

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

59th Legislative Day

May 13, 1997

Speaker Hannig: "The hour of 9:30 having arrived, the House will be in order. The Members will be in their seats. Will all unauthorized personnel please retire from the House Chambers? We will be led in prayer today by Rabbi Jonathon Magidovitch, with the Congregation of B'Nai Torah in Highland Park. The Rabbi is the guest of Representative Lauren Beth Gash. Guests in the Gallery may wish to rise for the invocation."

Rabbi Magidovitch: "Good morning. It was 32 hundred years ago that Moses went up Mount Sinai... On those blank stone tablets, God wrote scripture. And while he was writing scripture, God spoke into Moses' ear the oral law. When Moses went down the mountain he told Joshua the oral law, who told it to the men of the Great Assembly. And this morning in this Great Assembly, I share a teaching from that oral law. Every controversy that is in the name of Heaven, the end there of is destined to result in something permanent. But one that is not in the name of Heaven, the end of that controversy results only in temporary affairs. For the sake of those we represent, may every controversy in this room be entered into in the name of Heaven. And we say together, Amen."

Speaker Hannig: "And we'll be led in the pledge today by Representative Giglio."

Giglio - 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 Hannig: "Roll Call for Attendance. Representative Lang is recognized for excused absences."

Lang: "Thank you, Mr. Speaker. Representative Boland is excused this morning."

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

59th Legislative Day

May 13, 1997

Speaker Hannig: "Thank you, Mr. Lang. And the record will so reflect. And Representative Cross."

Cross: "Thank you, Mr. Speaker. We're all here today."

Speaker Hannig: "Mr. Clerk, take the record. With 117 Members answering the Roll Call, a quorum is present. On the Order of Senate Bills-Second Reading, Senate Bill 6, Representative Dart. Representative Dart. Can someone help me get Representative Dart's attention, please? Do you want to move Senate Bill 6? Out of the record. Senate Bill 56, Representative Novak. Representative Novak, do you wish to move Senate Bill 56? Out of the record. Senate Bill 73, Representative Lang. Do you wish to move to Third Reading? Excuse me, Representative, there's still requests for Fiscal Notes. That was the Chair's error. Senate Bill 120, Representative Dart. Representative Dart on Senate Bill 120? Out of the record. Senate Bill 171, Representative McKeon. Do you wish to move Senate Bill 171?"

McKeon: "Mr. Speaker, I believe we have an Amendment that's still sitting in House Rules."

Speaker Hannig: "Okay, we'll hold that Bill. Representative Scully on Senate Bill 172. Representative Scully. Representative Scully. Can someone help me get Representative Scully's attention on Senate Bill 172? Do you wish to move this Bill to Third Reading? No. Out of the record. Senate Bill 186, Representative Acevedo. The Gentleman wish to move the Bill? (Sic - Senate Bill) 186. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 186, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

59th Legislative Day

May 13, 1997

Speaker Hannig: "Third Reading. Senate Bill 218, Representative Art... excuse me, Representative Daniels on Senate Bill 222. Out of the record. Representative Cowlshaw, on Senate Bill 226. No. Representative Novak on Senate Bill 299. The Gentleman in the Chamber? He's not in the Chamber. Oh, Representative Novak, (sic-Senate Bill) 299? Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 299, a Bill for an Act to amend the Environmental Protection Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 304, Representative Noland. Representative Duane Noland. Out of the record. Senate Bill 316, Representative Churchill. Out of the record. Senate Bill 317, Representative Winters. (Sic - Senate Bill) 317, Representative Winters. Out of the record. Senate Bill 340, Representative Lopez. Representative Lopez. Do you wish to move (sic-Senate Bill) 340? Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 340, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 341, Representative Biggert. Representative Biggert in the Chambers? Out of the record. Senate Bill 348, Representative Novak, (sic-Senate Bill) 348. Read the Bill, Mr. Clerk. Out of the record. Senate Bill 368, Representative Brosnahan. Representative Brosnahan on (sic-Senate Bill) 368. Out of the record. Senate Bill 460, Representative Steve Davis. Out of the record. Senate Bill 497, Representative Fritchey, (sic-Senate Bill) 497. Do you wish to move the

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

59th Legislative Day

May 13, 1997

Bill from Second to Third?"

Fritchey: "There was a Motion filed to recommit that to Rules."

Speaker Hannig: "Okay. The Gentleman moves to recommit Senate Bill 497 to the Rules Committee. Is there any discussion? All in favor say 'aye'; opposed 'nay'. And the Bill is recommitted to the Rules Committee. Representative Wirsing on Senate Bill 529. Representative Wirsing. Representative Wirsing, do you wish to move 529 from Second to Third? Out of the record. Senate Bill 536, Representative Joseph Lyons. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 536, a Bill for an Act to amend the State Salary and Annuity Withholding Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 543, Representative Acevedo. (Sic - Senate Bill) 543 from Second to Third?"

Acevedo: "I have an Amendment on it."

Speaker Hannig: "Mr. Clerk, is there an Amendment pending on this? Okay, so there is an Amendment pending, Representative. Do you wish to move the Bill then? Yes, okay. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 543, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Acevedo, has been approved for consideration."

Speaker Hannig: "Representative Acevedo on the Amendment."

Acevedo: "Sorry, Mr. Speaker, I got the wrong Amendment. Hold the Bill."

Speaker Hannig: "Okay. Out of the record. Representative Tenhouse is recognized."

Tenhouse: "Thank you, Mr. Speaker. The Republicans would request

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

59th Legislative Day

May 13, 1997

a Conference in Room 118 for approximately one hour."

Speaker Hannig: "So, the Republicans will Caucus in Room 118 for one hour. So the House will stand in recess until the hour of 10:50. And the Democrats will study their Bills. So the House will stand in recess. Representative Black."

Black: "Just an Inquiry of the Chair. Did you add the Amendment to Senate Bill 543?"

Speaker Hannig: "We did not. He took the Bill out of the record. And we will return to that Order when we come back."

Black: "All right."

Speaker Hannig: "The House will be in order. The Members will be in their seats. Will all unauthorized personnel please retire from the Chamber? Resuming the Order of Senate Bill Second Reading. Senate Bill 548, Representative Crotty. The Lady in the Chamber? The Lady's not in the Chamber. Senate Bill 550, Representative Schoenberg. Representative Schoenberg, from Second to Third? Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 550, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 603, Representative Saviano. Is the Gentleman in the Chamber? He's not in the Chamber. (Sic-Senate Bill) 605, Representative Churchill. Out of the record. Representative Santiago, on Senate Bill 685. Mr. Clerk, read Senate Bill 680."

Clerk Rossi: "Senate Bill 680, a Bill for an Act in relation to financial institutions. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill

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

59th Legislative Day

May 13, 1997

670."

Clerk Rossi: "Senate Bill 670, a Bill for an Act amending the Interest Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 713, Representative McGuire. Representative McGuire, do you wish to move (sic-Senate Bill) 713 to Third Reading?"

McGuire: "Mr. Speaker, I think we had an Amendment as of yesterday. And I don't know that it's out yet. Is it?"

Speaker Hannig: "The Clerk indicates that it is not. So we'll hold this Bill on Second Reading."

McGuire: "Okay, that's fine. Thank you."

Speaker Hannig: "Senate Bill 720, Representative Daniels. Can someone give me an indication? Out of the record. Senate Bill 777, Representative Ryder. Out of the record. (Sic - Senate Bill) 778, Representative Hassert. Out of the record. Senate Bill 780, Representative Winters. The Gentleman's not in the Chamber. Senate Bill 789, Representative Dart. The Gentleman is not in the Chambers. Senate Bill 797, Representative Churchill. Out of the record. Senate Bill 819, Representative Novak. Representative Phil Novak, (sic-Senate Bill) 819. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 819, a Bill for an Act amending the Environmental Protection Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 856, Representative Moore. Andrea Moore, (sic-Senate Bill) 856. Out of the record. Senate Bill 837. Mr. Clerk, read the Bill. Representative Morrow, (sic-Senate Bill) 837? Read the

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

59th Legislative Day

May 13, 1997

Bill."

Clerk Rossi: "Senate Bill 837, a Bill for an Act amending the Public Community College Act. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Connie Howard, has been approved for consideration."

Speaker Hannig: "Representative Howard."

Howard: "Thank you, Mr. Speaker. Floor Amendment #1 restores collective bargaining rights for city colleges of Chicago employees. I ask for favorable consideration."

Speaker Hannig: "Is there any discussion? Representative Black is recognized."

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

Speaker Hannig: "She indicates she will."

Black: "Representative, was this Amendment embodied in a House Bill at one time?"

Howard: "Yes it was, Representative."

Black: "Was that House Bill 807?"

Howard: "That's correct."

Black: "What happened to that House Bill? Did it run into some trouble in the Senate?"

Howard: "That is correct, as well."

Black: "I just hate it when that happens. Don't you?"

Howard: "I do too. I just hate it."

Black: "If I understand what your Amendment... the Amendment is almost identical to House Bill 807, which you're excluding the city colleges of Chicago from certain collective bargaining restrictions. Is that what it does?"

Howard: "That's exactly it."

Black: "And these restrictions were passed, what, a couple years ago, as I recall?"

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

59th Legislative Day

May 13, 1997

Howard: "A couple of years ago with Senate Bill 206."

Black: "Okay. This Amendment would be opposed by all of the people who opposed the previous Bill, wouldn't it? The city colleges of Chicago would oppose it, the State Chamber."

Howard: "Well, the only entity that I'm understanding is opposed, is the city colleges. I'm not familiar with the other one."

Black: "Okay. Do the Illinois Community College Trustees, what's their position on this Amendment?"

Howard: "Unfortunately, they oppose as well."

Black: "Opposed to it?"

Howard: "Yes."

Black: "Okay. Mr. Speaker."

Speaker Hannig: "Yes, Representative Black."

Black: "This Amendment has an outstanding Sponsor. To the Amendment."

Speaker Hannig: "To the Amendment."

Black: "I'm joined by the number of colleagues on my side of the aisle to ask for a Roll Call on the Amendment. And..."

Speaker Hannig: "You need only ask, Representative, and you'll be granted one."

Black: "Okay. Thank you. While I have great respect for the Sponsor, this Bill passed on a partisan Roll Call earlier in the Session. And evidently it's run into some trouble in the Senate. So, I have no choice but to rise in opposition and ask for a Roll Call. And to reflect that we would ask for a verification should it get the correct number. And as I look around, Representative, you may want to run this a little later."

Howard: "Yes, I'd be interested in taking this out of the record now."

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

59th Legislative Day

May 13, 1997

Speaker Hannig: "Representative Morrow indicates he'd like to take this Bill out of the record. Out of the record. Mr. Clerk, read Senate Bill 510."

Clerk Rossi: "Senate Bill 510, a Bill for an Act amending the Criminal Code of 1961. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Schakowsky, for what purpose do you rise? Representative Parke on Senate Bill 862. Did you wish to move (sic-Senate Bill) 862, Second to Third?"

Parke: "Thank you. There's a Floor Amendment I believe."

Speaker Hannig: "The Clerk indicates it's ready."

Parke: "Okay, well then, I'm ready."

Speaker Hannig: "Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 862, a Bill for an Act amending the Illinois Highway Code. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Parke, has been approved for consideration."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 to Senate Bill 862 corrects a problem that was brought to me by Representative Black and other Members of the committee. And we have... it's somewhat technical in nature. But it now solves his problem and other Members on it. And I would ask for the Body to approve Amendment #1."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Woolard on Senate

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

59th Legislative Day

May 13, 1997

Bill 910. Out of the record. Representative Dart on Senate Bill 918. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 918, a Bill for an Act in relation to sports and physical fitness. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Hannig: "Third Reading. Senate Bill 927, Representative Smith. Representative Smith. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 927, a Bill for an Act concerning vehicles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Ryder is recognized for an announcement, or an introduction."

Ryder: "Thank you, Mr. Speaker. I rise to introduce 31 seventh and eighth graders from St. John's School in Carrollton, Illinois. They've joined us in the balcony. Please stand and be recognized, along with your principal, Mr. Miller, and your teacher Ms. Arnett, who's standing by me. May we recognize the students of St. John's School in Carrollton, Illinois. Thank you for being with us today. Thank you, Mr. Speaker."

Speaker Hannig: "Welcome to Springfield. Representative Wait on Senate Bill 954. The Gentleman in the Chamber? He is not. Representative Crotty on Senate Bill 1001. The Lady is not in the Chambers. Representative Daniels on Senate Bill 1016. Out of the record. Senate Bill 1039, Representative Granberg. The Gentleman's not in the Chamber. Senate Bill 1099, Representative Lindner. The Lady's not in the Chamber. Mr. Clerk, on Senate Bill 1020. What is the status of that Bill?"

Clerk Rossi: "Senate Bill 1020 is on the Order of Senate

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

59th Legislative Day

May 13, 1997

Bills-Third Reading."

Speaker Hannig: "Will you return that Bill to the Order of Second Reading? Mr. Clerk, what's the status of Senate Bill 626?"

Clerk Rossi: "(Sic-Senate Bill) 626 is on the Order of Senate Bills Third- Reading."

Speaker Hannig: "Return that to the Order of Senate Bills-Second Reading. Mr. Clerk, read Senate Bill 852."

Clerk Rossi: "Senate Bill 852, a Bill for an Act concerning rehabilitation services. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Coulson, has been approved for consideration."

Speaker Hannig: "Representative Coulson."

Coulson: "I'd like to table Committee Amendment #1, and then move Floor Amendment #3, which makes some technical changes."

Speaker Hannig: "Okay. The Lady has moved to table Committee Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and Committee Amendment #1 is tabled. Are there any further Amendments, Mr. Clerk?"

Coulson: "I'd like to move Floor Amendment #3. As I said, it's a technical Amendment."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Coulson: "That's it. I'd like to move it to Third Reading."

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Mr. Clerk, read Senate Bill 279. Representative Scott indicates to read the Bill."

Clerk Rossi: "Senate Bill 279, a Bill for an Act in relation to certain lands. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions

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

59th Legislative Day

May 13, 1997

filed."

Speaker Hannig: "Third Reading. Senate Bill 561. Representative Phelps on Senate Bill 561. Do you wish to move this Bill? Representative Phelps, do you wish to move this Bill to Third? Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 561, a Bill for an Act amending the Illinois Human Resource Investment Council Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Hannig: "Third Reading. Representative Moffitt is recognized."

Moffitt: "Thank you, Mr. Speaker. I just rise for a Point of Personal Privilege. I'd like to introduce a school group, the sixth grade class from Yorkwood, which is in Warren County. And they're up in the balcony, if you'd make them welcome, please."

Speaker Hannig: "Welcome to Springfield. Representative Scully on Senate Bill 663. The Gentleman's not in the Chamber. (Sic-Senate Bill) 677, Representative Brunsvold. Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 677, a Bill for an Act amending the Property Tax Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Hannig: "Third Reading. (Sic-Senate Bill) 897, Representative Brunsvold. Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 897, a Bill for an Act amending the Real Estate License Act of 1983. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

59th Legislative Day

May 13, 1997

Speaker Hannig: "Third Reading. Senate Bill 946, Representative Brunsvold. You're getting all your Notes filed. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 946, a Bill for an Act amending the Nursing Home Care Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Bugielski on (sic-Senate Bill) 1076. We'll hold that on the Order of Second Reading. On the Order of... Representative Ryder, were you seeking recognition? Representative Ryder, we moved (sic-Senate Bill) 1020 from third to second. Did you have an Amendment, or did you wish... Mr. Clerk, is there an Amendment pending on (sic-Senate Bill) 1020?"

Ryder: "Mr. Speaker, your past practice has been that until you move the Bill to Second I was not allowed to file the Amendment. With leave of the Body, I would ask to move (sic-Senate Bill) 1020 from Third to Second."

Speaker Hannig: "We have done that, Representative Ryder. We have done that."

Ryder: "Thank you."

Speaker Hannig: "So you can file your Amendment."

Ryder: "Now I'll file the Amendment. Thank you."

Speaker Hannig: "That's correct. On the Order of Senate Bills Third Reading, Senate Bill 21, Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 21, a Bill for an Act amending the Township Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker. Senate Bill 21 is an initiative of the Township Officials of Illinois. This matter passed the Senate 48 to 7, committee 15 to 1. It

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

59th Legislative Day

May 13, 1997

changed the maximum size of a township park, for which bonds may be issued from 10 to 25 acres. It provides that a board of a township in a county with a population of 3 million, or more, may levy a special tax for improvement to streets, sidewalks, street lighting and traffic control devices. But before the tax is levied, a hearing must be held, and at least 51% of the affected property owners must file a petition in agreement with the improvement. We have an Amendment, which was offered by Representative Bergman, which was adopted, Floor Amendment #1, which also included improvements for flood control. We have a lot of unincorporated areas that we have flooding problems with. We wanted to make sure that was also put into the Bill. And I would ask for your approval. Thank you."

Speaker Hannig: "Is there any discussion? There is no one seeking recognition. So the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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. On this question, there are 64 voting 'yes', and 51 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hoeft on Senate Bill 101. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 101, a Bill for an Act amending the Illinois Pension Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker and Members of the House. Senate Bill 101 is identical to House Bill 366 that we put through earlier, with the exception of one grammatical error. This is a technical Bill that has nine pages of changes from the federal law to the state law for our five pensions. We are

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

59th Legislative Day

May 13, 1997

required by the federal law to make these changes. We have put it through previously, 117 to 0. There has been no opposition. All of the pension groups are in favor of this. I would ask that it be passed."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 101. Is there any discussion? No one is seeking recognition. And so, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 113 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 103, Representative Moore. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 103, a Bill for an Act amending the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Hannig: "The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 103 makes two changes. One, it removes an archaic provision of the statute requiring vouchers for payment of special assessments for the Board of Local Improvements for the municipalities. Number two, an initiative of the municipal league that would allow combining special assessment projects under one bonding procedure. I'd be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 103. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all vote who wish? Mr. Clerk, take the record. On this question, there

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

59th Legislative Day

May 13, 1997

are 103 voting 'yes', and 14 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 110, Representative Churchill. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 110, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the first of three Bills in a package for boater safety. What this does is to tie boat, driving under the influence for boating and snowmobiling, to the limit that you would have for driving an automobile. So that basically, if we ever change the limits for driving while under the influence for an automobile, snowmobiling and boating would just react accordingly."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 110. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 115 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Kubik in the Chamber? Representative Novak. Is the Gentleman in the Chamber? Does Representative Daniels wish to have Senate Bill 237 called? Out of the record. Representative Leitch on Senate Bill 329. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 329, a Bill for an Act amending the Children and Family Services Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Leitch."

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

59th Legislative Day

May 13, 1997

Leitch: "Frankly, I thought you were going to call (sic-Senate Bill) 237. So, could you take this one out of the record for a minute, please?"

Speaker Hannig: "Out of the record. Representative Leitch, we could do Senate Bill 237, if that's your intention and your leader wishes you to handle the Bill. I thought that it was indicated to the Chair not to call that Bill at this time. Why don't we move along. Representative Hassert on Senate Bill 347. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 347, a Bill for an Act amending the Illinois Chemical Safety Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker. (Sic - Senate Bill) 347 amends the Chemical Safety Act. It raises a threshold levels of chemical substances regulated under our Illinois Chemical Safety Act to a more of a federal acceptance standards. And also allows businesses to self-certify, and allows the IEPA to have a verification over their self-certification. There is no known opposition to the Bill. I would be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 347. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 355, Representative Gash. Representative Gash on Senate Bill... Out of the record. Senate Bill 381, Representative Roskam. Representative Roskam. Mr. Clerk, would you return this Bill to the Order

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

59th Legislative Day

May 13, 1997

of Second Reading at the request of the Sponsor? Senate Bill 404, Representative Shirley Jones. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 404, a Bill for an Act amending the Civil Administrative Code of Illinois. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Jones, Shirley Jones."

Jones, S.: "Yes, Mr. Speaker. Senate Bill 44 is permissive. It authorizes the department to conduct in the Information Campaign to promote the breast feeding of infants by their mothers. I would like for your favorable votes. Thank you."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 44. Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 117 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 406. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 406, a Bill for an Act amending the Check Number Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 406 deals with check printers and check distributors. It regulates their businesses and says that they must register with the Office of Banks and Real Estate. And it requires people that print and sell checks to verify the information which they have received, to make sure that we can cut down on check fraud. This is a legislative initiative of the Illinois Retail Merchants'

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

59th Legislative Day

May 13, 1997

Association. It is very similar to House Bill 1113, which passed this House about a month ago with 109 votes. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 406. Is there any discussion? No one is seeking recognition, and so the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 116 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Churchill informs us that Mr. Daniels wishes Senate Bill 237 returned to the Order of Second Reading. Is that correct? Mr. Clerk, return Senate Bill 237 to the Order of Second Reading. Senate Bill 408, Representative Feigenholtz. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 408, a Bill for an Act amending the Entry for Adjoining Land to Accomplish Repairs Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Senate Bill 408 amends the provisions of the Entry and Adjoining Land to Accomplish Repairs Act. It is an initiative of the Chicago Bar Association. Basically, what it does is, it addresses situations where repair and maintenance of single family residences need to be, condominiums need to be included in that Act. And I urge everyone to support this."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 408. Is there any discussion? Representative Black is recognized."

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

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

59th Legislative Day

May 13, 1997

yield?"

Speaker Hannig: "She indicates she will."

Black: "Representative, did you check with former Representative Levin on this Bill?"

Feigenholtz: "No, actually I tried to avoid that."

Black: "Touche. Is... You know, we used to see a lot of condominium Bills every Session, and we don't see that many. It's very hard for me to hear your explanation. It appears that we are extending access to courts, to condominium owners. Why do we want to do that? What's the problem we're trying to solve here?"

Feigenholtz: "Well, actually, we're actually including condominiums in single family residence. So, in case somebody wants to go to court to access common elements and adjoining areas, that they are able to do that. It extends the Act to condominium owners."

Black: "So, in other words, if I live in a condominium and I have a conflict with the rules or the procedures, then I have access to all of the condominium's records, prior to my going to court. Is that what it would let me do?"

Feigenholtz: "Actually, some people have been going to their condominium associations and asking for records that are very, very old. And it's actually been very burdensome. So, what we're trying to do here is set up a better, more expedited system."

Black: "In your Amendment did you ever define adjoining property?"

Feigenholtz: "Did I ever define?"

Black: "Define. Our staff indicates that there may be some confusion due to a lack of definition of the term 'adjoining property'."

Feigenholtz: "'Adjoining' is attached. It's either adjoined or

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

59th Legislative Day

May 13, 1997

it isn't, Representative."

Black: "Well, Bills are sometimes good or bad, but that doesn't always explain the matter to me. I don't have any problem with the Bill. But our staff, who is an attorney, indicates that there might be a problem due to a, there is no definitive definition of what constitutes adjoining property. And they thought you might want to clarify that. If your staff indicates that that's..."

Feigenholtz: "This Bill doesn't affect that definition. That's actually already defined in the underlying language of the Bill."

Black: "In the underlying Bill, or elsewhere in the Condominium Act?"

Feigenholtz: "It's already in the statute."

Black: "Okay. So, are you a member of a condominium? Do you live in a condominium?"

Feigenholtz: "I do."

Black: "So, in your opinion, this is good legislation?"

Feigenholtz: "I think so. And I have not consulted with Elis Levin, and I haven't heard from him. So, I'm assuming that this is good legislation."

Black: "This is indeed your lucky day."

Feigenholtz: "He's probably opposed to it."

Black: "Oh, okay. Well, I think you just said the magic words to guarantee that the Bill will probably get 110 votes, but whatever. I appreciate you answering our concerns."

Speaker Hannig: "Representative Lang."

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

Speaker Hannig: "She indicates she will."

Lang: "So, Representative, did you draft this Bill?"

Feigenholtz: "No, I didn't."

Lang: "Who drafted the Bill?"

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

59th Legislative Day

May 13, 1997

Feigenholtz: "The Chicago Bar Association drafted the Bill."

Lang: "Was your predecessor in office involved, in any way, with the drafting of this Bill?"

Feigenholtz: "I certainly hope not."

Lang: "Well, I think that's a little harsh. Don't you?"

Feigenholtz: "No."

Lang: "And did you tell Mr. Black he would not like this Bill?"

Feigenholtz: "No, that's not what I said."

Lang: "Well, what did you say?"

Feigenholtz: "I don't remember, Lou."

Lang: "Well, would he like this Bill?"

Feigenholtz: "I think Mr. Black would like this Bill."

Lang: "No, not Mr. Black, your predecessor. Do you want to hold this on Third, or take it back to Second while you call him for some advise on this good condo Bill?"

Feigenholtz: "I don't have his phone number, Lou."

Lang: "Oh, well, all right. Well, I don't know. I don't know if I can vote for a Bill unless my guru on condo matters tells me how they feel. Sorry? She's my new guru? Oh, all right, then I'm for the Bill."

Speaker Hannig: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker. I rise on a Point of Personal Privilege, because we're joined today in the Gallery, behind the Republicans here, by a large group of sixth graders from Liberty School, which also happens to include my son in their midst. So, we'd like to welcome them to the Illinois State Capitol."

Speaker Hannig: "Welcome to Springfield. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. With leave of the Body, I'd like to rise on a Point of Personal Privilege."

Speaker Hannig: "Certainly."

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

59th Legislative Day

May 13, 1997

Stephens: "There's a Gentleman back here who wants to sit in my chair. He says it belongs to him. Former Representative Bob Olson is with us. And I'd like to give him a good warm welcome."

Speaker Hannig: "Welcome back to Springfield. Representative Feigenholtz to close."

Feigenholtz: "I would appreciate an 'aye' vote on this most compelling condominium matter."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 112 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, could we return... Mr. Clerk, read Senate Bill 237, on the Order of Second Reading."

Clerk Rossi: "Senate Bill 237 has been read a second time previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen. Floor Amendment #2 simply permits the Department of Mental Health to enter into care agreements with private organizations as pilot programs, in order to retain the flexibility to the department, and to retain that flexibility in communities where this has been working very well. And I would ask for your approval."

Speaker Hannig: "The Gentleman has moved for the adoption of House Amendment #2. And on that question, Representative

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

59th Legislative Day

May 13, 1997

Lang is recognized."

Lang: "No question, Mr. Speaker. The board said Third Reading. And I was wondering how we could amend the Bill on Third Reading. So, I see it now says Second, so I withdraw my comment."

Speaker Hannig: "Maybe you need new glasses, Representative. We got it all fixed up. Representative Bergman."

Bergman: "Mr. Speaker, my switch malfunctioned on Senate Bill 408. I wish to be recorded as voting 'aye'."

Speaker Hannig: "Thank you. The record will reflect your intentions. Representative Moore."

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

Speaker Hannig: "He indicates he will."

Moore, A.: "Representative Leitch, why is this Amendment necessary?"

Leitch: "This Amendment is necessary because in the course of changing the way we're delivering human services it's important that the department retain the flexibility to provide care management at local and community based levels where they have been working very successfully without having to standardize them into some statewide contract. I know this is a program which has worked exceptionally well in Peoria and some other communities. And it's important that that flexibility not be lost."

Moore, A.: "Are you referring to the pilot program where there are three pilot programs that are granted in the state?"

Leitch: "This is not related to the DASA. No, that is not related to it. This relates to the care and placement and oversight of developmentally disabled citizens."

Moore, A.: "Thank you very much."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted."

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

59th Legislative Day

May 13, 1997

Any further Amendments?"

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

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen. Floor Amendment #3 contains the same language as House Bill 1565, which passed this House unanimously. It's a very important Bill because it provides that HMO's may cover basic outpatient and primary health care services for children under the age of 18. This is permissive legislation and very important for health care accessibility to children."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Senate Bill 418, Representative Feigenholtz. Senate Bill 428, Representative Fantin. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 428, a Bill for an Act to create the Illinois Building Commission. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Fantin."

Fantin: "Thank you. This Bill creates Illinois Building Commission Act, creates an 11 member advisory commission, allows the commission to suggest resolution for conflicts between state agencies, or a state agency and other entities concerting the agency building requirements. Provides that the commission shall review building requirement Amendments, and proposed legislation for conflicting requirements to current law. Requires the commission to suggest a standard form for requesting

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

59th Legislative Day

May 13, 1997

compliance alternatives and modifications of state building requirements, to forward all compliance alternate requests to the appropriate state agency for action, and to suggest procedures and formats for appeals of the state agency decisions. It provides that the commission shall suggest long-term plan to improve the administration enforcement of state building requirements. Requires the commission to submit an annual report to the Governor and to the General Assembly. Requires the report to be available to the public. Provides that the commission members shall appoint members to subcommittees. This came out of hearings of a Bill, the Governor had appointed a staff, or a committee, which there were two from each House, and we had met with several building people all through the summer. And this is what this came of the commission hearings. And I just recommend that this is something that's been worked on very hard. A lot of thought, a lot of work has went into it, and ask you for please vote."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 428. And on that question, Representative Black is recognized."

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

Speaker Hannig: "She indicates she will."

Black: "Representative, this commission that you're beginning, is it related to the old public, or no, not the old, there are many of them still around, the public building commissions that are operating in various counties, and they have some very unique taxing abilities?"

Fantin: "This here is really a commission that, what's happened, as you know, Representative, there are so many rules and regulations. And what they're trying to do is condense

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

59th Legislative Day

May 13, 1997

this and have, more or less, a clearing house, that if you're going to build a building, that they can come to one place and find out what the restrictions and requirements are. Right now there are so many different places and different entities they have to go to. And it's just condensing this."

Black: "Would the commission only advise a capital development board projects, or any public building project, like a local school building?"

Fantin: "This would be state buildings, is my understanding."

Black: "So, it would only be anything that the State of Illinois was either financing or involved in. Is that your understanding?"

Fantin: "That's my understanding."

Black: "Okay. It has no authority to issue bonds or incur debt?"

Fantin: "None that I know of."

Black: "So, in effect, this is an advisory body, and is not directly related to the various public building commissions that are in various counties around the state that do have taxing authority."

Fantin: "I'm sorry, I couldn't hear your whole question."

Black: "Yeah, it's very noisy in here. This commission, that you will start with this Bill, is advisory in nature. It is not related to the various public building commissions that have the authority to sell bonds and levy a property tax to pay said bonds."

Fantin: "That's true. It's 11 member advisory commission called the Illinois Building Commission to serve as a clearing house for state building requirements."

Black: "Okay, so, in talking with staff, then what this does, it might actually streamline the process, and heaven forbid, might even save some money on our public building costs."

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

59th Legislative Day

May 13, 1997

Would that be a fair assessment?"

Fantin: "Yes, it is."

Black: "That sounds like a great idea to me. Thank you, Representative."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 117 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Meyer, on Senate Bill 46... Mr. Clerk, read Senate Bill 465."

Clerk Rossi: "Senate Bill 465, a Bill for an Act in relation to property. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 465 amends the Code of Civil Procedure. It provides that any real property, or any beneficial interest in the land trust held in tenancy by the entirety should not be liable to be sold upon judgement entered on or after October 1, 1990, against one of the tenants, except if the property was transferred into tenancy by the entirety with the actual intent to hinder, delay, or defraud creditors. It also amends the Uniform Commercial Code that provides that an unperfected security interest shall take priority over the rights of a lien creditor, if the lien creditor is a trustee or a receiver. The financial institution and the unperfected security interest is held by a depositor of public funds. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 465. And on that question, Representative Turner,

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

59th Legislative Day

May 13, 1997

John Turner, is recognized."

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

Speaker Hannig: "He indicates he will."

Turner, J.: "Representative, you may recall that Representative Cross had asked some questions concerning this piece of legislation. And I believe his question, or inquiry was with regard to the difference between how you are distinguishing between joint tenancy, property and tenancy by the entirety property. Could you outline that for us please?"

Meyer: "Well, that property that would be affected by tenancy in the entirety would be the homestead property only. Any other property that would sell jointly would not be affected by tenancy of the entirety."

Turner, J.: "Jim, I'm sorry, I couldn't hear that last part of what you said."

Meyer: "Well, that's because I was talking too low."

Turner, J.: "Come again with that."

Meyer: "Certainly, Representative, the property that would be affected by the tenancy of the entirety, in this Bill, would be homestead property only. Any other property held jointly would not be affected by this."

Turner, J.: "So, as I understand it, it would change the rights of creditors as to property held in tenancy by the entirety, which would be distinguished for property held in joint tenancy?"

Meyer: "Well, Representative, all this does is indicate that once litigation has been entered into, you've been notified of a suit, or there's been a suit that has been settled, adjudicated in the courts, that at that point you could not enter that property, and if you did it before, it would not be fraudulent, and therefore you could."

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

59th Legislative Day

May 13, 1997

Turner, J.: "Thank you, Representative. Thank you, Mr. Speaker."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Skinner on (sic-Senate Bill) 469. Cal, (sic-Senate Bill) 469. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 469, a Bill for an Act amending the Public Labor Relations Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Skinner."

Skinner: "Mr. Speaker, this is the Bill we took out of the record yesterday at the request of Representative McKeon, who asked where AFSCME was. AFSCME drafted the Amendment that you see on your screens, if you wish to look. And they are neutral on the Bill. This is the Bill that would say that 911 operators could not go on strike in small entities, basically."

Speaker Hannig: "Is there any discussion? Representative McKeon."

McKeon: "Thank you, Mr. Speaker. And I'd like to thank the Sponsor for his courtesy. And the position of AFSCME is that they are in fact neutral. And I urge support in the House for this Bill."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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

59th Legislative Day

May 13, 1997

voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 495. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 495, a Bill for an Act amending the Boat Registration and Safety Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the second of this three part package on boat safety. What this would require is for young people under the age of 13 to wear a personal floatation device, or as we used to call them, life jackets, when they're in a watercraft under 26 feet in length. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 495. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 110 voting 'yes', and 6 voting 'no'. And this Bill, having a Constitutional Majority, is hereby declared passed. Senate Bill 496. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 496, a Bill for an Act amending the Boat Registration and Safety Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Churchill."

Churchill: "Again, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the third of the three part package on boat safety. What this does is, first, to say that if

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

59th Legislative Day

May 13, 1997

you're in a boat, which is towing someone who is waterskiing, the boat has to have a capacity of at least three persons, it has to be occupied by at least two people, so there's a person to watch where the boat's going, and one to watch the skier to see if the skier falls. Secondly, it says that no person may ride sitting on the gunnels, the tops of the seats or the decking on the boat while the boat is on the way. At the request of the committee I excluded the driver of the boat, people who are fishing, and I excluded those boats which are on private ponds. And the third thing this does is to say that any person that rents out personal watercraft cannot lease a watercraft to a person who is under the age of 16. Current law is 12 years, we're raising that from 12 to 16. I'd be happy to answer any questions you may have."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 496. And on that question, Representative Noland is recognized."

Noland: "Would the Gentleman yield?"

Speaker Hannig: "Indicates he will."

Noland: "Mr. Churchill, clarify for me, can a, a 15 year-old cannot lease a watercraft, but they can operate it. Correct?"

Churchill: "I believe that's correct. If you had one of your own watercraft, personal watercraft, and you taught your child to operate that watercraft, I believe that child could go out and do that, but if it's one of these situations where you go out, you take a drive, a couple hundred miles. You go to a lake, they have a company there that leases out personal watercraft, your child has never been on one of those personal watercraft, then if your child is under the age of 16, your child cannot lease one of those personal

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

59th Legislative Day

May 13, 1997

watercraft."

Noland: "Again, if I go to Lake Shelbyville and lease a jet ski, my 13 year-old son then can't operate it?"

Churchill: "The person who rents it out would not be able to lease it out to your child."

Noland: "I could rent one, but I could not allow my son to operate it if he's under 16?"

Churchill: "The law that we're putting into place here looks at the person who's leasing it. So, I assume, if you went in and you leased it, and you took it to the other side of the lake and put your kid on it, they have no way of knowing that. But the fact is that they can't lease it out to your kid."

Noland: "Okay, so the key question is, you have to be over 16 to lease it. Correct?"

Churchill: "That's correct."

Noland: "Thank you."

Speaker Hannig: "Representative John Turner."

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

Speaker Hannig: "He indicates he will."

Turner, J.: "Representative, as I understand it, a person, if this Bill passes, will not be able to sit on the top of a seat if the boat is underway. Is that correct?"

Churchill: "We put in an Amendment on that amended out the driver of the boat. So, if you have a boat, and it's planed up and you need to see over the top of the people sitting in front of you, or the top of the front of the boat, and you're the driver, you can sit on the back of the seat. All other passengers in the boat would not be able to sit on the top of the seat."

Turner, J.: "Well, that was a good Amendment. As far as the passengers sitting on top of the seat when the boat is

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

59th Legislative Day

May 13, 1997

underway, what do you mean by underway? For example, if a boat's putting along at a mile or two per hour, will a person who is a passenger be prohibited from sitting on top of the seat if it's just barely moving across the water?"

Churchill: "I think, again, I assume this would be something that the department would look at if they had their conservation police out, or whatever, but if your boat is moving even a mile or two an hour, you should not be sitting on the top of those seats. If your boat is stationary, or if you're fishing, fishing is one of the exemptions that I put in, if you're fishing you can sit on the back of that seat."

Turner, J.: "If a boat is sitting on the water but there is a heavy wind and it's moving along, and it is underway because the wind is simply pushing it along, but the motor is not even running, would a passenger be prohibited from sitting on top of the seat in that circumstance?"

Churchill: "I would think when you say underway it means the boat's own power is pushing the boat, not some external force, such as the wind or the waves."

Turner, J.: "Do you think the statute is specific enough on that particular question?"

Churchill: "I feel very good about it."

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

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Inquiry of the Chair. Has there been a request for a verification yet?"

Speaker Hannig: "Not on this Bill, yet."

Cross: "Okay, I was just... so, we've still got time to do that if we like?"

Speaker Hannig: "Absolutely."

Cross: "All right. I'm not sure yet, but just let me make sure. Let me confer with some people. Will the Sponsor yield?"

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

59th Legislative Day

May 13, 1997

Speaker Hannig: "Indicates he will."

Churchill: "Wait a minute, I never said that."

Cross: "Representative, I listened to the Senate debate on this Bill, and frankly, the Senator that presented it seemed to do a better job. Have you conferred with her at all on the presentation of this Bill?"

Churchill: "Well, you know, Senator Cross, she and I talked about this Bill, but we've never mentioned your name. I'd be happy to have Senator Geo-Karis come over and specifically explain this Bill to you at a private meeting, maybe it could be like a dinner. I'll pay for the dinner. You and Senator Geo-Karis can go out and talk about this Bill."

Cross: "If you'll pay, if we could have it at your home, Representative Churchill, I would enjoy that, and I'll bring the cigars. Mr. Speaker, I'm going to withdraw my request for a verification right now. I think I might even support this Bill now that I've had my questions answered. Thank you."

Speaker Hannig: "Representative Churchill to close."

Churchill: "I just ask for your support. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; 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 101 voting 'yes' and 14 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mautino on Senate Bill 517. Read the Bill, Mr. Clerk, (sic-Senate Bill) 517."

Clerk Rossi: "Senate Bill 517, a Bill for an Act in relation to finances. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mautino."

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

59th Legislative Day

May 13, 1997

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 517 is identical to legislation that we passed through here a few weeks ago. It is the Comptroller's Administrative Bill. There are a few changes in it. One of them, which will change the Department of Personnel to the Department of Human Resources. It also changes the amount of time that the comptroller is required to keep warrants and vouchers, from five years to three years. And a couple of other changes adding 'he' or 'she', gender correction, as far as their statute. And I just ask for an 'aye' vote. It received 115 votes the last time."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 517. And on that question, Representative Churchill is recognized. Representative Churchill. I guess his light's on from the last debate. Representative Black."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, what's the current status of House Bill 909, which we passed out of here unanimously? Is it still working its way through the Senate?"

Mautino: "Yes, it is. I believe it's..."

Black: "Oh, it's out of Rules?"

Mautino: "It is out of Rules, and it is on the Senate Calendar. I believe it's on Third Reading."

Black: "Oh, well, okay."

Mautino: "So, it did make it through that morass of Senate Rules."

Black: "Well, their workload over there is crushing, just crushing."

Mautino: "I think they need more naps, as well, so it takes a little longer."

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

59th Legislative Day

May 13, 1997

Black: "There isn't anything different in this on than was in House Bill 909, right? Same Bill?"

Mautino: "Identical."

Black: "Okay, thank you."

Speaker Hannig: "Is there any further discussion? The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 528."

Clerk Rossi: "Senate Bill 528, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lyons, Joseph Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 528 amends the Metropolitan Water Reclamation District Act to allow the Board of Commissioners to authorize the making of transfers after March 1 of the fiscal year, within or between departments. Currently, as it now stands, they cannot make such transfers until June 30. This Amendment is an in-house Bill for the water reclamation district. It would have no effect on the total amount of appropriations, nor would it affect or increase the tax levy. A favorable vote on this would be appreciated. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 528. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

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

59th Legislative Day

May 13, 1997

wish? Mr. Clerk, take the record. On this question, there are 92 voting 'yes', and 25 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 545, Representative Mautino. Representative Mautino, (sic-Senate Bill) 545, 545. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 545, a Bill for an Act amending the Solid Waste Planning and Recycling Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 545, as amended, is going to add a couple of people to the commission, as requested by the Sponsor. It is going to go back to the Senate, and, we're just putting this Bill forward, sending it on its way. And appreciate your support. Answer any questions if you have any."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 545. And on that question, Representative Black is recognized."

Black: "Thank you very much, Mr. Speaker. First, an Inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "Was Floor Amendment #1 adopted to the Bill?"

Speaker Hannig: "Mr. Clerk."

Clerk Rossi: "Floor Amendment #1 has been adopted to the Bill."

Black: "Okay, thank you. Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Black: "Representative, is the ultimate purpose of this Bill, is it to create another study?"

Mautino: "I'm just getting a couple of things squared away on the computer here."

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

59th Legislative Day

May 13, 1997

Black: "Okay, I'm in no hurry. I don't have any place to go."

Mautino: "This Bill is designed to set recycling standards and gives us uniform practices. Also the Amendment was added at the request of Senator Karpziel, which added a couple of members to the task force. The Amendment did not become the Bill."

Black: "Right. It just added to it. Okay. Now, let me ask you, one of the intriguing things caught my attention in this Bill is the definition of municipal waste. Maybe you could review for me the things that are not included. What would not be municipal waste that I could no longer put out for my, you know, the sanitation people come along every Monday morning at my house and pick up things? Does your Bill, is it going to close off some of the things that I can put out at my curb, and they haul to the landfill?"

Mautino: "Okay, no, it's not going to do that. It's not going to include... special waste would be like the medical waste, things from the hospital. And it's for the purpose of determining what is recyclable, what is not recyclable."

Black: "Okay. I'll give you..."

Mautino: "The idea is, they want to have a base line idea of what is and what is not."

Black: "I'll give you a classic example. As I speak to you, I have about 78 whole or partial bricks. I took down an old flower box that didn't survive the winter, and I was hoping that my wife, since I won't be home this weekend due to the inefficiency of our operation, could put the bricks out at the curb and have the sanitation truck haul the brick away from my house. Now, would that fall under 'earth materials moved or removed during demolition or construction, clean construction or demolition debris'? If I read this Bill, they won't be able to haul my bricks away."

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

59th Legislative Day

May 13, 1997

Mautino: "Do you live in DuPage?"

Black: "Shame on you. I applied to move there, but they wouldn't accept my application."

Mautino: "The purpose is not to say what you can or cannot put out there. What we're trying to get to, is to create some standards. No, you can still put the bricks out there. It's how we classify them. They're still going to pick up your bricks there and the flower box, and everything is going to be fine."

Black: "Okay. Because, I mean, that's very important. And as you know, in many downstate communities, even though you can't landfill white goods, our sanitation department will still haul them away for you. It's a little extra fee, and I really don't even know where they take it. I know you can't landfill it. But if it's anything that upsets senior citizens, it's anything we do here that says you can no longer put that out at the curb and have the sanitation people haul it away."

Mautino: "This is definitely not designed to upset the senior citizens, and they can put all of their, if they happen to be doing some home remodeling and they have some bricks, they can set them right along side yours."

Black: "So, if there's any confusion with this Bill I can give them your number, not mine. Would that be okay with you?"

Mautino: "Actually, you'd probably want to give them Representative Persico's, because he's the one who's going to be recycling that."

Black: "Okay. Well, I just want to make sure it's not your intent that we get into any rule making process that begins to give out, or come up with another dozen categories of things that cannot be landfilled."

Mautino: "Absolutely. And actually, currently there are no

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

59th Legislative Day

May 13, 1997

uniform standards that are out there, so we're trying to construct that."

Black: "Okay. Thank you very much."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass'? All in favor vote 'aye'; opposed '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 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Leitch on Senate Bill 549. Representative Leitch. Mr. Leitch, do you wish to call that Bill? Out of the record. Representative Stephens, on Senate Bill 569. Out of the record. Representative Biggins on Senate Bill 593. Out of the record. Representative Moffitt, Senate Bill 594. Out of the record. Representative Biggins on Senate Bill 681, 681. Mr. Biggins. Out of the record. Representative Black on Senate Bill 689. Mr. Black. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 689, a Bill for an Act amending the Hazardous Materials Emergency Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. This Bill, the primary purpose is to correct an audit finding within the Illinois Emergency Management Agency. They're given the duty right now of setting up standards for these placards that you see on various storage buildings. They're very prominent here in Springfield. They have different colors and numbers, and it tells the first responder of the fire department what chemicals are in that building. This

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

59th Legislative Day

May 13, 1997

probably never should have been given to a state agency, as municipalities set their own standards for placarding. This simply removes IEMA'S responsibility for regulating set placarding and merely recommend that local governments adopt these regulations. That's the thrust of the Bill. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 689. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 723, Representative Scott. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 723, a Bill for an Act in relation to tourism promotion. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Scott."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 723 makes some changes in the way that we fund the tourism accounts here. Changing from current law, a \$10 million monthly prorated fee from Build Illinois, that's repealed. The 10% of the hotel/motel per month is now altered in this particular Bill. There is a \$10 million GRF that is repealed in this particular Bill. The whole net effect of this is to change the way tourism is funded to make it more reflective of the monies that come in from hotel/motel, and not be just a straight monetary amount paid by GRF. It's passed, virtually unanimously, I believe, everywhere it's been. And it's supported by not only the tourism accounts, DCCA is neutral

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

59th Legislative Day

May 13, 1997

on the Bill. And there is absolutely no know opposition that I know of."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 723. Is there any discussion? Representative Novak is recognized."

Novak: "Yes, Mr. Speaker, will the Gentleman yield?"

Speaker Hannig: "Indicates he will."

Novak: "Representative Scott, it's my understanding we have a regional councils of tourism in this state. We also have your local county, or county things of tourism in the state. Does this pit one group against the other, what you're doing?"

Scott: "No, I don't believe it does at all, Representative Novak."

Novak: "Are we taking the cap off the current state law? Are we taking the cap, what the state provides to our tourism councils, are we raising the cap?"

Scott: "Well, what you're doing is changing it. Right now you've got a \$10 million monthly amount that comes from Build Illinois, and that's being taken out of this. You've got a \$10 million GRF that's being taken out of this particular Bill. You've got a 3% hotel/motel that comes from GRF, that's taken out of this. And instead what you're doing is changing it. You're making it more responsive to making a percentage of the hotel/motel income. So you're taking off the cap in the sense that if those revenues increase there's going to be more that goes to tourism. The converse is also true, if those revenues decrease that could also mean a net loss eventually for tourism, rather than a straight amount out of GRF."

Novak: "Who, what organization came, I know this is a Senate Bill, who is the Sponsor in the Senate?"

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

59th Legislative Day

May 13, 1997

Scott: "Senator Karpel."

Novak: "Did the tourism groups come to her and ask her to Sponsor this Bill?"

Scott: "Yeah. This is an initiative, I believe, from the tourism groups. But as I said, the hotel/motel operators are also in favor of it, and DCCA has been supportive of it, they're officially neutral."

Novak: "Well, have there been any... I'm just trying to figure out the reason why this Bill was filed, are some tourism groups think they are being slighted, as far as state funding or what?"

Scott: "The problem is there are a lot more tourism groups now than there were before."

Novak: "I understand that."

Scott: "And that \$10 million GRF amount. When you ask your question about pitting them, one against each other, that really happens more now, because the revenue is limited. The revenue is capped from those amounts. This will actually help that by being able to have more of those groups access the funds that currently they can't. And you might ask, well the budget implications of it when we were testifying in committee, it was stated that these are amounts that are being anticipated within the budget. So, its not something that we are going to be looking around trying to come up with more dollars or anything like that."

Novak: "Okay. So, there is a possibility of your local tourism councils to receive more funds. The way you are reconfiguring the distribution formula. Is that a correct thing to say?"

Scott: "That is a fair statement. And the reality is that there are just more of them than there used to be. And the feeling is when they are competing for that one limited

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

59th Legislative Day

May 13, 1997

amount of dollars that came out of GRF in the Build Illinois, that it wasn't adequate really to fund some of these. And if hotel/motel revenues increase, these groups, who are directly responsible for influencing hotel/motel revenues, should also see some of the benefit of that."

Novak: "Okay, Representative Scott, the reason why I asked these questions is about seven years ago I was the Chief Sponsor of a Bill that took the cap off. I think, it was at \$7 million and we increased it to \$10 million. So, there was \$3 million GRF infusion into the regional and local tourism funds under the old Thompson Administration. So, okay. Well, listen, thank you, thank you very much for your information."

Scott: "I appreciate the questions. Thanks Phil."

Speaker Hannig: "Representative Erwin."

Erwin: "Thank you, Speaker. I rise in strong support of Senate Bill 723. We have the good fortune in Illinois, right now of having a booming visitor industry around our state, and particularly in the Chicago Metropolitan area. Anyone who has tried to help someone get a hotel room lately will find that it actually is pretty tough. What I think Representative Scott's Bill does here is help the tourism agencies around the state be able to benefit from the revenues that are going into those hotels. I think it is certainly something that is very logical in that the revenues that are being generated from the visitor industry, we would like to see them go back and be recycled into further promotion of the tourism and visitor industry around the state. Unless anyone think otherwise, this is big business. There are hundreds of millions of dollars of jobs, billions of dollars in economic activity in many categories, the service industries, not just hospitality,

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

59th Legislative Day

May 13, 1997

but certainly all of the attendant service industries. These are revenues in sales taxes that are coming into our general revenue funds that frankly, help pay for schools all over the state, as well. I think it is a terrific idea. I know that the tourism department and the Department of Commerce and Community Affairs has worked on this all year. And I think it is a terrific idea. And I would urge an unanimous vote."

Speaker Hannig: "Representative Leitch."

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

Speaker Hannig: "He indicates he will."

Leitch: "Do you know by any chance, whether the downstate convention bureaus as they are in Peoria and I think, Rockford and other places, how would they be affected by this?"

Scott: "Well, Representative, both the statewide tourism bureaus and the local tourism bureaus that receive money under this, they would be affected right now positively, as Representative Erwin said and as we were talking about with Representative Novak, in that right now shifting to a percentage rather than a straight capped \$10 million in two different areas, would actually help them. This year it provides about an additional \$3 million to be distributed. So, the only reaction that I have gotten from any of the downstate folks and from, let's say, the Convention of Visitors Bureau in Rockford and other places, is very supportive of that, because, obviously it will help them in infusing some more dollars."

Leitch: "Thank you."

Speaker Hannig: "Representative Scott to close."

Scott: "As Representative Erwin said, tourism is a big business in Illinois. There is a significant number of jobs that

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

59th Legislative Day

May 13, 1997

are paid for, in part, by tourism dollars and the ability to recycle those dollars, make them be more effective infuse some more dollars into tourism helps bring more money in. And again, the hotel/motel tax not only pays for tourism, but provides other jobs, as well, sales tax for many local communities. I think this is a very good Bill. It is very common sense. And, as I said, it has passed virtually unanimously everywhere it has been. And I would ask for a favorable support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 113 voting 'yes' and 4 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lopez on Senate Bill 763. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 763, a Bill for an Act amending the Higher Education Student Assistance Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lopez."

Lopez: "Thank you, Mr. Speaker, Members of the General Assembly. Senate Bill 763 has three provisions. It was amended by House Amendments #1, #2 and #3. What the first provision does, it provides that the Illinois Department of Employment Security can share information with ISAC regarding student loan defaulters. That has been done for many years and we just want it into law. The second provision is, provides that the Commissioner of Real Estate and Residential Finance has the same authority to not renew or revoke real estate licenses of student loan defaulters as the Department of Professional Regulation, whom is

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

59th Legislative Day

May 13, 1997

responsible for issuing such licenses. All we'll deal with is with those people who owe student loans, and have defaulted on those loans. And the third provision does, it requires ISAC every two years to prepare a report on the performance of the MAP recipients. And I urge a favorable Roll Call, please."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 763. And on that question, Representative Black is recognized."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, on our computer, it indicates the Committee Amendment #1 becomes the Bill and then Committee Amendment #2 adds to the Bill. Committee Amendment #3 includes the provisions of House Bill 1311."

Lopez: "It is House Bill 1631. It was previously House Bill 1631, and it passed the House 116 to 0."

Black: "So, our computer is wrong?"

Lopez: "I guess."

Black: "Oh, okay. And so then you, are all the underlying provisions in Senate Bill 529 still in the Bill? Or (Sic-Senate Bill) 763. I'm sorry."

Lopez: "The underlying language has been eliminated. It is just the three Amendments that were added on that become the Bill."

Black: "So, so it appears to me there is nothing in this Bill that... dealing with the Monetary Award Program anymore."

Lopez: "You're correct, just for a study."

Black: "So Committee Amendment #1 provides that Illinois Department of Employment Security can give information to ISAC that would help ISAC come up with delinquent loan

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

59th Legislative Day

May 13, 1997

folks."

Lopez: "You're correct."

Black: "Okay now, Amendment #2 then says that if you are delinquent on a student loan, administered by the Illinois Student Assistance Commission, we can refuse to reissue the license of a real estate salesman, broker..."

Lopez: "You're correct."

Black: "Okay, now where I'm confused then, is Amendment #3. Just what exactly does Amendment #3 do?"

Lopez: "It just requires ISAC to prepare a report on the performance of the MAP recipients, and this has been agreed with ISAC."

Black: "Okay."

Lopez: "So, they're not in opposition to this Amendment."

Black: "Will this Amendment require that we get a study of the impact of adding proprietary schools to the Monetary Award Program? Will we be able to see what that did?"

Lopez: "It will study all students, all recipients."

Black: "Including, of course it hasn't been signed into law yet, but that would include the recent Bill we passed about adding proprietary schools. Right?"

Lopez: "Yes. Yes, it would require all students."

Black: "I would like to get a copy of that report. Would you, would you see if Mr. Erford would send me a copy of that report when he gets that?"

Lopez: "I think he's shaking his head."

Black: "He is an outstanding Gentleman. So, so that there is no mistake in the Chamber, this Bill no longer has anything to do with increasing the Monetary Award Program flat grant, base grant?"

Lopez: "You're correct."

Black: "Okay, so it is just the Amendments?"

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

59th Legislative Day

May 13, 1997

Lopez: "Just the three Amendments."

Black: "Alright. Thank you very much."

Speaker Hannig: "Representative Erwin."

Lopez: "This is three Amendments... provisions that..."

Speaker Hannig: "No, Representative Erwin. Representative Lopez, Representative Erwin is recognized for questions."

Erwin: "Thank you. Just briefly, in response to Representative Black's question about Amendment #3. Representative, it really is a data collection Amendment, if you will, because you may recall because we did debate this once on the House Floor before. I was sort of amazed to learn that we did not have a lot of information on how the MAP recipients do. I mean, how long do they stay in college? What are the grade point averages? I think we need to collect information so the taxpayers know if they are getting a good bang for their buck out of the Monetary Award Program. So, it really just requests data collection. And ISAC did agree with it. Thank you."

Speaker Hannig: "And Representative Lopez is recognized to close."

Lopez: "Yeah, these provisions are supported by ISAC. And I ask for a favorable Roll Call. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 764, Representative Lopez. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 764, a Bill for an Act amending the Actions to Enforce Payment Act. Third Reading of this

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

59th Legislative Day

May 13, 1997

Senate Bill."

Speaker Hannig: "Representative Lopez."

Lopez: "Thank you, Mr. Speaker and Members of the General Assembly. What the Senate Bill 764 does, it adds a new section to the Action to Enforce Payment, its costing guarantor liability. It provides that the guarantor of a debt has agreed in writing to remain liable for all or part of the unpaid obligation of a primary obligor. The guarantor is not released from liability on that debt, if an action against a primary obligor or another obligor is said or otherwise discharged. This is a legislation that is supported by the Illinois Bankers Association, the Community Bankers' Association and the Illinois Financial Services Association. And I know of no opposition to this Bill."

Speaker Brunsvold: "Representative Brunsvold in the Chair. On that question, is there any discussion? Seeing none, the question is 'Shall Senate Bill 764 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 116 voting 'yes'; 0 voting 'no'; 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 772, Mr. Scully. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 772, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this... Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Cook, Mr. Scully."

Scully: "Thank you, Mr. Speaker. I present Senate Bill 774, which is an Amendment to Illinois Vehicle Code, increasing the penalties for leaving the scene of an accident, also

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

59th Legislative Day

May 13, 1997

decreasing the time period within which a person must report an accident. This language is ident... the language of Senate Bill 772 is identical to House Bill 745, which was passed by this House last month. It is also substantially similar to a House Bill Sponsored by Representative Kosel. The one major difference between those two House Bills was whether or not we would impose mandatory sentencing. This Bill, Senate Bill 772, requires mandatory sentencing. Representative Kosel was kind enough to join me as a Cosponsor of this Bill. I ask for your favorable vote.

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 772 pass?' All in favor vote 'aye', all opposed... The Gentleman from Kendall, Mr. Cross. I apologize. I looked up there and your light was not blinking."

Cross: "Perhaps it was a late button hit. Sorry about that."

Speaker Brunsvold: "That's okay. Mr. Cross."

Cross: "Will the Sponsor yield?"

Speaker Brunsvold: "He indicates he will."

Cross: "Representative, just so we are clear on this and there's no confusion, whatsoever. This Bill, in the event you are found guilty of, I guess not reporting or fleeing and eluding, I want to make sure about what we are talking about. This is a non-probationable offense. Is that correct?"

Scully: "That is correct."

Cross: "This is, what offense actually are we talking about that would be non-probationable? Is this fleeing, I don't think it is fleeing and eluding, is it just a failure to report an accident?"

Scully: "It would be leaving the scene of... failure to report

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

59th Legislative Day

May 13, 1997

the accident."

Cross: "What is the current penalty, Representative?"

Scully: "I'm sorry, Representative."

Cross: "What is the current penalty?"

Scully: "The current penalty is a Class IV Felony."

Cross: "A Class IV Felony, right, if I'm not mistaken is one to three years?"

Scully: "That's correct."

Cross: "And that is probationable?"

Scully: "Under the current law, it's probationable."

Cross: "And this now becomes a Class II."

Scully: "A Class II Felony, non-probationable."

Cross: "So, can you tell us what the law now would provide under your law with respect to the requirements of reporting an accident?"

Scully: "An accident... under the present law, the accident must be reported within three hours after the motor vehicle accident. The Amendment to the law would decrease that to as soon as possible, but no more than one hour after the accident. Our goal is to get people to stay and help anyone who is injured in an accident. We want to create a strong deterrent for anyone to leave the scene of an accident. It is critical that we do everything in our power to have people stay at the scene of an accident and render assistance."

Cross: "So, in addition to the, from three hours down to one, the only other change is the sentencing. Is that correct?"

Scully: "There is also a change in the period within which a person could reapply for a license, if their license has been revoked as a result of these kinds of violations."

Cross: "Representative, and we are all familiar with the case, I think, that is driving this Bill. My guess is everybody,

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

59th Legislative Day

May 13, 1997

it is more than a guess, everyone in this room or this Chamber is supportive of addressing this issue. But, there has been a real concern, I think, on both the House side, as well as in the Senate, about making this non-probationable. Have you, have you talked, have you talked to people about this concern?"

Scully: "Yes, I have. I have talked to the Will County State's Attorney, as well as many of the former State's Attorneys, who are sitting in this Chamber about this issue. In particular, the Will County State's Attorney, who is one of the major proponents of this Bill, has expressed very strong concern about judges granting probation in cases where he felt it was highly inappropriate, and the lack of a strong deterrent under the current law. The fact that we have such a strong deterrent for drunk driving, yet the penalty for drunk driving is now more severe than, right now is more severe than the penalty for leaving the scene of an accident. That, technically, creates an incentive for a person who might be intoxicated to leave the scene of an accident, rather than stay and submit to a breathalyzer and be found guilty of drunk driving. First, we have to get rid of that negative incentive. Second, we have to create a strong deterrent. Again, to encourage people to stay at the scene of an accident and to render assistance to anyone who has been hurt."

Cross: "Mr. Speaker, can we take this off Short Debate? I'm joined with the requisite number?"

Speaker Brunsvold: "The Gentleman asked to take this Bill off Short Debate, he has the requisite number. It has been removed from Short Debate."

Cross: "Alright, thank you. Representative, so if I may... a 75 year old woman, grandmother, that causes an accident and I

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

59th Legislative Day

May 13, 1997

take off out of fear, out of mistake, out of ignorance, out of lack of awareness and then I find out what happened an hour and half later. I have got to be... by law now, under your Bill, required to go to the Department of Corrections for a minimum of three years. Am I reading this Bill correctly?"

Scully: "Representative, in that case, I don't think the person involved in the accident would have the adequate mens rea to be convicted. They wouldn't have the adequate knowledge and mental state to be convicted of a violation of this law. Second, I have strong confidence in the prosecutorial discretion of our elected State's Attorneys to not aggressively prosecute those cases where there was clearly an accident of where these kinds of penalties are clearly inappropriate. I have great confidence in our State's Attorneys."

Cross: "Well, let's slow down a little bit here then. First of all, you know the penalty now under this Bill is tougher, a stronger penalty, a longer sentence, a longer penalty than vehicular homicide. Are you aware of that?"

Scully: "Yes."

Cross: "Which is probationable, if I'm not mistaken. What do you mean by, explain to us, the Members of this Chamber, what you mean by mental state and what is going to be required to prove your case a prosecutor under this Bill?"

Scully: "In the hypothetical that you raised, Representative, you implied that the person, who had committed the accident was not aware that they had injured someone."

Cross: "Why can't I say that on every case that happens? I didn't realize there was an accident, Mr. Prosecutor. I defer to your discretion. I defer to your knowledge of the law. I'm very sorry I didn't know there was an accident

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

59th Legislative Day

May 13, 1997

and I took off, so don't charge me. Is that... are we expecting that out of prosecutors? I mean it is going to be tough to prove the state of mind of the defendant."

Scully: "That's correct. And if they, if the prosecutors..."

Speaker Brunsvold: "Mr. Cross can you bring your question to close?"

Cross: "So, how are we going to prove state of mind, if I'm a prosecutor for the aware case, the aware case or the unaware? How are you going to do that as a prosecutor? And we've also got... we are putting prosecutors in a box now. We are going to force them to charge people with this crime including the little old lady who is going to be sent off to the Department of Corrections in Dwight, because she doesn't realize that she is supposed to stop or she gets scared and she goes home and maybe she calls a son or she calls a lawyer or she calls a friend and she doesn't get to the police until an hour and five minutes. I understand the situation we are trying to address, George, and I totally respect that, and no one is disputing what you are trying to do, but sometimes we go too far in this Chamber, and we are going to set up some scenarios where we are going to be sending the wrong people to the Department of Corrections, that is why we have probation. And I want to know again how are we going to avoid sending the unintentional action of the 70 year old woman or the 16 year old driver, the person who just gets their driver's license, who gets nervous, who gets scared and takes off. How do we address that issue under this Bill, if we can at all?"

Scully: "First, we retained full prosecutorial discretion. The State's Attorney's are not in a box. They have the ability to decide whether or not they would aggressively prosecute

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

59th Legislative Day

May 13, 1997

this case. It's impossible for us to state absolutely whether there are any lesser included offenses that would be available to a prosecutor. That would depend purely on a case by case basis. Third, we do have the issue of adequate mens rea in many of the hypotheticals that people would raise where this penalty would be inappropriate. What the person raising the hypothetical is really saying, is this person did not have the adequate criminal intent to be properly accused with the crime. The obligation of the prosecutors to prove mens rea is no different in this case than in any other case. There is always going to be the opportunity, as exists under present law, as will continue to exist that a defendant will come forward and say, 'I didn't know anyone got hurt,' and that will be a question for the jury to decide as is the law now, as will be the law in the future."

Cross: "Do we really want... my last question, Mr. Speaker. Not the intentional leaving, the accidental leaving. We want to send those people to the Department of Corrections? I mean they haven't had anything to drink, 0-0 blood alcohol level, 0-0 drugs, good driving. It is an accident, just an accident. And this person leaves the scene, inadvertently, out of nervousness, whatever. We want to send those people? This General Assembly wants to send those people to the Department of Corrections for at least three years and possibly 14, where a judge has absolutely no discretion? Is that your intent under this Bill?"

Scully: "Yes."

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

Speaker Brunsvold: "The Gentleman from Cook, Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Brunsvold: "He indicates he will."

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

59th Legislative Day

May 13, 1997

Durkin: "Representative, I know we have been going over this whole thing about the scienter and mens rea requirement, but as I read the law there is no scienter or mens rea requirement from this, because what we are doing is that we are going state that we are going to impose a Class II, non-probationable Felony on an individual who admits to the act. Is that correct?"

Scully: "They would have to have knowledge of the personal injury. They would have to leave the scene of an accident and not report an accident resulting in personal injury. Personal injury is defined to mean any injury requiring immediate professional treatment in a medical facility. If a person does not know that there has been an injury requiring immediate professional attention, they don't have the adequate state of mind to have committed this crime."

Durkin: "Well, I'm still, we are still having a problem with it over here, because I'm looking at page 3 of the Bill, it says, 'Any person, who has failed to stop or comply with the requirements of paragraph (A), shall, as soon as possible, but in no case later than one hour, is going to be charged with this felony.' The fact is, if somebody, if you find out, I mean, we have talked about prosecutorial discretion, but the fact is, do you have any type of defense, good faith defense within this law?"

Scully: "Mr. Representative, your question is too broad. Could you be more specific?"

Durkin: "Is there a good faith defense in this law? I did not have knowledge. I did not know that I hit someone on the road and I found out and I reported it two hours, four hours later or a week later."

Scully: "If the accused did not know that someone was injured in such a manner as to require immediate professional

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

59th Legislative Day

May 13, 1997

treatment in a medical facility or doctor's office, then they don't have adequate knowledge to be charged with this crime."

Durkin: "Is that spelled out in law?"

Scully: "Yes, it is."

Durkin: "Could you point me, could you direct me to that section?"

Scully: "Yes, that would be Section 11-401 subparagraph (B), the second paragraph."

Durkin: "Well, it has come to my understanding that there is case law right now which states that there has to be some type, there does not have to be... Could you hold on one second? I'll get away from that question, but the fact is, I still think we have problems with establishing any type of mental intent. And what we are doing is that we are going to find individuals, we are going to charge them with felonies for a failure to act, but let's get back over to why this is a Class II Felony. Is there any reason why you are making this a Class II Felony as opposed to all the other felonies, which have got X 1, 2, 3 or 4?"

Scully: "Yes, because we are specifically comparing it to the felony of driving under the influence. Right now, a person, who is drunk and involved in an accident, is legally better off leaving the accident and being charged only with leaving the scene of an accident, a Class IV Felony, than being charged with driving under the influence of alcohol and being involved in the accident."

Durkin: "Representative, are you familiar with all... I will give you just a little list of some other crimes which are Class II Felonies: kidnapping, aggravated battery to an unborn child, aggravated battery to a senior, aggravated battery with great bodily harm, compelling membership to a gang,

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

59th Legislative Day

May 13, 1997

delivery of a controlled substance. Those are all Class II Felonies, but the distinction between your law and those prior offenses, that those are probationable. Do you believe that the individuals who are charged with this crime and eventually are found guilty, they should be treated harsher than these individuals, who have this, obviously, have criminal intent. Kidnappers, people who beat up senior citizens, the people who slap around and beat up pregnant women, the gangbangers who try to force individuals into their gang. Do you believe that the people, who are going to be charged with this should have to go to jail without any type of discretion of the judge? Whereas, these other offenses, it is discretionary as Class II Felonies."

Scully: "I think that leaving the scene of an accident when someone is injured, may they require immediate professional treatment in a medical facility, is a very, very serious crime. We are not talking about the crime of having committed the accident in the first place. We are talking about the crime of leaving someone who has been injured, who needs immediate professional attention. That is a serious crime. Our goal here is to get people to stay there and assist in that medical attention. Our goal is to save lives after the accident has occurred.

Durkin: "Well, I submit to you by enhancing this to a Class II Felony, you are going to get that message sent loud and clear through the State of Illinois. But the fact is, if we are dealing with people who are leaving these scenes, who have committed a terrible crime, there are other ways of charging these individuals. We have reckless homicide statutes, we have people who are also under certain conditions, they will be charged with first degree murder,

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

59th Legislative Day

May 13, 1997

but the fact is, the people who are going to be charged with this, are people who are probably not the worst criminals in the world. I don't even think a lot of them really are criminals. These are scared people. And we are treating them harsher than we are treating gangbangers. The fact is, I believe that we have gone, even though we do have a habit of sometimes enhancing crimes in this Chamber, we have to be extremely judicious when we do it. And I believe in this situation, I believe that the case, I mean, the classification should be moved up, but I believe by making this a non-probationable offense, I believe we are going in the wrong direction. And I respectfully request a 'no' vote."

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

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

Speaker Brunsvold: "Indicates he will."

Turner, J.: "Representative, I seem to recall that you had made at least some intimation that you were going to amend this Bill, so that it would be a probationable offense. Am I incorrect?"

Scully: "You are incorrect that I agreed to amend it. I said I would work with the people in the Senate and I would work on those issues. And what happened was, that there were two Bills that went over from this House to the Senate. One provided for probation, the other one didn't. They both never even got called for a vote. After I left the House that day, I went back and I called the State's Attorney, State's Attorney Glasgow from Will County, and discussed with him the issue of whether or not he thought it was appropriate to make this a probationable offense. He being the strongest proponent of this Bill, the person

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

59th Legislative Day

May 13, 1997

who asked us to come forward, he said that for, to create the proper public message to not leave the scene of an accident, it was critical that it not be probationable, that he was very concerned about judges granting probation in many cases where it was totally inappropriate. And he asked very specifically that I, that we retain that provision. I have discussed that with several Members on your side of the aisle. I made that statement specifically to Mr. Roskam. And I discussed that issue with him just earlier today."

Turner, J.: "You discussed that with Mr. Roskam earlier today?"

Scully: "Yes."

Turner, J.: "Well, what is the logic then in having an offense where you leave the scene of an accident that would be non-probationable versus having a reckless homicide, which does allow for probation. I don't understand the logic. One seems to be a more heinous or more serious offense than the other and yet the least serious offense is the one that we are going to punish the most. What is the logic there?"

Scully: "I don't agree that it is less serious. First of all, we are not talking about the crime of committing the accident. We are talking about the crime of leaving the scene of the accident when there is someone who needs immediate professional medical assistance. That is a very severe crime. Knowing that there is someone there who is injured and leaving the scene of that accident, leaving that person there, knowing that they require that kind of immediate professional medical attention. And that knowledge is a critical component of this crime. If that knowledge doesn't exist, the crime has not occurred."

Turner, J.: "Well, does your Bill say that the person must need immediate attention, medical attention? Does it say that

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

59th Legislative Day

May 13, 1997

in there or is that the way that you are interpreting the language? Because I don't see that?"

Scully: "That language is in the law right now and it can be found on page, page 3 subparagraph (B) second paragraph."

Turner, J.: "I'm sorry, Representative. I was with you page 3 subparagraph (B). And then what did you say?"

Scully: "In the second paragraph of subsection (B)."

Turner, J.: "The second paragraph? You are reading from line 26 through line 28?"

Scully: "Yes."

Turner, J.: "All right. So, then any, as I understand it then, if you are going to rely upon that language, any personal injury that requires medical treatment would be the type of personal injury you are talking about for applicability of this statute, anything that requires medical attention?"

Scully: "That is the definition of personal injury for the purpose of this criminal statute."

Turner, J.: "So, it could be a very serious injury or a broken finger or perhaps a one inch laceration. It could be any of those things? It is all going to be treated the same?"

Scully: "Well, then a defendant could then argue that it really doesn't require immediate medical attention. As you are probably well aware, many of us go to a hospital right away with a broken arm and we sit there for a an hour, two or five hours, because the doctors realize that there is nothing immediate about getting a broken arm set.

Turner, J. "You mentioned earlier that the Bill does specifically state that the mens rea is knowledge. I think you gave citation or a line that you had cited. Representative Durkin, I don't see that. Where is that again? Could you give it to me please?"

Scully: "It is those same three lines that you and I just

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

59th Legislative Day

May 13, 1997

discussed."

Turner, J.: "Mr. Speaker, could I have another minute or two?"

Speaker Brunsvold: "Proceed."

Turner, J.: "All right, you're saying that is in line 26, 27, 28 on page 3?"

Scully: "Yes, that is the definition of personal injury."

Turner, J.: "Well, I'm talking about the mental element. What mental element is in your statute? Is it knowledge? Is it intent? Is it negligence? What is the mental element? I don't find it in your statute."

Scully: "Representative, in subparagraph (A), which starts at line 3. On page 3, it states the violation. 'A driver of a vehicle involved in a motor vehicle accident resulting in personal injury to or death of any person shall immediately stop.' In the order to commit a violation of Act, you must know that the personally injury has occurred if you don't know that it..."

Turner, J.: "This is a pretty serious felony here, if we pass this Bill it becomes a Class II non-probationable minimal three years, and you're telling me that the mens rea, the mental element, whether it be knowledge or intent is not spelled out within the statute? I don't see it in there. I'm looking at subparagraph (A) under page 3. I don't see the word knowledge or the word intent any place in that paragraph."

Scully: "Representative, I believe the case law requires knowledge and certainly every crime requires knowledge."

Turner, J.: "Well, every crime doesn't require knowledge. Some crimes require intent. Some crimes require knowledge. Some crimes, in fact, require only negligence, if it is criminal negligence. And this does not specify that. You are telling me there is case law that suggests that the

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

59th Legislative Day

May 13, 1997

mens rea that applies in this situation is knowledge?"

Scully: "Yes, although, I can not cite that case law to you now, as we stand here."

Turner, J.: "How about the situation where there is an accident, there is an injury and you are out in the country in a very rural area and the person leaves the scene to go to try and find help. Now, we don't have a mens rea specified in here. They do leave the scene. They don't report within one hour. Are they then guilty of a Class II Felony, if indeed there is a death involved, so that they have to go to prison for three years?"

Scully: "First, I don't think that would satisfy the mens rea of this statute. Second, and more importantly, I have confidence in our elected State's Attorneys to not prosecute such an aberration as you have outlined in your hypothetical."

Turner, J.: "Well, I have confidence in the State's Attorneys too, but I also have confidence in judges. Why does it not logically follow, based upon what you just indicated, that we should not usurp the authority of the sentencing court to allow the person to be placed on probation. Why not make it a Class II Felony, subject to three to fourteen years in the Department of Corrections, and not usurp the authority in the proper circumstances to allow the court to sentence the defendant to appear in probation if that, in fact, is justice in the case?"

Scully: "Because the State's Attorneys that I have spoken to and the State's Attorney who asked me to sponsor this Bill."

Turner, J.: "Does your State's Attorney not trust the authority of the judge and the discretion of the judge? Has there been an instance where a judge in your circuit has not sentenced someone to prison when they should have been and

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

59th Legislative Day

May 13, 1997

instead has given probation? Is that the genesis of your State's Attorney asking for this?"

Scully: "That's part of the genesis of his request that this be non-probationable."

Speaker Brunsvold: "Mr. Turner, can you bring your questioning to a close?"

Turner, J.: "Yes, Mr. Speaker. I'm finished, thank you."

Speaker Brunsvold: "Thank you. The Lady from Will, Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I rise in bipartisan support of this legislation. It is something that should have been passed over a year ago. Two weeks ago, I had both a father and husband in my district killed in a hit and run accident. I would ask for the Body's positive support of this legislation. Thank you."

Speaker Brunsvold: "The Gentleman from DuPage, Mr. Roskam."

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

Speaker Brunsvold: "Indicates he will."

Roskam: "Representative Scully, you and I spoke a couple of moments ago, and I appreciate your courtesy on this Bill. On another point that I brought up, I think that that earlier point was addressed, but I still have a very serious concern about the Bill. Can you tell me what the scenario would be, assuming a State's Attorney who has sworn to uphold the law, where facts are presented to that State's Attorney, that the law was violated? If the scenario went like this: I have a 16 year old daughter, who is out driving and made a bad decision and hit someone. She comes back in tears and so forth. I'm working or I'm down here in the General Assembly. She comes home, she leaves the scene, inappropriately, she and my wife call me here, and so forth, and I give them advice. And the time

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

59th Legislative Day

May 13, 1997

period, Representative, has lapsed. Now we are passed the magic 60 minutes. What is the scenario that would happen?"

Scully: "Representative, the scenario would be that the first thing we should do, as human beings, is say to the issue that there is someone at the scene of that accident who requires immediate professional medical attention. That is a critical component of this statute, before and after the Amendment. That issue has always been there. And that is the single most important issue that we have to address, is that when there is an accident and someone has been injured in such a manner that they require personal medical attention, the most important thing that we have to do as human beings is to make sure that person gets that immediate medical attention."

Roskam: "I agree with you, but what about the scenario that I laid out? My 16 year-old daughter freaks out. She is frightened. She made a bad decision and she comes home. She doesn't report it in the right amount of time. The magic 60 minutes has elapsed. There is a, let's say... I'll add to the scenario, let's say that there is a death. Are you telling me that it is good public policy that that child would be, would go into the criminal justice system and that a judge doesn't have the authority to make any type of consideration in that scenario?"

Scully: "Representative, that is exactly what I'm saying, and I'm also telling you that I have spent a substantial amount of time the past couple of weekends teaching my 15 year old daughter how to drive, and I thought about this Bill, and I thought about the importance of making sure that we send the public message that you have got to stay at the scene and render assistance. You can't leave people who have been hurt. And to compare this to vehicular homicide is

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

59th Legislative Day

May 13, 1997

inappropriate. We are not talking about the crime of committing the accident. We are talking about the crime of leaving the scene of the accident when someone is hurt."

Roskam: "Representative, I appreciate your straight forward answers. I respectfully disagree with you. I think that a better approach would be to either change the time period within which the reporting is required, but leave it still a probationable offense or if you are so focused on the non-probationable nature, then keep it a three hour time period. But, what you are doing, I think, is putting people, you are squeezing them on both sides. And the Bill, in my opinion, is very, very hard nosed. It doesn't allow for discretion of a judge. It puts a State's Attorney in a very, very tough situation where if there were a bad outcome in the type of case where my daughter or your daughter or anyone of our children made a bad decision, if we vote 'yes' on this today, if this passes the Senate, if the Governor signs this, I think that there is going to be some very bad results. I don't think it is a result that you intend, but I think it is a result that will happen. So, if this gets the requisite number of votes, Mr. Speaker, I would request a verification. And I would urge my colleagues to vote 'no' or 'present'. Thank you."

Speaker Brunsvold: "The request has been acknowledged. The Lady from DuPage, Representative Pankau."

Pankau: "On the Bill, Mr. Speaker."

Speaker Brunsvold: "Proceed."

Pankau: "I think all of us in this Body understand the intent of Representative Scully. And he has had a very bad accident, incident that happened in his own district, in his own area. And I think all of our hearts go out to him and

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

59th Legislative Day

May 13, 1997

understand what he is trying to do . But, last week riding home from Springfield, Senator Fawell related to me in the car going back what had happened at the Senate Committee hearing when a similar Bill or an identical Bill, I don't know which one, came before the Senate Committee. And she relayed the story of her husband, Bruce, who used to be the Chief Circuit Court Judge in DuPage County, had a client. And this client was driving down a rural road, this was many years ago in DuPage, he was driving down the rural road and there at the same time there was a priest walking down the road. The priest was dressed in the normal priest garb that time, dark suit with just the little white collar sticking out. The client felt something. He thought he had hit something. He got out of the car. He looked around. He looked in the ditch. He looked in front of the car where the headlights were. He looked all around the car and found nothing. Didn't know what had happened, got back in the car and drove away. The next morning some people, I don't know exactly who they were, were walking down the road, and on their way, they happened to look up into the tree and there was the priest up in the tree. The priest's body had been hit by the car and it was sitting up in the tree. It wasn't until later on that day when the newspaper started reporting the story of the priest in the tree that the gentleman realized it was him who had done this and immediately turned himself in. Sometimes we present legislation to this Body in which we are trying to do what our district wants. But, in trying to do that sometimes we narrow it so far that we would make this person a felon just because he had not reported it in a hour through no fault of his own. Now you might say, 'Oh well, how many times would that ever happen?' And the

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

59th Legislative Day

May 13, 1997

Representative referred to it as, possibilities. Well this is a actual story. It actually did happen. And as all of us know, State's Attorneys have come to us and said, 'Look it, you make the laws. I enforce them. If it is on the books, my job as the State's Attorney is to enforce that law that's there. If you didn't mean it to be so harsh, you shouldn't have passed it that way.' I applaud what the Representative is doing, but because I feel this is so narrowly drawn and could be expanded, I will be voting 'no' and I urge you to do likewise."

Speaker Brunsvold: "Mr. Scully, to close."

Scully: "Thank you, Mr. Speaker. The hypothetical that has been raised is a very interesting hypothetical and very heart-wrenching, but the simple answer to that hypothetical is that if a person doesn't know that they have injured someone, if they don't know that someone is injured, they have not committed this crime. They have not, knowingly, left the scene of an accident. Again, the hypothetical is very touching, but the answer is very simple. Unless you know that someone is injured, you have not committed the crime of leaving the scene of an accident. I think we have debated this issue long enough. I think we all know what the issues are. I think we have made our decision. I ask for your affirmative votes. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 772 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? There has been a request for a verification. Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 68 voting 'yes'; 37 voting 'no'; 9 voting 'present'. Mr. Roskam, you continue with the verification? The Gentleman

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

59th Legislative Day

May 13, 1997

has asked for a verification. Mr. Clerk, read the Affirmative. Mr. Lang asked to be verified. He is verified."

Clerk Bolin: "The Poll of those voting in the Affirmative. Acevedo. Bergman. Biggins. Bradford. Bradley. Brosnahan. Brunsvold. Bugielski. Capparelli. Churchill. Clayton. Coulson. Crotty. Barbara Currie. Julie Curry. Daniels. Dart. Davis, Steve. Deering. Deuchler. Erwin. Fantin. Feigenholtz. Flowers. Fritchey. Gash. Giglio. Granberg. Hannig. Hartke. Hassert. Hoeft. Jones, John. Klingler. Kosel. Krause. Lang. Lopez. Lyons, Eileen. Lyons, Joseph. Mautino. McAuliffe. McCarthy. McGuire. McKeon. Mitchell. Moffitt. Rich Myers. Novak. O'Brien. Phelps. Poe. Ronen. Santiago. Saviano. Schakowsky. Schoenberg. Scott. Scully. Slone. Smith. Wait. Winkel. Winters. Wood. Woolard. Zickus, and Mr. Speaker."

Speaker Brunsvold: "Mr. Roskam, questions of the Affirmative?"

Roskam: "Representative Deering."

Speaker Brunsvold: "Representative Deering? Is Mr. Deering in the Chambers? Mr. Deering? Mr. Clerk, remove Mr. Deering from the Roll Call."

Roskam: "Representative Slone."

Speaker Brunsvold: "Representative Slone? Representative Sloan? Is she in the Chamber? She is not. Please remove her. Representative Feigenholtz asks leave to be verified. She has leave."

Roskam: "Representative Scott."

Speaker Brunsvold: "Representative Scott? Mr. Doug Scott? Mr. Scott? Mr. Clerk, remove Mr. Scott. Representative Flowers asks leave. Representative Flowers has leave. What was that last one, Mr. Roskam?"

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

59th Legislative Day

May 13, 1997

Roskam: "McKeon, but he is here."

Speaker Brunsvold: "Mr. McKeon is here."

Roskam: "Representative Lou Jones."

Speaker Brunsvold: "Representative Lou Jones? Representative Lou Jones? She voted 'present'. Representative Bradley and Representative Fantin ask leave to be verified. They have leave. Mr. Roskam."

Roskam: "Representative Dart."

Speaker Brunsvold: "Representative Tom Dart. Representative Dart. Mr. Scott has come in the Chamber. Please restore him to the Roll Call. Mr. Dart is coming in the back of the Chambers. Mr. Roskam, he is here in the back."

Roskam: "Representative Bugielski."

Speaker Brunsvold: "Representative Bugielski. Bob Bugielski. Mr. Bugielski. Out of the Chamber. Mr. Clerk, please remove him."

Roskam: "Representative Capparelli."

Speaker Brunsvold: "Representative Capparelli. Mr. Bugielski is coming in the back of the Chamber. Mr. Capparelli is in the back of the Chamber. Restore, Mr. Bugielski. Further questions, Mr. Roskam?"

Roskam: "Nothing further."

Speaker Brunsvold: "None further. And on this question, there are 66 voting 'yes'; 37 voting 'no'; 9 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, announcements."

Clerk Bolin: "Attention Members. The Rules Committee will meet immediately in the Speaker's Conference Room. Immediately in the Speaker's Conference Room."

Speaker Brunsvold: "Senate Bill 773. Please read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 773, a Bill for an Act to amend the

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

59th Legislative Day

May 13, 1997

Civil Administrative Code of Illinois. Third Reading of this Senate Bill."

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

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. This Bill has two parts to it. The first part deals with the promotion of services of the Cancer Information Service in relation to ovarian cancer by the Department of Public Health. So, we would, as a state, assist the Cancer Information Service at little to no cost, there is nothing in the Fiscal Note, to spread more information throughout Illinois about what is often called a hidden killer, ovarian cancer, where there are mistaken diagnosis very often. And so women, who could be saved if they knew the symptoms and physicians, if they knew the symptoms would be able to save lives. In addition, this Bill creates the Commission on the Status of Women. A top priority for the Conference of Women Legislators and a piece of legislation, also a top priority of the Women's Business Development Center, the Federation of Women Contractors, the Women's Business Ownership Council, the National Association of Women Business Owners and the Governor's Advisory Committee on the Status of Women in Illinois, all recommend that Illinois join most other states in creating a Commission on the Status of Women. We are one of only 11 states that does not have that. This is a piece of legislation that passed with overwhelming support when Representative Deuchler presented it to us, and has been only slightly changed to allow the Governor more appointments to that commission. We think that it is an important vehicle for women's issues to be debated and then brought to the General Assembly for consideration. It

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

59th Legislative Day

May 13, 1997

has wide support. And I would be happy to answer any of your questions."

Speaker Brunsvold: "The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentleman of the House. To the Bill."

Speaker Brunsvold: "Proceed."

Deuchler: "House Bill... Senate Bill 773 is a long time in coming. I certainly want to add my voice. The Commission on the Status of Women has had along history in Illinois, generative ideas as functioning as a think tank for ideas on legislation affecting families and children and women. We need to reinstate this to old to bring us forward and to bring us into the majority of the other states. I seek your support. Thank you."

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

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

Speaker Brunsvold: "She indicates she will."

Parke: "Representative, I hear your presentation. I see that there are lots of groups that support this, but do we know of any group that opposes this?"

Schakowsky: "I do not."

Parke: "And has there been a Fiscal Note filed on this?"

Schakowsky: "I believe the Fiscal Note is a \$104 thousand."

Parke: "And you think that that is a good expenditure of taxpayer dollars to do this?"

Schakowsky: "Yes, Sir."

Parke: "And you say this is an initiative of COWL?"

Schakowsky: "Yes, COWL is supporting it, but it really came to us through, it was a recommendation of Women's Economic Summit Cosponsored by Governor Edgar and Mayor Daley. And it is supported and promoted by a wide range of primarily women's business groups."

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

59th Legislative Day

May 13, 1997

Parke: "When this organization, this service, Cancer Information Services is operational, what can the taxpayers of Illinois expect to, what would be the positive things that would come out of this, out of this service?"

Schakowsky: "In regard to the education on ovarian cancer, the Department of Public Health would use the information that has been developed by the Cancer Information Center the Cancer Information Service, so we wouldn't have to spend any money developing new materials. But, we would assist them in the distribution of information on screening, testing, drugs and treatment, as well as information on physician specialists, hospitals and other treatment centers. This information is all available already and the state would simply assist them in distributing it."

Parke: "You know, if this information is already available and we all ready have the Cancer Society, why is this necessary? What are you going to do that is new or innovative that we don't already have? Is this a good expenditure of taxpayer dollars?"

Schakowsky: "Well, the dollars are not for, there are two separate sections to this Bill. One deals with the Cancer Information Service. And in that regard, when I say the information exists, I mean that we don't have to spend any dollars to recreate the information. The only expenditure for the state would be help to disseminate this information, which the department can do within its current budget. The \$104 thousand Fiscal Note applies to the Commission on the Status of Women, which would more broadly address other, other concerns of women in Illinois."

Parke: "Let me just ask one more time. What can we expect a year from now or two years from now or five years from now to come out of this initiative? Is this just another group of

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

59th Legislative Day

May 13, 1997

people meeting to hash over the same information that is already available or will there be some positive results of which those people suffering from the terrible ravishes of cancer that we will have something beneficial by virtue of this effort and the taxpayers paying for it?"

Schakowsky: "Yes, I think what we will see in regard to ovarian cancer, we will see that there are many more women in Illinois, many more physicians that are, that understand the symptoms which are often misinterpreted symptoms of ovarian cancer. We think that that portion of the Bill will be able to help save lives. Regarding the status on the commission of, the Commission on the Status of Women, I think what we will see are legislative recommendations that have been developed in concert with women that are public members and Legislators, and recommendations to the General Assembly for improving the lives of women in the State of Illinois."

Parke: "Well thank you. Mr. Speaker, to the Bill."

Speaker Brunsvold: "Proceed."

Parke: "We already have the National Institute of Cancer. We already have the Citizens Assembly on a Council on Women. I wish there was a sunset clause in here, so that the legislature can look back after two, three, four years, whatever would be appropriate, and see if in fact this is doing something proper, that is doing something effective that we really, that we are doing something to the spirit of this Bill. The Sponsor is obviously well-intended. But, you know, we just keeping passing on these commissions, and if we could sunset this in a way that makes them look to themselves to see if they are really doing something positive, I think it would be better. I'm sure I will be voting for, as will the Body, but, that is a

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

59th Legislative Day

May 13, 1997

challenge I would give to this group as to ask yourselves a couple years from now, is this justifiable? Thank you."

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

Erwin: "Thank you, Speaker. I would strongly urge all of my colleagues to join the Conference of Women Legislators in helping to celebrate the 25th anniversary of the passage of Title 9, this June. Twenty-five years ago the Congress and our Nation decided that in public education there was not equal opportunity for girls to have access to not only sports, which I think is very important for a lot of reasons, but, also fair in equitable treatment and access for math and science and any other program where public education receives any federal funds. As I looked into the Title 9 issue, I discovered that in the State of Illinois the moving force behind really implementing Title 9 was the Commission on the Status of Women. Ladies and Gentlemen, whether you know it or not, many of your daughters, many of mothers, your wives, your sisters may be in successful positions today or may have the opportunity to play sports in a grade school or a high school or may indeed be applying for law school or the job of a CEO, largely because of the predecessors that set in this Chamber 25 years ago, who had the foresight to not only work for the passage of Title 9, but more importantly the implementation for what it means in this state. It is not insignificant. Illinois has had, because of Title 9, we have much larger percentages of girls graduating from high school. In 1970, for instance, there were only 54% of females 25 or older had completed four years of high school, only 55%. So, there is a 55% almost a 50% dropout rate of females. Only 8% had completed four years or more of college. This is just in 1970. Since the passage of Title 9, 81.6% of girls

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

59th Legislative Day

May 13, 1997

in this state have or do graduate from high school and more than 20% have completed four years of college. In addition to that, I'm proud to say that according to the athletic associations, Illinois has more high school female champions than anyone else in the country. So, 25 years ago our colleagues had the foresight to allow the Commission on the Status of Women to advocate and assure that our state was doing a good job in providing equal educational opportunity. I ask you in celebration of 25 years of success, not the least of which was a wonderful summer olympics with a lot of female athletes, who brought home the gold. none of this would have been possible without Title 9. Please let us continue as we go into the next century and we are trying to open up opportunities for all Americans, not just women. Let's open up the doors to occupations that women and men might feel disenfranchised from now. We need the Commission on the Status of Women to be able to do the research on what is going on in our state, so that we can provide good and adequate information, as well as, advocacy. So, I urge an 'aye' vote."

Speaker Brunsvold: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you, very much, Mr. Speaker. I invoke the rule of cloture."

Speaker Brunsvold: "What is that rule, Mr. Black?"

Black: "Well, in the United States Senate it closes off debate. I didn't understand one thing the Lady was talking about. Something about Title 9 and I have tipped my computer upside down and I can't find anything on Title 9. She was not speaking to the Bill. I Move the Previous Question."

Speaker Brunsvold: "That's not necessary, Mr.... Mr. Black has

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

59th Legislative Day

May 13, 1997

Moved the Previous Question. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it and the previous question has been moved. The Lady from Cook, Representative Schakowsky to close."

Schakowsky: "I would appreciate an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 773 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? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 117 voting 'yes'; 0 voting 'no'; 0 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 794. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 794, a Bill for an Act amending the Interest Act. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 94 passed the Senate 56 to 0 and our House Committee 25 to 0 at the Reg & Reg Committee. This Bill simply allows for collection agency may charge interest against a debtor if there is no prior agreement between the creditor and debtor governing interest charges. And the collection agency is charging interest on behalf of the creditor. And I would ask for your approval."

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

Biggins: "Thank you, Mr. Speaker. I also urge a 'yes' vote on this Bill. And I looked in my computer and that little sign that tells you how long it has been since I updated now it contains that it has been over two hours, since Representative Saviano passed a Bill. So, I urge everybody

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

59th Legislative Day

May 13, 1997

to vote 'yes'."

Speaker Brunsvold: "Any further discussion on this question? Seeing none, the question is, 'Shall Senate Bill 794 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 that question, there are 91 voting 'yes'; 25 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 806. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 806, a Bill for an Act amending certain acts in relation to support. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Santiago."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. Senate Bill 806 makes changes in relation to the reconciliation of multiple child support orders, enforcements of order from other states, including relations to employers and other organizations of the act matters. In other words what it does, it is designed to bring Illinois law into step with the federal law and the federal courts decision and relation to these multiple orders of support. I urge your support on this Bill."

Speaker Brunsvold: "On that question, is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you, very much, Mr. Speaker. That hurt, I just hit my nose with that microphone."

Speaker Brunsvold: "Is that an indication of something, Representative?"

Black: "Excuse me. I'm allergic to this thing. Inquiry of the Chair."

Speaker Brunsvold: "State your inquiry."

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

59th Legislative Day

May 13, 1997

Black: "Is Floor Amendment #2 and #3 been adopted to the Bill?"

Speaker Brunsvold: "Mr. Clerk, can you give us a status on the Amendments on this Bill?"

Clerk Rossi: "Committee Amendment #1 has been adopted to the Bill. Floor Amendments #2 and 3 have been referred to committee."

Lindner: "Pinocchio, Pinocchio's nose is growing that's why it hit the microphone."

Black: "She is out of order. She is out of order."

Speaker Brunsvold: "Representative Lindner is out of order."

Santiago: "Bill, this is a good Bill."

Black: "Well, I will tell you what, there is some real confusion on what is in this Bill, what's on it and what isn't. And I'm not trying to kill your Bill, believe me, but it might be advisable to pull it out of the record until staff could get together for a couple of minutes."

Santiago: "He'll be right over there."

Speaker Brunsvold: "The Gentleman has agreed to do that. Mr. Clerk, take Senate Bill 806 out of the record. Senate Bill 851. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 851, a Bill for an Act concerning mental health. Third Reading of this Senate Bill."

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

Lopez: "Thank you, Mr. Speaker and Members of the General Assembly. Senate Bill 851, what it does it allows a defendant, who has been placed in a secure setting of the Department of Mental Health and Developmental Disabilities to be placed in security devices or otherwise secured in transportation to court proceedings or other necessary appointments off the facility grounds by personnel of the department. This is allowed for the purpose of secure

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

59th Legislative Day

May 13, 1997

transportation of the defendant and the safety of the Department of Personnel and others. This is a Bill supported by ASCME and the two biggest advocacy groups, Alliance for the Mentally Ill and Equipped for Equality, are both neutral on this piece of legislation. And I ask for a favorable Roll Call."

Speaker Brunsvold: "On that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 851 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 that question, there are 117 voting 'yes'; 0 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 859. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 859, a Bill for an Act to amend the Barber Cosmetology, Esthetics and Nail Technology Act. Third Reading of this Senate Bill."

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

Saviano: "Thank you, Mr. Speaker. Senate Bill 859 is our Committee Bill. It includes six different issues. One is the licensure of the Prosthetic and Orthodontics Association Language. We also have in there, it amends the Notary Republic Act for the Secretary of State. It also amends the Physical Therapy Act. It amends the Professional Counselor and Clinical Professional Counselor Licensing Act. And also amends the Real Estate License Act, which is the agreement between the real estate appraisers and the Illinois Realtors' Association regarding a licensure of appraisers. And I will entertain any questions. Thank you."

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

59th Legislative Day

May 13, 1997

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

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

Speaker Brunsvold: "Indicates he will."

Parke: "Representative Saviano, you have indicated this is a Bill with a lot of licensure stuff folded into it. Is every group that is affected by your legislation signed off or is there any groups that are not happy with their section?"

Saviano: "All of the groups have signed off including the orthotics and prosthetics. This is an initiative of their association. Now what we are planning to do, Representative, we get this over to the Senate, we are going to continue the work on this Bill. I don't see the Senate calling this Bill in its present form. But, we need to get it over there, so we can continue the negotiations regarding orthotics and prosthetics. I know that Representative Coulson has also spoken to them and she knows the intention of this language."

Parke: "Is that the only section of which you are continue to work on? Are you going to... is the Senate Sponsor going to nonconcur and you are going to put this in a Conference Committee?"

Saviano: "That is correct."

Parke: "Is there any other section that there is some additional fine tuning necessary?"

Saviano: "No."

Parke: "In the section dealing with barber cosmetologist, what is applied there? And our they signed off on that section?"

Saviano: "Yes, that was the underlying language of the Bill. And that is agreed language."

Parke: "Thank you, very much."

Speaker Brunsvold: "The Gentleman from McHenry, Mr. Skinner."

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

59th Legislative Day

May 13, 1997

Skinner: "Yes, would the Sponsor please comment whether the notary public part

Speaker Brunsvold: "He will yield."

Skinner: "...has the journal requirement in it that we discussed, previously?"

Saviano: "We have withdrawn the journal part of that Bill."

Skinner: "So, it is basically just a little fee increase?"

Saviano: "What it is, it just puts a cap on what they could charge. It doesn't require them to charge the five dollars. It puts a cap on the top. That is the most they could charge."

Skinner: "What is the fee now?"

Saviano: "One dollar."

Skinner: "Thank you."

Speaker Brunsvold: "Further discussion? Mr. Saviano to close."

Saviano: "Thank you, Mr. Speaker. I would ask the Chamber to approve this measure, so we could continue the work on this legislation. I would ask for an 'aye' vote. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 859 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? 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 78 voting 'yes'; 35 voting 'no'; 4 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 806. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 806, a Bill for an Act to amend certain acts in relation to support. Third Reading of this Senate Bill."

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

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

59th Legislative Day

May 13, 1997

Santiago: "Thank you, Mr. Speaker. Once again, we clarified our problem that we had with the minority party. I move to adopt this Bill."

Speaker Brunsvold: "The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. We appreciate Representative Santiago clarifying what's in the Bill. This is simply the new higher Act. It puts us in compliance with the Federal Welfare Reform Act as mandated by President Clinton. It is a good idea."

Speaker Brunsvold: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 806 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 that question there are 117 voting 'yes'; 0 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 920. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 920, a Bill for an Act concerning builders and developers. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Winters. Take that Bill out of the record. Senate Bill 955, Mr. Rutherford. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 955, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 955 makes a technical change in the Vehicle Code. There are listed fees in it for duplicating

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

59th Legislative Day

May 13, 1997

documents. And there is an inconsistency in the statute, where in the beginning is where the fees are all listed and then internally within it is the other section. They are not consistent. So, we are making that portion of the statutes consistent. The second thing that the Amendment added to the Bill did, was in response to a lawsuit that is pending in our federal courts today that would allow the current practice of accepting an affirmation in lieu of an affidavit, in regards to a title fee application. I would appreciate a favorable consideration, answer any questions from my seatmates or anyone else in the Chamber."

Speaker Brunsvold: "And on that issue, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 955 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? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 95 voting 'yes'; 21 voting 'no'; 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Black. For what reason do you rise?"

Black: "Yes, an Inquiry of the Chair."

Speaker Brunsvold: "State your inquiry."

Black: "Yes, why is Representative Granberg dressed up in this suit?"

Speaker Brunsvold: "If that is Mr. Granberg, he has elevator shoes on."

Black: "Well, he was out shopping. I saw him out shopping for shoes just the other night. What do we have going on here?"

Speaker Brunsvold: "Mr. Granberg, doesn't look that good."

Black: "Could you bring the Body up? What is this?"

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

59th Legislative Day

May 13, 1997

Speaker Brunsvold: "The Chair, itself, needs to be enlightened about this Gentleman on the Floor."

Black: "It looks like somebody that came over from the Senate, as far as I know."

Speaker Brunsvold: "Mr. Black, is that a Republican...?"

Black: "I don't have a clue. I don't have a clue."

Speaker Brunsvold: "He is on the Republican side of the aisle."

Black: "Oh, I think he is the staff person for Cal. It is making sense now."

Speaker Brunsvold: "Mr. Clerk, Senate Bill 1031. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1031, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Clerk, take that Bill out of the record. Senate Bill 1048. Mr. Lopez, 1048 (sic-Senate Bill). Remove that Bill from the record. Senate Bill 1073, Mr. Smith. 1073 (sic-Senate Bill). Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1073, a Bill for an Act to amend the Illinois Occupational Therapy Practice Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Fulton, Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1073 is identical to House Bill 655, which we passed earlier this spring with one additional Amendment at the request of the Department of Professional Regulation. To refresh your memories, this will allow occupational therapists an additional six months if they are not able to take the National Certification exams to continue in employment for an additional six month extension. It is a effort of the special education administrators. And it's supported by the Occupational

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

59th Legislative Day

May 13, 1997

Therapists Association. I know of no opposition. And I would be glad to answer any questions."

Speaker Brunsvold: "On that question is there any discussion? Seeing none, the question is 'Shall Senate Bill 1073 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? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 117 voting 'yes'; 0 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 240. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 240, a Bill for an Act in relation to inspectors general. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Senate Bill 240 amends the inspector general portion of several Acts. The Children and Family Services Act, the Abused and Neglected Long-Term Care Facility Residents Reporting Act and the Department of Human Services Act just to say that the Inspector General should also report to the Governor, as well as, the head of the department. And also adds that the Inspector General may have confidential records of the therapists disclosed to them under certain conditions."

Speaker Brunsvold: "On that question, is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "State your inquiry."

Black: "Did you hear any of that explanation?"

Speaker Brunsvold: "The Chair did not."

Black: "Thank you. Representative Lindner..."

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

59th Legislative Day

May 13, 1997

Lindner: "Yes, Representative Black?"

Speaker Brunsvold: "She will yield."

Black: "Yes, Committee Amendment #1 is on the Bill?"

Lindner: "Yes it is."

Black: "And Committee Amendment #1 makes the Bill...fees of the other order and the tax levy. Right?"

Lindner: "Yes."

Black: "That is what I thought. What was the genesis of this Bill?"

Lindner: "The genesis of this Bill was Senator Karpziel feeling that the Inspector General should also report to the Governor, as well as, to the director of the department in that Inspector Generals are actually investigating the department. So this would help make them more independent."

Black: "I'm sorry. Did you say, General Karpziel? You mean, Senator Karpziel."

Lindner: "I said, I believe, I said Senator."

Black: "Okay. You mean the Inspector General doesn't already have to do this."

"Lindner: "No, it's not required. Some inspector generals do report to the Governor, but it is not required and there would be a possibility that a... Excuse me, would you let me finish my explanation? Thank you. There would be a possibility that a director could prevent an Inspector General from reporting to the Governor and this Bill corrects that."

Black: "So, you are codifying the position? I mean, what... a future director wouldn't be able to eliminate the position?"

Lindner: "No. No, you must have misunderstood what I said."

Black: "Oh. Well, you said a, your doing something, so a future

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

59th Legislative Day

May 13, 1997

director would not be able to prevent, to prevent what?
Prevent the flow of information?"

Lindner: "Prevent an inspector general from also reporting to the
Governor, as well as to the director of that agency."

Black: "And the General Assembly also gets the copy of IG's
report. Correct?"

Lindner: "Yes."

Black: "Yes. Well, Representative, I want to congratulate you.
This is your first Senate Bill, isn't it?"

Lindner: "No."

Black: "Your second Senate Bill? I mean, you've been here years
and it just seems like I've not seen you Sponsor a Senate
Bill."

Lindner: "Yes, I think this is about the fifth Senate Bill that
I've Sponsored."

Black: "Oh, well, in that case it's a wonderful Bill. Thank you,
Mr. Speaker."

Lindner: "Thank you."

Speaker Brunsvold: "Any further discussion? The Lady from Kane
to close."

Lindner: "I would just ask for a favorable vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 240
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 that question, 116 voting 'yes', 0 voting
'no', 0 voting 'present'. This Bill, having received a
Constitutional Majority, is hereby declared passed. Mr.
Clerk, what's the status of Senate Bill 670?"

Clerk Bolin: "Senate Bill 670 is on the Order of Senate
Bills-Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr.

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

59th Legislative Day

May 13, 1997

Clerk, Senate Bill 493. Please read the Bill."

Clerk Bolin: "Senate Bill 493, a Bill for an Act in relation to gaming. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 543. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 543, the Bill's been read a second time previously. Floor Amendment #2, offered by Representative Acevedo, has been approved for consideration."

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

Acevedo: "Mr. Speaker, Ladies and Gentlemen of the General Assembly, this Amendment was added to House Bill 543 due to some concerns that Representative Black had. This Amendment would allow it to be up to the prosecutor's discretion whether to pursue charges against the owner of a vehicle. This would further improve an already good piece of legislation. And I ask that the Amendment be adopted."

Speaker Brunsvold: "And on the Amendment, is there any discussion? Seeing none, the Gentleman has moved for the adoption of Amendment #2. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it, and the Amendment's been adopted. Further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 910."

Clerk Bolin: "Senate Bill 910, a Bill for an Act in relation to the regulation of wine. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Wojcik, has been approved for consideration."

Speaker Brunsvold: "The Lady from Cook, Representative Wojcik, on

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

59th Legislative Day

May 13, 1997

Floor Amendment #2."

Wojcik: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #2 provides that one wine maker's retail license second location may be issued to a wine makers retail license, allowing the licensee to sell in offer for sale or retail in the premises... in such licenses up to 50 thousand gallons. The reason for this Amendment is, we have a wine maker in Roselle who wants to have a retail store in St. Charles, and there were some questions regarding a cost for the liquor license, and that has been clarified with the Amendment. There is no opposition, all opposition has been cleared."

Speaker Brunsvold: "And on the Amendment, any discussion? The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Speaker, can you tell me why all these State Senators are over here? Are they out all ready? Have they completed work for the day, and it's 2:12?"

Speaker Brunsvold: "They may be, Representative, but they come over here to see the work of the people."

Wojcik: "Representative, they're here to hear me present my Amendment. A cast of thousands."

Speaker Brunsvold: "Any further discussion on the Amendment? Seeing none, the Lady has asked for the adoption of Amendment #2. And on that question, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Clerk, Announcements."

Clerk Bolin: "Committee Reports. Representative Currie, Chairman from the Committee on Rules, to which the following Bills and Resolutions and Amendments were referred, action taken on May 13, 1997, reported the same back with the following

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

59th Legislative Day

May 13, 1997

recommendation/s: 'be adopted' Senate Bills 171 Floor Amendment #2, Senate Bill 320 Floor Amendment #4, Senate Bill 341 Floor Amendment #1, Senate Bill 433 Floor Amendment #2, Senate Bill 509 Floor Amendments #1 and 2, Senate Bill 713 Floor Amendment #2, House Joint Resolution 12 Floor Amendment #1."

Speaker Brunsvold: "Mr. Clerk, Senate Bill 543. Read the Bill. Take that Bill out of the record. Mr. Clerk, read Senate Bill 685."

Clerk Bolin: "Senate Bill 685, a Bill for an Act to amend the Consumer Installment Loan Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. The Chair would like to go back, starting on page 6, on Second Readings. We'll go through the Calendar on Second Readings trying to move Bills from Second to Third. Representative Roskam, on Senate Bill 6. Excuse me, Representative Dart. Out of the record. Senate Bill 73, Mr. Lang. Out of the record. Senate Bill 80, Representative Flowers. Out of the record. Senate Bill 120, Mr. Dart. Out of the record. Representative Weaver, for what reason do you rise?"

Weaver: "Thank you, Mr. Speaker, a Point of Personal Privilege."

Speaker Brunsvold: "Proceed."

Weaver: "I'd like to introduce to the Illinois House, as declared by the National Republican Organization, the oldest active Republican in the United States, right back here, Ms. Hazel Watson."

Speaker Brunsvold: "Mr. Weaver. Mr. Weaver, did you indicate how old the oldest Republican is?"

Weaver: "She's a lot younger than I am, I got to tell you."

Speaker Brunsvold: "Mr. Schoenberg, for what reason do you rise?"

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

59th Legislative Day

May 13, 1997

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to remind Mr. Weaver and his colleagues that as a result of their poor judgement, his guest will now no longer be able to push that straight ticket Republican ballot as she has for so many years in her life, previously. Thank you."

Speaker Brunsvold: "Thank you, Mr. Schoenberg. Senate Bill 124, Representative Silva. Out of the record. Senate Bill 159, Mr. Scott. Mr. Scott. Out of the record. Senate Bill 160, Mr. Burke. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 160, a Bill for an Act to amend the Right of Conscience Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. And no Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 171, Mr. McKeon. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 171, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative McKeon, has been approved for consideration."

Speaker Brunsvold: "Mr. McKeon on Floor Amendment #2."

McKeon: "Yes, thank you, Mr. Speaker. Floor Amendment 2, to Senate Bill 171 was discussed in committee when it was originally passed out. Basically what the Floor Amendment does, is require teen court jury members, attorneys, judges, and observers to sign an oath of confidentiality prior to commencing teen court proceedings. I ask for your approval."

Speaker Brunsvold: "On the Amendment, is there any discussion? The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

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

59th Legislative Day

May 13, 1997

Speaker Brunsvold: "He indicates he will."

Durkin: "Representative, what is the purpose of the Amendment?
Can you tell me why you brought the Amendment forward?"

McKeon: "The Amendment was brought forward during our discussions
in, actually not from the committee meetings, but that teen
court advocates throughout the state approached us and
asked that we have the participants in the teen court sign
a statement of confidentiality with respect to the
proceedings of the court."

Durkin: "Well, it's my reading of the Bill that the whole purpose
of teen court is that it doesn't really have any type of
binding affect on the juvenile. Then what's the purpose of
having some type of confidentiality oath?"

McKeon: "It's virtually impossible for me to hear you over here,
we've got a lot of background."

Durkin: "Sure. I thought that the whole purpose of having a teen
court was not so much to have... Is there any type of
binding affect that the teen court has on a person who was
brought in front of them for some type of discipline? Does
that court have any type of... is it an advisory opinion
which is rendered from the individuals on teen court? Or
is it something which is binding upon the juvenile?"

McKeon: "It's binding in terms of the consent of the parents and
the minor involved, to proceed with the teen court, and to
abide by the findings of the court in terms of an
imposition of hours of community service. This is an
alternative, Sir, to traditional prosecuting prosecution in
the juvenile system"

Durkin: "We can get into more of that when it gets up to Third
Reading. But, now, is this oath, is the person who is
brought in front of the teen court, this juvenile, is he
bound by this oath, also? Is he prohibited from divulging

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

59th Legislative Day

May 13, 1997

any communications that go on in front of this committee?"

McKeon: "No."

Durkin: "One last question, if someone does violate this, you said it's a written note that is administered? How is this administered?"

McKeon: "It's administered by the person in charge of the teen court before the proceedings begin."

Durkin: "All right. If someone does violate the conditions of this oath, is there any type of sanction in this Amendment or in the Bill?"

McKeon: "There's no sanction, but it was deemed to be important for the volunteers to understand the significance of the action that they were participating in."

Durkin: "Well don't you believe that if there were some type of sanction they'd probably take it a bit more serious?"

McKeon: "That's a possibility. We might look in the future after we've had some experience with it to see if that might be an appropriate Amendment to the Act."

Durkin: "Well, I hope that they take it serious. And if that's the situation then we can always go back and revisit the issue. Thank you very much."

McKeon: "Thank you."

Speaker Brunsvold: "Any further discussion on the Amendment? Seeing none, the Gentleman has asked for the adoption of Amendment #2. All in favor say 'aye'; all opposed 'nay'. The 'ayes' have it and Amendment #2 has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 172, Mr. Scully. Mr. Scully, Senate Bill 172. Please read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 172, the Bill's been read a second time

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

59th Legislative Day

May 13, 1997

previously. A Fiscal Note, State Mandates Note, a Correctional Budget Impact Note, and a Judicial Note have been requested on the Bill as amended by Floor Amendment #2, and those Notes have not been filed."

Speaker Brunsvold: "Hold the Bill on Second Reading. Senate Bill 509. Senate Bill 509. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 509, a Bill for an Act to amend the Counties Code. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Brunsvold: "Representative Holbrook on Floor Amendment #1."

Holbrook: "Mr. Speaker, we need to hold this Bill for just a little while here."

Speaker Brunsvold: "Mr. Clerk, take that Bill out of the record. Senate Bill 222, Mr. Daniels, Representative Cowlshaw. Out of the record. Senate Bill 226, Representative Cowlshaw. Out of the record. Mr. Noland, Senate Bill 304. Amendment is coming. Take that Bill out of the record. Senate Bill 317, Mr. Winters. Out of the record. Senate Bill 341, Mr. Big... excuse me, Representative Biggert. Out of the record. Senate Bill 368, Mr. Brosnahan. Out of the record. Senate Bill 460, Mr. Steve Davis. Senate Bill 460. Out of the record. Senate Bill 536, Mr. Lyons. Read the Bill, Mr. Clerk. Out of the record. Mr. Clerk, Senate Bill 457, Representative Feigenholtz. Read the Bill."

Clerk Bolin: "Senate Bill 457, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

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

59th Legislative Day

May 13, 1997

Speaker Brunsvold: "Third Reading. Mr. Clerk, Senate Bill 509.
Read the Bill."

Clerk Bolin: "Senate Bill 509, a Bill for an Act to amend the
Counties Code. Second Reading of this Senate Bill. No
Committee Amendments. Floor Amendment #1, offered by
Representative Holbrook, has been approved for
consideration."

Speaker Brunsvold: "Mr. Holbrook, on Floor Amendment #1."

Holbrook: "Thank you, Mr. Chairman (sic - Speaker). I'll turn
the questioning on this, if you don't mind, to
Representative Durkin who's handling these two Amendments."

Speaker Brunsvold: "The Gentleman yields to the Gentleman from
Cook, Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. Floor Amendment 1 merely
changes the name 'executive director', eliminates
'executive', where we just strictly have a director under
the sheriff. This is just a grammatical change, which is
at the request of the Cook County Sheriff."

Speaker Brunsvold: "And on that Amendment, is there any
questions? Seeing none, the Gentleman has asked for the
adoption of Floor Amendment #1. All in favor say 'aye';
opposed 'nay'. The 'ayes' have it and the Amendment has
been adopted. Further Amendments?"

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

Speaker Brunsvold: "The Gentleman from St. Clair, Representative
Holbrook."

Holbrook: "Representative Durkin will be handling this one also,
at his request."

Speaker Brunsvold: "The Gentleman yields to Representative
Durkin."

Durkin: "Thank you, Mr. Speaker. Floor Amendment #2 will allow

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

59th Legislative Day

May 13, 1997

the Cook County Sheriff to appoint an additional two members to the Sheriff's Merit Board. Presently five to seven."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the Gentleman has moved for the adoption of Floor Amendment #2. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, read Senate Bill 574, Mr. Fritchey. Read the Bill."

Clerk Bolin: "Senate Bill 574, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 603, Mr. Saviano. Mr. Saviano. Out of the record. Senate Bill 605, Representative Churchill or Coulson. Out of the record. Senate Bill 713, Mr. McGuire. Do you wish that Bill moved? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 713, a Bill for an Act in relation to fire department promotions. The Bill's been read a second time previously. Floor Amendment #2, offered by Representative McGuire, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Will, Representative McGuire, on Floor Amendment #2."

McGuire: "Thank you, Mr. Speaker. Yes, I would like to move that Bill to Third Reading."

Speaker Brunsvold: "Would you like to adopt this Amendment?"

McGuire: "Would like to adopt the Amendment and move the Bill to Third Reading, in that order."

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

59th Legislative Day

May 13, 1997

Speaker Brunsvold: "Would you care to explain the Amendment, Mr. McGuire?"

McGuire: "The Amendment is a technical Amendment. It makes the Bill a Vehicle Bill. And with the concurrence of the firefighters, the Municipal League, and Senator Dudycz, we're going to move the Bill back to the Senate for further work."

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

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

Speaker Brunsvold: "Indicates he will."

Black: "Representative, you've withdrawn the previous Amendment that preempts Home Rule. Correct?"

McGuire: "That's correct. We have withdrawn Amendment #1."

Black: "All right. And Amendment #2 does not preempt Home Rule?"

McGuire: "No. Amendment #2 is just a technical Amendment to make the Bill a Vehicle Bill."

Black: "Oh. Is it still your intent to cover fire protection districts in this Bill, as well as Municipal Fire Departments?"

McGuire: "Mr. Black, the intent, at this time, is to still negotiate with the Municipal League. That's the intent of the Sponsors behind the Bill, the firefighters, and Senator Dudycz."

Black: "All right. So, if this is adopted then it becomes a Vehicle Bill to keep the Bill alive?"

McGuire: "That's correct."

Black: "All right. Thank you."

McGuire: "Thank you, Sir."

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman has asked for the adoption of Floor Amendment #2."

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

59th Legislative Day

May 13, 1997

All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment's been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 777, Mr. Ryder. Out of the record. Senate Bill 778, Mr. Hassert. Out of the record. Senate Bill 791, Mr. Winters. Out of the record. Senate Bill 856, Representative Andrea Moore. Representative Moore. Out of the record. Senate Bill 954, Mr. Wait. Out of the record. Senate Bill 1001, Representative Crotty. Read the Bill Mr. Clerk."

Clerk Bolin: "Senate Bill 1001, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 1016, Mr. Daniels. Out of the record. Senate Bill 1099, Representative Lindner, (sic-Senate Bill) 1099. Out of the record. The Chair is going back to page two on Third Readings, page two. Excuse me, Members, we're going back for one more Bill on Second Reading. Senate Bill 76. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 76, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Going to page two now on the Calendar, and go through the Third Reading Order starting with Senate Bill #3. Mr. Hannig. Mr. Hannig, Senate Bill 3. Out of the record. Senate Bill 165, Mr. Kubik. Out of the record. Senate Bill 329, Mr. Leitch."

Speaker Hannig: "Representative Hannig in the Chair. Representative Feigenholtz, on Senate Bill 418. Mr. Clerk,

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

59th Legislative Day

May 13, 1997

read the Bill."

Clerk Bolin: "Senate Bill 418, a Bill for an Act to amend the Department of Mental Health and Disabilities Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Senate Bill 418 is a Bill that was drafted by Senator Cullerton and myself for somebody who lives in our district. It enhances the ability of institutions, supervised or operated by the Department of Mental Health, to monitor patients. It permits the department to install closed circuit televisions in quiet rooms in these institutions. And it will enable institutions staff to keep a watchful eye on patients at all times without having to have a staff member physically present in the quiet rooms."

Speaker Brunsvold: "The Lady has moved for passage of Senate Bill 418. And on that question, Representative Durkin is recognized."

Durkin: "Will the Sponsor yield?"

Speaker Brunsvold: "She indicates she will."

Durkin: "Representative, why do we need to do this?"

Feigenholtz: "To clarify the law, Mr. Durkin."

Durkin: "Could you explain to me what the, perhaps, ambiguity in the law is, which needs to be clarified?"

Feigenholtz: "Mr. Durkin, right now the law... The Amendment on this says that, 'Nothing in this section shall be construed to supersede or interfere with any current provisions in DMH's Code, concerning observation and monitoring of patients.'"

Durkin: "I understand that's the Amendment. What has been the practice with mental health with the observation? Or, what is their policy, what's their existing policy for

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

59th Legislative Day

May 13, 1997

observation within the Department of Mental Health?"

Feigenholtz: "I'm sorry, could you repeat the question?"

Durkin: "Sure. What's the existing policy within the Department of Mental Health, regarding this type?"

Feigenholtz: "They already have cameras in some quiet rooms."

Durkin: "In some quiet rooms. Are you expanding the..."

Feigenholtz: "No, this is not an expansion, it's a permissive Bill originally designed for after July 1 when DHS takes over, so that nothing is changed and the law is codified when they take over."

Durkin: "Okay."

Feigenholtz: "It's already in the law."

Durkin: "I understand. I'm not too familiar with what quiet rooms are. Could you explain to me what is the purpose of a quiet room?"

Feigenholtz: "Sure. A quiet room is a place where people..."

Durkin: "I can't hear you in this loud room, could you..."

Feigenholtz: "It's the opposite of this room."

Durkin: "I'm sorry. In all seriousness, could you explain to me what a quiet room is within the Department of Mental Health?"

Feigenholtz: "A quiet room is a room where people who are acting out in an institution go."

Durkin: "Now, when someone has been committed to the Department of Mental Health, is a family member, or perhaps someone who is overseeing that individual, it could be a court appointed individual, do they waive this type of... do they sign some type of agreement allowing the Mental Health to place monitors in those types of rooms?"

Feigenholtz: "I can't hear you. What?"

Durkin: "I'm saying, when someone's been committed to the Department of Mental Health, or if they've been voluntarily

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

59th Legislative Day

May 13, 1997

committed, committed themselves to the Mental Health, do they sign some type of waiver which allows Mental Health to place cameras inside those rooms and to observe them?"

Feigenholtz: "I don't think so."

Durkin: "Is this going to have any type of fiscal impact on DMH, or within our budget?"

Feigenholtz: "There's no impact, no fiscal impact. And DMH is neutral on this."

Durkin: "All right. And what is DMH's position on this Bill?"

Feigenholtz: "They're neutral."

Durkin: "Neutral, do you know any reason why they're not supporting it?"

Feigenholtz: "I really don't know. I think Patrick... loves this Bill."

Durkin: "All right. So, these monitors are only going to be in quiet rooms, no other areas within inside the institutions?"

Feigenholtz: "That's correct."

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

Speaker Hannig: "Is there any further discussion? There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano, on Senate Bill 436. Out of the record. Representative Deering, on Senate Bill 455. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 455, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Senate Bill."

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

59th Legislative Day

May 13, 1997

Speaker Hannig: "Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 455 is a Bill that was similar to a Bill we passed out of here in a House version. It allows the garbage trucks throughout the state to have an extension, to operate with an extension of three feet in front, that they don't have to compact that extension. They can use this in their residential pickup that the trucks are using today. There has been some instances in some other states, we haven't had any problems in Illinois perse. But because some other states have been having some problems with local law enforcement officials, we decided to try and correct the situation before the problem arises. That's one factor. Another provision of the Bill that was amended in committee was, it amends the Vehicle Code to provide the transportation in vehicles with a seating capacity of less than eight, which is less than the current law of now 10. They're exempt from the Illinois Commerce Commission Jurisdiction. The ICC was neutral on this Bill. I understand this helps an air transportation company up in Cook County, I believe, Cook and the collar counties. But it could apply to other areas of the state. I would be happy to try and answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 455. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed '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 117 voting 'yes', and 0 voting 'no'. And this Bill having received a Constitutional Majority is hereby declared passed. Representative Winters. Okay. Representative Feigenholtz.

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

59th Legislative Day

May 13, 1997

Sara, on Senate Bill... Out of the record. Representative Stephens on Senate Bill 569. Representative Stephens on 569. Representative Stephens, do you wish 569 called? Out of the record. Representative Currie. Barbara Currie on Senate Bill 755. Representative Currie. Out of the record. Representative Winters on Senate Bill 920. Representative Winters. Representative Winters, (sic-Senate Bill) 920, Senate Bill 920. Out of the record. Representative John Turner on Senate Bill 1031. Out of the record. Representative Lopez on Senate Bill 1048. Representative Gash, on Senate Bill 355. Mr. Clerk, what is the status of Senate Bill 3?"

Clerk Rossi: "Senate Bill 3 is on the Order of Senate Bills-Third Reading."

Speaker Hannig: "Would you return that Bill to the Order of Second Reading?" Speaker Brunsvold: "Mr. Clerk, House Bill 1061. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1061, the Bill has been read a second time previously."

Speaker Brunsvold: "Third Reading. Mr. Clerk, Senate Bill 532. Read the Bill."

Clerk Bolin: "Senate Bill 532, a Bill for an Act to amend the State Finance Act. Third Reading of this Senate Bill."

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

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Each year we ask the Auditor General to do a number of audits of various state agencies. In fact, nearly every agency is audited every other year, and many agencies are audited every year. In some cases the agencies have a good portion of their budget provided by a special fund, that is a non-GRF Fund. And so what we have done is we have asked

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

59th Legislative Day

May 13, 1997

the agencies that are being audited to contribute proportionally from GRF and these non-GRF Funds towards the cost of the audits, so that the General Revenue Fund is not asked to bear the entire burden. So what this Bill does is provide a transfer of these special funds to the audit expense funds of the Auditor General's Office, which we will in turn, at a later time, appropriate to the Auditor General for the purposes of the various audits that he intends to do in the course of the next year. Any monies that are left over from an audit will naturally go back to the fund from whence they came. And so this is something that we have done in the past and will continue to do in the future. This is our opportunity to have a say in those audits that the Auditor General does. I'd be happy to answer any questions and move for passage of Senate Bill 532."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 532 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 that question, there are 116 voting 'yes'; 0 voting 'no'; 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1130. Read the Bill."

Clerk Bolin: "Senate Bill 1130, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Representative Ryder, Ryder."

Speaker Brunsvold: "Excuse me. Mr. Ryder."

Ryder: "Thank you. This is..."

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

59th Legislative Day

May 13, 1997

Speaker Brunsvold: "My apologies, Mr. Ryder."

Ryder: "Pardon me?"

Speaker Brunsvold: "My apologies."

Ryder: "I'm sorry, I still didn't hear you."

Speaker Brunsvold: "My apologies. I called Mr. Hannig."

Ryder: "I'm sorry, you're just going to have to say that a lot louder. This is an appropriation Vehicle Bill. Its purpose is to return to the Senate a Bill that would be available for budget negotiations when those begin. The Bill in its current form is without an effective date, which is the only change from the fact when the Senate brought it to us. I'd be happy to answer any questions on it. And it is accomplished with the agreement of the... they're calling on the other side of the aisle. Thank you."

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: "Indicates he will."

Black: "Representative, we're on the Order of Appropriations now. Is that correct?"

Ryder: "Yes."

Black: "So there won't be any information on our computer. Is that correct?"

Ryder: "I can provide any information you need on this particular item, Sir, because it is a single dollar appropriation."

Black: "I was hoping that you would say that, Representative, because the information that many of us in this row would like to have is the word 'receipt'. Is it spelled differently on the Order of Appropriation than on the Order of Substantive Legislation? Because I look upon the board,

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

59th Legislative Day

May 13, 1997

I'm confused. That must be the appropriation spelling of 'receipt'."

Ryder: "Representative, that is correct. Because those of us who are in the appropriations process do not deal with receipts, we deal with expenditures. As a result, we don't know what they are, nor do we know how to spell it."

Black: "Obviously, Representative, this is not an item for your concern. An Inquiry of the Chair."

Speaker Brunsvold: "State your inquiry."

Black: "Yes, it would appear that the Chief Clerk of the House, Anthony D. Rossi, has misspelled 'receipts'. I don't think we can continue on this Bill with an obvious error on the board."

Speaker Brunsvold: "Thank you for that enlightenment, Mr. Black. We will correct that."

Black: "Perhaps the assistant Clerk of the House, Mr. Bradley S. Bolin, could correct the spelling of the word."

Speaker Brunsvold: "He is 49% responsible. Mr. Rossi is 51%."

Black: "And if he would like, we do have a dictionary that those of us familiar with the substantive side of the House will be glad to bring up."

Speaker Brunsvold: "Thank you."

Black: "Thank you."

Speaker Brunsvold: "Mr. Hannig, the Gentleman from Macoupin."

Hannig: "Yes, will the Sponsor yield?"

Speaker Brunsvold: "Indicates he will."

Hannig: "Representative, just so that we know what we're debating here and passing, it's my understanding that this is the money for the Babe Woodyard payout. Is that not what it is?"

Ryder: "Representative, I apologize, you are correct. And I apologize to my colleague, Representative Black, this is

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

59th Legislative Day

May 13, 1997

the funding for Senator Woodyard's widow. I apologize."

Hannig: "Yes, and so, I rise in support of the Gentleman's proposal. We have in the past, have always awarded the widow, the spouse of, the surviving spouse of a Legislator, the balance of that individual Legislator's earnings to that widow, or widower. So, basically what we're doing here is we're providing Babe Woodyard's widow with the balance of the money that he would have earned had he remained with us as State Representative, or State Senator. It's a long tradition in the House and the Senate. A small token of our appreciation for what Representative and Senator Woodyard have done. So, I rise in support of the Gentleman's proposal. And this Bill will go directly to the Governor for his signature. And I'd urge all Members to support it."

Speaker Brunsvold: "Any further discussion? If not, the Gentleman from Jersey to close."

Ryder: "I apologize for my error. The conversation with Representative Black had so confused my mind that I was unable to recall correctly the important purpose for this Bill. And as a result, I stand corrected. And I would ask for your support for this matter."

Speaker Brunsvold: "The Gentleman has asked for the passage of Senate Bill 1130. And this Bill will go directly to the Governor's desk. And on that question, 'Shall Senate Bill 1130 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 117 voting 'yes'; 0 voting 'no'; 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1131."

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

59th Legislative Day

May 13, 1997

Clerk Bolin: "Senate Bill 1131, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I apologize. My explanation of the previous Bill concerning the vehicle process in this Bill would serve as that vehicle. I have checked and the cooperative is correctly spelled, Representative Black. Other than that, we would appreciate your favorable vote."

Speaker Brunsvold: "On that question, the Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, and I join Representative Ryder in this Bill and the other two vehicles that we have in a bipartisan spirit of cooperation on the budget. We are asking the Members to allow us to put these Bills into conference for the purposes of having a vehicle for the final budget Bill in the next few days. So, I'd ask for your 'yes' vote."

Speaker Brunsvold: "Any further discussion on the question? Seeing no further discussion, the question is, 'Shall Senate Bill 1131 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 that question, 117 voting 'yes'; 0 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 1132. Please read the Bill."

Clerk Bolin: "Senate Bill 1132, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Jersey, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Again, another Vehicle Bill for the purpose of the budget. The Bill itself is in the form

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

59th Legislative Day

May 13, 1997

of a vehicle. I'd be happy to answer any questions."

Speaker Brunsvold: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes, again, this is a Vehicle Bill that we'll use to construct the final budget. And I urge its adoption, its passage."

Speaker Brunsvold: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 1132 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 that question, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1129. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1129, a Bill for an Act regarding appropriations. Third Reading of this Senate Bill."

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

Hannig: "Yes, again, this is a Vehicle Bill that we're sending over to put in Conference Committee. Let me just say that the respective Chairmen, Representatives Wyvetter Younge, Schoenberg, Morrow and Davis, along with our counterparts, Representatives Biggins, Mulligan, Weaver and Skinner, have heard the budget in its entirety now. They worked very hard with the other members of the Appropriations Committee. And certainly, Representative Ryder and I are going to work very hard to try to bring this budget deal to a quick resolution. We do need to have some vehicles in place for that. And I'd urge passage of this Bill."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the Gentleman has asked for the passage. The question is, 'Shall Senate Bill 1129 pass?'"

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

59th Legislative Day

May 13, 1997

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 that question, 116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 618."

Clerk Bolin: "Senate Bill 618, a Bill for an Act in relation to taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Black, what reason do you rise?"

Black: "Yes, I have two Inquiries of the Chair, Mr. Speaker."

Speaker Brunsvold: "State your inquiries."

Black: "The first one, under the Rules of the House, Second Edition, 90th General Assembly, can you move a Bill while you're in the Chair? I know you did, so it's a moot point. But I thought maybe you would have to vacate the Chair to do that. As good a Bill as it is."

Speaker Brunsvold: "That's as good a Bill as it is."

Black: "It's a wonderful Bill. But I thought perhaps..."

Speaker Brunsvold: "I don't believe there's a question, Representative, as long as there's no action on the Bill, it's simply moving from Second to Third."

Black: "Well I thought maybe you could have given it to Representative Erwin to move."

Speaker Brunsvold: "That would have been okay, also."

Black: "All right. I can see I'm not going to win this argument. The second Inquiry of the Chair is, what time does a Taste of Chicago in Springfield begin today?"

Speaker Brunsvold: "Six o'clock, Mr. Black."

Black: "Six o'clock. Would it be the intention of the Chair that

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

59th Legislative Day

May 13, 1997

those of us who live downstate and don't often get a chance to see the Taste of Chicago in Chicago, might be able to go to the Taste of Chicago in Springfield?"

Speaker Brunsvold: "I would say you're going to have an opportunity to taste Chicago, Representative."

Black: "Because I need to talk to the Mayor about parking tickets and things of that sort."

Speaker Brunsvold: "I would say that you're going to have an opportunity to do that, Mr. Black."

Black: "Thank you. That's outstanding. Thank you."

Speaker Brunsvold: "The Lady from Cook, Representative Schakowsky, for what reason do you rise?"

Schakowsky: "Thank you, Mr. Speaker. I just wanted to announce that Labor and Commerce will not meet at 4:00 p.m. No meeting of Labor and Commerce at 4:00."

Speaker Brunsvold: "Mr. Clerk, Senate Bill 159."

Clerk Bolin: "Senate Bill 159, a Bill for an Act to amend the Sanitary District Act of 1917. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, Senate Bill 345."

Clerk Bolin: "Senate Bill 345, a Bill for an Act regarding confidentiality of foster placement records. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Excuse me, Mr. Clerk, the Gentleman asks that this Bill be left on Second Reading. Place this Bill on Second Reading. Senate Bill 452."

Clerk Bolin: "Senate Bill 452, a Bill for an Act to amend the Illinois Identification Card Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

59th Legislative Day

May 13, 1997

Speaker Brunsvold: "Third Reading. Senate Bill 663. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 663, a Bill for an Act to amend the Illinois Telephone Solicitation Act. Second Reading of this Senate Bill. Amendment #1 and Amendment #2 were adopted in committee. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "Meeting at 4:00 p.m. will be the Children and Youth Committee in Room 122-B; the Higher Education Committee in Room C-1; the Insurance Committee in Room 118; the Labor and Commerce Committee has been canceled. Meeting at 4:30 p.m., Judiciary I Civil Law Committee in C-1; and Registration Regulation in Room 118. Tomorrow morning at 8:00 a.m., the Elementary and Secondary Education Committee will meet in Room 118; the State Government Committee will meet in Room C-1. At 8:30 a.m. tomorrow morning the Agriculture Committee will meet in Room 122B; and Judiciary II Civil Law Committee will meet in Room D-1. On Thursday at 7:00 a.m. the Judiciary I Committee will meet in Room 118. On Friday at 8:15 a.m. the Public Safety Appropriations Committee will meet in Room 118."

Speaker Brunsvold: "Senate Bill 165, Mr. Kubik. Out of the record. Mr. Novak, (sic-Senate Bill) 166. Out of the record. Representative Biggert on Senate Bill 341. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 341, a Bill for an Act to amend the Juvenile Court Act of 1987. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Biggert, has been approved for consideration."

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

59th Legislative Day

May 13, 1997

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

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was called earlier in the week, and Representative Cowlshaw had some question about it. So this Amendment is removing one sentence from the Bill, which addresses this concern that she has had. And I spoke to the Regional Superintendent of DuPage County, Disimone, and this would satisfy him and as well as the school community. The Amendment would remove the sentence that says, 'If applicable the county or other party seeking to recover costs for support or legal fees, incurred under this section shall first seek to recover against all third party payers who may be liable for such costs.' So, I would ask for adoption of Floor Amendment #1."

Speaker Brunsvold: "The Lady has asked for the adoption. On that discussion, Mr. Black."

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, when was your Floor Amendment filed?"

Biggert: "I believe it was two days ago."

Black: "Two days ago? How did you get it out of Rules?"

Biggert: "Well, I don't know. It just popped out."

Black: "Representative Churchill and I have, between us, three Amendments that we filed four days ago, or five days ago, they aren't out of Rules yet. I was just wondered if you could enlighten us as to how do you do that?"

Biggert: "Well, did you vote 'yes' on the Status of Women, the Commission on the Status of Women?"

Black: "Absolutely. I was a Cosponsor."

Biggert: "Well, then, I would think that it would have come out."

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

59th Legislative Day

May 13, 1997

Black: "Do I have your word on that? All right. To the point in question. The Amendment satisfies the concerns of a case in DuPage County. Is that correct?"

Biggert: "Yes. It was, in checking with the DuPage County Member, who had presented this Bill in committee, it was not their intention at all to have anything to do with school districts, but felt that because there was an issue raised, and for legislative intent, it did not have anything to do with school districts. But it might be concluded by various counties that it could affect school districts. So that sentence was removed to avoid any chance that it could be part of this Bill."

Black: "Well, it's a very good Amendment. And as soon as it's added, I'm sure it will be by voice vote, if you would come over and meet with Representative Churchill and myself, we'd be very grateful. Thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the Lady has asked for the adoption of Floor Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and Floor Amendment #1 has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 341, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of this Senate Bill."

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

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 341 amends the Juvenile Court Act to require a court to waive parental liability for the cost, the care and support, and necessary special care, upon application by a parent, if the parent or other responsible

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

59th Legislative Day

May 13, 1997

person establishes that he or she is indigent or unable to pay the incurred cost. And it permits the court to reduce or waive parental liability for such cost that the parent or other responsible person establishes circumstances showing that full payment would result in financial hardship to the person or his or her family. And I'd be happy to answer questions."

Speaker Brunsvold: "And on the question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 341 pass?' All in favor vote 'aye'; 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 116 voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Scott, for what purpose do you rise?"

Scott: "Thank you, Mr. Speaker. I would like to make a Motion that we would waive the posting requirements for Floor Amendment 2 to Senate Bill 596. Floor Amendment 3 is in the committee already, and is posted for today. Floor Amendment 2 we just didn't hear yesterday. It's already been part of the committee and was posted yesterday. It's just an oversight. And I'd like to waive that requirement."

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

Black: "Yes, thank you very much. I have an Amendment that's been popped out of Rules. It's supposed to go to House Judiciary, and they didn't post it either. What, you know, if we're going to do one waiver, why don't we do two or three?"

Speaker Brunsvold: "Is that a question of Mr. Scott?"

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

59th Legislative Day

May 13, 1997

Black: "Sure."

Speaker Brunsvold: "Mr. Scott."

Scott: "I guess I don't have much objection if you want to make your Motion, Bill. The only thing on this one is it was posted yesterday, and we just didn't do it because we knew we had a second Motion coming."

Black: "Well if it was posted yesterday, what happened to it? Surely your technical staff didn't fumble it, did they?"

Scott: "No, they didn't fumble it. We didn't hear it in committee yesterday because we knew we had another Amendment coming."

Black: "Okay, well, Representative Churchill and I each have an Amendment to one of your Bills, in fact. And the Rules Committee have recommended them to the House Judiciary Committee, Senate Bill 473."

Scott: "They did recommend them to the House Judiciary Committee?"

Black: "That's what it says on the LIS printout."

Scott: "I haven't seen that."

Black: "An Inquiry of the Chair."

Speaker Brunsvold: "State you inquiry."

Black: "Could we waive the posting requirement on those two Amendments to Senate Bill 473, as well?"

Speaker Brunsvold: "You may make your Motion when we're finished with this Motion, Mr. Black."

Black: "Do I have to reduce my Motion to writing?"

Speaker Brunsvold: "No."

Black: "Okay. I would so move that we waive the posting requirement..."

Speaker Brunsvold: "We're in the process of doing Mr. Scott's Motion right now."

Black: "Oh, well, it's only fair. We should do that, yes."

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

59th Legislative Day

May 13, 1997

Speaker Brunsvold: "Mr. Scott has moved that the posting requirements be waived on Amendment #2 to Senate Bill 596. All in favor of that Motion say 'aye'; opposed 'nay'. The 'ayes' have it and that Motion is adopted. Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. Joined by Representative Churchill, I would like to move we waive the posting requirement for Floor Amendment #1, Floor Amendment #2, and Floor Amendment #3 to Senate Bill 473, assigned to House Judiciary. It has to do with judges."

Speaker Brunsvold: "While they're discussing that, Mr. Hoeft, what reason do you rise?"

Hoeft: "Thank you Mr. Chairman (sic-Speaker). A matter of Personal Privilege."

Speaker Brunsvold: "Proceed."

Hoeft: "In the gallery off to the left is Century Oak Elementary School from Elgin. We are down here to learn about the legislative process. And I would like to thank them for joining us in this cause for leadership. Thank you, Sir."

Speaker Brunsvold: "Thank you, and welcome to Springfield. Mr. Black has made a Motion to waive the posting requirements for Amendments 1, 2 and 3 on Senate Bill 473. Is that correct, Mr. Black? Mr. Black."

Black: "I'm sorry, what?"

Speaker Brunsvold: "Your Motion was to waive the posting requirements on Amendment 1, 2 and 3 on Senate Bill 473?"

Black: "That's correct."

Speaker Brunsvold: "The Gentleman's made that Motion. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it and the posting requirement has been waived on those three Amendments on Senate Bill 473. House Joint Resolution #12, Mr. Clerk."

Clerk Bolin: "House Joint Resolution #12, offered by

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

59th Legislative Day

May 13, 1997

Representative Connie Howard."

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

Howard: "Yes, there is an Amendment to this Resolution. So what is the process?"

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

Howard: "Very good. Thank you. Floor Amendment #1 adds the establishment of the Lake Calumet Study Committee's suggestion of a Calumet Ecological Park. And, in fact, we would like the State Legislature to encourage the Federal Government to, in fact, fund both the extension of the INM corridor and the establishment of the Calumet Ecological Park. I ask for your favorable consideration."

Speaker Brunsvold: "And on the Floor Amendment to House Joint Resolution #12, Mr. Black."

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

Speaker Brunsvold: "Indicates she will."

Black: "Yes, Representative, isn't Lake Calumet set aside for a potential third airport? I remember we voted on that a few years ago."

Howard: "I'm not familiar with that, Sir."

Black: "As I recall, the Mayor wanted to put the third airport at the Lake Calumet site. But then he was enticed to Gary, Indiana, as I recall. So, as far as you know, there are no covenants or restrictions on this site for a potential third airport?"

Howard: "I would think that the Honorable Jerry Weller would not have added his support to this program, had that been the case."

Black: "Would that be the same Honorable Jerry Weller that used to serve here?"

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

59th Legislative Day

May 13, 1997

Howard: "That is my understanding, yes. He is a Congressman of the 11th Congressional District."

Black: "Yes. And is Lake Calumet in his district?"

Howard: "I am not certain."

Black: "I don't know either, but he's a fine fellow. So, if we adopt your Resolution, then am I to assume that we can never revisit the issue of a third airport at Lake Calumet?"

Howard: "Again, I'm not familiar with whether or not the airport has anything to do with this area. This is something that is pending in the Federal Government. And I would just like us to encourage them to move ahead with it. It is something that all the members of the Illinois Delegation have agreed with. And I think that it is a good thing for that south end of Cook County. And I'm hopeful that we will, in fact, encourage them to pursue it."

Black: "Okay. Well, thank you, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Resolution."

Speaker Brunsvold: "Proceed."

Black: "I have some real concerns about this Resolution. You know, first Meigs Field was going to be a park, and then that was worked out, there was a delay, I think, for another five years. And then, I remember voting for the third airport at the Lake Calumet site. I don't remember, four or five years ago. It just barely passed. I did my part to help the City of Chicago. I voted for it, it was the Mayor's plan. And now I see a Resolution to make a park out of Lake Calumet. What's next, O'Hare? I think the people in the City of Chicago are up to something here. Now, I intend to vote for this, because, quite frankly, I need all the help I can get on my environmental record. But, if this continues, when Meigs Field comes off line and

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

59th Legislative Day

May 13, 1997

becomes a park, and when Lake Calumet becomes a park, I'm telling you, I'm telling you O'Hare's next. And when it gets down to Peotone, or Vermilion County International, I'm going to take a strong stand on that, enough is enough. But I'll vote for this. Enough is enough, Representative, don't you cast your little greedy eyes on Vermilion County International. We've got big things in mind. When you close all those Chicago airports, we're going to be in the ball park. All right? But this Resolution looks fine to me, but I wish you'd added Gary Indiana to it, quite frankly. But I know you can't amend it on his face. All right. Thank you."

Howard: "Thank you."

Speaker Brunsvold: "Any further discussion on the Amendment? The Lady from Cook, Representative Zickus."

Zickus: "Thank you, Mr. Speaker. I rise in support of this Amendment, and welcome Chicago to join in the sesquicentennial celebrations of the Heritage Corridor that will be taking place next year."

Speaker Brunsvold: "Any further discussion on the Amendment? The Lady has moved for the adoption of Floor Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and Floor Amendment #1 has been adopted. House Joint Resolution #12, Representative Howard."

Howard: "Thank you, Mr. Chairman (sic-Speaker). You've heard the discussion regarding the encouragement of the Federal Government to, in fact, extend the Illinois and Michigan Canal Heritage Corridor into Illinois, and to establish the Calumet Ecological Park Association. I ask for your support. Thank you."

Speaker Brunsvold: "And on the Resolution, is there any discussion? Seeing none, the Lady has asked for the

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

59th Legislative Day

May 13, 1997

adoption of House Joint Resolution #12. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and House Joint Resolution #12 has been adopted. Everyone in the Chamber has received Committee Schedules. Mr. Black, with a Motion."

Black: "Mr. Speaker, I'm outraged and appalled that we have sat here hour after hour. I move we adjourn and go to a Taste of Chicago in Springfield."

Speaker Brunsvold: "The Gentleman has moved adjournment. Allowing Perfunctory time for the Clerk, the House will adjourn until Wednesday, May 14 at 9:00 a.m. And on that Motion, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House does stand adjourned until Wednesday the 14th at the hour of 9:00 a.m. Members, the committees will proceed at 4:00, so let's get to those."

Clerk Rossi: "The House Perfunctory Session will come to order. Senate Bills Second Reading. Senate Bill 6, a Bill for an Act in relation to sexual violence. Senate Bill 9, a Bill for an Act in relation to harassing and obscene communications. Senate Bill 25, a Bill for an Act amending the Housing Authorities Act. Senate Bill 54, a Bill for an Act amending the Environmental Protection Act. Senate Bill 56, a Bill for an Act amending the Public Utilities Act. Senate Bill 73, a Bill for an Act to create the Economic Development Act. Senate Bill 80, a Bill for an Act amending the Illinois Food, Drug and Cosmetic Act. Senate Bill 120, a Bill for an Act amending the Juvenile Court Act of 1987. Senate Bill 124, a Bill for an Act amending the Illinois Insurance Code. Senate Bill 186, a Bill for an Act amending the Illinois Vehicle Code. Senate Bill 200, a Bill for an Act in relation to elections. Senate Bill 222, a Bill for an Act amending the School Code. Senate Bill

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

59th Legislative Day

May 13, 1997

255, a Bill for an Act amending the River Conservancy Districts Act. Senate Bill 256, a Bill for an Act amending the River Conservancy Districts Act. Senate Bill 307, a Bill for an Act amending the Township Code. Senate Bill 315, a Bill for an Act amending the Emergency Medical Services Systems Act. Senate Bill 316, a Bill for an Act amending the Health Care Worker Background Check Act. Senate Bill 320, a Bill for an Act amending the Illinois Public Aid Code. Senate Bill 345, a Bill for an Act regarding confidentiality of foster placement records. Senate Bill 348, a Bill for an Act amending the Environmental Protection Act. Senate Bill 223, a Bill for an Act in relation to health care benefits for certain retired community college employees and their dependents. Senate Bill 433, a Bill for an Act amending the Election Code. Senate Bill 445, a Bill for an Act amending the Code of Civil Procedure. Senate Bill 452, a Bill for an Act amending the Illinois Identification Card Act. Senate Bill 454, a Bill for an Act amending the Illinois Vehicle Code. Senate Bill 460, a Bill for an Act amending the Probation, Probation Officers Act. Senate Bill 473, a Bill for an Act amending the Circuit Courts Act. Senate Bill 475, a Bill for an Act amending the Environmental Protection Act. Senate Bill 476, a Bill for an Act amending the Child Labor Law. Senate Bill 515, a Bill for an Act in relation to taxation. Senate Bill 521, a Bill for an Act amending the Criminal Code of 1961. Senate Bill 529, a Bill for an Act amending the Public Community College Act. Senate Bill 535, a Bill for an Act amending the Property Tax Code. Senate Bill 537, a Bill for an Act amending the Voluntary Payroll Deduction Act. Senate Bill 547, a Bill for an Act amending the Illinois Horse Racing Act. Senate Bill 551, a

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

59th Legislative Day

May 13, 1997

Bill for an Act amending the School Code. Senate Bill 596, a Bill for an Act amending the Clerks of Courts Act. Senate Bill 603, a Bill for an Act amending the Illinois Optometric Practice Act of 1987. Senate Bill 605, a Bill for an Act to amend the Regulatory Agency Sunset Act. Senate Bill 607, a Bill for an Act concerning local governments. Senate Bill 610, a Bill for an Act amending the Illinois Optometric Practice Act of 1987. Senate Bill 619, a Bill for an Act amending the Adoption Act. Senate Bill 659, a Bill for an Act amending the Illinois Insurance Code in relation to insurance exchanges. Senate Bill 665, a Bill for an Act in relation to public employee pensions. Senate Bill 667, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 670, a Bill for an Act amending the Interest Act. Senate Bill 671, a Bill for an Act amending the Horse Racing Act. Senate Bill 682, a Bill for an Act amending the Clerks of Courts Act. Senate Bill 697, a Bill for an Act amending the Disabled Persons Rehabilitation Act. Senate Bill 698, a Bill for an Act amending the Illinois Public Aid Code. Senate Bill 710, a Bill for an Act to amend the named Acts concerning actions on certain notes. Senate Bill 715, a Bill for an Act to amend the Property Tax Code. Senate Bill 720, a Bill for an Act amending the School Code. Senate Bill 734, a Bill for an Act concerning medical care. Senate Bill 771, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 777, a Bill for an Act to amend the State Finance Act. Senate Bill 778, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 785, a Bill for an Act in relation to State Government. Senate Bill 791, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 795, a Bill for an Act regarding natural

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

59th Legislative Day

May 13, 1997

resources. Senate Bill 797, a Bill for an Act to amend the Illinois Aeronautics Act. Senate Bill 799, a Bill for an Act in relation to certain land. Senate Bill 837, a Bill for an Act amending the Public Community College Act. Senate Bill 855, a Bill for an Act concerning business programs. Senate Bill 856, a Bill for an Act in relation to taxes. Senate Bill 861, a Bill for an Act to amend the Illinois Public Aid Code. Senate Bill 878, a Bill for an Act relating to prepaid tuition contracts. Senate Bill 899, a Bill for an Act to amend the Illinois Horse Racing Act. Senate Bill 909, a Bill for an Act amending the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Senate Bill 939, a Bill for an Act in relation to environmental protection. Senate Bill 954, a Bill for an Act amending the Vehicle Code. Senate Bill 968, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 1000, a Bill for an Act to change the date of the general primary elections. Senate Bill 1016, a Bill for an Act in relation to the General Assembly. Senate Bill 1039, a Bill for an Act concerning the automotive repair industry. Senate Bill 1041, a Bill for an Act amending the Uniform Interstate Family Support Act. Senate Bill 1075, a Bill for an Act amending the Property Tax Code. Senate Bill 1076, a Bill for an Act concerning mortgage interest. Senate Bill 1103, a Bill for an Act amending the Environmental Protection Act. Senate Bill 1121, a Bill for an Act amending the Illinois Vehicle Code. Senate Bill 1127, a Bill for an Act to provide supplemental appropriations and legislative transfers for various state agencies for fiscal year 1997, and making other appropriations. Senate Bill 1128, a Bill for an Act regarding appropriations. Second Reading of

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

59th Legislative Day

May 13, 1997

these Senate Bills."

Clerk Rossi: "Messages from the Senate. Messages from the Senate.

Clerk Rossi: "A Message from the Senate by Mr. Jim Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate is concurred with the House of Representatives in the passage of the following Bills: House Bill 155, a Bill for an Act to amend the Liquor Control Act, together with Senate Amendment #1. House Bill 182, a Bill for an Act in relation to criminal law, together with Senate Amendment #1. House Bill 202, a Bill for an Act concerning health care facilities, together with Senate Amendment #1. House Bill 306, a Bill for an Act to amend the Probate Act, together with Senate Amendment #1. House Bill 322, a Bill for an Act to amend the Illinois Highway Code, together with Senate Amendment #1. House Bill 367, a Bill for an Act to amend the Fair and Exposition Transfer of Funds Act, together with Senate Amendment #1. House Bill 513, a Bill for an Act in relation to dies and molds, together with Senate Amendment #1. A Bill for an Act concerning community food gardens, together with Senate Amendment #1. House Bill 606, a Bill for an Act to amend the Illinois Horse Racing Act, together with Senate Amendment #1. A Bill for an Act in relation to the repeal, deletion, and Amendment of certain statutory provisions, together with Senate Amendment #1. House Bill 903, a Bill for an Act to amend the Liquor Control Act, together with Senate Amendment #1. Senate Bill 1050, a Bill for an Act concerning wildlife, together with Senate Amendment #1. House Bill 1211, a Bill for an Act in relation to parent sponsored school organizations, together with Senate Amendment #1. House Bill 1279, a Bill for an

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

59th Legislative Day

May 13, 1997

Act to amend the Illinois Public Aid Code, together with Senate Amendments 1 and 2. House Bill 1327, a Bill for an Act to amend the School Code, together with Senate Amendments 1 and 2. House Bill 1397, a Bill for an Act to amend the Criminal Code of 1961, together with Senate Amendment #1. House Bill 1565, a Bill for an Act to amend the Health Maintenance Organization Act, together with Senate Amendment #1. House Bill 1678, a Bill for an Act in relation to the regulation of wine, together with Senate Amendment #1. House Bill 1680, a Bill for a Act concerning wheat marketing programs, together with Senate Amendment #1. House Bill 2209, a Bill for an Act to amend the Joliet Arsenal Development Authority Act, together with Senate Amendment #1. House Bill 2214, a Bill for an Act to amend the Environmental Protection Act, together with Senate Amendment #1. House Bill 2226, a Bill for an Act relating to insurance company finances, together with Senate Amendment #1. House Bill 127, a Bill for an Act to amend the Firearm Owners Identification Card Act, together with Senate Amendment #1.

Clerk Rossi: "Introduction and First Readings of Resolutions. House Resolution 156, offered by Representative Eileen Lyons; House Resolution 157, offered by Representative Acevedo; House Resolution 158, offered by Representative Acevedo; House Joint Resolution 26, offered by Representative McKeon. Resolutions are assigned to the Rules Committee."

Clerk Rossi: "The House Perfunctory Session stands adjourned."