money raised locally

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

42nd Legislative Day

April 14, 1997

from its local road fund, specifically adding senior citizen transportation wording, which will allow allocations to senior citizens' buses or other such transportation, which may not be part of a mass transit district in that township, but would specifically serve a particular township's seniors. It's supported by the Township Officials of Illinois; it's passed by the Local Government on a vote of 17 to 0. Would be happy to try and answer any questions."

Speaker Hannig: "There being no discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye' and all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'aye', 0 voting 'no', 0 voting 'present' and this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1223, Representative Wait. I'm sorry, 1233. Mr. Clerk, call the Bill."

Clerk Rossi: "House Bill 1233, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. (House Bill) 1233 is a Bill sponsored by the Secretary of State's Office. Basically, it's a cleanup Bill, what's currently happening in their office. Number one, what it would do is allow that a judge could issue or direct the Secretary of State to issue a title. There was some concern whether the judge has the right to direct the Secretary of State and this would permit it. Also, it would allow the Secretary of State to write on there a corrected title document. This is also what they are currently doing. Also, they would list that the...they're

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

42nd Legislative Day

April 14, 1997

Illinois resident. And finally, the timing right now, in the statutes there are some different filing dates: 5 day, a 15 day and a 20 day. This would make it all uniform at 20 days. I would be happy to answer any questions."

Speaker Hannig: "There being no one seeking recognition, the question is, 'Shall this Bill 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 this question, there are 116 voting 'aye' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, call House Bill 1249. Representative Mulligan."

Clerk Rossi: "House Bill 1249, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Some of you who were here several years ago know that I passed a Bill that would have gambling entities in Illinois publish a 1-800 number on the bottom of their ad some of their programs on the lottery tickets in order that people who are problem compulsive gamblers could assess some help. This Bill is meant to expand it to out-of-state entities. As it happens now, people like Trump Casino, casinos that are accross state lines can mail into Illinois without adding that 1-800 number. I think that's unfair to the people in Illinois who are already complying with that law, some of which...some of whom, now the lottery is going to expand and get on their new printings. So, I just think that it is unfair that people like Trump can mail right in here without doing it also. I would seek a favorable vote

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

42nd Legislative Day

April 14, 1997

and be willing to answer questions."

Speaker Hannig: "The Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Hannig: "She will."

Pugh: "Representative, can you tell me the chances that you think this Bill will have for passing? What are the odds?"

Mulligan: "No, I'm not that good at telling you the odds, but since the other Bill that I passed, passed overwhelmingly on both sides of the House and the Governor signed it, I would say that the chances are pretty good."

Pugh: "Thank you. Can you tell me the approximate cost that the department will have as a result of this piece of legislation?"

Mulligan: "I don't think it would cost the department anything. I think what it will cost is different gambling entities out-of-state who currently do not. Some do, some have an overall nationwide policy of putting a 1-800 number on the bottom of their advertising, but some don't, And having been the recipient of a pamphlet from Trump Casino mailed to my home address, I realized that they weren't doing it. So, probably what it would be would be a one-time set up charge with a printer for each piece that they print."

Pugh: "And how will you make sure that... Well, tell me, what happens when an individual calls the 1-800 number? Somebody from the Department of Human Services would refer them to a counselor?"

Mulligan: "Unfortunately, Representative, the department has not instituted the program, but the casinos have funded the program. And right now they have a referral through the Illinois Council of Problem and Compulsive Gambling who mans the line. And they have done training through the

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

42nd Legislative Day

April 14, 1997

monies that they have put up both through the gaming board and through the casinos, so that they have trained counselors around the state. And they are referred to either a program, such as Gamblers Anonymous or to counseling services that can handle such an inquiry."

Pugh: "So, this is basically a referral service that would refer individuals?"

Mulligan: "That's it. If you looked down and you saw that you were having a problem or you have a family member that has a problem, since this is a problem with probably 8 to 9% of people across the state, it's a referral of where they or their families could seek some help."

Pugh: "Thank you, Representative. One final question. Do you read your E-mail?"

Mulligan: "Very rarely. I try. You've got a message hanging out there, I know."

Pugh: "Thank you. I have no further questions."

Speaker Hannig: "The Gentleman from Logan, Representative Turner."

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

Speaker Hannig: "She will."

Turner, J.: "Representative, what is the position of the Illinois State Bar Association on your proposed legislation?"

Mulligan: "None, that I know of."

Turner, J.: "How about the Illinois State's Attorneys Association?"

Mulligan: "None, that I know of."

Turner, J.: "Does that mean opposition or you don't know whether they have any position of any kind whatsoever?"

Mulligan: "No one has contacted me with any opposition on this, and they never opposed the original Bill."

Turner, J.: "How about the Illinois State's Attorneys Appellate

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

42nd Legislative Day

April 14, 1997

Prosecutors Association? Have you heard from them at all on this?"

Mulligan: "No, I have not."

Turner, J.: "I'm reading your Bill, and I'm not familiar with Chapter 815 of the statutes. And neither the Bill nor the analysis I have in front of me tell me what type of penalty you are proposing for violation of this Section. What are you proposing here?"

Mulligan: "Actually, we have never proposed any penalty for the original Bill. And that's the problem with it right now; there isn't a penalty."

Turner, J.: "Okay. I didn't ask my question very well. The Bill says it is an unlawful practice for any person and then it goes on to say what it is unlawful to do. If it is unlawful, I assume that there must be either a fine or jail time or something. I'm asking what the penalty is? Is it a misdemeanor? Is it a felony? Is it a business offense? Is it a petty offense or what?"

Mulligan: "Representative, it is unlawful because we passed a law requiring gambling entities in Illinois to do it. Now, whether that would be a violation that you could go to the State Gaming Board, that could be the violation. We have never established penalties. But, of course, many of you are either currently or former State's Attorneys, and I would certainly be interested in discussing what kind of a penalty you would feel would be appropriate. But I think more along the lines of a fine, if you did not comply, that would go through the State Gaming Board."

Turner, J.: "I'm not sure what penalty would be appropriate either, but I think at least, usually when you are declaring a certain activity to be unlawful, there is a penalty section, at least within the Bill or some place to

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

42nd Legislative Day

April 14, 1997

refer to. And that's why I was curious. I don't really have any problem with your legislation, but I don't want to be, frankly, voting to impose a felony on someone. If it is a misdemeanor, I'd kind of like to know what class. And if it's a petty or business offense, I would prefer to know that as well before I vote on it. Let me ask you another question, since you've indicated you're not sure what the penalty would be. This says it's unlawful for a person in Illinois or not to send any advertising. Suppose someone sends a solicitation, for example, horse racing and it comes from out-of-state. Suppose it comes from New York, as many of those gambling pieces do come from New York, and it arrives at my home and they don't have this 800 number on here. How are we going to enforce that against the entity or individual that mailed this from out-of-state?"

Mulligan: "I am uncertain how we would actually gain control over them unless they also were part of a consortium that was here in Illinois or if they participated in off track or simulcast. Then possibly you could get control over them, but if they don't, and they are just soliciting you to go to New York, we have a hard time getting control over it."

Turner, J.: "Well, typically the solicitation would be for you to buy a brochure of some type to teach you how to either to pick the correct horse or how to win the slot machines. It wouldn't be a solicitation for you to go out-of-state. My question is, will this be enforceable against the entity from out-of-state that sends it here in-state?"

Mulligan: "I don't know. I probably would have to talk to the Attorney General about that."

Turner, J.: "This 800 number if it is...since it does apply to out-of-state entities, what 800 number are they suppose to supply?"

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

42nd Legislative Day

April 14, 1997

Mulligan: "They would...they should use the 1-800 number that is established here in Illinois. If they are sending to an Illinois resident, you would seek help in Illinois, so the 1-800 number in Illinois would be the number that you would use. I don't know. There are other states that have programs, but, you know, it would have to be according to what you would be able to access here in Illinois."

Turner, J.: "And the genesis of this Bill, Representative, if you could just tell me that?"

Mulligan: "The genesis of this Bill is to make out-of-state entities aware of the fact that if you're in Illinois and you have a gambling concern that you put your 1-800 number, and I felt that it was unfair that out-of-state people would mail into Illinois where Illinois gambling entities did have to comply, that out-of-state entities did not."

Turner, J.: "Is there any particular type of gambling that you're trying to concentrate on here, whether it be the slot machines or the dice table or the horses?"

Mulligan: "No, mainly it's casinos that are competitive to our boats here in Illinois, such as Trump or the boats that are in St. Louis or along the rivers that cross borders."

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

Speaker Hannig: "The Gentleman from Cook, Representative Lang."

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

Speaker Hannig: "She will."

Lang: "Representative, I know what you're going for here, and I don't have a real major problem with it, but I do see some flaws in your Bill. Let's discuss them together. On line 11, you talk about a gambling establishment; you don't define that term. Could that mean a bingo parlor or race track?"

Mulligan: "Right now under the original Bill, all the entities in

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

42nd Legislative Day

April 14, 1997

Illinois, including bingo and race tracks, were supposed to comply with that, except the race tracks had to do it on their programs, not on their mailings. So, yes, I would think that it would go back to the original law which we passed two years ago."

Lang: "Well, what about if the bingo is taking place at your local church. Do they have to send out this when they advertise to their parishioners that they are having a bingo on Friday night?"

Mulligan: "Ideally, we would like them to."

Lang: "But, we're not talking about ideally; we're talking about House Bill 1249. So, what does House Bill 1249 require that church to do?"

Mulligan: "House Bill 1249 would require that they add the 1-800 number according to the law that was passed two years ago."

Lang: "So, you're telling me that the law right now requires that churches that have bingo or Las Vegas nights, that type of thing, have to do this solicit...this advertising within their solicitations?"

Mulligan: "The original law stated that they would have to post in the establishment. The boats were the only one... The casinos had to put it on their advertising. The race tracks had to put it in their programs. The lottery had to put it on the tickets and where the lottery was sold. So say a big game from out-of-state, they would have to put it on their tickets and the mailings. And bingo establishments had to post where the games were played."

Lang: "So, under your Bill now if a bingo establishment, some neighborhood place or church that was going to have a bingo game, and they wanted to send out, even just a little flyer and put it under people's doors, they would have to have this kind of language."

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

42nd Legislative Day

April 14, 1997

Mulligan: "Actually, that was not the full intention of the Bill, but I see no problem with adding 1-800 across the bottom."

Lang: "Right. But is that what the Bill does? I'm not asking if you have a problem with it. I'm asking you if that is what the Bill does? I guess that's why I think your Bill is flawed, because you don't tell us one way or the other. What would you like it to say?"

Mulligan: "I would like it to have only included the out-of-state entities, but we included some here in-state, which caused quite a stir, because they hadn't been complying with the law. But, of course, if we added it to your Bill, Representative, that might make it more perfect."

Lang: "Well, you can see that from what I'm talking about that there is a problem here. Do you want to take it back to Second and fix it?"

Mulligan: "I could do that or I could pass it along and let someone on the other side, but I never trust the Senate as well as I trust myself."

Lang: "Well, I don't trust them either. Let me ask you a more important question about the Bill. You want to restrict what out-of-state people can do when they mail into Illinois. Isn't that a violation of the interstate commerce clause in the United States Constitution?"

Mulligan: "Representative, I have some legal training in my background, I'm not a lawyer and I'm not sure."

Lang: "You're not sure, but you want to give this a shot anyway, right?"

Mulligan: "Absolutely. I thought it was only fair to the gambling entities in Illinois that were complying not to be upstaged by out-of-state."

Lang: "Well, I, in fact, don't have any problem with your Bill, but I think this clause may be unconstitutional. There may

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

42nd Legislative Day

April 14, 1997

also be some concern about whether this Bill conflicts with postal regulations, whether you can tell somebody from one state what they can or cannot mail into another state. If this Bill should pass and go over to the Senate, you'll check those things out and not just leave that to the Senate Sponsor, right?"

Mulligan: "Of course, I always do that with any Bill I send to the Senate."

Lang: "Well, I think that's good and wise move. Thank you."

Speaker Hannig: "Representative Mulligan to close."

Mulligan: "I would ask for your favorable vote."

Speaker Hannig: "And the question is, 'Shall this Bill pass?' All in favor vote 'aye'; all 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 this question there are 116 voting 'aye', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1250. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1250, a Bill for an Act to amend the Township Code. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Mulligan. Representative Mulligan, House Bill 1250."

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 1250, as amended, would change the Township Code specifically to allow Maine Township in Cook County with the approval of their highway commissioner by ordinance or resolution to expend money from the Road and Bridge Fund to pay for flood control projects of the township. I will add that in the discussions in committee, this money has nothing...none of the township road and fund money comes from the State Township...the State Road Fund. It only

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

42nd Legislative Day

April 14, 1997

comes from property tax in the township, because our township is too high in equal assessed evaluation to access state road fund money. The reason we're seeking this is that there is a major flood project under way in the communities that I represent. Several years ago when IDOT still had control of the flood money, or the flood projects, they assessed the benefits of a flood project between four communities, three municipalities and unincorporated Maine Township. And they gave the unincorporated area the largest part of the assessment. There is no way for them to raise the money. As the communities that are already paying for their part of the flood project out of local funds would be part of any referendum that would raise the funds, and since they are already paying for their municipalities, they are not eager to come up with the unincorporated area's amount of the money. Over the past four years, a large part of the roads that are covered by the highway commissioner have been annexed. And the majority of other roads are covered under state or county roads. So, they have some money there that they could apply towards this flood project, which they have been able to raise in any other way. So what we're trying to do is on an individual basis allow them to access this money as part of their contribution to a major flood project."

Speaker Hannig: "The Gentleman from Washington, Representative Deering."

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

Speaker Hannig: "She will."

Deering: "Representative, is this Bill still site specific for Maine Township?"

Mulligan: "Yes, it is. It states that it's for Maine Township in

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

42nd Legislative Day

April 14, 1997

Cook County."

Deering: "Main township and Cook County?"

Mulligan: "No, Maine Township within Cook County."

Deering: "So, would this not be in, and pardon my ignorance, but would this not be considered special legislation?"

Mulligan: "When it started out, Representative, it was not, but due to the concerns of the township officials and IDOT, it was narrowed down to be specific to people asking me to do it that way."

Deering: "Is there any provisions in this Bill that would protect other projects that the Bridge Maintenance Fund might be used to, might be used for? Or can we just use all this money for flood control projects? Is there anything that says they have to keep a specific amount of dollars in the fund to provide for adequate maintenance and repair and upkeep of existing infrastructure?"

Mulligan: "No, Representative, except that we added at the insistence of the township officials that it was with the approval of the highway commissioner. It's my understanding that township highway commissioners are pretty autonomous within township officials and they would not be willing to put themselves out of a job or put their area in jeopardy. And that's why we added, with the approval of the highway commissioner."

Deering: "Okay, Representative. Let me repeat my first question. This Bill now deals, as amended, it now deals specifically for Main Township in Cook County. Is that correct? The only township in the state?"

Mulligan: "Correct."

Deering: "So again, this would then be special legislation, which the state constitution would not allow. Is that not correct?"

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

42nd Legislative Day

April 14, 1997

Mulligan: "Well, if it is, it's because IDOT and the township officials would like it to be that way. Whether they are actually going to do it or not, we don't know. It's just an ability to do it, because it is so hard to raise the money."

Deering: "Thanks, Representative. No further questions."

Speaker Hannig: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Hannig: "She will."

Hartke: "Representative, who's opposed to this legislation?"

Mulligan: "I'm sorry, say again."

Hartke: "Who stands in opposition to this legislation?"

Mulligan: "As it is amended, no one. But believe me, it has taken a long time for me to get it this far."

Hartke: "Excuse me. Are you sure the Illinois Department of Transportation is not opposed?"

Mulligan: "No, I talked to Mr. Findley yesterday. He said they removed their opposition, as it did not access the road fund money. It only accessed property tax money in Cook County. And none of our road fund comes from anything other than property tax. Local property tax."

Hartke: "And you're saying that the township officials have signed off on it, too?"

Mulligan: "Correct."

Hartke: "Let me ask you another question. We realize that both the people that are going to be protected by these flood controll devices are also the same people that have paid the taxes for the Township Road and Bridge Fund. And you know, we talked in committee about this so, are these devises going to be used to protect those roads and bridges?"

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

42nd Legislative Day

April 14, 1997

Mulligan: "Yes, currently it's the Des Plaines River and Prairie and Farmer Creeks. Right now when they overflow, they cover the roads. But unfortunately, the Township Code reads, culverts and ditches, and this is more of a major project than a culvert and ditch. And the township has been assessed with their part of the project is being \$4 million. They will be lucky if they can get a half a million out of the Road Fund. We are still trying to raise the other 3.5 million."

Hartke: "Okay. So, you have a balance now in your Road and Bridge Fund?"

Mulligan: "Yes, we have more than that, which the township has determined that they would be willing, if they can raise the rest of the money from the county or other sources, to take a half a million dollars to put towards their 4 million that they need to come up with for the total project."

Hartke: "They feel that that's all they could afford. That will not be your entire budget for the year, will it?"

Mulligan: "No, it will not."

Hartke: "This is excess funds that are laying in that Bridge and Road Fund?"

Mulligan: "Part of it comes from the fact that they've annexed some of the roads that would have been considered township roads, and now they have roads that are not only township, the county takes care of them and the state takes care of them and they don't let them do it the other way."

Hartke: "Representative, the only concern I have and I want to help your township out. And it does seem kind of strange to be double taxing when you've got money that is laying there that could be used. You know what I mean. But I don't want to set a precedent all over the State of Illinois,

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

42nd Legislative Day

April 14, 1997

because we have a lot of flooded areas and flood townships and repairs that have to be made all up and down the Illinois River, the Mississippi River, the Wabash River and so forth. The flood could happen anywhere in Illinois. But if we set this precedent, you may be fortunate because your Road and Bridge Fund has a balance, and most townships are not that fortunate. But let's try this and I support your Bill, okay."

Speaker Hannig: "The question is, 'Shall this Bill 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. On this question, there are 114 voting 'aye', 0 voting 'no' and 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1254. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1254, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hannig: "Representative Scott."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1254 creates the offense of aggravated endangerment of the life or health of a child. It came from a State's Attorney in Winnebago County who said frequently they are presented with cases where a child's health or life has been put in immediate danger, and the penalty right now of a Class A misdemeanor, just does not seem to be adequate. So, we added three aggravating factors whereby the State's Attorney could charge a Class IV felony offence. There was... It passed out of committee 10 to nothing with one person voting 'present', and the concern of that particular Representative has been addressed by Floor Amendment 1. I think it's a good piece

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

42nd Legislative Day

April 14, 1997

of legislation to help protect children, and I would ask for a favorable vote."

Speaker Hannig: "The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Scott: "Yes."

Speaker Hannig: "He will."

Durkin: "Representative, could you give me some examples of the situations which has prompted you to introduce this legislation?"

Scott: "Thank you for asking, Jim. The specific one that came up when the Assistant State's Attorney in Winnebago came to me was a mother who had gone out to the bar at night, on a night that was about 20 degrees below zero. Had left the child, it was I believe a child that was under the age of four in this particular case. Left the child in the car, locked, not motor running or anything like that for a period of about four hours while she was in the bar drinking. Thus placing the child's life, in this case, in immediate danger."

Durkin: "Okay. And under those circumstances under the present law, the only offense that could be charged would have the classification of a Class A misdemeanor?"

Scott: "That's correct. The only offense right now would be the endangerment of a child, which would be a Class A misdemeanor."

Durkin: "I'm just trying... When it says it must be the offense was committed in conjunction with the commission of another felony. Could you explain that a little bit?"

Scott: "That was the concern that was raised by Representative Roskam in committee, and I thought it was a good one because originally it was written, committed in conjunction with another offense, which could leave you with something

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

42nd Legislative Day

April 14, 1997

like a traffic offense then giving rise to a felony being charged. So, this would be something, in other words, if dad took the child along to a bank robbery or something of that nature or another felony that was far less serious even, that could be charged in this case as well."

Durkin: "But we're not trying to penalize the individuals who don't...who fail to put their children in a, you know, a child seat in the back, and he's moving in a fast...an accident ensues in that. Those are not the type of situations which you are seeking to punish under this crime."

Scott: "No, that's not the intent of this, and I might also add while we're talking about intent, the Medical Society had a concern about whether or not this was in any way intended for physicians. And I said, no, there are already other laws that are on the books if a physician willfully harms a child or places a child's life in danger. This is not the intent of this legislation at all."

Durkin: "Would this legislation perhaps impose a penalty for failure to act? An omission to act, would we be imposing a criminal sanction for that type...for an omission?"

Scott: "No, I don't believe so. I think this contemplates a willful act because what has to happen, Representative, is, you have to have committed endangerment of a child which causes a willful act and then one of the aggravating factors has to be present."

Durkin: "Okay. Do you have any indication what this... Was there a Fiscal Note or something prepared from DOC?"

Scott: "Yeah, which is a work of art, might I add. The Fiscal Note says that or excuse me, the Corrections Note says that it may result in three inmates. Now...three."

Durkin: "Well, I think those three belong there. Anyway I think

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

42nd Legislative Day

April 14, 1997

this is a good piece of legislation, which addresses probably a gaping hole which we experienced in which Representative has brought up, and I fully support this legislation."

Scott: "Thank you, Representative."

Speaker Hannig: "There being no further discussion, the question is, 'Shall this Bill 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 this question, there are 116 voting 'aye', 1 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1252."

Clerk Rossi: "House Bill 1252, a Bill for an Act to amend the Probate Act of 1975. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Krause."

Krause: "Thank you, Mr. Speaker and Members of the House. I present at this time House Bill 1252, legislation proposed by the Illinois Guardianship and Advocacy Commission. This legislation would establish certain statutory criteria that would be followed by guardians in determining residential placements for adult wards. In addition, the legislation would correct a discrepancy in the statute that established standards for decision making for agents and surrogates, but not for guardians. This Bill would now place guardians on the same footing as agents acting under powers of attorney. And in addition, the Illinois Probate Courts would be authorized to appoint temporary guardians pending completion of citation proceedings to remove existing guardians. No opposition was expressed on this proposed legislation. I would ask for support of the House and

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

42nd Legislative Day

April 14, 1997

answer any questions."

Speaker Hannig: "There being no one seeking recognition, the question is 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'aye', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1255."

Clerk Rossi: "House Bill 1255, a Bill for an Act to amend the Bingo License and Tax Act. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Mr. Chairman. Mr. Chairman, what this Bill does is allow for roll-over games in the bingo parlors in the metro-east counties of St. Clair, Madison and Monroe. This was brought to me by my local American Legion that was having problems competing with the St. Louis Bingo Parlors. It does not raise the daily limit that they can give away. All it does is allow for the roll-over. I don't know of any opposition to the Bill. And I ask for your favorable consideration."

Speaker Hannig: "There being no one seeking recognition on this Bill, the question is, 'Shall this Bill 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. On this question, there are 95 voting 'aye', 21 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr.

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

42nd Legislative Day

April 14, 1997

Clerk, call House Bill 1256."

Clerk Rossi: "House Bill 1256, a Bill for an Act concerning clerks of courts. Third Reading of this House Bill."

Speaker Hannig: "Is the Gentleman from Vermilion, Representative Black... Mr. Black in the Chamber? Okay. Read the Bill? Read the Bill, Mr. Clerk. Okay. The Gentleman from Vermilion, Representative Black, is recognized on House Bill 1256."

Black: "Yes, thank you very much, Mr. Speaker. This Bill is brought to me by the circuit clerks... It's a very good Bill. I move passage. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Would you try to repeat that one more time? I didn't catch any of that, Zeke."

Black: "Now, listen carefully. This amends the Clerks of the Court Act. It includes circuit clerks of counties with not more than a 180 thousand inhabitants within the fee provisions of circuit clerks of counties with not more than 650 thousand inhabitants. Actually what we are doing is putting everybody on the same playing field. No population figures."

Hartke: "I stand in support of the Bill."

Black: "I thought you did."

Speaker Hannig: "Is there any further discussion? Hearing none, the question is, 'Shall this Bill 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. On this question, there are 88 voting 'aye', 28 voting 'no' and none voting 'present'. And this Bill, having received the

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

42nd Legislative Day

April 14, 1997

Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1283."

Clerk Rossi: "House Bill 1283, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 1283 amends the Property Code Tax to provide that when any unpaid taxes become delinquent through the fault of the mortgage lender, the lender shall pay the taxes, redeem the property and take all necessary steps to remove any liens accruing against the property because of the delinquency. I move to adopt this Bill. I move do pass. "

Speaker Hannig: "The Gentleman from Vermilion, Representative Black, is recognized for questions."

Black: "Yes, thank you very much, Mr. Sponsor or Mr. Speaker. If the Sponsor will yield?"

Speaker Hannig: "He will."

Black: "Thank you. We've... Representative, you and I have talked about this Bill. And I was incredulous as to what you told me. Under current law, if you have an escrow account with a mortgage lender and the mortgage lender forgets or fails to or whatever, doesn't exercise due diligence, and fails to pay your taxes out of that escrow account, they... nothing happens to them, and your property is sold for back taxes. Is that the way it is?"

Santiago: "You're correct, Sir. That's why I have the Bill then, because this happened to me. It's a personal experience that I comply with the contract that was given to me by the lending institution, and then they did not pay the money from the escrow account, which I have given them. And as a

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

42nd Legislative Day

April 14, 1997

consequence, my property taxes were sold."

Black: "So, your legislation says that if it's in writing, if the mortgage contract has in writing that they're responsible to pay and they don't pay, then you are going to put the burden of the back taxes issue on the lender and not the property owner. Correct?"

Santiago: "I think that is the proper thing, because we should let... If you trust them with your money and trust them, trust them to pay the taxes, I think if it is their fault, they should pay. Why should you pay interest? Why should you pay... Why should you have a lien on your house when it is their fault?"

Black: "I agree with you. I think it makes eminent good sense. And the protection for the lender here is that this arrangement has to be in writing. It isn't something you can just call up later and say, 'Hey you forgot to pay the taxes.' This has to be part of your mortgage contract."

Santiago: "You are correct, Sir."

Black: "Okay. Thank you. Very good idea."

Speaker Hannig: "There being no further discussion, the question, is 'Shall this Bill 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. On this question, there are 116 voting 'aye', 0 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1258."

Clerk Rossi: "House Bill 1258, a Bill for an Act amending the Clerks of Courts Act. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

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

42nd Legislative Day

April 14, 1997

Black: "This is another Bill on behalf of the circuit clerks of the State of Illinois. It provides that a clerk of the circuit court may recover from a person making maintenance or child support payment, any additional cost incurred in the collection of the annual \$36 fee for administering the collection and distribution of said child support payments. I would be glad to answer any questions."

Speaker Hannig: "There being no one seeking recognition, the... Excuse me, Representative Moffitt is recognized. Representative Moffitt."

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

Speaker Hannig: "He will."

Moffitt: "Representative, what do you see as probable additional cost? I know... Is there any control, any limit, any direction on what that might be?"

Black: "I think the language of the Bill says an amount equal to the United States postage to be used in mailing said maintenance forms. So I don't think it is completely open-ended. But, your point is well taken."

Moffitt: "But you would... It would be limited to mailing costs? Do you think it would be limited to mailing costs?"

Black: "U.S. Postage is the wording in the Bill. It may be something we want the Senate to take a look at. I think you have hit on a very good point. It should not include staff time and it should not be open-ended. There is no question of that."

Moffitt: "Right. That was my concern, that it was so open-ended that, you know, there was nothing. It would need some direction there."

Black: "I have no problem in asking the Senate Sponsor, assuming I can even get one to pick it up, to make sure that the amount is a specified amount or a purpose amount and not to

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

42nd Legislative Day

April 14, 1997

be an open-ended fee increase passed on to the person who is paying the child support."

Moffitt: "Thank you. No further questions."

Speaker Hannig: "And the Gentleman from McHenry, Representative Skinner, is recognized."

Skinner: "Yes, I wonder if the Sponsor could tell us, is this the only fee that is charged for child support payments?"

Black: "No, I... Some years ago, the General Assembly passed a permissive law that said counties could impose a \$36 annual fee for the cost of collecting said support payments. And I think most counties immediately took advantage of that law."

Skinner: "And so why are we doing it again or is this on top of that?"

Black: "Some of the clerks are saying that because of the mobility of current society, they are mailing sometime multiple letters to the same person in any given month trying to track them down."

Skinner: "Well, does this mean that someone will have to pay \$72 a year?"

Black: "No, I, in fact, I think what we will do, is to ask a Senate Sponsor to amend this, because the clerks want to recover their postage cost only. And that is not extremely clear in this Bill. It does say recovery of U.S. Postage, which I think would limit, you know, so you couldn't have staff time, overhead, et cetera. It certainly is not my intent to give somebody an open-ended fee that they could charge for this."

Skinner: "Thank you."

Speaker Hannig: "Representative Black to close."

Black: "Thank you very much. I think we have had a good debate. I urge an 'aye' vote."

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

42nd Legislative Day

April 14, 1997

Speaker Hannig: "The question is, 'Shall this Bill 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. On this question, there are 89 voting 'aye', 27 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1286."

Clerk Rossi: "House Bill 1286, a Bill for an Act to amend the Clerks of Courts Act. Third Reading of this House Bill."

Speaker Hannig: "Mr. Clerk, would you correct the board, please? Mr. Clerk, you need to correct the board. We want 1286. And could you read that Bill? Did you read that Bill, Mr. Clerk? Okay. The Gentleman, Mr. Scott, is recognized on the Bill."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1286 amends the Section of the Clerk of Courts Act on children's waiting rooms. We have had a couple of Bills on this in the last few months. This Bill would make it applicable to all counties. It is permissive language. Counties may do this. We've made three changes though that I think will give some flexibility and really help the different counties out. One is that it now reads that the county may bear the costs of the children's waiting room. Previously, it said that the counties shall. And for counties that are trying to go out and find other sources of funding, this would allow them to do that. It also adds that the court has some flexibility to determine in addition to litigants and witnesses, persons in court for other, other court purposes as determined by the court are entitled to use the room. And we took out the \$2 minimum. There are some counties, which may be able to get

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

42nd Legislative Day

April 14, 1997

by on a 50 cent fee or on a one dollar fee, so we didn't want to force them to have at least a \$2 fee. So, we took out the minimum; the maximum still remains \$5. I would ask an 'aye' vote."

Speaker Hannig: "The Gentleman from Logan, Representative Turner."

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

Speaker Hannig: "He will."

Turner, J.: "Representative, I remember when you presented this Bill in committee, and I think at that time I was little bit confused, but as I understand the change you've made in the existing statute is not only to include counties across the state, but you've also changed the fee structure so that it can be anything up to \$5 and there is now no \$2 minimum."

Scott: "Correct."

Turner, J.: "Also, I know Members on this side of the aisle are very concerned whether this is mandatory or permissive. I think I know the answer to that, but would you spell that out for us, please?"

Scott: "Completely permissive. I know it's... Right now there is a committee in Winnebago County that really wants to do this. I'm serving on that committee along with about 50 other people from across the county. There are real good reasons to do this. But, it is totally permissive. Any county that doesn't want to do it, doesn't have to."

Turner, J.: "And how does a county either opt in or out of the program?"

Scott: "The county board of the county would have to establish the fees."

Turner, J.: "Would they have to do a referendum?"

Scott: "No."

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

42nd Legislative Day

April 14, 1997

Turner, J.: "So, the county board, if they voted by majority to allow the fee to be imposed, it would therefore be imposed by circuit clerk or whom?"

Scott: "By the clerk of the courts. It is a filing fee for civil cases."

Turner, J.: "And if the money then is collected pursuant to a board authorizing, what happens to the money that is collected? Where is it placed? How do we make certain that it is put in the...to pay for the thing that we want it to pay for, being the child care room?"

Scott: "It's placed into a special... It's placed into a special fund that is part of the county fund. And they are forced to by the statute, they are forced to only spend it on those items that relate to the waiting room. So, they couldn't take it and go spend it on, you know, take your pick, a highway or something. They would have to spend it actually for the cost of running the children's waiting room."

Turner, J.: "I had a question with regard to what was House Bill 845?"

Scott: "Yes."

Turner, J.: "This seems to have a ring of similarity. Is there a difference? Is it the same? Can you tell us that?"

Scott: "Same concept, John, but there are some differences. One is, that had a 180 thousand population on it. This would allow it for places all around the state. That left in the minimum \$2 fee that was in the original Act that we passed in January. And it also doesn't give the county the flexibility to allow in some other people, other than litigants and witnesses. That is the way that Bill was written. Specifically now, counties may decide they want to allow jurors to use the room for their children or other

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

42nd Legislative Day

April 14, 1997

court personnel. That is up to them under this Act. It wouldn't have been under 845."

Turner, J.: "So under your Bill, if someone is on the jury list or on the jury panel, they would be allowed to utilize the care room, if the county opts into it. And would it also include all litigants?"

Scott: "Only if the county allows them to. That is up to the... That is determined by the court who can use the room. So, it is going to totally be up to each individual county. And I'm sure some of them, they will all do it very differently. I'm sure some will allow jurors in to have their children there. I'm sure others won't."

Turner, J.: "I assume there are some restrictions, though. And I don't have the Bill in front of me. Does it not say litigant witnesses? They couldn't just let it be used for anyone. It has to be some way connected to the court system, I would think."

Scott: "Or for other court... people that are attending court as a litigant, a witness, or for other court purposes as determined by the court. So you're right, it has to be for court purposes."

Turner, J.: "How about court personnel? How about if a circuit clerk has employees who want to utilize this? Would it be available for them?"

Scott: "I wouldn't think so, because it says with respect to attending a court hearing. So, I wouldn't think that that's certainly not the purpose, the intent of this to do it that way."

Turner, J.: "As you know, I'm always concerned about fees. This authorizes, I understand it, up to a \$5 fee. My question would be, where would this \$5 fee be imposed? It is on each filing of a civil case, each filing of a traffic

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

42nd Legislative Day

April 14, 1997

ticket, or misdemeanor, or just how would you intend to impose it?"

Scott: "It's on the...paid at the time of filing by the first pleading paper or other appearance filed by each party in all civil cases. Now, if you got multiple parties on either side, multiple defendants, multiply plaintiffs, they all don't pay it. You get one fee on each side."

Turner, J.: "I asked a bad question. What I'm trying to get at is does it apply to small claim cases, LM cases, L cases, all of those? Traffic offenses or what?"

Scott: "It wouldn't apply to traffic. It would apply to the rest of them that you just named."

Turner, J.: "So, it would apply to small claims cases as well."

Scott: "I believe. Small claims is classified as a civil case, so my assumption is it would, yes."

Turner, J.: "Okay. So essentially, any civil cases filed with the Circuit Clerk's Office."

Scott: "Yes."

Turner, J.: "And would the fee be imposed upon the filing?"

Scott: "Yes."

Turner, J.: "Is there a fee that would be imposed upon a defendant who enters their appearance or files a motion to dismiss or an answer?"

Scott: "Yes. But again, only if there are multiple defendants. Just the first...the first person in pays the fee."

Turner, J.: "You may want to wait. You may want to jockey around and wait so you are the second guy in, the second defendant in to answer. In a typical small claim case then, it may have a dispute of say only four or five hundred dollars. There could be a, as I understand it, a \$5 fee imposed on the plaintiff, as well as a \$5 fee imposed upon the defendant; therefore, \$10 in total fees."

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

42nd Legislative Day

April 14, 1997

Scott: "Yes."

Turner, J.: "Okay. Thank you for answering my questions, Representative."

Speaker Hannig: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 99 voting 'aye', 17 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1280. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1280, a Bill for an Act to amend the Uniform Commercial Code. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Macon, Representative Noland."

Noland: "Thank you, Mr. Speaker. House Bill 1280 changes the location where financing statements for agricultural collateral are filed. It creates a central filing system. The negotiations have taken place between the Association of County Clerks and Recorders and the Committee Bankers Association of Illinois. And I appreciate your support."

Speaker Hannig: "The Gentleman from Cook, Representative McCarthy, is recognized. Representative McCarthy."

McCarthy: "Yes, I wish to be recognized, because I inadvertently missed a vote on House Bill 1258. I would like to be registered as a 'yes', please."

Speaker Hannig: "The record will so reflect your desire to have been recorded."

McCarthy: "Thank you."

Speaker Hannig: "The Gentleman from Knox, Representative

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

42nd Legislative Day

April 14, 1997

Moffitt."

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

Speaker Hannig: "He will."

Moffitt: "Are there any opponents to this Bill now, Representative?"

Noland: "No, there are not. The negotiations occurred between the Community Bankers and the County Clerks and Recorders, and they are in support. There is no opposition."

Moffitt: "The Clerks and Recorders are no longer opposing it?"

Noland: "They are no longer... The Amendment is agreed upon language."

Moffitt: "Well initially, there was going to be a loss of revenue for the counties, a loss of a fee. Will they experience a loss of revenue now or is that...?"

Noland: "Until 1999, there will be a \$10 fee that will continue. So, they will make up some revenue. And then at that point, the National Standards for UCC are coming down, which will probably change all this anyway. So the recorders are in agreement now."

Moffitt: "Okay. Thank you."

Speaker Hannig: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'aye', 2 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1290."

Clerk Rossi: "House Bill 1290, a Bill for an Act amending the Narcotic Control Division Act. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Morrow."

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

42nd Legislative Day

April 14, 1997

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1290 provides that the Auditor General may review all audits at all bank accounts maintained by the Narcotic Control Division for depositing and withdrawing money to purchase controlled substances and cannabis as evidence. I would be glad to answer any questions on House Bill 1290."

Speaker Hannig: "Is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'aye', 0 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1328."

Clerk Rossi: "House Bill 1328, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Wood."

Wood: "Thank you. Speaker and Ladies and Gentlemen, House Bill 1328 amends the Illinois Vehicle Code, and it authorizes the Secretary of State to suspend a driver's license privileges for up to six months of a school student who has violated a weapons or violence related law in school. It is reported to the Regional Superintendent of Schools. And this Bill will actually provide a deterrent to those students who do bring weapons and commit violent acts in our schools. And I would ask for your support."

Speaker Hannig: "And then on that question, the Gentleman from Vermilion, Representative Black, is recognized."

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

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

42nd Legislative Day

April 14, 1997

Wood: "Yes, Sir."

Speaker Hannig: "She will."

Black: "Representative, does this Bill violate Constitution - Visa VA court decision sometime ago, Lindner vs. the People of Illinois about revoking a driver's license for a non-vehicle related offense?"

Wood: "My understanding is that People v. Lindner was a decision of the Illinois Appellate Court and that this decision is not yet been determined by the Illinois Supreme Court. So, I do not believe we have a definitive answer yet on whether or not this is constitutional."

Black: "So in other words, we are in limbo?"

Wood: "We are in progress."

Black: "But, the actual case then is in limbo, which is a town about 20 miles South of Rockford, I think. So, that would be where we are. And this is only for a weapons related offense?"

Wood: "Weapons or violence related offenses."

Black: "Violence, with or without a weapon?"

Wood: "It can be with or without a weapon."

Black: "Okay. Upon...upon conviction?"

Wood: "Let me mention that violent crime is defined in the Criminal Code under Article 120."

Black: "Okay. Thank you, Representative."

Speaker Hannig: "The Gentleman from Madison, Representative Bradford."

Bradford: "Will the Lady yield?"

Speaker Hannig: "She will."

Bradford: "Would you give me the definition of violent crimes?"

Wood: "Violent crime means any felony in which force or threat or force was used against the victim or any offense involving sexual exploitation, sexual conduct, sexual penetration,

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

42nd Legislative Day

April 14, 1997

domestic battery, violation of an order of protection, stalking, a misdemeanor, which results in death or great bodily harm. Shall I continue?"

Bradford: "I'm worried about the misdemeanor sections, Representative. Our schools presently in our district are under a no tolerance violence provision. That includes simple battery. Would your Bill take away the driver's license of a student who commits simple battery?"

Wood: "I would answer that under the definition of violent crime that I'm reading from, simple battery is not included."

Bradford: "Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hannig: "She will."

Pugh: "Representative, can you tell me from whence this Bill originated?"

Wood: "This was a Bill that was an idea of it was presented to me since... during my election. I said that I was concerned about youth and crime in making our schools safe."

Pugh: "Mr. Speaker, can we have some quiet in the Chamber? I can't hear the response. Can you repeat your response, please?"

Wood: "During my campaign, I said that one of the issues I was interested in was making sure we had safe schools so children could be educated in our schools and that I would support legislation that would help make our schools safer."

Pugh: "So, have you researched the constitutional implications, the constitutional implications of this piece of legislation?"

Wood: "With respect to that question, which has already been

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

42nd Legislative Day

April 14, 1997

asked by Representative Black, my understanding is that there is a case from the Appellate Court concerning the constitutionality of having your driver's license suspended. However, my understanding, is that has not reached the Illinois Supreme Court; and so therefore, it has not made a final determination on that issue."

Pugh: "According to state statute, do we currently restrict the driving permits of an adult felon, if one of these crimes are committed?"

Wood: "Under the Vehicle Code, there is a number of provisions that require a driver's license to be suspended or revoked, including a number of provisions which deal with weapons in the vehicle; but I can't answer if it...it's all encompassing. Furthermore, I want to note that this Bill deals with students when they are in school and the purpose is to help make our schools safe."

Pugh: "So, we are going... This legislation is harsher on students who commit any of these offenses than it is on an adult who commits any of these offenses? If you're saying that an adult's driving privileges will not be revoked as a result of one of these, one or any of these incidences, but we're revoking the driving privileges of a student."

Wood: "I don't think that this in general makes a harsher, makes it that much harsher on students than what you are referring to. Again, this is not...this is dealing primarily with students in schools that commit violent acts or weapons related offenses."

Pugh: "Thank you. Is there any opposition, any stated opposition to this legislation?"

Wood: "There is no known opposition. And it did pass out of committee with only 1 'present' vote and all other positive votes."

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

42nd Legislative Day

April 14, 1997

Pugh: "Thank you. I have no further questions."

Speaker Hannig: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Either way. Thank you, Mr. Speaker. Let's look at this logically. If a child in the State of Illinois brings in a weapon, they are going to be expelled. And under most the school districts, also if they are involved in some form of violence, they are going to get expelled. So, basically what this Bill is saying is, the first six months after an expulsion, we do not want an individual to drive, to have a job. I appreciate the spirit of the Sponsor's Bill, but the practicality of this says, if we expel and then say you can't have transportation, we are limiting the individual's ability to find proper employment to move ahead in terms of other educational opportunities. I think that this is a terribly limiting and will be fairly destructive for most of the children involved. I would reluctantly vote 'no'."

Speaker Hannig: "Is there any further discussion? The Lady from Kane... I'm sorry, the Lady from Lake to close, Representative Wood."

Wood: "Thank you very much. I would respectfully ask for your support on this House Bill."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 99 voting 'yes', 10 voting 'no' and 7 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, call House Bill 1293."

Clerk Rossi: "House Bill 1293, a Bill for an Act amending the Illinois Criminal Justice Information Act. Third Reading of this House Bill."

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

42nd Legislative Day

April 14, 1997

Speaker Hannig: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 1293 amends the Illinois Criminal Justice Information Act. It increases the number of members from 15 to 16, adding the Executive Director of the Law Enforcement Training and Standard Board or as designee as an additional member. There is no opposition to this Bill. And it makes eminent good sense. As a matter of fact, originally when they designed the Criminal Justice Information Authority, one of the positions was reserved for then Director Paul Apa, who was not...who did not take that position. There is no cost involved with this. And I would appreciate an 'aye' vote."

Speaker Hannig: "Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 118 voting 'aye', 0 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1330."

Clerk Rossi: "House Bill 1330, a Bill for an Act concerning mammograms. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1330 here would simply say that mammograms would be required under the self-insured program. Right now, they are not currently covered, but there are people that are testing the constitutionality of the self-insured. And should that case overrule the current law, then this would

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

42nd Legislative Day

April 14, 1997

be ready to put in place. Currently, all the other plans we have in the State of Illinois require mammogram. As we know, early prevention can save headache and spreading the lymph nodes and other parts of the body. Early detection can perform simply a lumpectomy rather than a modified or radical mastectomy. It can save, save a lot of money, as well as the well being and life of a loved one. I would certainly appreciate your votes and happy to answer any questions."

Speaker Hannig: "Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; 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 this question, there are a 116 voting 'aye', 0 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1301."

Clerk Bolin: "House Bill 1301, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hannig: "Excuse me a second. Representative Noland, for what reason do you rise?"

Noland: "Speaker, I would have liked to have been recorded as 'yes' on that vote."

Speaker Hannig: "The record will so reflect."

Noland: "Thank you."

Speaker Hannig: "The Lady from Cook, Representative Ronen."

Ronen: "Thank you, Speaker, Members of the House. House Bill 1301 is the early childhood collaboration, a Bill that many of us in this Chamber have been working on for many years. We heard testimony in the Committee on Children and Youth about the importance of the earliest years in a child's

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

42nd Legislative Day

April 14, 1997

life. We now know, based on new research that has been done on the brain, that the earliest years in a child's life lay the foundation for their future success in school and really throughout life. But, we look at the way we're allocating state resources, we're not really addressing them in a way that makes this kind of impact. School district superintendents and educators across the state understand the critical role that early intervention plays. If children don't have the appropriate child development activities when they enter school, they are not ready to learn. So, this Bill is about supporting local school districts, giving them the resources, giving them flexibility to form collaborative agreements to reach out to children as early as possible. It is not about building a new bureaucracy; it's about better coordination - because too little exists right now. It's not about mandates. It is a totally voluntary program giving school districts, who wish them, resources and tools. We have made great strides in Chicago based on the Chicago School Reform Bill. It would really be a shame that after making those great strides, we are not making the changes that we need in the early years, so that youngsters can take advantage of those new opportunities. This is a bi-partisan effort. I'm joined by over 30 Members of the Illinois General Assembly in sponsoring this Bill. Senator Frank Watson will be the Lead Sponsor in the Senate. I urge my colleagues to vote favorably on this very important Bill for our children."

Speaker Hannig: "Representative McGuire, for what reason do you rise?"

McGuire: "Thank you, Mr. Chairman. I was away from my chair and I wanted to vote 'aye' on the previous Bill."

Speaker Hannig: "The record will so reflect. The Gentleman from

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

42nd Legislative Day

April 14, 1997

DuPage, Representative Roskam, is recognized."

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

Speaker Hannig: "She will."

Roskam: "Representative Ronen, I know that you have worked long and hard on this Bill, and I know that this is an issue of the heart for you. And I appreciate the work. I think we are approaching this philosophically from two different places, but I have enjoyed the dialogue. Let me ask you a question. Is there any means testing? Is there any income testing for the people that would benefit under this initiative?"

Ronen: "No, there's not."

Roskam: "Okay. And the state agency that you have chosen to empower through House Bill 1301, is what state agency?"

Ronen: "The State Board of Education."

Roskam: "Okay. To the Bill. Ladies and Gentlemen of the House, I rise in opposition to House Bill 1301 for two primary reasons. The first is, as the Representative stated, there is no income testing under this initiative. So, let me give you an example. In my district, someone could wake up in their \$500,000 house, drive their Lexus and take a child to a state sponsored collaboration paid for by the taxpayers of Illinois, the guy that is working and earning \$6 an hour, frankly, pumping gas, with his taxes. They could then... That family could then golf at the Chicago Golf Club, go shopping at Marshall Fields, come back and be the beneficiaries of this state sponsored program. Now, in a time when we are looking at limited financial resources, my feeling is that we ought to be targeting initiatives towards those who very clearly need it, towards those who are in dire financial straits and for those who are clearly at very serious risk. Now, the second reason that I rise

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

42nd Legislative Day

April 14, 1997

in opposition to this Bill is because of the agency that the Representative has chosen to empower through this legislation. The agency, Ladies and Gentlemen, that is going to be administering this program is the State Board of Education. Now, I have in my hand a copy of the Auditor General's most recent audit of the State Board of Education. And I would submit to you that of any agency in the state government that we shouldn't be giving more authority to, that we shouldn't be giving more money to, that we shouldn't be giving more control to, it's the State Board of Education and here is why. In their last audit finding, they had 31 problems in their audit. Now did their audits... did their audit hits...did their audit fines go down? No. They went up. They have 45 audit problems according to the Auditor General. Let me read what a few of those are. This is according to the Auditor General. They have an inadequate accounting record to support allocation of cost charged to federal programs. They have inadequate procedures and controls over personnel processes. They have inadequate controls over contracting processes. They have inadequate procedures for addressing potential conflicts of interest. They have deficiencies in controls over state superintendent's travel, headquarters and wage reporting. And they have inadequate controls over employees travel. And they have monitoring of federal grants, which haven't been properly documented. Now, I know that the Sponsor has worked hard on this Bill. But, let me say this in closing, there is no income requirement. This will benefit anybody. And at a time when we are debating school funding, when we are trying to target resources, this doesn't target anything. This shoots with a shotgun. And in closing, the last reason is the State

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

42nd Legislative Day

April 14, 1997

Board of Education has not been good fiduciaries of taxpayer resources. They have very serious audit questions from the Comptroller...or from the Auditor General. So, for those reasons, I would urge a 'no' vote."

Speaker Hannig: "The Gentleman from Kane, Representative Hoeft."

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

Speaker Hannig: "She will."

Hoeft: "Representative Ronen, you've... we've talked together about this Bill. Could you explain why the regional superintendents were excluded from the participation in this program?"

Ronen: "There was some concern at the time of drafting that there were some problems with the truancy program that was administered through certain regional superintendents. As I said to you, I would be very happy to talk to the Senate Sponsor, Frank Watson, when it goes to the Senate and try to make sure that we can build in some change that modify that so, regional superintendents would be able to qualify."

Hoeft: "If four school districts got together and they were not able to do this individually, but asked the regional superintendent if they could create a satellite cost efficient, it would be..."

Ronen: "Right, I agree with you, Representative. I agree with you. And I would hope that we could make those changes in the Senate. I support your... I share your concerns."

Hoeft: "Could we make a commitment that, in fact, that would be withdrawn from the Bill?"

Ronen: "I'm sorry, I didn't hear you."

Hoeft: "Would you make the commitment that, that would be withdrawn from the Bill?"

Ronen: "It's not a matter of withdrawing. It is adding them as,

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

42nd Legislative Day

April 14, 1997

as appropriate. And my commitment to you is that I will talk to Senator Frank Watson when he picks it up and make sure that he addresses that. He, as you know, has to have the final say. My opinion is that there shouldn't be a problem adding that."

Hoefl: "I appreciate your efforts on that. My second major problem is, this is a \$25 million increase to the State Board of Education's authority. We have an agency that has in the newspaper been given examples of why, how grants have been given out through favoritism rather than through merit. We have a state agency that has a 218 page audit on ways in which they have not been properly using our federal and state funds. How we can give this agency this, is a very difficult question for me. We need to find ways in which grants are given out through merit and not through the friendship with the leadership in that agency. This is probably the most important issue: early childhood preschool development. We have to focus on this with state resources. This is a very difficult vote for me. With all of this put together, I think that this still merits a positive vote from all of us, because this is something we need for the welfare reform. We need for prevention. I compliment you for this and ask you to with me on the Senate Bill. But, I think that this is something that deserves our full support. Thank you."

Ronen: "Thank you, Representative. And I appreciate your words. And I do commit that I will work with you on that. And let me just say, I think our goal is to make the State Board operate in a more effective way. But, there is really no other agency through which these funds could go at this time."

Speaker Hannig: "The Lady from Kane, Representative Lindner."

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

42nd Legislative Day

April 14, 1997

Lindner: "Yes, thank you, Mr. Speaker. I do rise in support of this Bill. If we note particularly on page 2 of the Bill, this says that this will happen in community settings and it is a voluntary program. I certainly hear Representative Hoeft and Roskam's concerns about the State Board, but I think we have to remember one thing that the State Board's pre-kindergarten program is one of the most successful programs in the state. I have an early childhood collaboration center in my district. I have passed the brochure out to all of the people on this side of the aisle. It is something that is working very successfully. It is the Dorothy DeLacie Early Childhood Learning Center and was referenced by the Governor in his speech. I have visited that center and seen how it is working. The parents are totally involved in the education of their child. And the mission of these early childhood collaboration centers is to increase each child's potential for success through access to coordinated services and empower families for life-long learning. In Kane County, there are 110 different agencies that are involved in this, and they are not radical agencies. They are Business Chamber of Commerce, Visiting Nurses Association, United Way Public Health Departments. There is a local governing board. And to address the concern that Representative Roskam has, I think that the local governing boards will be determining some of these criteria. In Carpentersville, 51% of the people on the local governing board are parents in that community. They try to involve all parents in the lives of their children. When I asked the superintendent how he recruits for this program, he said that it is not problem, because there is a waiting list of 400 people. People, whether they are poor or have more money want the

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

42nd Legislative Day

April 14, 1997

best for their children in education. This is the same kind of collaboration, the same kind of program that is called for in House Bill 1301. It is in line with the Governor's mission of reorganizing Human Services of bringing things down to a one stop shopping level. And I ask your support of 1301."

Speaker Hannig: "The Gentleman from Washington, Representative Deering, is recognized."

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

Speaker Hannig: "She will."

Deering: "This is a permissive program. Is it not, Representative?"

Ronen: "I'm sorry, I didn't hear you."

Deering: "This is a permissive or a voluntary...?"

Ronen: "Yes, it is. Yes, it is, Representative."

Deering: "Okay. If we do not provide funding and there is no money available through a grant application process that the local school boards, as I understand it, would apply for this, can some parent require that a school board provide this service out of existing funds?"

Ronen: "No, they can not."

Deering: "Thank you. I think those are two important parts. To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. I sit on the Audit Commission and one of the prior speakers brought up about the Auditor General's findings about the Audit Commission. That's very correct; that's true. But also understand that that was from the former Board of Education. It's from the old Board that your side of aisle dismantled in the last Session and now we have a new board. We still have the same superintendent that I think there are people on both sides of the aisle that want to see given his walking papers and get somebody else in there.

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

42nd Legislative Day

April 14, 1997

But, when he talks about these remarks about the State Board of Education and the audit findings, please keep in mind that we have a new State Board of Education. Hopefully, someday soon we will have a new State Superintendent. And let's just not throw everything out, because we have had one bad experience with the superintendent, who may not have been looking out for the best interest of the taxpayers and most importantly, the children of the State of Illinois. I think this is a good Bill. We should pass this Bill with flying colors."

Speaker Hannig: "Representative Biggins is recognized."

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

Speaker Hannig: "She will."

Biggins: "Representative, could you tell me what a family resource center is?"

Ronen: "I didn't hear you, Representative."

Biggins: "Could you tell me what a family resource center... The Bill says it creates family resource centers."

Ronen: "I don't think it creates family resource centers. It is talking about different options that local school districts might choose. And a family resource center is a type of program that might exist in a community. This Bill does not per se create any specific program model. This Bill says to local school districts, if you wish to reach out to children before they come to school, we will give you the resources and you can choose how to do that."

Biggins: "Who did you say would give those resources?"

Ronen: "Pardon me, Sir."

Biggins: "Who did you say would give those resources?"

Ronen: "The State Board of Education."

Biggins: "Now, as I read it, it says it will utilize early childhood specialists and educational materials. Could you

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

42nd Legislative Day

April 14, 1997

describe what those are?"

Ronen: "Well, again let me say, that's up to the local school district. This Bill does not prescribe any specific program, any specific procedure, any specific guidelines. This Bill says to local school districts, if you wish to reach out to children before they come to school, if you think it is important, then we are going to help you with the resources for you to do that in the way that meets the needs of your community."

Biggins: "Okay. Now how would the ones being serviced by this Bill learn of this program? How would they find out that there are specialists available and resource centers?"

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

Biggins: "How would the ones that would take advantage of this program learn about the existence of the program. If the program begins from birth, when is the first day that the parents know about it?"

Ronen: "How would the parents know about it? Through programs that the local school district wishes to utilize or to strengthen."

Biggins: "And the local school district gets these grants from the State Board of Education."

Ronen: "That's right."

Biggins: "And do they petition for these grants?"

Ronen: "A request for a proposal would be issued."

Biggins: "Will the grants be offered on an annual basis?"

Ronen: "Based on if the money is appropriated on an annual basis, yes."

Biggins: "Can they be used for any other purpose other than that specified in the Act?"

Ronen: "I don't believe so."

Biggins: "Well, can they be used to renovate an existing

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

42nd Legislative Day

April 14, 1997

building?"

Ronen: "No. No. No, they cannot. No, they cannot. No, it is for the purposes mentioned in the Bill."

Biggins: "Well, the board states that the... They apparently think that the funds can be used for construction or renovation. My concern would be, what if the funds were asked for that purpose, but they were not providing the services then that come with the, those services proposed in this Bill."

Ronen: "The funds that are used for construction or renovation have to be in the furtherance of early childhood programs. I mean it is the same whenever we issue a request for a proposal and state dollars are given. There is a obligation to meet the contractual requirements of those dollars. The same thing applies here. It seems to me, we do this all the time."

Biggins: "Well, I know that the extensive way the life safety codes are today for Illinois schools and other sites providing services for children. Is it possible that \$25 million would be anywhere near enough to begin to just help with renovation of a facility, much less provide educational specialists and resource centers and things of that nature?"

Ronen: "Well, we anticipate if the General Assembly were to allocate as much as \$25 million, we anticipate that that could serve as many as 10 thousand children on an average of \$25 hundred per child. I would imagine that any renovation costs would not be, would be kept to a minimum. The idea is to be able to serve children. There might be some costs associated with that service. The issue here is dollars to reach out and serve children and their families."

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

42nd Legislative Day

April 14, 1997

Biggins: "Well, I think this sounds like dollars to construction with no guarantee to dollars for services for children."

Ronen: "Again, the guarantee is, when a contract is given, there are certain requirements that must be met. And the requirements here are reaching out to young children and their families."

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

Speaker Hannig: "The Lady from Cook, Representative Mulligan."

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

Speaker Hannig: "She will."

Mulligan: "Representative, you and I both served on the Governor's Work Group for Early Childhood. And of the many people that came together in that, the discussion was who would be the appropriate entity to do programs such as this? And I think it was the general consensus, which is very hard to get with, maybe 70 people representing different groups, that the State Board would be the appropriate people to do this, because of the other programs that are currently in effect."

Ronen: "No, that is exactly correct. And also, because we think it is important that these programs be operated through schools and school districts, it only makes sense that the State Board be the appropriate vehicle to work with those local school districts. As I think somebody mentioned previously, Representative Deering, they are already operating what is considered to be a very successful pre-k program working through the school districts."

Mulligan: "Alright, in many instances, such as in my own district, these grants would not be the only money that would go to a program. They would be supplemental to other programs that the school district might already be investigating or running."

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

42nd Legislative Day

April 14, 1997

Ronen: "That's exactly right. And one of the really advantages of this technique is that by utilizing these monies and focusing on a school district, they are able to better coordinate all those different sources of money going in and different programs that exist. And that's only going to help make them be more efficient and more family friendly."

Mulligan: "So, actually you envision this as not an entitlement, but an addition to programs or an encouragement to start programs for boards that would probably put some of their own monies into this."

Ronen: "That is exactly right."

Mulligan: "I speak in support of this Bill. Some of the questions that were raised here were not questioned in committee when the Bill went through and those Members had the opinion or the ability to do that. I think this is only beginning. In one of my school districts, they've had programs such as this for the last 17 years. They are now running into a few problems, where to add additional grants or to coordinate would be helpful. And they are turning different populations now into our district where they could use some additional help in early childhood. I think by doing this we are recognizing some of the new brain research that is done, the advantage of early childhood using state money to the advantage in connection with local school boards. And I would certainly recommend an 'aye' vote in support of this Bill."

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

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

Speaker Hannig: "She will."

Bost: "Representative, I'm trying to figure out here in last year

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

42nd Legislative Day

April 14, 1997

or last Session, there was a Bill, Senate Bill 377. How does this particular Bill differ from 377?"

Ronen: "I'm glad you asked that. That is a good question. It differs in many significant ways. This Bill doesn't set up any kind of bureaucracy, which 377 did. It set up an early childhood board. This program, as it is designed, is giving resources directly to local school districts. So, it just goes directly to them. We are not setting up any mandate. We are not... In 377, we talked about different standards and requirements and program guidelines. This doesn't do that at all. This says to the local school district: You're the expert. You know your population best. You know the problems best. You know what is going to work in your community. So, you do it the best way that's going to work for your schools and your children."

Bost: "There's also was a question that was brought up earlier that, for instance, if a person is very financially well off, can they use this for a baby-sitter?"

Ronen: "No, they can't. I'm glad you asked that also. That's not the purpose here. These monies will go to help supplement programs that are already existing, such as the pre-k program that we talked about, Head Start programs, day care programs that are serving working poor families and people trying to come off of welfare. Today we've talked about it. There is a growing number of children who are in these child care settings. The purpose of this program is to make sure that those settings are as high quality as possible."

Bost: "I, and I will ask this for members of my district, because they have many concerns. They feel like government is getting just too involved with and wanting to come in and raise their children for them. Is this an attempt to do

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

42nd Legislative Day

April 14, 1997

that?"

Ronen: "No, it's not. And I'm glad you asked that also. This is... what we have been hearing throughout the state, in the City of Chicago, I should say Superintendent Paul Vallas is a strong proponent of this measure. He understands that given all the changes that he's made in Chicago public schools, they have to start earlier. We've heard this from every, across the straits...across the state from local, from principals, from superintendents that they are already doing this. They need to do this. They need to do a better job at coordinating what resources there are for young people. This is just giving them tools and flexibility."

Bost: "Okay, are we not saying that our parents are failing in raising their children?"

Ronen: "No, we're not at all. What we are saying is there is an increasingly larger number of children who need child care settings for a whole host of reasons, more women in the work force, more demands based on welfare reform and just new research on the brain that shows that these kind of programs, if they are quality programs, can really make a difference in children's lives. So, I don't think we are saying that at all."

Bost: "Thank you, Representative."

Speaker Hannig: "The Lady from Macon, Representative Curry."

Curry: "Thank you, Mr. Speaker. I rise in strong support of this legislation. I would like to think of this issue as a no-brainer. As a parent of a three and a half month old child, I have already taken advantage of one of the programs that would benefit from Representative Ronen's Bill. A program in Decatur called Baby Talk came to visit me two days after my son, Evan, was born. And while I

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

42nd Legislative Day

April 14, 1997

pride myself on knowing quite a bit and reading quite a bit about young children and what parents should do, they were able to talk to me and tell me some of the things that I needed to start doing immediately with Evan, reading him books, communicating with him. And while some people might think that is kind of corny to be reading to a two week old, a one month old and a three month old, I don't think it is at all. To be able to watch Evan and his interaction and his development over the last three and half months has been incredible. And while this program will help someone who might make \$10 thousand a year or somebody who might make a \$100 thousand a year, as parents we need to learn all that we can about what helps children at an early age. And I know that through the newsletters that I get on a monthly basis from Baby Talk are going to help provide me with more information about what I need to do with my son. So again, this issue is a no-brainer. When we talk about getting involved with children and their education and educating parents, this Bill and this legislation helps. So, I appeal to all of you who have maybe some reservations about supporting such a program. It will benefit children of all ages, of all ethnic racial backgrounds, of all income levels. So, please, vote 'yes' on this Bill. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Lang. Mr. Lang, would you like to speak? Mr. Lang chooses not to speak. Representative Ronen to close."

Ronen: "Thank you, Speaker. This is a very important Bill. It is a Bill that so many of us have worked so hard on. We know now how important it is to intervene in children's lives as early as possible, that we can really make a difference. There is no problem that we face right now in

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

42nd Legislative Day

April 14, 1997

this state that couldn't have been ameliorated or even eliminated if we had done a better job with children. So I urge all my colleagues to vote 'yes'."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 101 voting 'yes', 15 voting 'no' and 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1337."

Clerk Rossi: "House Bill 1337, a Bill for an Act to amend the Children... a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr.. Speaker, this is a Bill that we are doing in compliance with federal law on the Welfare Bill. This is an issue for the Illinois Department of Employment Securities. The Amendment became the Bill, would enable DCFS to access federal funds to pay Illinois directory of new hires and reflects recommendations of the Child Support Enforcement Task Force. I urge a 'yes' vote."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "I know we are close enough, but I didn't know this Bill was going to come up. So, will the Sponsor yield?"

Speaker Hannig: "The Gentleman will yield."

Poe: "Yes, Sir."

Black: "Representative, one of the fears that business men and women, like my brother in a small business have about this is the paperwork requirement. Is an employee defined as

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

42nd Legislative Day

April 14, 1997

anybody who is even with him say for eight hours or...?"

Poe: "Yes, anyone that works for him."

Black: "First day?"

Poe: "First day."

Black: "What kind of paperwork, I don't want to say burden, that may be the wrong word, but what kind of paperwork requirements is he going to have his office people do?"

Poe: "When they fill out their W-4 form, the W-4 form will be forwarded."

Black: "To the department?"

Poe: "Of Employment Securities. Yes."

Black: "Okay, then they just... What do they do, just check off on social security?"

Poe: "Yes. And then they forward it, of course, to the other agencies."

Black: "Okay. Thank you."

Speaker Hannig: "Is there any further discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; 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 this question, there are 118 voting 'yes', none voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1303. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1303, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1303 implements the Statewide Healthy Families Program. There was a steering committee put

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

42nd Legislative Day

April 14, 1997

together back in 1995, and they came up with the recommendation of establishing this program, because it had worked in 39 other...in 30 other communities. And basically what the program would do, would utilize a voluntary home visiting program targeted at at-risk parents and new moms to help them understand about child development and assistance. And we have 59 thousand children lingering in the system of DCFS as we speak. And we would like to eliminate this problem. And in my opinion, Healthy Start would be the first step in the elimination of child abuse in the State of Illinois. And I will be more than happy to answer any questions you may have in regards to House Bill 1303."

Speaker Hannig: "Is there any discussion? The Gentleman from DuPage, Representative Roskam."

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

Speaker Hannig: "She indicates she will."

Roskam: "Representative Flowers, in your Bill on page 1, line 19, it says that it's the program to identify at-risk families. What does it mean to be at-risk according to your Bill?"

Flowers: "Representative Roskam, at-risk, according to...without being specific in the Bill, because at-risk could mean a multitude of things. A teenage mom is a parent at-risk. A person on drugs is a parent at-risk. A family in an abusive situation is a family or children could be at-risk. So, there is a multitude. A hurricane could have come through the community and the entire family may be despondent because of what has happened to their home and their community. That could be a family at-risk. So, it could be a multitude of things."

Roskam: "Okay. I had a... I have been in touch with a number of the people from Voices for Illinois Children, who are

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

42nd Legislative Day

April 14, 1997

advocates of the Bill. And they encouraged me to get in contact with the person on the staff at DuPage County, a nurse there who is administering the DuPage Healthy Families Program. I had about an hour and half chance to visit with her. Representative, let me tell you the distinction between that program, which I didn't know about, I learned about and I support, and my concern about your program. I mean you are going to get another 100 votes on this, and it's going to go over to the Senate. I'm not kidding myself. But this, I think, is a very serious question that we in the General Assembly need to wrestle with and that's this. In the DuPage Healthy Families Initiative, they are focused on a very defined group of people. They're focused on teenage mothers, teenage single mothers. I don't think there is any person in the General Assembly that wouldn't agree that single teenage moms are desperately at-risk of child abuse. And that they need help. And that the type of intervention that you're describing is a good thing. And I would support that. My concern is that this Bill that you have doesn't do that. And my challenge to Voices for Illinois Children for the past two weeks has been to come up with a definition of what it means to be at-risk and put it in the statute. Because what we are talking about is greatly expanding that initiative Healthy Families DuPage, which I learned about, which I think is a great idea. Now, we're saying we are going to give the government authority to define who it means to be at risk. Who is at risk? And the people that are going to be making the decisions, Representative, under this Bill are not elected. They're appointed people. And my concern is that this definition of at-risk is going to be a moving target, and it is going

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

42nd Legislative Day

April 14, 1997

to be subject to whim. And it's going to be subject not to statute, not to a debate within a 118 Members, elected Members from all across Illinois, but it is going to be what I call the inside baseball crowd. It's going to be a group of people, appointed people, and so forth that are going to be defining what it means to be at-risk. I respect what you are trying to do. I applaud what you're trying to do, but my concern is that this Bill is not well anchored. It's well intentioned and it's going to get over a 100 votes. But it's not well anchored. And I think the challenge is that what we have to do is to be very clear and not do what I would consider is an abrogation of our legislative responsibility, an abrogation of the definition of what it means to be at risk. Let's argue about that. Let's amend, let's debate and so forth. But I've gone back to Voices for Illinois Children time and time and time and time again, until just an hour before the Bill got called. They showed me a definition and it really was no definition at all. So, I respect where you're coming from. I'm coming from a different place philosophically. I think that this Bill needs to be scrubbed down and well anchored. My hope is that I can get some Senators to agree with me, but I don't think I have enough people in this Chamber today, so good luck."

Speaker Hannig: "Representative Flowers to close."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. Representative Roskam mentioned a particular program in DuPage County. Well, I would like to say to the Gentleman, there are 102 counties in the State of Illinois. So what goes on in the problems as in DuPage County is different from Cook County, Will County or any other county. I would rather leave it up to the experts, those

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

42nd Legislative Day

April 14, 1997

that are working out in the field to define who they feel is at-risk, as opposed to 118 of us making that decision. So therefore again, we have... This is a program that has been endorsed by the Chicago Sun Times, the Chicago Tribune and also is a program that is cost effective. We're in the process of saving families, of saving the state dollars and I would just urge for an 'aye' vote on House Bill 1303."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 88 voting 'yes', 26 voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1342. Representative Flowers, for what reason do you rise?"

Flowers: "Mr. Speaker, my button was not working on my Bill, so I would like to be recorded as voting 'yes'. Thank you."

Speaker Hannig: "The record will so reflect. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1342, a Bill for an Act to amend the Department of Human Services Act. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Jackson, Representative Bost."

Bost: "Yes, thank you, Mr. Speaker, Members of the House. House Bill 1342 creates a technical study or a study of telemedicine in the rural areas as we're trying to face some problems in Southern Illinois and as we are in many parts of the state that is rural. We are trying to figure out better ways to provide medical coverage. And this study is just to try to get a feasibility done and get a

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

42nd Legislative Day

April 14, 1997

report back so that we can know which way to go with it."

Speaker Hannig: "Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'aye', none voting 'no' and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1322."

Clerk Rossi: "House Bill 1322, a Bill for an Act to amend the Environmental Protection Act. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1322 is an initiative of Attorney General Jim Ryan. It creates the offense known as the criminal disposal of waste. Much of it is related to the renowned silver shovel controversy in the City of Chicago. It also creates a Class IV...First offense if a Class IV Felony. A second and subsequent violation is Class III Felony. It also deals with asbestos emissions as well. I would be happy to entertain any questions. This Bill passed committee without any opposition. Thank you."

Speaker Hannig: "Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received the

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

42nd Legislative Day

April 14, 1997

Constitutional Majority, is hereby declared passed.

Representative Slone, for what reason do you rise?"

Slone: "Mr. Speaker, I was briefly out of the room when House Bill 1303 was voted on. I wish to be recorded... Had I been here, I would have been recorded as voting 'yes'."

Speaker Hannig: "The Journal will so reflect. Mr. Clerk, read House Bill 1347."

Clerk Rossi: "House Bill 1347, a Bill for an Act concerning benefits for certain public safety officers. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 1347 is a simple Bill. It simply provides that full-time law enforcement officers and firefighters that are killed or disabled in the line of duty, we're going to continue the health benefits for the officer's children and spouse. And it also requires the state to waive tuition costs for the children of officers and firefighters at state supported educational institutions. I'd ask for a favorable Roll Call."

Speaker Hannig: "Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', 4 voting 'no', and 0 voting 'present'. And this, Bill having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1392."

Clerk Rossi: "House Bill 1392, a Bill for an Act to create the Intermodal Surface Transportation Efficiency Task Force."

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

42nd Legislative Day

April 14, 1997

Third Reading of this House Bill."

Speaker Hannig: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 1392 would establish the Federal Intermodal Surface Transportation Efficiency Task Force. It would come up with a state study involving how the State of Illinois could more efficiently use its transportation planning to answer certain questions. For example, can existing infrastructure serve the transportation needs of the people of Illinois, rather than new projects? Can the needs of elderly or disabled people be more efficiently handled? Is there a possibility that public participation could be available in reference to transportation planning? There would be eight persons appointed to the task force: four by the Governor and one by each of the four Legislative Leaders. I move for the passage of this Bill."

Speaker Hannig: "And on the question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "She will."

Black: "Representative, what... President Clinton in his recent budget message said that the Ice Tea Act, when it's reappropriated and reauthorized, the states may be given the authority to make toll roads out of what are currently interstate highways. Now, I'm sure that isn't what you want this group to come back with, is it?"

Younge: "I don't have an opinion on that. The task force would look at all issues having to do with intermodal transportation and come up with recommendations."

Black: "Well, I'll join with you, just so they don't come back with a recommendation to accept President Clinton's concept

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

42nd Legislative Day

April 14, 1997

that our current interstate highways should become toll roads. So, I assume that anything the commission comes back with we have to act on anyway. Correct?"

Younge: "Absolutely."

Black: "All right. Thank you."

Speaker Hannig: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Yes, I am curious as to whether any of the Sponsors of this Bill have ever been to an intermodal unit, an intermodal location?"

Younge: "Yes. I've been to freight yards, and I've been to... I've experienced public transit systems."

Skinner: "Well, I guess I have been to one of the union pacific yards in Chicago. And, I really wonder how you think anybody can improve on the system that already exists?"

Younge: "Well, how their system interacts with the other systems is something that the task force may wish to study. We're not trying to set up what specifically it will study. But all of these opportunities are given under the Ice Tea Act. And it's the question of what is the best thing for the State of Illinois. There needs to be a statewide task force that looks at that, Representative."

Skinner: "Well, if I remember correctly, Ice Tea money was used to lower the underpass near this intermodal unit so the tractors and trailers would not have to go through neighborhoods and could instead use a regular, I think it was a... I don't know whether it was a state route, but anyway, it was a major street in Chicago, a major north-south street. I am not sure that I want lots of highway money being diverted to intermodal facilities. That is more than the Department of Transportation has already decided ought to be put in intermodal facilities."

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

42nd Legislative Day

April 14, 1997

And if I had some clue as to what conclusion you are trying to reach, I'd feel a little safer about this legislation."

Younge: "Well, I think that it would be a good thing for the General Assembly and for persons appointed by the Governor to look at how the system could be made more efficient. How we can turn away from the use of foreign oil and develop alternative systems that will be more efficient, Representative. I don't have any system change in mind. But I do believe that there ought to be a statewide task force that looks into the transportation planning and then makes recommendations to the General Assembly."

Skinner: "Well, on the one hand, I can't see how it's going to improve things much, but on the other hand, I can't see how it's going to do much harm."

Speaker Hannig: "The Lady from Lake, Representative Clayton."

Clayton: "Thank you very much, Speaker. I rise in opposition to this Bill. The Department of Transportation already operates under the requirements of the road and bridge laws and the Federal Ice Tea Act of 1991. The law... Many of the laws and regulations associated with the use of the federal funding specify that there be no value added requirements for transportation programming, project development construction. Due to the limited funding, regulations that merely add time and cost, but no value to the delivery of the final project, should be eliminated, not added to the current process. I believe that legislation should be aimed at eliminating unnecessary requirements that do not add direct significant value to the transportation system. It appears this legislation would not do that. The task force created by this Bill will perform duties that the department already performs. And additionally, the resulting findings of the task force

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

42nd Legislative Day

April 14, 1997

could lead to further complications of the programming process. I urge a 'no' vote."

Speaker Hannig: "The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I rise in support of this Bill. Sure, we have five-year plan and five-year study put forth by the Department of Transportation. That has been the case for several years, probably long before many of us have come to the Illinois General Assembly. But, you know as well as I, we're here on a daily basis when we're in Session trying to improve on the way state government operates. And, at some point in time maybe we have to take a look at the status quo, and see if there are just some suggestions that can make our programs work a little smoother. Now, there's nothing in this legislation that says that the Department of Transportation or the Secretary of Transportation cannot be a member of this task force. It's merely a thing to put the Legislators together with four other public members appointed by the Governor to see and make suggestions that we are utilizing the best uses and principles of our hard earned and hard fought and few public tax dollars that we have to fund the hundreds of billions of dollars of road improvements and infrastructure and mass transit and public transportation programs that are out there. So, it's just a task force that I think will take a serious look at this and hopefully come up with some great recommendations that we can all support in the interim. So, I again rise in support and hope that my colleagues will join with me."

Speaker Hannig: "Representative Younge to close."

Younge: "I move for the passage of the Bill."

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

42nd Legislative Day

April 14, 1997

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 95 voting 'aye', 23 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, are there any committee announcements?"

Clerk Rossi: "The House Rules Committee will meet in the Speaker's Conference Room at 7:15. Rules Committee, Speaker's Conference Room, 7:15."

Speaker Hannig: "Mr. Clerk, read House Bill 1363."

Clerk Rossi: "House Bill 1363, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Lake, Representative Wood."

Wood: "Thank you, Speaker and Ladies and Gentlemen. House Bill 1363 amends the Unified Code of Correction and provides that for a prisoner serving a sentence, convicted of aggravated sexual abuse, aggravated stalking, aggravated battery with great bodily harm, and second degree murder, shall be subject to the truth in sentencing provisions and shall be required to serve 85% of their time. This Bill is supported by the Illinois Coalition Against Domestic Violence. And I would respectfully ask for your support."

Speaker Hannig: "Is there any discussion? Representative...the Gentleman from DuPage, Representative Tom Johnson, is recognized."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Hannig: "She will."

Johnson, Tom: "Representative, you and I have spoken about this, and I feel it's important to explain my vote, which is

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

42nd Legislative Day

April 14, 1997

going to be a 'present' vote. As you know, your Bill begins to add several crimes to the truth in sentencing. Now a couple years ago, we went through a lot of very, very difficult negotiations on what legitimately we should, at least initially, include in the truth in sentencing Bill. There was a truth in sentencing commission that was set up to monitor this thing, as to future additions to that. And, obviously, I think we would all have different crimes that we might want to add. And that's your right and prerogative. And, but, this is something that I think needs careful review of the commission. And the commission ought to get active in terms of whether or not which specific crimes might be the most appropriate to add to the truth in sentencing. So, I appreciate what you're doing. I support your concept. If I had my druthers, we'd add the whole Code to truth in sentencing, but obviously, the state worked very hard to get as far as we have in this area. I applaud you for your concerns, but I felt that it was important that I explain my vote."

Wood: "Thank you."

Speaker Hannig: "Is there any further discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'aye', 0 voting 'no', and 11 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, call House Bill 1412."

Clerk Rossi: "House Bill 1412, a Bill for an Act amending the Uniform Commercial Code. Third Reading of this House Bill."

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

42nd Legislative Day

April 14, 1997

Speaker Granberg: "Granberg in the Chair. The Gentleman from Cook, Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. House Bill 1412 clarifies the rights, it's a banker's Bill, and it clarifies the rights of borrowers under the Uniform Commercial Code when a lender fails to follow the required procedures when selling off a collateral for a default loan. The Bill does not reduce, in any way, the amount the award that an individual is eligible for in the suit against them. I know of nobody opposing this legislation. I ask for a favorable Roll Call."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that question, the Gentleman from Whiteside, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. I'd like to go back to the previous Bill if I might, just to let you know that my light did not come on, and I would like to be recorded as a 'yes' vote."

Speaker Granberg: "The record will reflect that you intended to vote 'yes'. Thank you. Anyone rise in opposition? Is there any question? The Gentleman moves for the passage of House Bill 1412. All in favor shall 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. On this question, 116 voting 'yes', 0 voting 'no', 1 voting 'present'. House Bill 1412, having received the Constitutional Majority, is hereby declared passed. House Bill 1368. Read the Bill."

Clerk Rossi: "House Bill 1368, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from McDonough, Representative Myers."

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

42nd Legislative Day

April 14, 1997

Myers: "Thank you, Mr. Speaker. House Bill 1368 amends the Criminal Code of 1961. It creates the offense of causing a catastrophe. It defines that offense as knowingly causing a catastrophe by explosion, fire, flood, collapse of a building, release of poison, radioactive material, bacteria, virus, or other dangerous and difficult to confine, enforce or substance. The penalty for this offense is a Class X penalty. And I ask for your favorable consideration."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. Is there any discussion? Seeing no Member wishing to be recognized, the Gentleman moves for the passage. All in favor shall 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. On this question, 118 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1368, having received the Constitutional Majority, is hereby declared passed. House Bill 1515. Read the Bill."

Clerk Rossi: "House Bill 1550, a Bill for an Act amending the Judicial Vacancies Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Madison, Representative... 1515."

Clerk Rossi: "House Bill 1515, a Bill for an Act amending the Election Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Madison, Representative Bradford. No, I'm sorry, the Gentleman from Cook, Representative Turner. Representative Turner, the Gentleman from Cook. Out of the record. House Bill 1384. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1384, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

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

42nd Legislative Day

April 14, 1997

Speaker Granberg: "The Lady from DuPage, Representative Pankau."

Pankau: "Thank you, Mr. Speaker and fellow Members of the General Assembly. This Bill separates on the property tax bill the municipal levy from the library levy. It creates two separate items, two separate amounts of money. And I ask for your favorable support."

Speaker Granberg: "The Lady moves for the passage of House Bill 1384. On that question, anyone seeking recognition? No one seeking recognition, the voting is open. All in favor shall vote 'aye'; all opposed shall vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 104 voting 'yes', 11 voting 'no', 2 voting 'present'. House Bill 1384, having received the Constitutional Majority, is hereby declared passed. House Bill 1528. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1528, a Bill for an Act amending the Baccalaureate Savings Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Madison, Representative Bradford."

Bradford: "Thank you, Mr. Speaker, Members of the House. House Bill 1528 follows the authorization of the issuance of an additional \$950 million of baccalaureate savings bonds to be issued under the Baccalaureate Savings Act. This provides that the proceeds from those bonds shall be held for capital projects at the public universities and community colleges in this state for their capital improvement. I urge you to support the Bill."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that question, the Gentleman from Livingston, Representative Rutherford."

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

42nd Legislative Day

April 14, 1997

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

Speaker Granberg: "Indicates he will. Proceed."

Rutherford: "This is for bond authorization?"

Bradford: "I'm sorry, I couldn't hear you."

Rutherford: "I'm sorry. Representative, this is for bond authorization?"

Bradford: "No, it is not. The bond authorization has already been voted on. It is a \$950 million additional bond authorization previously submitted by this House. This merely takes the proceeds of that sale, when issued, and provides that they be deposited in a capital improvement account."

Rutherford: "So, who would be the opponents to this type of legislation?"

Bradford: "I know of no opponents."

Rutherford: "What about private institutions?"

Bradford: "The state has not provided funding for capital improvements in private institutions previously."

Rutherford: "Would there be a fiscal cost to this?"

Bradford: "There is no cost. There is a Fiscal Note filed indicated no fiscal impact."

Rutherford: "And how would this be administered?"

Bradford: "This would be administered through the Treasurer's Office, which is responsible for issuing the bonds, notifying the Baccalaureate Savings Board, when issued."

Rutherford: "And what is the position of the Treasurer's Office on it?"

Bradford: "The Treasurer's Office has taken no position."

Rutherford: "Did you get a chance to chat with them on it, or was this just, I mean, they hadn't come in saying yes or no, or did you get an opinion?"

Bradford: "They have not come in and said yes or no."

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

42nd Legislative Day

April 14, 1997

Rutherford: "How many votes is it going to get?"

Bradford: "I wish I knew."

Rutherford: "Thank you very much."

Speaker Granberg: "Anything further? The Lady from Cook, Representative Flowers."

Flowers: "Mr. Speaker, I would like for the record to reflect that had my button been working, I would have voted 'yes' on 1384."

Speaker Granberg: "The record shall so reflect. The Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "He indicates he will."

Black: "Representative, are there any restrictions on if I buy college savings bonds, I am not restricted to the usage of those bonds to a state university or community college, am I?"

Bradford: "No, you are not."

Black: "In other words, grandparents may buy these bonds, fully intending for their grandchild to go to school at Knox College or Illinois Wesleyan or Blackburn College or Augustana, Millikin, the list could go on. And yet your Bill would take the unused proceeds of these college savings bonds and only allow them to be expended at state universities. That... Something doesn't seem to compute there."

Bradford: "Representative, the computation that I would like you to make is that we are issuing these bonds for the purposes of college education."

Black: "Right."

Bradford: "It only seems appropriate that when we receive funds in regard to these bonds that we are selling, with the

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

42nd Legislative Day

April 14, 1997

advantages that are given to our citizens of the state in the bond purchase, in regards to them being tax free, without federal income tax, and if they are used at state universities, that there is an additional 5% reduction in the tuition, that that proceeds that come in from the purpose of increasing education in the state be used by the state for the purposes of education."

Black: "Well, I think I understand that, but it would make more sense to me if we just decided to limit what the bonds, in fact, could be used for. If there is no constructive notice and somebody invests \$10 thousand in these bonds and whatever happens, the grandchild has a tragic illness, or whatever. And it was the express purpose for that to be used at a private college or university, and in that person's grief or confusion, we attach the savings bonds and then use it only for a public community or state college or university. It just seems to me that that's not what the purchaser of the bonds has in mind when he or she purchases said bonds."

Bradford: "You need to separate, Representative, the receipt of the sale of those bonds versus the redemption of those bonds. This has nothing to do with the redemption of those bonds. That's an obligation of the State of Illinois, separate from the sale."

Black: "In other words, you're talking about monies made from the sale of said bonds?"

Bradford: "Correct. The income received to the state by the sale of these bonds."

Black: "Okay. Now I'm with you. What, currently, is done with that money?"

Bradford: "It's placed into the General Revenue Fund, and generally used for projects throughout the state, other

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

42nd Legislative Day

April 14, 1997

than, in addition to, but also other than educational projects."

Black: "Alright. Thank you, Representative, I appreciate your answers."

Speaker Granberg: "Thank you, Representative Black. The Gentleman from McHenry, Representative Skinner."

Skinner: "Am I correct that Amendment 1 adds the junior colleges in?"

Bradford: "Amendment 1 adds the community colleges in, yes, which includes the junior colleges."

Skinner: "Thank you."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Hartke, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question, 94 voting 'yes', 23 voting 'no', 0 voting 'present'. House Bill 1528, having received the Constitutional Majority, is hereby declared passed. House Bill 1388. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1388, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Macon, Representative Noland."

Noland: "Thank you, Mr. Speaker. House Bill 1388 creates a zero tolerance alcohol standard for school bus drivers. Any school bus driver exceeding that standard would lose their school bus permit for three years. It's agreed upon language with the Secretary of State and the Illinois Education Association."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 1388. On that, is there any question? No one seeking

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

42nd Legislative Day

April 14, 1997

recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 118 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 1388, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Rossi: "Committee Reports. Representative Currie, Chairman from the Committee on Rules, to which the following Amendment was referred...to which the following Resolution was referred, action taken on April 14, 1997, reported the same back with the following recommendation: 'be adopted' House Resolution 89. Representative Currie, Chairman from the Rules Committee, to which the following Amendment was referred, action taken on April 14, 1997, reported the same back with the following recommendation: 'be adopted' Floor Amendment #1 to House Resolution 89."

Speaker Granberg: "Mr. Clerk, on House Supplemental #1 appears House Resolution 89."

Clerk Rossi: "House Resolution 89, offered by Representative Klingler."

Speaker Granberg: "Any Amendments?"

Clerk Rossi: "Floor Amendment #1, offered by Speaker Madigan."

Speaker Granberg: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, this Amendment is jointly sponsored by myself and Representative Daniels. It has been agreed between the two of us, and it relates to the earlier Resolution filed by Representative Klingler calling for the creation of a House Committee to investigate the possible impeachment of Justice Heiple of the Supreme Court. Speaking to the Amendment, the Amendment would provide that the committee would be

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

42nd Legislative Day

April 14, 1997

directed to investigate first, the matters which are currently pending before the Illinois Courts Commission, and thereafter, other matters which might come before the special investigative committee. Number two, the original Resolution provided for a total of six members. The Amendment would provide that the committee would consist of a total of 10 members, five Democrats, five Republicans. Mr. Daniels would designate one of his appointees as a Co-chair, and I would appoint, I would designate one of my appointees as a Co-chair. The Amendment provides that the investigative committee would be empowered to adopt rules which would govern the proceedings, and that it shall be guided by the rules of evidence of the State of Illinois. In addition, all due process requirements must be observed, which means that the committee will have the power to administer oaths, and to compel the attendance and testimony of persons, and the production of papers, documents, and other evidence under oath by subpoena. Lastly, the reporting date is changed so that the investigative committee would be expected to report on or before May 12, 1997. Mr. Speaker, I am available for questions."

Speaker Granberg: "The Gentleman moves for the adoption of the Amendment. On that question, the Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. I will be voting 'present' on this Bill and all matters related to Justice Heiple. The law firm at which I am employed is representing Justice Heiple, and to avoid any conflict, I will be voting 'present'."

Speaker Granberg: "The Gentleman from Cook, Representative Santiago."

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

42nd Legislative Day

April 14, 1997

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. I also have a conflict of interest. I will be voting 'present' on this matter."

Speaker Granberg: "The Gentleman moves for the adoption of Floor Amendment #1. All in favor shall vote 'aye'; all opposed shall 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. Being 115 voting 'aye', 0 voting 'no', 3 voting 'present', Floor Amendment #1 to House Resolution 89 is hereby adopted. Mr. Clerk, read the Resolution."

Clerk Rossi: "No further Amendments. House Resolution 89, offered by Representative Klingler, creates a special investigative committee for the purpose of investigating the conduct of Supreme Court Chief Justice James D. Heiple and making a recommendation as to whether cause exists for his impeachment."

Speaker Granberg: "The Lady from Sangamon, Representative Klingler."

Klingler: "Thank you very much, Mr. Speaker. I first want to thank the Speaker of the House and the Minority Leader for their very serious and deliberative attention to this matter. This matter is virtually unprecedented in Illinois, and I appreciate the very serious consideration that's been given to this matter by Leaders on both sides of the aisle. I think, even though this matter is unprecedented, I think the people's reaction to the Supreme Court Justice is also unprecedented. I've been amazed over the last month or so, and especially in the last week, by the reaction of the people to the actions of the Illinois Supreme Court Chief Justice. The reaction that I've heard is, 'How can anyone be above the law? How can someone not

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

42nd Legislative Day

April 14, 1997

be accountable?' We have to be accountable when we make mistakes, when we error. We have to have a hearing. We have to be able to present our sides and to cross examine those who would challenge us. And what my concern in bringing the Resolution was not to bring an article of impeachment, because I've never heard the evidence. I've never heard Justice Heiple under oath; I've never heard him testify. I've never heard the officers testify. I've never heard people from the Courts Commission testify. I've never heard persons from the administrative office concerning the appointment of Judge Holdridge as the administrator or Moses Harrison as the court's administrator testify. No one has. There's been no hearing; there's been no admission and no evidence. And this was brought by me in response to the reaction that I've heard from people that want accountability in our system of laws, that we are a government of laws. I really appreciate the changes and the suggestions that were made to the original Resolution, which the changes expanded it from six members to 10 members, and I think that will be better representative of both sides of the aisle. I think the members on the commission will be working very hard in a tight time frame, but I think the people want us to work very hard and want us to get the job done. I just would ask for your favorable support."

Speaker Granberg: "Anything further? The Lady from Cook, Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. I rise in strong support of this Resolution. I think when the highest and most powerful judge in the state flagrantly and patently abuses the process the way James Heiple has, it not only degrades the legal system, but demeans the entire community and the

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

42nd Legislative Day

April 14, 1997

trust placed in that system. I think the people of the State of Illinois are entitled to know all the facts concerning Judge Heiple's behavior and his qualifications, or lack of them, to hold his high office. I think this is the perfect time to test the use of the system of checks and balances unique to the state and nation, and I would urge your support of this and appreciate the Leadership that's been supportive of this Resolution as well. Thank you."

Speaker Granberg: "The Lady from Sangamon moves for the adoption of House Resolution 89. All in favor shall vote 'aye'; all opposed shall 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. On this question, 113 voting 'aye', 0 voting 'nay', 4 voting 'present'. House Resolution 89 is adopted. House Bills - Third Reading appears House Bill 1550. The Gentleman from Cook... Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1550, a Bill for an Act to amend the Judicial Vacancies Act. Third Reading of this House Bill."

Speaker Granberg: "Mr. ...The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to congratulate the Chair for calling this Bill right after that Resolution. What House Bill 1550 does, it amends the Judicial Vacancy Act. Provides that a person appointed to fill the vacancy in the office of Circuit Judge must be a resident of the subcircuit, or the circuit, or in the case of a resident circuit judge of the county for which the person whose vacancy is being filled was elected. What House Bill 1550 is trying to address is that there have been cases in Cook County where when a

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

42nd Legislative Day

April 14, 1997

vacancy in a subcircuit was filled, the person that was selected to fill the vacancy did not reside in the subcircuit. And I just feel that the original intent of creating the Subcircuit Bill was to require that you would have representation of judges from your community. I'll be glad to answer any questions on House Bill 1550."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 1550. On that, is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 117 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1550, having received the Constitutional Majority...required Constitutional Majority, is hereby declared passed. House Bill 1345. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1345, a Bill for an Act to amend the Commercial Real Estate Broker Lien Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. Thirteen forty-five is a relatively simple Bill. It passed out of committee 11-0-0. I don't know of any opposition. It was a Bill suggested by the Illinois Realtors that allows for, or it amends, as I said, the Commercial Real Estate Broker Lien Act. If I didn't say it, that's what it does. And provides that a real estate broker's lien shall apply on the issue or cases of leases. I don't know of any opposition. I'll be glad to answer any questions."

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

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

42nd Legislative Day

April 14, 1997

Bill. On that question, any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 117 voting 'aye', 1 voting 'no' and 0 voting 'present'. House Bill 1345, having received the Constitutional Majority, is hereby declared passed. House Bill 1515. Read the Bill."

Clerk Bolin: "House Bill 1515, a Bill for an Act to amend the Election Code. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Crotty, for what reason do you rise?"

Crotty: "Thank you, Speaker. Could the record show on 1550 that my vote was 'yes'? It didn't come up on the board."

Speaker Granberg: "The record will reflect that you intended to vote 'yes' on House Bill 1550. The Lady from Cook, Representative Fantin, for what reason do you rise?"

Fantin: "Thank you. On House Bill 1345, I wanted to record my vote as a 'yes' vote."

Speaker Granberg: "The record will reflect that Representative Fantin wished to vote 'aye' on that Bill. The Gentleman from Cook, Representative Turner, on House Bill 1515."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 1515 provides that a statement of candidacy includes a statement that the candidate has complied with, or is not required to comply with the provisions of Article 9 of the Election Code. Further, it amends the Election Code to make a willfully false statement in the nominating papers grounds for an objection to the nominating papers. What we found in some of our districts is that there's been a number of candidates who run for office more than once, sometimes two and three

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

42nd Legislative Day

April 14, 1997

times, and at no point do they disclose who their contributors are. And they never file D2's, or file with any of the Campaign Disclosure Act. And what we're trying to do with this particular piece of legislation is make that grounds for objections regarding their nominating petitions, if in fact that person has ran before and did not disclose or did not fill out the required D2 forms. And I move for the favorable adoption of House Bill 1515."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 1515. On that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Proceed, Sir."

Black: "Representative, I have to be very honest with you. I've read this thing a couple of times and I have to tell you, and maybe I'm the only one on the Floor, but I'm going to tell you the truth as I always do. This Bill doesn't make any sense to me. It doesn't have any penalty phase in it. If I don't file, then the penalty kicks in if I fail to file my expenses, you know, my annual report, whatever that thing is called, right?"

Turner, A.: "Representative, because you've failed to file, and this question now will be in your statement of candidacy, and if you say...you know, you do not answer the question in a truthful manner, then you have lied, and you've committed perjury on your statement of candidacy."

Black: "This still doesn't make a whole lot of sense to me, Representative. If... What if I file nominating papers and early in the process, now this is assuming I've never run before, alright? So..."

Turner, A.: "Then... You're not required to file it. If you've

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

42nd Legislative Day

April 14, 1997

never ran before, this is for people who have ran before and were required to fill out a D2 in a previous attempt at running. They did not fill out their D2's. They just...I ran, I lost, and that's it. And they just go on their merry way, leave the creditors out there, what have you. Two years from now, they decide to run again, and in many cases, they just come right in and they start off fresh. So, the intent is to, at some point, ask them to disclose who the contributors are, or where they've gotten monies in the previous campaign."

Black: "But isn't there a trigger of money raised and spent that requires you to file? Isn't there x number of dollars, a threshold?"

Turner, A.: "It's a thousand dollars, right."

Black: "Alright, what if that candidate who ran, or was on the ballot, didn't raise or spend a thousand dollars?"

Turner, A.: "He's not required to fill it out. So then he could truthfully say that he did not, you know, he was not required to fill out a form. Do you know what I'm saying? What we're putting now is a provision on the statement of candidacy. And in there, he could truthfully say he was not required because he did not raise over a thousand dollars. So therefore, he did not lie. It would not be grounds for an objection."

Black: "Okay, well, I think now I'm beginning to focus on what you're doing. But if you've run before and you haven't filed, then that's where I think the penalties come in for failure to file. And I don't know why you'd have to have this affidavit then."

Turner, A.: "One more time, Representative. I missed the first part of that."

Black: "You know, if... Let's say that I run against you. And

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

42nd Legislative Day

April 14, 1997

knowing the campaigner and the astute politician that you are, you soundly defeat me. But I raised \$12 hundred, and I file. Alright, now two years from now, I run against you again. I don't understand. If I failed to file in the previous campaign, I'm subjected to penalties for failing to file. And I would assume that it should be handled at that point in time, not..."

Turner, A.: "Right, but that would be... That would be by the State Board of Elections, am I correct? And the State Board of Elections has not been pursuing those individuals who fall into that scenario. And so, because of the lack of the State Board to address that, I'm saying that that ought to be grounds, so if you decide to run two years later, that that ought to be grounds... and on the statement that would now be in your statement of candidacy, just like you have to do a statement of economic interest, if in fact you should have done it two years ago, you did not do it. The State Board did not bother to go after you for whatever reason. Now, on this statement of candidacy, you're required to say, you know, there's a check that says I either have complied, or have not complied, if in fact you check that you do not have to comply, and I can prove that..."

Black: "Okay, alright, then walk me through this scenario. We'll all be circulating petitions in a very few short months, and filing said petitions. If your Bill becomes law, then I now have another sheet that I have to put into my packet? I would have to say, 'Yes, I filed.'"

Turner, A.: "No. It's just an extra statement in your statement of candidacy. That's all. It's just another one liner added to the statement of candidacy. It says, 'I, Arthur Turner, being a citizen, living in the state,' blah, blah,

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

42nd Legislative Day

April 14, 1997

blah, 'have done', at some point there will be a line in there that says that I have complied with the provisions of Article 9 of the Election Code."

Black: "Okay, that...I have complied. Now what if somebody is filing against me who has never run before? Then that would not be applicable, then."

Turner, A.: "That would not be applicable. That's right."

Black: "And the due process, if there's an objection to be made, my right of due process then is whether or not I filed. Or, in the case when I didn't have to file, you file an objection to my candidacy, and my due process is I didn't have to file, and I'll show you what I raised and spent."

Turner, A.: "Right."

Black: "Okay. So, you're only going after those who willfully and wantonly refuse to file?"

Turner, A.: "Absolutely."

Black: "Okay. Thank you."

Speaker Granberg: "The Gentleman from Cook, Representative Giles. Proceed, Sir."

Giles: "Thank you, Mr. Speaker. To the Bill. I just rise in support of this piece of legislation. There's a lot of candidates that run for office who simply do not file these particular forms. These individuals think they're above the law. As an incumbent, you're often, you have to file various nominating petitions and papers, and you try to follow the law. And then you have individuals who decide that because the wind blows one way, that they're going to run for office. And then what they do is, they actually go through the formalities, but they do not follow the law. And as an incumbent, you have to follow the law in order to get to this position. And so we have quite a few individuals who simply decide that they will do some parts

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

42nd Legislative Day

April 14, 1997

of running for a particular office, but other parts they will not do. And so, therefore, they allow themselves to be above the law. And what this Bill...is put everybody on the same page, and that they must simply follow the law. And that's what this Bill says. And I commend the Representative for sponsoring such legislation."

Speaker Granberg: "Thank you, Mr. Giles. Is Colleen Burke in the Chamber? Colleen Burke? The Lady from Cook, Representative Mulligan."

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

Speaker Granberg: "Proceed."

Mulligan: "Representative Turner, I think I like this Bill. I'm just curious to know if, does this trigger anything with the State Board that if the party has not filed when he was obligated to, that they would do something about it without the opponent or someone, citizen, making a challenge that they have not filed?"

Turner, A.: "This Bill requires that, or states that it would provide an objection to that statement of candidacy. But to the question that you're asking, I understand that there's a Senate Bill coming over that would address the State Board's concerns in terms of what they would be able to do."

Mulligan: "I think that would be a good thing to add because in many instances, you feel that you're going to make a martyr out of the person because they didn't file. And I would think the sanctions would be what they are normally if you have not complied with the State Board. They usually put you under a watch, and then each offense after that, it's a thousand dollars for a year. Now, some people do think that they can get away with not filing or doing what they're supposed to. They file late. And I think that

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

42nd Legislative Day

April 14, 1997

people that are running against them, or incumbents are leery of stepping up and saying anything for fear that they're going to make that person look, or you look like you're being too punitive to them when they actually are acting like they're above the law. And people cannot tell who has contributed to them. So I think this is a good idea. I think it puts them on record that they haven't filed, and if they say they do, and they haven't, I wish the State Board would go after them where someone wouldn't have to file individually. I'm willing to support this."

Turner, A.: "This is not through any inadvertent errors, but primarily through a person willfully making false statements. And this is, you know, it's a very real situation. And I would have hoped that the State Board of Election could do the right thing and stop the sanctions, but that has not happened in the past. And so what we're basically doing is saying, 'Listen, let's just add this line as a requirement to the nominating petitions.' And certainly, it could stop some of the frivolous campaigns that we have in terms of opponents who are out here for whatever reason."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 1515. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Ryder, 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question, 118 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1515, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, 1397. Read the Bill."

Clerk Bolin: "House Bill 1397, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

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

42nd Legislative Day

April 14, 1997

Speaker Granberg: "The Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. This Bill, House Bill 1397, simply provides that anybody who willfully furnishes false information on an employment application, and who works with persons with mental illness or developmental disabilities, is guilty of a Class A misdemeanor. This Bill simply protects persons with mental illness from people who would prey on them, and I want to emphasize the word willfully is very important in this legislation. And that's pretty much through an admission. I would ask for it to be approved."

Speaker Granberg: "The Gentleman from Cook moves for the passage of House Bill 1397. On that, is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 117 voting 'aye', 0 voting 'nay', 0 voting 'present'. House Bill 1397, receiving the Constitutional Majority, is hereby declared passed. House Bill 1418. Read the Bill."

Clerk Bolin: "House Bill 1418, a Bill for an Act concerning currency changes in Europe. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 1418 is a piece of legislation that is attempting to ensure that when Europe goes to one type of currency that contracts that are entered into through Illinois consumers or Illinois businesses will continue to be in effect. We've worked on House Bill 1418 with the Illinois Bankers' Association and with the Federal Reserve Bank. There was a Floor

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

42nd Legislative Day

April 14, 1997

Amendment...a technical Floor Amendment that was adopted that has attempted to clarify a number of questions that particularly the Federal Reserve in New York had. And I know of no opposition to this Bill. And I would move for its approval."

Speaker Granberg: "The Lady moves for the passage of the Bill. Is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 117 voting 'aye', 0 voting 'nay', 0 voting 'present'. House Bill 1418, having received the Constitutional Majority, is hereby declared passed. House Bill 1395. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1395, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Knox, Representative Moffitt. Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1395 was filed at the request of the Illinois County Treasurers' Association. This legislation is permissive. It requires approval of the board. It allows the fee of five dollars to be charged for a certified copy of... The treasurer would have to provide certification required to transfer the owner's interest in a mobile home. This would go to the Tax Sale Automation Fund. There are no known opponents. Be happy to answer any questions."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. Is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who

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

42nd Legislative Day

April 14, 1997

wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On this question, 99 voting
'yes', 18 voting 'no', 0 voting 'present'. House Bill
1395, having received the Constitutional Majority, is
hereby declared passed. The Gentleman from Cook,
Representative Lang, for what reason do you rise? House
Bill 1470. Read the Bill."

Clerk Bolin: "House Bill 1470, a Bill for an Act to amend the
Illinois Highway Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Madison, Representative
Davis."

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the
House. House Bill 1470 amends the Illinois Highway Code.
It allows counties to include benches, shelters and other
facilities as part of the construction or maintenance of
county highways. It also allows counties to use any funds
for these projects and bicycle related projects. It
provides that for permits required under the provisions for
access roads and driveways laid out from county highways, a
county may include requirements for pedestrian access for
sidewalks, bike paths, bus shelters, benches, and bus
loading and unloading areas. I urge the passage of this
Bill, and I'd be glad to answer any questions."

Speaker Granberg: "The Gentleman from Madison moves for the
passage of the Bill. On this question, is there any
discussion? The Gentleman from Kendall, Representative
Cross."

Cross: "Mr. Speaker, will the Sponsor yield?"

Speaker Granberg: "Proceed."

Cross: "Representative, will this affect, in any way adversely,
the townships and their ability to utilize road funds that
you know of?"

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

42nd Legislative Day

April 14, 1997

Davis, S.: "Absolutely not, Representative. I do not believe that this Bill would touch any of the townships' highway funds."

Cross: "Does the tax cap language in the collar counties have any effect on this piece of legislation that you know of, or does this affect the tax cap?"

Davis, S.: "Not to my knowledge, Representative."

Cross: "Alright. Thank you very much."

Speaker Granberg: "Anything further? The Gentleman from Effingham, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Granberg: "He indicates he will."

Hartke: "Representative Davis, does this apply to all counties in the State of Illinois?"

Davis, S.: "Yes, it does."

Hartke: "Just counties, not townships?"

Davis, S.: "Not townships."

Hartke: "Is there any opposition to this Bill?"

Davis, S.: "Representative, I'm not aware of any. I don't know."

Hartke: "I think the Midwest Truckers are opposed to this piece of legislation."

Davis, S.: "They may be, I'm not aware of that. I was not in committee when this was presented, Representative. So, in my..."

Hartke: "Their opposition rests upon the fact that this is the use of Motor Fuel Tax monies and, of course, we're short of Motor Fuel Tax funds in the State of Illinois. And that also relates to counties as well. So, this opens up a new avenue of things that can be used for Motor Fuel Tax funds, and I just want to make the Body aware of that."

Speaker Granberg: "Thank you. The Lady from McHenry, Representative Hughes."

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

42nd Legislative Day

April 14, 1997

Hughes: "To the Bill. I would urge everyone to be somewhat cautious of this Bill, because of the point raised by the previous speaker. These are monies that were designed to be used for roads and road construction. And if you're in an area where those dollars are really tight, this expands greatly the usage for off road funds. Thank you."

Speaker Granberg: "Very good. The Gentleman moves for the passage. All in favor shall vote 'aye'; all opposed shall 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. On this question, 61 voting 'aye', 56 voting 'no' and 0 voting 'present'. House Bill 1470, having received the Constitutional Majority, is hereby declared passed. House Bill 1396. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1396, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1396 is also legislation requested by the Illinois County Treasurers' Association. I'd like to point out that it is also permissive, requires county board approval, and allows the treasurer to charge up to, it's their choice, up to five dollars for duplicate tax bills. It can be less than that. The funds have to go in the Tax Sale Automation Fund. A survey was done by the county treasurers and most of the counties in the state do charge for duplicate tax bills. There's currently no provision in the statute, so it's a practice that is commonly done, but simply we're giving them the statutory authority. There's no known opponents that I'm aware of. Be happy to answer

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

42nd Legislative Day

April 14, 1997

any questions."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that question, is there any discussion? No one seeking recognition, the Gentleman from Kendall, Representative Cross."

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

Speaker Granberg: "Indicates he will. Do you want to talk to your staff person, Representative Cross?"

Cross: "He's right here sitting next to me. If you'll give me a second. Representative Moffitt, are there any fees for the... Are there any expenses to duplicate the tax bill?"

Moffitt: "Are there expenses by the county?"

Cross: "For, by anybody, either the township or the county?"

Moffitt: "Well, the county to produce the duplicate tax bill, there would be some staff time and some material time. And it's up to the county, it's permissive. The county does not have to put any fee in it, but it allows them to put this charge in there. Most already have a charge. It's giving them the statutory authority. We're not telling them they have to. It's not a mandate. It just gives them that authority. And the intent would be that they would be recouping their cost of staff time and materials, and the staff time to look up whether or not taxes were paid."

Cross: "Just a couple more questions, Representative. What... Is the decision whether to charge or not up to the county board?"

Moffitt: "Yes, it is. If they don't want to, they don't have to charge anything."

Cross: "Pardon me."

Moffitt: "It's a county board decision, right. It requires the approval of the county board for the treasurer to be able to establish this charge. So, it's strictly...it's

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

42nd Legislative Day

April 14, 1997

permissive legislation."

Cross: "If you could wait one second. Alright. I don't have any other questions. Thank you."

Speaker Granberg: "Anything further? The Gentleman from DuPage, Representative Biggins."

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

Speaker Granberg: "Proceed."

Biggins: "You know, earlier today I was in favor of a Bill sponsored by the County Treasurers' Association that you sponsored as well...co-sponsored as well. And I have some questions about this one, though, because how many bills annually was Knox County issuing in duplicate that you could support this Bill? How many duplicate bills were you issuing a year?"

Moffitt: "That's going to vary from year to year. In some years you might issue a significant number, others not as many. So, I mean, I don't think there's any way to predict if you could keep track of it each year. But it's just, it would probably vary from one year to the next. The treasurers... go ahead."

Biggins: "If the treasurers are supporting this and proposing this idea, they must have a history of cost that somehow they can access that tells what the impact has been on them to issue a duplicate tax bill. Can you describe that history?"

Moffitt: "I have a survey from the county treasurers that was provided by the association. They took a poll of the treasurers, and 78 of the 102 charge a fee for duplicate tax bills now. They charge this fee based on their statutory right to retrieve the costs of copying. These charges range from one dollar to five dollars. So we're simply putting into statute what they are doing now."

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

42nd Legislative Day

April 14, 1997

Biggins: "Could you describe again the circumstances when a duplicate tax bill is necessary?"

Moffitt: "Frequently, if, of course the treasurer sends out the tax bills. Maybe the property owner will lose that tax bill. It's sent to them, but they misplace it. So they come in to pay their bill, they don't know how much it is. It takes staff time to look it up and produce a duplicate tax bill. The bill is needed for the accounting purposes, as you process that payment through the treasurer's office. So you do need the actual copy of the bill describing the property, the amount of the taxes. And it says right on there that you are to send that copy with your payment, or bring it in if you come in. So, just an individual might lose it. It might bill to a financial institution. They might lose it, or it might go to the individual and then the financial institution that has an escrow account wants it. So, it ends up that sometimes you end up making several copies on one property, just depending on how it's handled."

Biggins: "Well, what if an individual either loses the bill, claims it never was received, or somehow the mail lost it, what is that individual supposed to do on tax day? If they don't have the bill, maybe they know the amount because it's a second installment and it's the same...half of the first. What are they supposed to do in order to pay their tax bill on time? So they have to go to you and pay five dollars more for a bill?"

Moffitt: "Come in to the treasurer's office and if they don't have a bill they can get a duplicate at that time, and then make their payment."

Biggins: "They would be required then to pay this five dollar fee at that time."

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

42nd Legislative Day

April 14, 1997

Moffitt: "Well, whatever. Not all counties charge five. The range is from 25 cents to five dollars. And we're still, we're just giving them the statutory authority to do what they're already doing."

Biggins: "And is there any out for the treasurer to waive the fee if a particular taxpayer showed need?"

Moffitt: "If the county board... The fact that the county board has the authority to put this in, they could certainly make any variations like you have indicated. They could establish the guidelines under which it could be charged or could not. So, it's strictly permissive. It's local control."

Biggins: "Thank you."

Speaker Granberg: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Let's assume that someone is like my parents when they first moved to Illinois in 1958 and didn't find out they owed a tax bill until they read it in the delinquent tax notice. Of course, by then they owed interest as well. So they go to the county treasurer's office and they said, 'We never got a tax bill.' And the county treasurer says, 'Well, that's too bad. You owe five bucks to get the tax bill.' Is that going to be, I mean, is that a scenario that could happen that could make somebody really angry maybe?"

Moffitt: "The scenario you describe, I suppose is one that could possibly happen. Again, I will tell you, counties already, for the most part, charge for this. And so whatever has been their policy would continue to be. If a county board did not want that to be the policy, they could certainly say, 'Well, you can charge for them under these circumstances.' If it's a new resident to the county, a

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

42nd Legislative Day

April 14, 1997

senior citizen, or whatever, they could put those guidelines in there. It's strictly the local decision then. And we are talking a very small amount that's already being charged."

Skinner: "Thank you very much."

Speaker Granberg: "Anything further? The Lady from Lake. The Gentleman moves for the passage of House Bill 1396. On that question, all in favor shall vote 'aye'; all opposed shall 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. On this question, there are 43 voting 'yes', 66 voting 'no', 7 voting 'present'. House Bill 1396, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 1552. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1552, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Granberg: "Representative Mautino. Representative Mautino or his daughter."

Mautino: "Yes, team Mautino is here. House Bill 1552 amends the Insurance Code and the Guaranty Fund. Changes the funds net worth test from 50 to 25 million in order to preserve the fund's resources. It clarifies final orders of liquidations that trigger the fund's coverage. And it clarifies the fund's right to intervene in the proceedings. It's been worked on over the last couple of months. Everyone is on board. The Amendment was checked over by the Trial Lawyers, State Bar; they're fine with it. Appreciate an 'aye' vote."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that, is there any discussion? No one seeking

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

42nd Legislative Day

April 14, 1997

recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 118 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1552, having received the Constitutional Majority, is hereby declared passed. House Bill 1485. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1485, a Bill for an Act concerning university police officers. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker, House Bill 1485 is a Bill that brings in college police in the Uniform Police Officers Disciplinary Act. And all we are doing is changing one line in the Bill to say state college or university police is included. I urge an 'aye' vote."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that, is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 118 voting 'yes', 0 voting 'no' and 0 voting 'present'. House Bill 1485, having received the Constitutional Majority, is hereby declared passed. House Bill 1558. Read the Bill."

Clerk Bolin: "House Bill 1558, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Cook, Representative Brosnahan."

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

42nd Legislative Day

April 14, 1997

Brosnahan: "Thank you, Mr. Speaker, Members of the House. House Bill 1558 amends the Unified Code of Corrections. It requires the imposition of consecutive sentences on a defendant in certain cases for offenses that were not committed as part of a single course of conduct. The cases that it involves are Class X felonies, Class I felonies that contain severe bodily injury, or also criminal sexual assault, aggravated criminal sexual assault, or criminal predatory assault of a child. The second thing it does, it eliminates the maximum sentence limitation on extended term sentences on crimes which were not committed as part of a single course of conduct. I'd ask you for an 'aye' vote. I'd be happy to answer any questions."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that question, the Gentleman from Cook, Representative Lang."

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

Speaker Granberg: "Proceed, Sir."

Lang: "Representative, this is your first Bill?"

Brosnahan: "That's correct."

Lang: "I'm sorry?"

Brosnahan: "Yes."

Lang: "Yes, what?"

Brosnahan: "That's correct."

Lang: "So it is your first Bill. Okay. I notice that you hear the hush in the room, Representative. I noticed that you handled this without reading any notes whatsoever, didn't you?"

Brosnahan: "That's right."

Lang: "Are you sure you memorized the note from the right Bill?"

Brosnahan: "Yes, I did."

Lang: "I don't know. You know, there aren't too many people in

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

42nd Legislative Day

April 14, 1997

this Chamber that know their Bills that well. How many Bills do you have, Representative?"

Brosnahan: "I think I have about five or six, I believe."

Lang: "Are the others all memorized also?"

Brosnahan: "Not yet. Still working on those."

Lang: "So, if we had gone out of order, you might have been in trouble, right?"

Brosnahan: "It's possible."

Lang: "Well, alright, so, what will this Bill do for Illinois?"

Brosnahan: "Well, when a defendant is sentenced to terms of imprisonment on more than one offense, he's going to have to serve those sentences either at the same time, which would be concurrently, or one after another, which would be consecutively. And right now in Illinois, there's a problem. The way that the law is right now, if a person commits a home invasion and a rape with one victim, the law is that that has to be mandatory consecutive sentences. However, if a person commits two different rapes with two different victims a week apart, the law says that that is not mandatory consecutive sentencing. So this closes a loophole."

Lang: "Who wrote this Bill, Representative?"

Brosnahan: "This Bill was brought to me by the State's Attorney Appellate Prosecutors' Office."

Lang: "Well, I heard from Representative Mautino that this was written by the State's Attorney of Bureau County. You're not planning to run against Representative Mautino up there, are you?"

Brosnahan: "No."

Lang: "Because I think he's really worried. I think that young person he's been carrying around here all day wants to follow him in that job. So, Representative, are you

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

42nd Legislative Day

April 14, 1997

enjoying yourself here in this process?"

Brosnahan: "Yeah. So far it's been great."

Lang: "Alright. Well, since you know so much about your Bill, we're going to let somebody ask you about it. It sounded like a great Bill to me."

Speaker Granberg: "The Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Proceed, Sir."

Black: "Representative, what is the difference between a concurrent sentence and a consecutive sentence?"

Brosnahan: "As I stated before, when an individual gets sentenced to a term of imprisonment for more than one offense at the same time, he has to serve those sentences either concurrently, which would be exact same time, or consecutively, which means he'd have to serve them one after another."

Black: "So in other words, if he gets sentenced to two life sentences, concurrent, he really only serves one life sentence?"

Brosnahan: "That's correct."

Black: "But if he serves two life sentences consecutively, that's two life sentences, right?"

Brosnahan: "That's right."

Black: "Boy, you're really toughing up on crime here. What is the... What was the Fiscal Note from the Department of Corrections on this Bill? Do you have any idea?"

Brosnahan: "I believe it was a little over \$30 million over 10 years."

Black: "I'm sorry, 30 thousand?"

Brosnahan: "Thirty million dollars over 10 years."

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

42nd Legislative Day

April 14, 1997

Black: "Thirty million. Was that a 30 million concurrently, or 30 million consecutively? Was that over, like, one year?"

Brosnahan: "It was over 10 years."

Black: "Over 10 years, consecutively, at 30 million a year, or 10 years concurrently at 30 million a year?"

Brosnahan: "I think it was just 30 million over 10 years. That's all they said in the Fiscal Note."

Black: "Are you prepared to help us raise the revenue, or to build the new correctional facilities? How many people are you going to...you know, I'm concerned. Where I come from, we're tough on crime. But a life sentence is a life sentence, but you've taught me that's not necessarily true. So, we may have to build another correctional facility. Are you prepared to help us do that?"

Brosnahan: "Absolutely."

Black: "Too bad you weren't here two years ago. We could have used your vote on a Capital Bonding Bill, but that's another story. Representative, I guess I'm just not sure why you want to do this. Would not the judges be a little bit upset that you are taking sentencing discretion away from them?"

Brosnahan: "I don't believe so. There's an Illinois Appellate Court, 'People versus Boles', which said that this is actually in the hands of the Legislature. They should determine what should be consecutive or what should be concurrent. It's 'People versus Boles' is the name of the case."

Black: "People versus Walsh?"

Brosnahan: "Boles, B-o-l-e-s."

Black: "Oh, B-o-l-e-s. I'm not getting into that, Representative. Well, I can appreciate what you're attempting to do here. It has a very significant cost."

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

42nd Legislative Day

April 14, 1997

I'm still not sure I understand the difference. If somebody is sentenced 50 to life on two offenses, what's the difference? I guess the difference would be 50 years. If it was consecutive, they'd have to serve the majority of the 50 years plus the other 50 years, where it was concurrent they could get out after whatever the sentence would be on the first 50 years."

Brosnahan: "Well, whenever you're talking about two different cases, there's always a possibility of one case being reversed and remanded. So that's why it's important to sentence the individuals on both cases."

Black: "Well now, that's an interesting concept. If it's a consecutive sentence and it's overturned, then what happens? Wouldn't that individual then be eligible on an overturn, or on appeal? Since they're consecutive sentences, you don't have the double sentencing there. It would seem like you might be letting someone out of jail sooner."

Brosnahan: "I don't understand the question, I'm sorry, Representative."

Black: "Well, I don't either, but I was hoping you could answer it. Let me try again. You have to remember I studied long and hard. I graduated from that law school I got on the back of a matchbook. I've got these books at home. It was very, very difficult, let me tell you. If somebody is sentenced, as you indicated in your earlier commentary. Say they committed two rapes, and rather than be sentenced concurrently for the two crimes, they were sentenced consecutively. Now, if on appeal, the person is successful, is there a risk as the consecutive sentence, that that is overturned and they are free? Whereas, on a concurrent sentence, the judge might be able to say, 'Well,

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

42nd Legislative Day

April 14, 1997

crime A, we have some evidence here, but crime B will stand.'" "

Brosnahan: "No, it would be remanded to the trial judge for resentencing. But if he overturned one conviction, there's no other reason for the other one to be overturned unless that had its own merits."

Black: "But you have to admit my idea has a lot of merit, doesn't it?"

Brosnahan: "No."

Black: "Oh, well. Okay for you. Well, Representative, I must say I'm impressed that you bring a Bill to us in your first term that only costs \$31 million. I believe we will have an award for you at the end of the Session. We don't have any real nice certificates printed up like your side of the aisle did in the last year, because we can't afford a printing press. But we're working on that, and my I just say, Representative, you are definitely in the running for the first 'Big Dog' award for the spending of the most money, but the jury is still out, concurrently."

Brosnahan: "Thank you."

Speaker Granberg: "The Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Granberg: "Proceed."

Pugh: "Representative Brosnahan, are you... Were you formerly in the State's Attorney's Office?"

Brosnahan: "Yes."

Pugh: "So, this Bill originated from a case that you tried and you saw a loophole in the law that you wanted to have addressed, is that correct?"

Brosnahan: "No, the Bill was brought to me by someone from the State Appellate Prosecutors' Office, but I have seen this

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

42nd Legislative Day

April 14, 1997

situation occur when I was a prosecutor in Cook County."

Pugh: "And, in this instance, this legislation, if an individual commits three residential burglaries, and one night, he'll be eligible for the consecutive sentencing law, right?"

Brosnahan: "That's only if there's severe bodily injury. It has to be either a Class X or a Class I felony, along with severe bodily injury. So, if you committed three residential burglaries in one night with no severe bodily injury to any of the victims, then it would not be a mandatory consecutive situation."

Pugh: "That's current law?"

Brosnahan: "That's what this Bill would do."

Pugh: "So, if an individual commits three consecutive burglaries in one night, he will not be eligible for consecutive sentencing?"

Brosnahan: "He could be eligible for it, but it would not be mandatory. That would be up to the trial judge, but it would not be mandatory."

Pugh: "So this Bill makes it mandatory for the judge to determine that an individual has to have...will receive consecutive sentencing, am I correct?"

Brosnahan: "If the..."

Pugh: "So we're setting the guidelines for which the judge... We're taking the judge's power, or mandating that the judge allocate consecutive sentencing for an individual, right?"

Brosnahan: "Well, there are already circumstances where it's mandatory consecutive situations. What this Bill does is close the loophole. So I don't think it was the legislative intent to leave those crimes out that were committed on different nights with different victims."

Pugh: "Can you tell me the... Have you discussed this piece of legislation with the Department of Corrections?"

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

42nd Legislative Day

April 14, 1997

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

Pugh: "Have you discussed this with...the fiscal impact of this legislation with the Department of Corrections?"

Brosnahan: "Yes, I have."

Pugh: "And as a result of that conversation, are they in favor of this legislation?"

Brosnahan: "I believe they have no position. They did not file any opposition during the Bill, and they were in the committee room, I know."

Pugh: "And this is also your first, your very first piece of legislation?"

Brosnahan: "Correct."

Pugh: "And you're a state's attorney?"

Brosnahan: "I was for eight years."

Pugh: "Once a state's attorney, always a state's attorney."

Brosnahan: "You're right."

Pugh: "Thank you. I have no further questions."

Brosnahan: "Thank you."

Speaker Granberg: "Thank you, Mr. Pugh. The Gentleman from Cook, Mr. Brosnahan, moves for the passage of his first Bill. All in favor shall vote 'aye'; all opposed shall 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. Representative Younge. Change Representative Younge to 'aye'. Is there a consent to have Representative Younge vote 'aye'. Change her vote. Leave to vote 'aye'. Vote the Lady 'aye'. On this question, 118 voting 'yes', 0 voting 'no' and 0 voting 'present'. House Bill 1558, having received the Constitutional Majority, is hereby declared passed. House Bill 1588. Mr. Clerk, announcements."

Clerk Bolin: "Attention, Members, the Rules Committee will meet

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

42nd Legislative Day

April 14, 1997

at 8:30 p.m. in the Speaker's Conference Room."

Speaker Granberg: "The Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just recently the Federal Government had allowed bank holding companies to form Subchapter S Corporations, and with that they could have a significant reduction in their tax liabilities. In Illinois, we don't have that capability as of yet, without having them go through the act of forming an interim bank. What this Bill will allow the opportunities for our local banks to be able to do reverse stock splits to be able to avoid having to go through the interim bank process and then be able to go into this consolidation to form these Subchapter S Corporations. I'd be glad to answer any questions."

Speaker Granberg: "Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1588, a Bill for an Act to amend the Illinois Banking Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman moves for the Bill's passage. Is there any discussion? On that question, no one seeking recognition. All in favor shall vote 'aye'; all opposed shall 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. On that question, 117 voting 'aye', 0 voting 'nay', 1 voting 'present'. House Bill 1588, having received the Constitutional Majority, is hereby declared passed. House Bill 1562. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1562, a Bill for an Act concerning utilization review of health care services. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Washington, Representative

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

42nd Legislative Day

April 14, 1997

Deering. Representative Deering, for what reason do you rise? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that Representative Black and I have been working on for some time. Utilization review is the process by which insurance companies determine which of your claims to pay. You get a...you send a bill in, or a claim in, and there's maybe 25 or 30 different subitems on a hospital bill. This is the process by which they decide which of those pieces to pay and how much. They decide what usual and customary is and all that kind of thing. You've all had bills paid by insurance companies where you've said, 'Well, wait. Why did they only pay that much?' And you can never get an answer. This Bill will set up standards for utilization review. I know Mr. Black supports it strongly. It says, for instance, that if you have a heart surgery that they should have a cardiologist review your bill, rather than have a dentist review it, or a nurse do it, or a bureaucrat at the insurance company do it. It also sets up due process procedures to make complaints about the decisions by insurance companies and utilization review. It's a good Bill. Its time has come. Our citizens have a lot of questions about what gets paid and how things get paid and their insurance. And this will resolve many of their problems. I would ask you to join Representative Black and I in voting for this Bill."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that, all those... The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of this Bill. If it's anything that can galvanize your support of a

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

42nd Legislative Day

April 14, 1997

legislative measure, it's what happens back home. It's what happens when constituents come in and tell you about a problem. And that is the reason I have worked with Representative Lang on this Bill for the last four or five years. And let me tell you what happened to some working men and women in my district who worked for a company that's self-insured. They went to the hospital, I think one that I remember, I think I'm right on this, one went to the hospital to have his gallbladder taken out. He received no constructive notice whatsoever that his hospital and surgeon's bill may be subject to review. The surgical procedure was done. Upon recovery, the gentleman was released from the hospital. About a month later, he discovers that about 45% of his hospital and doctor bill have been denied by a company, as I recall, out of Delaware. He could not understand this. I contacted the company. He was in my office with his wife. His wages were going to be garnished. Now keep in mind, no constructive notice. We get to the company, the company says, 'Well, we contract with this company in Delaware.' I got ahold of this company in Delaware and I just simply asked them, 'On what basis did you make this decision to deny almost half of the medical bill?' I will never forget that answer. 'We don't have to tell you anything. We are not regulated in the State of Illinois.' I said, 'Well, could you tell me, was it a doctor or a nurse or any health care related professional who made the decision?' Says, 'We don't have to tell you that.' I said, 'In other words, it could be a bricklayer, a plumber.' No offense, Representative Giglio. 'You're telling me that it doesn't even have to be a health care professional to make this decision?' 'That's right. We're not regulated in

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

42nd Legislative Day

April 14, 1997

Illinois.' You look into it further, these companies are given a commission on how many dollars they save the company. Now how do they do that? They do that by rejecting claims. This is not right that these people can put a working man or woman at the risk of wage garnishment, even losing their house, with no constructive notice. At the very least, we should be empowered to tell them when they go in, they'd better do some checking, because all of their bills may not be paid. This is a matter of simple fairness. And I'm telling you, if it happens to any of your constituents, as it's happened to mine, you'll know how unfair it is. And I hope you vote 'aye'."

Speaker Granberg: "Thank you. Anything further? The Gentleman from McLean, Representative Brady."

Brady: "Mr. Speaker, I ask how many votes this takes to pass?"

Speaker Granberg: "Sixty."

Brady: "Does it preempt Home Rule?"

Speaker Granberg: "Not under the exceptions of the Home Rule statute. It takes 60, majority vote."

Brady: "I'm sorry, Mr. Speaker. I didn't hear you."

Speaker Granberg: "It requires 60."

Brady: "Is there a Home Rule Note?"

Speaker Granberg: "Home Rule Note filed, Mr. Clerk?"

Clerk Bolin: "The Home Rule Note has been filed on the Bill."

Brady: "Mr. Speaker, the Home Rule Note, the Impact Note shows that it does preempt Home Rule?"

Speaker Granberg: "I'm sorry, Mr. Brady, what?"

Brady: "The...DCCA's Home Rule Impact Note shows, in our file, that it does preempt Home Rule."

Speaker Granberg: "But it's an exception under Subsection (h), which is the exclusive jurisdiction of the state. Requires 60 votes."

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

42nd Legislative Day

April 14, 1997

Brady: "Will the Sponsor yield?"

Speaker Granberg: "Indicates he will."

Brady: "Representative, as I understand this Bill, you're providing for certification of those authorized to provide utilization review, is that correct?"

Lang: "That's correct."

Brady: "Is there any opposition to this Bill that you know of?"

Lang: "Well, probably some of the insurance companies are opposed, Sir. I would tell you that the Illinois Hospital Association and, I think, the Medical Society are in favor of this Bill."

Brady: "Who, in reading the legislation, I'm sorry I don't know, but can you tell me briefly how you've broken down who would be certified to review what procedures?"

Lang: "Well, let's see if I can find that for you. Section 25, starting on page 4, discusses the procedure for certification."

Brady: "What's your intention here, Representative?"

Lang: "My intention is, as Mr. Black said, to make sure that when decisions are made regarding utilization review that someone who's knowledgeable in the area that's being reviewed reviews the bill. So that a bureaucrat does not decide that a particular procedure is not worth more than X dollars, or that some insurance company by some bureaucratic policy in the back room, without review of the actual medical procedures, simply makes the decision that we're not going to pay more than X for a particular procedure. It's appropriate that someone who has some medical knowledge look at these bills to determine if all those sutures were necessary or to determine if that extra day in the hospital was necessary."

Brady: "Representative, are you just saying anyone with medical

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

42nd Legislative Day

April 14, 1997

knowledge? In other words, would you allow a cardiologist to provide utilization review for an ophthalmology procedure under this legislation?"

Lang: "No. That's exactly what I'm trying to avoid, Sir."

Brady: "Can you tell me how you prohibit that in this legislation?"

Lang: "Give me a moment and I'll find it for you. Well, Representative, I can't find it at this moment. It's a pretty thick Bill. But that's what we're trying to avoid. Certainly, it would require that insurance companies submit to the Department of Insurance their plans for utilization review. And then it goes on to, of course, discuss due process, where policyholders would be able to contest decisions and have a hearing if appropriate."

Brady: "Representative, I'm not sure I even agree with what you're wanting to do, but I think it's important that what you want to do is in the language. This is your Bill. Could you point out to me how that language works?"

Lang: "Well, I can't do it any better than I've already done it, Representative. Mr. Black and I have pretty well explained the intent of the Bill. If the language I'm looking for is not in here, we'll correct it in the Senate, but I think it's here. I just can't find it at this moment."

Brady: "You don't know how you determine...Representative, you don't...and I'm not...serious, I'm not trying to make fun or point to anything. I really want to know how you make it a better system if you can't show me in the Bill how you prevent a podiatrist or a cardiologist from a procedure they have little or nothing in background on."

Lang: "Well, obviously, you know the answer."

Brady: "We don't know the answer, Sir."

Lang: "Is this not in the Bill?"

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

42nd Legislative Day

April 14, 1997

Brady: "We don't know the answer."

Lang: "Alright. I can't find it as I'm standing here now. So, I can't point that out to you. What you asked though how this will make our procedures better. It will make our procedures better because today we don't even require that any health care professional be involved in the utilization review. So that even if this Bill only said that any health care provider has to look at the bill, it would be a far better system than it is today."

Brady: "Representative, you really think that someone who might have a general knowledge of cardiac procedures, but maybe not have a doctor...be a Ph.D. would know less about that and perform better utilization review than a ophthalmologist?"

Lang: "Sir, I think that an insurance company bureaucrat would not... who generally set the...make the decisions as to how much they will pay for a certain claim, without even looking at individual cases, they just say that we're only going to pay X dollars for a certain procedure, does not always have the necessary knowledge, or any background at all, in these areas. They're basing it oftentimes in averages around the country, or other situations that don't allow for specifics."

Brady: "Representative, your point is about specific medical procedures, not about around the area. And I just don't think your Bill does what you want it to do. I'm not sure if it did what you wanted it to do, I could support it. Once again, I'm afraid that here we are, big government trying to enter the private system, tell people who are trying to provide health care cost containment in an affordable manner, greater access to the citizens of Illinois. And as I understand it, Representative, we have

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

42nd Legislative Day

April 14, 1997

a procedure for people to dispute what your trying to avoid. It's through the Department of Insurance. In fact, it's my understanding the Department of Insurance is also against this Bill. And for the reasons stated, one, that I don't think the Bill does what you want it to do. Secondly, I don't think that if it did, it would be a good way for us to move forward. I recommend a cautious vote on this issue."

Speaker Granberg: "Anything further? The Lady from Cook, Representative Mulligan. You're the last speaker, Ma'am."

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

Speaker Granberg: "Proceed."

Mulligan: "Representative Lang, is it your intention that we form a committee to take a look at how insurance entities in Illinois do utilization review?"

Lang: "If that's in the Bill, Representative, please point it out to me."

Mulligan: "I didn't see that. I was just trying to say, you're just trying to set some standard, correct?"

Lang: "Representative, the purpose of this Bill is so that policyholders in Illinois, who have health insurance policies, who have their bills reviewed by insurance companies, get a fair shake. You know and I know, and you've heard from your constituents, I'm sure as well as I have, or perhaps in your own life with your own insurance claims, you send bills into insurance companies..."

Mulligan: "Every time."

Lang: "You send bills into insurance companies, and you get back a check and it's substantially less than you expected it to be. Or they pay the doctor and the doctor sends you a balance bill for substantially more than you expected to be."

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

42nd Legislative Day

April 14, 1997

Mulligan: "Never."

Lang: "And you say, 'Whoa, what happened here? What happened? I've got a policy that says they're going to pay 80% of my bill, but they only paid 50% or 40% or 20% of my bill.' And then they do all this business about applying some other part to your deductible, which I suppose they're entitled to do. But in the end, what happens is, they find all sorts of ways to deny your claim. And Mr. Black was correct earlier, people are hired and paid on the basis of how much money they save the insurance company. Their job is to pay as little of the claim as they can. And if there's proper utilization review, that won't happen."

Mulligan: "Representative, I'm not disagreeing with you. I'm just trying to determine exactly what you're doing here. Now, it's my understanding, in looking at the Bill sitting here, that this can be a utilization review either prior to or after the service. So in other words, someone that looks at what services would be covered or tells you what's going to be covered, or someone that then reviews afterwards. And also that you're looking for someone that's given a certificate by a private entity that certifies that a company meets certain standards, correct?"

Lang: "That is correct, Representative."

Mulligan: "Alright. In discussing this, not that long ago in Washington with a group of women that were there for reasons of economic discussion, I had the opportunity to sit on a panel with a company that does this type of review. And we were discussing how you would change legislation at the federal level, and they give out points to a company who has a certain criteria for doing utilization review. Number one, if there's at least a nurse on the other end of the line. Number two, if you

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

42nd Legislative Day

April 14, 1997

have a discrepancy in your bill, or the services about to be provided that you are then put in touch with a doctor or someone that has knowledge of that procedure to give you the ultimate answer as to whether you may have that done. And as far as after that, I would also be interested because I don't think I've ever gotten a bill back where they haven't decided that the doctor that I used charged too much, and that the 80% of what they were going to offer was not, certainly, 80% of what the doctor was going to charge. And this has gone on for years. Also, Representative Klingler passed out something that I had seen once before called Modern Health Care. Just talking about what executives in HMOs particularly make and how their large salaries, in the millions of dollars, are predicated and how much money they can save at the end of the year. So I don't think this is inappropriate. I think it's a good idea. Just setting up a criteria of what companies in Illinois have to meet. And if the certificate is through an accredited private agency that does the accrediting, one that we feel is reliable and responsible and isn't biased in any way about how they're doing their review, I would certainly agree that you have a good Bill here."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall 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. On this question, 108 voting 'yes', 8 voting 'no', 1 voting 'present'. House Bill 1562, having received the Constitutional Majority, is hereby declared passed. House Bill 1428, Mr. Clerk."

Clerk Bolin: "House Bill 1428, a Bill for an Act to amend the

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

42nd Legislative Day

April 14, 1997

Illinois Insurance Code. Third Reading of this House Bill."

Speaker Granberg: "Mr. Winters."

Winters: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1428 amends the Illinois Insurance Code by providing that establishing unreasonable caps or limits on painter materials when estimating repairs, constitutes improper claims practice. It tracts with other provisions, the Unfair Claims Practice Act, promoted by the Illinois Automotive Service Association. There is no known opposition."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that question, is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this Bill, 118 voting 'yes', 0 voting 'no', 0 voting 'present'. House Bill 1428, having received the Constitutional Majority, is hereby declared passed. House Bill 1612. Read the Bill."

Clerk Rossi: "House Bill 1612, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Ronen."

Ronen: "Thank you, Speaker, Members of the House. This is a very straightforward Bill. It just changes some of the requirements that must be met when parties seek a joint simplified dissolution. It requires that the duration of the marriage does not exceed eight, rather changing it to eight from the current five, that the total fair market value of all marital property, after deducting all encumbrances, is less than 10 thousand, rather than the

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

42nd Legislative Day

April 14, 1997

current 5 thousand. I know of no opposition to this Bill.

I move 'do pass'."

Speaker Granberg: "The Lady moves for the passage of the Bill. Is anyone seeking recognition? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this Motion 116 voting 'yes', 0 voting 'no', 1 voting 'present'. House Bill 1612, having received the Constitutional Majority, is hereby declared passed. House Bill 1633. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1633, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from DuPage, Mr. Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1633 is an initiative of the Attorney General. What it does is it changes the statutory scheme by which a prosecutor is able to go after fraud in the changing nature of health care and the managed care environment today. The problem is they need statutory authority to go in the new managed care scenarios. Happy to answer any questions."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. Anyone seeking recognition? The Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Proceed, Sir."

Black: "Representative, the Amendment is been added to the Bill? Floor Amendment #1. Amendment #1, was it added to the Bill?"

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

42nd Legislative Day

April 14, 1997

Roskam: "Yes, Sir."

Black: "And that makes it... That removes any objection of the HMO Association, do you know?"

Roskam: "I'm not aware of any objection that the HMO Association has. The Hospital Association has some concerns. We've been engaging in dialogue and have agreed to move that over to the Senate."

Black: "So this Bill would not in any way be construed. I think three or four years ago, we wanted to move a pilot program in Cook County on Managed Care, Medicaid Managed Care. This wouldn't prevent or stop that, right?"

Roskam: "No. No, not at all."

Black: "Okay, thank you."

Speaker Granberg: "Anything further? No one else seeking recognition, the Gentleman moves for the passage of House Bill 1633. On that vote, all in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Erwin, 'yes'. Have all voted who wish? Mr. Clerk, take the record. On this question, 117 voting 'aye', 0 voting 'no', 1 voting 'present'. House Bill 1633, having received the Constitutional Majority, is hereby declared passed. House Bill 1751. Read the Bill, Mr. Clerk."

Clerk Boland: "House Bill 1751, a Bill for an Act relating to arts organizations and cultural institutions. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 1751 will permit, it is a permissive Bill, it will permit the State Board of Education and the Board of Higher Education to reimburse school districts, community colleges or public universities for the cost of student education and/or teacher training."

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

42nd Legislative Day

April 14, 1997

I think we all appreciate that the museums and historical sites in our state, as well as not-for-profit arts organizations, contribute a great deal to both direct education K-12, but also in terms of being an important part of our teacher training curriculum, as well as the curriculum in higher education. As I mentioned, this is a permissive piece of legislation. It does not mandate anything, but I think that anything we can do to promote the notion that the state does have a role in promoting an integrated curriculum, which will include the arts, I think is a critical one. And I would ask for your support."

Speaker Granberg: "The Lady moves for the passage of the Bill. Is there any discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "I wondered if the Lady would yield for a question?"

Speaker Granberg: "Proceed, Sir."

Stephens: "Representative Erwin, would all of the museums that are in each of our districts benefit from this piece of legislation, or just certain museums?"

Erwin: "Representative Stephens, thank you for asking that. Actually, all of the... Any museum in the State of Illinois, and actually there are 6 hundred some institutions that qualify as museums in this state. It also includes all of the historic sites in our state, all of which would qualify. The only... We're not sending up any funding formula here. And I would point out that as much as I might like it, it's not an appropriations measure. But, any cultural institution, humanities organization or arts organization that is a not-for-profit, which actually first spends the money for student education or teacher training, it would authorize a reimbursement. So it would apply to all of them throughout the state."

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

42nd Legislative Day

April 14, 1997

Stephens: "So the local historical museum in O'Fallon, for instance, as long as it is a not-for-profit and expends funds for training..."

Erwin: "Either student education, when the yellow school buses line up, I think that you probably...your institutions have the same experience that they do all over the state. Museums around the state spend an incredible amount of money helping to really expand the curriculum in our local schools. Many of them get not one red cent, Representative Stephens, in return for all that they do. We know that our teachers could never replicate the collections that these museums have at hand. And we only want to encourage their better use by having the State Board of Education think about the possibility of providing some of those reimbursements. So, yes, absolutely, that organization and institution would be eligible."

Stephens: "And the State Board of Education would only have to think about reimbursement?"

Erwin: "Well, you know, currently there is... As I mentioned, this is not a mandate. I think that I am, certainly among others, trying to promote the notion here that there are some things that outside of the classroom we have a more fulfilling experience for both students and teachers. And, I suppose that it's going to be harder for that museum in your district to continue providing these services as money gets tighter and tighter. So, while this doesn't mandate the State Board of Education to provide a reimbursement, it authorizes them to do so. And if we can get them thinking along those tracks, I think that it would certainly improve the curriculum around the state."

Stephens: "This Bill was amended on the House Floor. Am I correct in understanding that that just added, that

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

42nd Legislative Day

April 14, 1997

Amendment #1 just added humanities organizations to the not-for-profit arts, cultural museum, theater and dance organizations?"

Erwin: "That's correct. That's correct."

Stephens: "Is that right?"

Erwin: "That's correct."

Stephens: "Thank you very much."

Speaker Granberg: "The Gentleman from Kane, Representative Hoeft."

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

Speaker Granberg: "Proceed."

Hoeft: "If the State Board of Education is going to administer this program, why are they in opposition to this?"

Erwin: "Representative Hoeft, you know, although this is totally permissive, the State Board of Education said that they did not want to, and they did testify in committee, that they didn't want any increase pressured coming from anywhere. Which, while I'm certainly sympathetic, I've asked them to think about the notion that these organizations and institutions and not-for-profit arts groups provide a critical piece."

Speaker Granberg: "Excuse me, Representative. Representative, just for a moment. I believe it was indicated that this Bill was amended. Mr. Clerk, are there any Amendments pending?"

Clerk Rossi: "Floor Amendment #1 has been recommended by the Rules Committee for consideration."

Speaker Granberg: "Representative, the record indicates that Amendment was never adopted. Do we wish to move that Bill back to the Order of Second Reading? Return the Bill to Second Reading, Mr. Clerk."

Clerk Rossi: "Floor Amendment #1, offered by Representative

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

42nd Legislative Day

April 14, 1997

Erwin, has been approved for consideration."

Speaker Granberg: The Lady from Cook on Floor Amendment #1."

Erwin: "Thank you, Speaker. It simply adds the term 'and humanities organizations'."

Speaker Granberg: "Any discussion on the Amendment? Representative Hoeft, you have your light on. Did you wish to seek recognition on the Amendment? All in favor of the Amendment say 'aye'; all opposed say 'nay'. The 'ayes' have it; the Amendment is adopted. Third Reading. Representative Erwin on House Bill 1751 as amended."

Erwin: "Thank you, Speaker. In closing, I would just like to ask for your support. I think that these institutions and museums in every corner of the state provide a very valuable service to all of our students and teachers. And I ask for your support."

Speaker Granberg: "The Lady moves for the passage of the Bill as amended. All in favor shall vote 'aye'; all opposed shall 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. On this question, 111 vot...110 voting 'aye', 8 voting 'no', 0 voting 'present'. House Bill 1751, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 1705. Read the Bill."

Clerk Rossi: "House Bill 1705, a Bill for an Act amending the Uniform Interstate Family Support Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Cook, Representative Bergman, on the Bill."

Bergman: "Mr. Speaker, Members of the House, House Bill 1705 is a Department of Public Aid Bill that amends the Uniform Interstate Family Support Act. It passed the Judiciary

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

42nd Legislative Day

April 14, 1997

Civil Law Committee by a unanimous vote. It makes numerous changes in relation to reconciliation of multiple child support orders, enforcement of orders of another state, responsibility of employers regarding orders of other states, jurisdiction to modify orders of other states, and other related matters. It repeals the Revised Uniform Reciprocal Enforcement of Support Act and adds transitional provisions. I ask for your favorable support."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. Any questions? The Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Proceed, Sir."

Black: "Representative, I think you've got a pretty good Bill here, but let me make sure that I understand. This is in response to the Federal Welfare Reform Bill as signed by President Clinton. Is that correct?"

Bergman: "Yes, it is."

Black: "And, under that Bill that's going to change welfare as we know it, that President Clinton liked and signed, if we do not adopt this Bill, then Illinois will be cut off from federal money as of January 1st, 1998. Is that correct?"

Bergman: "Yes, it is. That will cost Illinois anywhere between 6 and 30 million dollars."

Black: "Well, Representative, I think you're doing your part to keep us out of trouble with the Federal Government. And, I would say, unless somebody has an external funding source, it's something we have to do. We have to be in compliance with the new Federal Reform Bill. And I think you've done a good job of crafting the Bill. And I intend to vote 'aye'."

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

42nd Legislative Day

April 14, 1997

Speaker Granberg: "Thank you, Representative. Anything further?"

The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Will the Sponsor yield?"

Speaker Granberg: "Ask him. Proceed."

Cowlshaw: "Representative Bergman, is this your first Bill?"

Bergman: "No, it isn't."

Cowlshaw: "Well, what was your first Bill?"

Bergman: "(House Bill) 1223 passed earlier today."

Cowlshaw: "Well, Representative, there's a certain tradition here. And somehow your first Bill we missed. Now, that may have been that you're smarter than the rest of us, or that we were all somewhat burdened by the hours we have to keep at this time of the year. In any event, would you mind if we regarded this as your first Bill?"

Bergman: "Of course, I wouldn't mind."

Cowlshaw: "Fine. Well, Ladies and Gentlemen, this is Representative Bergman's, more or less, first Bill. And I think we should regard it as such. And, thank you, Representative Bergman, for your honesty about all this."

Speaker Granberg: "The Gentleman moves for the passage of House Bill 1705. On that, all in favor shall vote 'aye'; all opposed shall 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. On this question, 118 voting 'yes', 0 voting 'no' and 0 voting 'present'. House Bill 1705, having received the Constitutional Majority, is hereby declared passed. House Bill 1753. Read the Bill."

Clerk Rossi: "House Bill 1753, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of this House Bill."

Speaker Granberg: "The Lady from St. Clair, Representative

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

42nd Legislative Day

April 14, 1997

Younge."

Younge: "Thank you, Mr. Speaker. This Bill also is about the Welfare Reform Act. It is my effort to involve the Department of Human Rights to monitor the placement in private gainful employment to the extent possible of former welfare recipients. And, the core of the Bill, the heart of the Bill, is to have the Human Rights Department monitor and make recommendations to the Governor and the General Assembly concerning the state's compliance with the work activity. The Welfare Reform Act has some very specific guidelines as to the work requirements. Requiring, as for example, in 1997 that 25% of the former aid recipients be placed in work activity, and by 2002, up to 50%. I think in order to make sure that this is done, the Department of Human Rights can help monitor this and make reports to the General Assembly. And I think that this will run much more smoothly. I think that the goal of people caring for themselves and taking care of themselves will be able to happen much more smoothly. And I move for the passage of this Bill."

Speaker Granberg: "The Lady moves for the passage of the Bill. On that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Proceed, Sir."

Black: "Representative, our notes indicate that the Department of Human Rights, under current law, must meet with every agency head, at least annually, but whenever necessary to review equal employment opportunity plans and progress, performance and problems. Is that your understanding?"

Younge: "Yes, that is my understanding. This Bill adds that the

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

42nd Legislative Day

April 14, 1997

Department of Human Rights will monitor the state agency's employment practices, and then report back to the General Assembly. I think that this is the part that is missing. Not only that it does meet, but there be a report back to the General Assembly, that is the intent. And also, since the Department of Human Services has been given such extraordinary responsibilities under the Welfare Reform Act, and because there will be sanctions or punishments if the goals are not met, I think that it's very important that there be a report back to the General Assembly."

Black: "Well, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. As always, Representative Younge works very, very hard on legislation. I don't think anybody in this Chamber works any harder than she does. But I would like to explain why the Department of Human Rights is opposed to this Bill. Under the new Federal Welfare Reform Act, the Department of Human Rights feels that they do not have the expertise, nor staff, to be the agency that monitors these guidelines. In fact, under the new Federal Welfare Reform Act assigned by President Clinton, the state will lose federal funding if these goals are not met. Now, the Auditor General will conduct compliance audits of state agencies every two years. But, what the department is saying, is that oversight is already provided within the federal budget process under the new Federal Welfare Reform Act. It's no longer whether you want to, or whether you've tried. If you don't meet the Federal Welfare Reform Act guidelines on your affirmative action on hiring procedures, you're going to lose that federal money. So, the Department of Human Rights stands, not in opposition on a theoretical basis, but simply saying they are not the agency to do this. They

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

42nd Legislative Day

April 14, 1997

feel the Auditor General is much better prepared to do compliance audits. And it's for that reason that I stand in opposition to the Bill."

Speaker Granberg: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to speak against this Bill for another similar type reason. Last year at the invitation of Director Rose Mary Bombela, I went to their office in the State of Illinois Center, now the Thompson Center in Chicago. And I want to tell you the conditions that they work in daily. They are extremely overcrowded. There is a continual stream of people seeking to meet with the people that work there, filling out questionnaires, filing grievances. And to have them stop any of those important individual matters to focus on a new governmental bureaucratic oversight responsibility without additional funding, without additional space needs fulfilled, and without the support of the department being asked to do it, I think is asking too much from this area of state government at this time. A noble cause, a noble goal, but I don't think the right thing to do at this time in state government. Therefore, I would ask for a 'no' vote."

Speaker Granberg: "Thank you. I'm glad to see you and Mr. Black are in agreement. The Lady from St. Clair moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall 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. On this question, 55 voting 'aye', 60 voting 'no'. The Lady from St. Clair..."

Younge: "Postponed Consideration."

Speaker Granberg: "... asks for Postponed Consideration. She is

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

42nd Legislative Day

April 14, 1997

within her rights. Postponed Consideration. Mr. Clerk, Committee Report."

Clerk Rossi: "Representative Currie, Chairman from the Committee on Rules, to which the following Amendments were referred, action taken on April 14, 1997, reported the same back with the following recommendation: 'be adopted' Floor Amendment #3 to House Bill 63, Floor Amendment #1 to House Bill 228, Floor Amendment #1 to House Bill 296, Floor Amendment #3 to House Bill 601, Floor Amendment #1 to House Bill 655, Floor Amendment #1 to House Bill 864, Floor Amendment #3 to House Bill 865, Floor Amendment #1 to House Bill 1041, Floor Amendment #2 to House Bill 1188, and Floor Amendments 3 and 4 to House Bill 4333...1433."

Speaker Granberg: "House Bill 2050. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2050, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from McHenry, Representative Skinner."

Skinner: "Mr. Speaker and Members of the General Assembly, this is a Shell Bill, but it has an attitude. It's a Shell Bill which has a serious intention, which I am willing to reveal. In fact, if you read the Bill that's the intention. The Department of Public Aid... That is, the original Bill. The Department of Public Aid has been collecting child support since the mid '80's, and I don't think has done an adequate job. I can best indicate why I think so by suggesting, if you got a call from a bureaucrat at the Department of Public Aid saying, you owe child support. What would you say? Now, compare that with what you would say if you got a call from someone from the Attorney General's Office in Illinois. It sounds more important. So, this is a Bill which is subject to

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

42nd Legislative Day

April 14, 1997

negotiations, which are going on right now, which I hope will end up giving us better child support."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that, the Gentleman from Cook, Representative Lang."

Lang: "Well, I'll make it simple. I'm going to vote against this for two reasons. First of all, I don't really want this Shell Bill to go to the Senate. Second, I have a package of debt collection Bills, all debt collection, that are going to simplify this procedure, centralize it, and put us in a position where we can collect all the money, all the \$6 billion due and owing the state, including child support. So I would recommend 'no' or 'present' votes."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall 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. On this question, 85...83 voting 'yes', 29 voting 'no', 6 voting 'present'. House Bill 2050, having received the Constitutional Majority, is hereby declared passed. House Bill 1765. Read the Bill."

Clerk Rossi: "House Bill 1765, a Bill for an Act amending the Election Code. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Cook, Representative Giles."

Giles: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1765 is a Shell Bill, once again, until we can come together with some agreed language about various things of election reform. We will send something... have a vehicle over in the next Chamber. I ask for your passage of this Bill."

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

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

42nd Legislative Day

April 14, 1997

Bill. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I simply rise to revise and extend the remarks of my good friend and colleague from the County of Cook, the City of Skokie, why do we want a Vehicle Bill to go over there the Senate can fool with it? Ha ha. We're on to you. Vote 'no'."

Speaker Granberg: "Anything further? The Gentleman from Jackson, Representative Bost."

Bost: "Yes, Mr. Speaker, will the Sponsor yield?"

Speaker Granberg: "Indicates he will."

Bost: "Representative Giles, I just need to know, does this Shell Bill also have an attitude?"

Giles: "It has quite an attitude. As a matter of fact..."

Bost: "I just figure if we're going to send one with an attitude, we need to send two."

Giles: "It's a little hip, too."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall 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. On this question, 64 voting 'yes', 49 voting 'no', 4 voting 'present'. House Bill 1765, having received the Constitutional Majority, is hereby declared passed. House Bill 2146. Read the Bill."

Clerk Rossi: "House Bill 2146, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Krause."

Krause: "Thank you, Mr. Speaker. I present House Bill 2146, which permits juvenile police officers to appoint a youth peer jury, which would assign public or community service

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

42nd Legislative Day

April 14, 1997

to a minor who committed any act constituting an offense that is not a crime of violence. This would amend the Juvenile Court Act. And the juvenile police officer can appoint a youth jury consisting of at least six persons, and not more than 12 under 18 years of age, and they assign public or community service to be formed by the minor. And there was no opposition to this legislation."

Speaker Granberg: "The Lady from Cook moves for the passage of the Bill. On that question, is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall vote 'no'. The voting is open. Have all voted who wish? Vote Representative Zickus 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question, 118 voting 'aye', 0 voting 'no', 0 voting 'present'. House Bill 2146, having received the Constitutional Majority, is hereby declared passed. House Bill 1785. Read the Bill."

Clerk Rossi: "House Bill 1785, a Bill for an Act concerning employment. Third Reading of this House Bill."

Speaker Granberg: "The Lady from Cook, Representative Davis."

Davis, M.: "Mr. Speaker, House Bill 1785 creates the Welfare to Work Act, which places qualified welfare recipients in state jobs or jobs contracted out by the state. Provides that state agencies shall provide the Department of Public Aid or the Department of Human Services as its successor agency, a job announcement simultaneously with posting its position or putting a position out for hire by contract, except for those positions subject to recall by laid off employees, or those otherwise exempt. The department shall review positions, make eligibility determinations, recruit and screen potential employees, and refer aid recipients to apply for positions listed on the announcement. Employers

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

42nd Legislative Day

April 14, 1997

shall make all employment decisions based on merit. Mr. Speaker, with leave of the Body, I defer questions to Representative Scott."

Speaker Granberg: "The Lady moves for passage of the Bill. On that, is there any discussion? There being no one... The Gentleman from Livingston, Representative Rutherford."

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

Speaker Granberg: "Proceed, Sir."

Rutherford: "Representative... Where is she?"

Speaker Granberg: "Representative Rutherford, Representative Scott will be handling the questions. Leave was given to Representative Scott."

Rutherford: "No further questions. Representative Scott, why are you answering the questions?"

Scott: "Because I want to."

Rutherford: "Are you one of the Sponsors? You are one of the Sponsors. Is there particular..."

Scott: "Yes. Unless you'd prefer to have Representative Black answer the questions."

Rutherford: "No, I'm just curious why you were going to answer the questions. Are there any good questions you'd like to have asked?"

Scott: "Not particularly."

Rutherford: "No further questions."

Speaker Granberg: "The Lady from Cook, Representative Mulligan."

Mulligan: "Representative Scott, isn't this true that this is the only jobs Bill that there is relating to looking for jobs for people on welfare this Session?"

Scott: "As far as I know, it is."

Mulligan: "So, with welfare reform very imminent, we have no jobs programs. Correct?"

Scott: "Well, I think that's why this Bill is so important,

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

42nd Legislative Day

April 14, 1997

Representative. We've got 130 thousand families who are going to have to make the transition from welfare to work based not only on what the Federal Government passed, but what we passed two years ago. And it's up to us, I believe, to step up to the plate and be one of those employers, or one of those people that contracts out for employment, to say that we want to make a concerted effort toward hiring people who are making that transition. And this Bill allows us to do that without displacing any other workers and without putting people in make-work jobs, putting them in real jobs that are going to pay good wages and probably benefits in most cases."

Mulligan: "All right. It's definitely, it is not this Bill's intention to displace any state workers or create another class of unemployed or working poor. Correct?"

Scott: "That's absolutely correct. And I think that's what makes this Bill so commendable. And I want to commend Representative Davis for bringing it to us. I think this is a Bill that will allow us to take, for jobs that are created, either through vacancies that occur with the state or through jobs that are contracted out, 5% of those jobs have to be set aside for people who are making the transition from welfare to work. They have to be qualified. The department has to qualify these people as being able to perform the task. And the jobs have to be those which those particular individuals can do. If they can't, if there aren't enough recipients to be able to fill those positions, there can be an exemption under this Bill."

Mulligan: "All right. So, in other words, state employees do not have to fear this Bill as a Bill that would replace them?"

Scott: "Absolutely."

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

42nd Legislative Day

April 14, 1997

Mulligan: "And I know that was discussed in committee. I do think that since we have no apparent jobs programs, it's very important, as you can see by the bipartisan sponsorship, and if people will pull out and see there are a lot of Sponsors on this Bill. But this is one of the better low cost ideas of working to find jobs for people that are coming off of welfare."

Scott: "Well, actually, there is no cost at all because it's work that we're going to do. And all we're saying is that a portion of that work has to be performed by qualified individuals who are making the transition from welfare to work. So, it's a no cost item. And, hopefully, with the other pieces of welfare reform, such as day care and transportation, and the other things that are necessary, we'll be able to find some of the same low cost innovative ways to do this."

Mulligan: "Thank you. I urge people to give this an 'aye' vote."

Speaker Granberg: "Does anyone wish to rise in opposition to the Bill? Anyone rise in opposition to the Bill? Anyone in opposition? The Gentleman from Logan, Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. I don't know if I'm in opposition or not. I don't quite understand it yet. To whom does the Bill give preference to, Representative Scott?"

Scott: "I don't know if preference is the right word, Representative. What the Bill does is says that on any contract where the state is contracting out and the amount of the contract is \$250 thousand or more, or \$100 thousand or more on a subcontract, or for state jobs that become open after the passage of this Bill, that people who are making the transition from welfare to work, current aid

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

42nd Legislative Day

April 14, 1997

recipients. There's a whole list of definitions of people that qualify. Current aid recipients, people who are married to someone who's a father of a dependent who's receiving aid, and there are a number of other things that are set out in the Bill. Those are the people for whom this Bill is designed."

Turner, J.: "Would this be similar to like the veterans preference, except for not for veterans obviously, but..."

Scott: "No, it's different. You mean veterans preference in terms of police and fire hiring and those kinds of things?"

Turner, J.: "Well, we have a veterans preference for hiring in the state for certain positions. Would this replace the preference that we currently have for veterans under existing law?"

Scott: "No. This is subordinate to any other preference systems that exist in the law right now."

Turner, J.: "Well, does it establish a new set of preferences after we do the veterans preference?"

Scott: "Again, I think I'm... the only thing I'm quarreling with is the word 'preference'. Because that's not really what we're talking about. What we're saying is, that for the state as a major employer, and as someone who's enacted this Welfare to Work Reform, along with the Federal Government, on those particular jobs, we're either going to hire, or those jobs where we're going to contract out for it to be hired, that we need to be able to put people into those positions who are qualified, who are also making the transition off of welfare. Because we know they're out there right now. So, again, I don't think we're disagreeing on anything, other than I'm not sure that the word 'preference' is the right thing to use. And it certainly doesn't say that in terms of the Bill. That

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

42nd Legislative Day

April 14, 1997

word's not used in here."

Turner, J.: "Could you give me an example of how it would work in practice? Say, if there were an opening with the Department of Transportation on the highway."

Scott: "Department of Transportation would have to submit that job opening to the Department of, I believe it's to the Department of Public Aid. The Department of Public Aid would then determine whether or not there are any qualified recipients who are eligible for that position. And then if there are, that person would be able to be hired into that position."

Turner, J.: "How are you defining qualified, Representative Scott?"

Scott: "That's defined in the Bill. There's a whole list of criteria that you could meet to be part of that Bill. You're receiving aid now, you're married to a person who's the father of a child who's receiving aid under Child Assistance Act. And there's several other definitions. I can pull those out for you specifically, if you want them."

Turner, J.: "No, you don't have to do that. I just want to make sure I understand what the Bill does. If there is then a vacancy, or an opening, and someone applies who would be qualified under your Act, would this law, or this legislation if passed and if it becomes law, would it require then that the Department of Transportation, under my example, hire that person?"

Scott: "Not unless they're qualified for it."

Turner, J.: "Assuming they are qualified."

Scott: "Yes."

Turner, J.: "Is there any opposition to this measure?"

Scott: "You know, I don't have any in my analysis. Perhaps, if you have some in yours, you can tell us. But, I've had

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

42nd Legislative Day

April 14, 1997

nobody contact, and the Sponsor's had no one contact her that's in opposition to it."

Turner, J.: "Our analysis does show the Department of Public Aid and the Department of Transportation are in opposition. Do you know whether or not that's correct?"

Scott: "No, I don't."

Turner, J.: "All right. I gave you an example, if DOT had an opening. To what other agencies does it apply? Or does it apply to all governmental jobs that might become available?"

Scott: "I'm sorry, Representative, that was my fault. Could you repeat that question, please?"

Turner, J.: "In my example, we used the Department of Transportation. Does it apply to all governmental jobs at any level?"

Scott: "It applies to state departments. It also applies to jobs for which the state is contracting out. In amounts over 250 thousand or a 100 thousand on a subcontract."

Turner, J.: "How about their testing requirements?"

Scott: "I'm sorry."

Turner, J.: "How about, if there are...you know, there are certain positions for the state to work. You have to take the exam, the test, and usually get an A grade. Does that apply?"

Scott: "Yes. Nothing changes the qualifications. And, I think that's really important to point out. Nothing would make...under this would make a person who isn't otherwise qualified for the job, suddenly qualified. We're talking about qualified people who are receiving the assistance. If there's nobody who's a qualified recipient under this particular Bill, who meets the qualifications of the department, or of the contract that's being sought, they

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

42nd Legislative Day

April 14, 1997

get an exemption under this particular Bill. So that they wouldn't have to hire, obviously we don't want people to have to hire individuals who aren't qualified for the work that's contemplated."

Turner, J.: "Thank you, Mr. Speaker. No further questions."

Speaker Granberg: "Thank you, Mr. Turner. The Gentleman from Bureau, Representative Mautino. Do you rise in opposition?"

Mautino: "Don't know. A couple questions, though."

Speaker Granberg: "Proceed."

Mautino: "Representative, we did a... we had a Bill a few years back, which had some similar provisions, I wanted to ask you about. On this 5% set aside, would this apply to the IDOT contracts that are out?"

Scott: "Yes."

Mautino: "Okay. So, in the local labor contracts, are there any requirements on that, as far as the bidding of jobs by local labor? How would that work in the hall? I guess my concern on the last Bill that we did, and this was a couple of years back, is that I was going to be going into the halls where, and in my area our EEOC number is higher than our population for it. So we end up having people sit in the halls while we have to go outside of our areas to fill these jobs. Now, am I going to be walking into a labor hall on Monday and say, I have helped to move people from welfare, but I gave them your jobs to do it. That was a problem with a prior Bill on these set asides."

Scott: "The requirements under this particular Bill, Frank, are that they have to have 5% of the hours worked on the contract have to be by qualified individuals who are making the transition, unless those people aren't existing in the areas where they need to work. So a contractor who's going

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

42nd Legislative Day

April 14, 1997

to bid a contract is going to have to certify either one of two things, that they're going to set aside 5% of the hours to be worked under the contract for people who are qualified under this Bill, or that those people don't exist in their particular area that are qualified to do the work. And, in those cases then, what's going to end up happening is they're going to apply for an exemption. And if that's true, then they'll get the exemption. In many cases what we're talking about, in fact, in the vast majority of cases, we're talking about what we would normally consider to be unskilled labor, what would be happening here under this particular Bill. Half the people that would qualify under this, roughly have, might have a GED, might have a high school diploma. Not a lot of them have skills, in terms of some of the building trades kinds of skills that you might need under these contracts. It also allows these folks, the contractors to be able to use apprenticeship programs and training programs to be able to qualify under the Act, too. So, if they want to say, look, these people don't exist, but we want to try to meet a requirement by trying to train some people so that when future contracts come up, there are enough people to do that. They can meet that as well."

Mautino: "So, then given that situation, I know that had been a concern with the contractors that were out there. Because, normally in, even in the building trades, your highest accidents, which drive your work comp. costs, occur in the first week of work. Have they signed off on this Bill?"

Scott: "I'm sorry, Frank. Would you one more time?"

Mautino: "Contractors signed off on this Bill? Are they... Do they have a position?"

Scott: "There are no slips on it from the... The opposition was

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

42nd Legislative Day

April 14, 1997

as you heard it from the two departments. And, as far as we know, with respect to the AFL-CIO, they didn't slip it in committee. And, I looked on their position sheet on all the Bills that are in front of us and it's not on there, so."

Mautino: "So, there's nothing on...from the contractors' side or from organized labor? No position?"

Scott: "Apparently is, it's been represented by staff and also by analysis from the other side."

Mautino: "Thank you."

Scott: "Thank you."

Speaker Granberg: "The Gentleman from Cook, Representative Durkin, for a question."

Durkin: "Questions. Representative Scott, first of all, how does this differ from Earn Fair? That question may have been asked, but I didn't... If it was, I didn't quite hear it. Is there a difference between this and what currently is in place with the Earn Fair program?"

Scott: "Well, yeah, I think there are quite a few differences. The major difference here is that you're talking about jobs that we're going to hire out anyway. They're either our jobs as a state agency, or they're jobs for contractors that we're hiring out. And it's a set aside for people who qualify under this qualified workers. That's, I mean, as you know, that's a lot different concept than Earn Fair."

Durkin: "Okay. One more question. Let me pose this hypothetical to you. You have an existing contract with a road builder, Representative, you know to negotiate a large scale construction contract to like redo one of the major interstates or a large road in Illinois. That could take a number of years between the time the contract is consummated before land is broken. Will this Bill

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

42nd Legislative Day

April 14, 1997

retroactively apply to contracts which are in existence, but there has actually been no ground broken, or even where jobs are just starting? Is it going to require the state to have to go back and under these qualifications, if this Bill is passed into law, to open up the bidding process for these corporations or these private entities to bring out individuals who are part of the welfare system?"

Scott: "That's a good question, Jim. But there's nothing in here that I see that would make this retroactive to any contract that hasn't been let yet."

Speaker Granberg: "Anything further? The Gentleman moves... The Lady moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Lopez, 'yes'. Have all voted who wish? Mr. Clerk, take the record. On this question, 84 voting 'aye', 32 voting 'nay', 0 voting 'present'. House Bill 1785, having received a Constitutional Majority, is hereby declared passed. House Bill 2209. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2209, a Bill for an Act amending the Joliet Arsenal Development Authority Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Livingston."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2209, as amended, would take and remove the Authority's power to issue moral obligation bonds, which very simply says, it will take the state's obligation out from that. And this is, by the way, for the Joliet Arsenal Development Authority. It would also remove the authority for the Governor to appoint members to the Authority, leaving that authority vested with the county to do that. This is agreed upon language between the

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

42nd Legislative Day

April 14, 1997

Governor's Office and through the Joliet Arsenal Development Authority. I'd be glad to answer any questions."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. On that, is there any discussion? No one seeking recognition, all in favor shall vote 'aye'; all opposed shall 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. On this question, 115 voting 'yes', 0 voting 'no', 1 voting 'present'. House Bill 2209, having received the Constitutional Majority, is hereby declared passed. House Bill 2209. Read the Bill, Mr. Clerk. (House Bill) 1640."

Clerk Rossi: "House Bill 1640, a Bill for an Act relating to the affairs of school districts. Third Reading of this House Bill."

Speaker Granberg: "Leave for the Lady from Cook to represent the Bill for Representative Stroger? Leave being granted, the Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill is a major initiative of the Chicago Board of Education. It is Paul Dallas' highest priority. What the Bill would do would be to free up money that is no longer needed by the School Finance Authority to pay off old debt for the purpose of rehabilitation and maintenance of the crumbling buildings of the Chicago public school system. I would be happy to answer your question. I know that many of you are concerned about school construction issues in your districts. The fact is that the School Finance Authority has paid off some of its bonds. And the difference between what they need for their own debt service and what would otherwise have been available would be a major help to the

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

42nd Legislative Day

April 14, 1997

Chicago Board of Education as it tries to confront leaking roofs and faulty plumbing. So, I'd be happy to answer your questions and would appreciate your support for this measure."

Speaker Granberg: "The Lady moves for the passage of the Bill. On that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "Proceed, Sir."

Black: "Representative, I don't think we have a problem with this, but let me make sure that we're clear on a couple of points. This only affects the City of Chicago school district?"

Currie: "Correct."

Black: "And how are you proposing that they retire the bonds that they might issue? Is a local tax that would be issued?"

Currie: "It is a local tax, currently, under the purview of the Chicago School Finance Authority. The point of the Bill is to say that as debt incurred by the School Finance Authority is retired, the tax ability shall be given to the Chicago Board of Education in order to fund critically needed rehabilitation and maintenance programs."

Black: "So these bonds would be the full faith and credit and responsibility of the Chicago School Finance Authority."

Currie: "The school... Exactly. The school... The Oversight Authority had access for its purposes to local property taxes. And it is those that are at stake in this measure to the extent that they've paid off their debt, then these revenues would be available for this critically important purpose."

Black: "And this measure is endorsed by the Chicago School Reform

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

42nd Legislative Day

April 14, 1997

Board and Mr. Vallas?"

Currie: "Absolutely. Paul Vallas, Gary Cheeko, this is their highest priority."

Black: "Thank you very much, Representative. I appreciate your forthright answers. Mr. Speaker, to the Bill."

Speaker Granberg: "Proceed."

Black: "Those of us who voted for Chicago school reform, this continues that process. It is very important that we give the City of Chicago and their Reform Board, and I think, by the way, and I think many of my colleagues would agree, they have done an outstanding job. Let's let them continue by issuing these bonds, if necessary. It becomes the responsibility of the Chicago schools, not the State of Illinois, not downstate districts. This simply continues the Chicago school reform process that we are in favor of on my side of the aisle and that we think, and we congratulate Mayor Daley on what he's done, we think it's working. And these will be additional tools to let it continue to work. Vote 'aye'."

Speaker Granberg: "Thank you. Anything further? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Will the Sponsor yield?"

Speaker Granberg: "Proceed, Ma'am."

Cowlshaw: "Representative Currie, do you know what the position on this Bill may be by Koldyke?"

Currie: "I believe... My recollection, Representative, is that he is a supporter of this Bill. Let me just check the file to see if I can confirm that. I don't have notes on that, Representative, but I'm quite sure, from early conversation some months ago with Paul Vallas that the School Finance Authority is fully in support."

Cowlshaw: "Thank you. I believe Martin Koldyke is still the

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

42nd Legislative Day

April 14, 1997

Chairman of the School..."

Currie: "He is. Mr. Koldyke is the head of that Authority. And, my recollection, and this is based on a conversation several months ago, but my recollection is that Mr. Koldyke and the other members of that group were in strong support."

Cowlshaw: "Thank you, Representative. I think you're right. But, like you, I have not discussed this with Mr. Koldyke or with Mr. Vallas for quite some time. And I thought, perhaps, you could just verify. But I can't imagine that Paul Vallas would be doing this without the accord of the School Finance Authority. I stand in strong support of this measure. Like those who have spoken before me, I believe that the Chicago Reform Board is doing an absolutely magnificent job. And I think that whatever they need to enable them to do that job in the way that they have already begun so ably, we certainly ought to support, everybody in this Chamber ought to vote for this Bill."

Speaker Granberg: "Thank you, Representative. The Gentleman from McHenry, Representative Skinner."

Skinner: "Would the Lady answer a couple of questions, please?"

Speaker Granberg: "Proceed, Sir."

Skinner: "Would you define in dollars what the debt service extension base is? How many hundred million dollars?"

Currie: "I don't find that exact figure in my notes. It's my understanding that as the...that essentially what we're looking for is using the dollars that are no longer required to pay off old debt service from the Chicago School Finance Authority."

Skinner: "Yeah, I understand theoretically. I'm just trying to get it down into cold hard dollars. This sounds a lot like Senate Bill 368, which nobody had an idea how much would

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

42nd Legislative Day

April 14, 1997

cost. And over the first two years, it's already cost...
Let's see, 800..."

Currie: "Well, It's pretty clear... It's pretty clear we're talking about 1.2 billion in aggregate outstanding bonds. And, what I cannot tell from the notes in the folder I have how that compares with what they originally had. But as I say, my understanding is that as the old bonds, the bonds that were already outstanding are paid off, then that revenue stream would be available for this critical construction project."

Skinner: "That's the same theory that Chapman and Cutler used on this House Floor to sell Senate Bill 368, which so far has resulted in the obligation of taxpayers in the six county area to taxes amounting to 868 million, actually more than \$868 million. So, is this going to be \$2 billion that will eventually be heaped onto the Chicago school...Chicago property taxpayers' shoulders?"

Currie: "We're talking 1.2... 1.2 billion, but I believe that is already authorized revenue for the School Finance Authority. The issue here is to make sure that some of the money that is not used to pay off FFA debt can be used to rebuild our schools. Our schools are crumbling."

Skinner: "It's basically a revolving credit card you're asking for. The answer is yes."

Currie: "Well, it's actually moving from one agency purpose to another agency purpose. And as the Finance Authority is paying off its bonds, as I say, the construction needs in the City of Chicago are paramount."

Skinner: "Well, Representative, I'm sure this is going to pass. I'm sure nobody in Chicago really cares that their property tax bill will be going down if this didn't pass. And I sure wish I knew what the amount was. And I'm sure about a

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

42nd Legislative Day

April 14, 1997

year from now, I will find out and so will everybody else.

Thank you."

Speaker Granberg: "The Lady moves for the passage of the Bill. All in favor shall vote 'aye'; all opposed shall vote 'nay'. The voting is open. Have all voted who wish? Black, 'aye'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 94 voting 'yes', 23 voting 'no', 0 voting 'present'. House Bill 1640, having received the Constitutional Majority, is hereby declared passed. House Bill 994. Read the Bill, Mr. Clerk. Ladies and Gentlemen, we're going to do House Bill 994; then we're going to do Seconds and Thirds. We'll move Second Bills to Third Reading, recall Thirds to Second. Read the Bill."

Clerk Rossi: "House Bill 994, a Bill for an Act to amend the Downstate Public Transportation Act. Third Reading of this House Bill."

Speaker Granberg: "The Gentleman from Madison."

Stephens: "Thank you, Mr. Speaker. This Bill amends the Downstate Public Transportation Act to provide that funding for eligible operating expenses may exceed the 10% increase maximum establish for the preceding year for the downstate public transit districts that are expanding a transportation district. I move its favorable passage."

Speaker Granberg: "The Gentleman moves for the passage of the Bill. No one seeking recognition, 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. On this question, 117 voting 'aye', 0 voting 'nay', 0 voting 'present'. House Bill 994, having received the Constitutional Majority, is hereby declared passed. On the Order of House

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

42nd Legislative Day

April 14, 1997

Bills Second Reading appears House Bill 601. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 601, a Bill for an Act in relation to taxation of auto leases. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Andrea Moore, has been approved for consideration."

Speaker Granberg: "The Lady from Lake, Representative Moore."

Moore, A.: "Representative, there should be a Floor Amendment #1 and a Floor Amendment #3."

Speaker Granberg: "Representative, the Clerk indicates there are Floor Amendments 2 and 3. Both have been approved for consideration, 2 and 3. Floor Amendment #1 has remained in Rules Committee."

Moore, A.: "Thank you very much. Floor Amendment #3 is a technical Amendment that amends Floor Amendment #2, that becomes the Bill."

Speaker Granberg: "Representative... Representative... Representative, we're on Floor Amendment #2. Do you not wish to deal with Floor Amendment #2? Do you wish to withdraw it, or do you wish to adopt it?"

Moore, A.: "No. I wish to adopt it."

Speaker Granberg: "The Lady moves to... Could you briefly explain it?"

Moore, A.: "Yes, thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Illinois is one of only four states that continues to collect sales tax on the up front... up front on the entire purchase price of a vehicle. Amendment #2 reduces the tax on the purchase price to 1.25%, which removes the objections that the municipalities had so that money will be distributed to the municipalities and local government. The remaining 5% is

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

42nd Legislative Day

April 14, 1997

switched over to the monthly gross receipts for the term of the lease. In addition, the double taxation that currently exists when an owner purchases a lease vehicle will be removed. This change will result in significantly lower lease payments for people across the State of Illinois. And I'd be happy to answer any questions."

Speaker Granberg: "The Lady moves for the adoption of Floor Amendment #2. On that, is there any discussion? No one seeking recognition, all in favor say 'aye'; opposed say 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Andrea Moore."

Speaker Granberg: "The Lady from Lake."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #3 provides for technical changes to change... to perfect the distribution in Amendment #2. And it also allows for a collection of a fee for the distribution fund and replaces a section that was inadvertently omitted from Amendment #2. I would request its adoption."

Speaker Granberg: "The Lady moves for the adoption of Amendment #3 to House Bill 601. The Gentleman from Vermilion... withdraws. Is there any discussion? All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it; the Amendment is adopted. Third Read... Any further Amendments?"

Clerk Rossi: "No further Amendments. A Fiscal Note has been requested on the Bill, as amended, and that Note has not been filed."

Speaker Granberg: "Representative Moore, we have to... You'll have to keep the Bill on Second Reading till the Fiscal Note is complied with, or you have the person who requested

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

42nd Legislative Day

April 14, 1997

the Note to withdraw it."

Moore, A.: "Thank you. We hope to be getting that momentarily."

Speaker Granberg: "Thank you. House Bill 1123. Read the Bill."

Clerk Rossi: "House Bill 1123, a Bill for an Act in relation to compensation for State's attorneys. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Cross, has been approved for consideration."

Speaker Granberg: "The Gentleman from Kendall, Representative Cross, on State's attorneys pay raises."

Cross: "Thank you, Mr. Speaker. Floor Amendment #2 is some cleanup suggested by the State's Attorneys Association. I don't know of any opposition to it. It came out of Rules straight to the House Floor. I'd appreciate a 'yes' vote."

Speaker Granberg: "Certainly. Any discussion? The Gentleman moves for the adoption. All in favor say 'aye'. The Gentleman from Vermilion, Representative Black."

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

Speaker Granberg: "He indicates he will not."

Black: "I don't blame him. Maybe he could just nod his head. There's something in here about a 66% pay raise. Or am I misreading that?"

Cross: "That's what we would call a misreading of the Bill, Representative."

Black: "Well, what does the 66% have to do with?"

Cross: "That deals with the county's share versus the state's share of what we pay. And just for clarification, it doesn't have anything to do with the Amendment, but since 1988, the state has been taking care of all the raises that have gone to the State's attorneys. The county's share has stayed the same since that time."

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

42nd Legislative Day

April 14, 1997

Black: "Mr. Speaker, he's not addressing the Amendment."

Speaker Granberg: "To the Amendment... To the Amendment, Representative Cross. You're chastised."

Black: "The Amendment says, 'The state shall furnish 66 2/3rds going back to 1988'?"

Cross: "That's for purpose of the point of the cleanup. Yes."

Black: "And then 100%..."

Cross: "Since '88."

Black: "But then 100% after December 31 of 1998."

Cross: "When and if there are pay raises subsequent to '98."

Black: "Oh, if?"

Cross: "It's definite, if."

Black: "Okay."

Cross: "Because they become part of the compensation review package or board."

Black: "So, this, in effect, just simply clarifying what we're supposed to do already."

Cross: "Yes."

Black: "All right. I see. Well, you just didn't explain it very well in the beginning. But now I understand."

Cross: "Wait till I try to do the Bill."

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

Speaker Granberg: "The Gentleman moves for the adoption of Floor Amendment #2. All in favor shall say 'aye'; all opposed shall say 'nay'. The 'ayes' have it; the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Granberg: "Third Reading. House Bill 655. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 655, a Bill for an Act to amend the Illinois Occupational Therapy Practice Act. Third... Second Reading of this House Bill. No Committee

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

42nd Legislative Day

April 14, 1997

Amendments. Floor Amendment #1, offered by Representative Smith, has been approved for consideration."

Speaker Granberg: "Mr. Clerk, check the board. Thank you, Mr. Clerk. Mr. Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I offer Floor Amendment #1, which addresses some problems that have been brought to my attention since this Bill was heard in the committee. This would clarify the times in which a temporary license may be extended for occupational therapists. This addresses problems of the Occupational Therapists Association and of the Department of Professional Regulation and removes all opposition to the Bill. And I would move for the passage of the Amendment."

Speaker Granberg: "The Gentleman moves for the adoption of Floor Amendment #1. Any discussion? All in favor say 'aye'; 'nay'. The 'ayes' have it; the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Granberg: "Third Reading. House Bill 1202. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1202, 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 Kenner, has been approved for consideration."

Speaker Granberg: "The Gentleman from Cook, Representative Kenner, on the Amendment."

Kenner: "Thank you, Mr. Speaker. The Amendment to House Bill 1202 basically provides for technical changes within the original Bill. I would ask for your consideration."

Speaker Granberg: "The Gentleman moves for the adoption of the

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

42nd Legislative Day

April 14, 1997

Amendment. Is there any discussion? No one seeking recognition, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it; the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Granberg: "Third Reading. House Bill 1587. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1587, a Bill for an Act to amend the Department of Human Services Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Pugh, has been approved for consideration."

Speaker Granberg: "The Gentleman from Cook, Representative Pugh, on the Amendment."

Pugh: "Thank you, Mr. Speaker. The Amendment merely changes the number of members that will make up the Welfare Reform Committee from 5 to 18 to include members of various departments and members from the community to participate. I'm prepared to answer any questions."

Speaker Granberg: "The Gentleman moves for the adoption of the Amendment. All in favor shall say 'aye'; all opposed say 'nay'. The 'ayes' have it; the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Granberg: "Third Reading. House Bill 1207. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1207, a Bill for an Act to amend the Vehicle Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Granberg: "Third Reading. House Bill 1227. Read the Bill, Mr. Clerk."

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

42nd Legislative Day

April 14, 1997

Clerk Bolin: "House Bill 1227, a Bill for an Act to amend the Illinois Act on the Aging. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Schakowsky, has been approved for consideration."

Speaker Granberg: "The Lady from Cook, Representative Schakowsky. Floor Amendment 1 or 2, Mr. Clerk? Floor Amendment #2."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 is really the Amendment that we were suppose to adopt in committee, which just says that funds for home delivered meals will be made available, subject to appropriation. The words 'subject to appropriation' are what is different in this Amendment. And it makes it possible for the Department on Aging not to oppose this Bill."

Speaker Granberg: "The Lady moves for the adoption of the Amendment. Is there any discussion? There being no discussion, all in favor shall say 'aye'; opposed 'nay'. The 'ayes' have it; the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Granberg: "Third Reading. House Bill 1736. Read the Bill."

Clerk Bolin: "House Bill 1736, a Bill for an Act to amend the Environmental Protection Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted to the Bill. No further Floor Amendments. No Motions filed."

Speaker Granberg: "Third Reading. House Bill 2030. Read the Bill. The Lady from Cook, Representative Ronen. It's on Third Reading? Out of the record. House Bill 1061."

Clerk Bolin: "House Bill 1061, a Bill for an Act to amend the

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

42nd Legislative Day

April 14, 1997

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

Speaker Granberg: "Third Reading. Bring the Bill back to Second. Has the Bill been read a second time?"

Clerk Bolin: "The Bill has been read a second time."

Speaker Granberg: "Hold the Bill on Second. House Bill 1557, Mr. Clerk."

Clerk Bolin: "House Bill 1557, a Bill for an Act in relation to firearms. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Granberg: "Hold on Second. House Bill 1758."

Clerk Bolin: "House Bill 1758..."

Speaker Granberg: "The Bill's on Third Reading. Out of the record. House Bill 232. Read the Bill."

Clerk Bolin: "House Bill 232, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Gash, has been approved for consideration."

Speaker Granberg: "The Lady from Cook, Representative Gash, Floor Amendment #2."

Gash: "House Bill 232 expands the number of convicted sex offenders who are required to submit blood samples for genetic marker testing, deoxyribonucleic acid, to include the following: indecent solicitation of a child, sexual exploitation of a child, soliciting for a juvenile prostitute, keeping a place of juvenile prostitution, and some other types of things like that. It also... And without this Amendment it included child luring. What this Amendment does is require that someone submit to DNA

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

42nd Legislative Day

April 14, 1997

testing only when the child..."

Speaker Granberg: "The Lady moves for the adoption of the Amendment. Any discussion? All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it; the Amendment's adopted. Third Reading. House Bill... Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Granberg: "Third Reading. House Bill 1481. Read the Bill."

Clerk Bolin: "House Bill 1481, a Bill for an Act to create the Illinois Procurement Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Granberg: "Hold on Second. We're going to recall approximately 15 Bills from Third Reading to Second Reading at the Member's request. And then we are prepared to adjourn. What is the status of House Bill 73?"

Clerk Bolin: "House Bill 73 is on the Order of House Bills Third Reading."

Speaker Granberg: "Return it to Second. What is the status of House Bill 410?"

Clerk Bolin: "House Bill 410 is on the Order of House Bills Third Reading."

Speaker Granberg: "Return it to Second. House Bill 805. What is the status?"

Clerk Bolin: "House Bill 805 is on the Order of House Bills Third Reading."

Speaker Granberg: "Return it to Second. House Bill 1041. What is the status?"

Clerk Bolin: "House Bill 1041 is on the Order of House Bills Third Reading."

Speaker Granberg: "Return it to Second. House Bill 1136. What

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

42nd Legislative Day

April 14, 1997

is its status?"

Clerk Bolin: "House Bill 1136 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Return it to Second. House Bill 1181. What
is its status?"

Clerk Bolin: "House Bill 1181 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Second Reading. House Bill 1320. What is its
status?"

Clerk Bolin: "House Bill 1320 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Return it to Second. What is the status of
House Bill 1620?"

Clerk Bolin: "House Bill 1620 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Return it to Second. House Bill 1674, its
status?"

Clerk Bolin: "House Bill 1674 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Return it to Second. (House Bill) 1735. What
is its status?"

Clerk Bolin: "House Bill 1735 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Return it to Second. House Bill 1761. What
is its status?"

Clerk Bolin: "House Bill 1761 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Return it to Second. House Bill 1780. What
is its status?"

Clerk Bolin: "House Bill 1780 is on the Order of House Bills
Third Reading."

Speaker Granberg: "Return it to Second. House Bill 1918. What's

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

42nd Legislative Day

April 14, 1997

its status?"

Clerk Bolin: "House Bill 19 (sic - 1918) is on the Order of House Bills Third Reading."

Speaker Granberg: "Return it to Second. House Bill 2224. What's its status?"

Clerk Bolin: "House Bill 2224 is on the Order of House Bills Third Reading."

Speaker Granberg: "Return it to Second. Mr. Clerk, we have one Bill that needs to be read at Second Reading. House Bill 1129. Read the Bill."

Clerk Bolin: "House Bill 1129..."

Speaker Granberg: "Read the Bill. Third Reading. Mr. Clerk, two more requests. House Bill 2241. Read the Bill."

Clerk Bolin: "House Bill 2241, a Bill for an Act to amend the Counties Code. (Second Reading of this House Bill.)"

Speaker Granberg: "Third Reading. House Bill 1674. What is its status?"

Clerk Bolin: "The Bill's on the Order of House Bills Second Reading."

Speaker Granberg: "Return it to Second. The Lady from Cook now moves that the House stand adjourned until the hour of ten o'clock on Tuesday, April 15. All in favor... Allowing Perfunctory time for the Clerk. All in favor say 'aye'... Mr. Black, Mr. Black. The Clerk is going to read the committees scheduled for tomorrow, and then Mr. Black is going to comment on the Cub's record."

Clerk Bolin: "The following committees will meet tomorrow morning: At 8:00 a.m. Agriculture Committee will meet in Room D-1, the Human Services Committee will meet at 8:00 a.m. in Room C-1, the Judiciary I Committee will meet at 8:00 a.m. in Room 122B, the State Government Committee will meet at 8:00 a.m. tomorrow in Room 118, the Elementary and

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

42nd Legislative Day

April 14, 1997

Secondary Education Committee will meet tomorrow in Room 114 at 8:00 a.m., the Labor and Commerce Committee will meet at 8:30 a.m. in Room D-1, the Energy Environment Committee will meet in Room 114 at 8:30 a.m., the Executive Committee will meet in Room 118 at 8:30 a.m., the Children and Youth Committee will meet in Room C-1 at 8:30 a.m."

Speaker Granberg: "The Lady from Cook moves that the House stand adjourned until the hour of nine o'clock, Tuesday, April 15, allowing Perfunctory time for the Clerk. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it. The House stands adjourned."

Clerk Rossi: "The House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 63, offered by Representative Capparelli, a Bill for an Act to amend the Pension Code and State Mandates Act. Senate Bill 351, offered by Representative Feigenholtz, a Bill for an Act to amend the Hospital Licensing Act. First Reading of these Senate Bills. Introduction and First Reading of Resolutions. House Resolution 106, offered by Representative Morrow; and House Resolution 107, offered by Representative Schoenberg. These Resolutions are referred to the Rules Committee. There being no further business, the House Perfunctory Session will stand adjourned. The House will reconvene in regular Session tomorrow at 9:00 a.m."