

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

61st Legislative Day

May 15, 1997

Speaker Brunsvold: "The hour being 11:00 o'clock, the House will come to order. We will be led in prayer today by the Reverend Wayne Carlson with Church of the Holy Family in Park Forest. Reverend Carlson is the guest of Representative George Scully. The guests in the Gallery may wish to rise for the invocation. Reverend Carlson."

Reverend Carlson: "Let us pray. Almighty and eternal God, ruler of heaven and earth. We give You thanks for the many blessings You have given us. We ask that You would help us to be ever conscious of our responsibilities for one another. Help us to respond to each other with fairness, compassion and wisdom. We ask that You would bless our schools and those who teach and those who learn. We also ask Your help for those who fail to learn for whatever reason. Here too, we ask that You give us the spirit of fairness, compassion and wisdom. I ask Your blessing on the Members of this Body. The responsibilities are great, the temptations are many. Guide and direct each to be able to be aware of the effect each action has on the general welfare. We know that people of good conscience can reach different conclusions. Help each of us to respect others and be worthy of respect ourselves. In all that we do, help us to remember the account that we will each have to give for our actions one day. Help us all to be worthy and workers that need not to be ashamed and all of this we ask in Your name. Amen."

Speaker Brunsvold: "We will be led today in the pledge by Representative Maggie Crotty."

Crotty - 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."

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Speaker Brunsvold: "Roll Call for Attendance. Representative Poe, for the Republicans."

Poe: "Yes, all the Republicans are here today and anxious to do the business of the State of Illinois."

Speaker Brunsvold: "Representative Lang, with the Democrats."

Lang: "I think we're all here, Mr. Speaker."

Speaker Brunsvold: "Thank you, Mr. Lang. Take the record, Mr. Clerk. One hundred and eighteen Members answering the Roll Call, we have a quorum. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Stroger, Chairman from the Committee on Local Government, to which the following Amendments were referred, Action taken on May 14, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment 3, to Senate Bill 307. Floor Amendment 2, 3, and 4, to Senate Bill 106. Representative Novak, Chairman from the Committee on Environment and Energy, to which the following Amendment was referred, action taken on May 14, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment 3, to Senate Bill 968. Representative Giles, Chairman from the Committee on State Government and Administration, to which the following Amendment was referred, action taken on May 14, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment 1, to Senate Bill 463. Representative Bugielski, Chairman from the Committee on Financial Institutions to which the following Amendments were referred, action taken on May 14, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment 3, to Senate Bill 1076. Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Amendments were

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referred, action taken on May 14, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment 1, to Senate Bill 315. Floor Amendment 2, to Senate Bill 603. Representative Smith, Chairman from the Committee on Judiciary II, to which the following Amendments were referred, action taken on May 14, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment 1, to Senate Bill 789. Floor Amendments 2 and 3, to Senate Bill 345 and Floor Amendments 2 and 3, to Senate Bill 381. Representative Burke, Chairman from the Committee on Executive to which the following Amendments were referred, action taken on May 14, 1997, reported the same back with the following recommendations: 'Be adopted', Floor Amendment #2, to Senate Bill 73 and Floor Amendment 1, to Senate Bill 435. Messages from the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the Bill of the following title to wit: House Bill 229, a Bill for an Act concerning fees of the Clerk of the House together with Senate Amendment #1. House Bill 263, a Bill for an Act to amend the Public Utilities Act together with Senate Amendment #1. House Bill 1197, a Bill for an Act to amend the Community College Act together with Senate Amendment #1. House Bill 1628, a Bill for an Act concerning the Illinois Wildlife Prairie Park together with Senate Amendment #1. House Bill 1450, a Bill for an Act in relation to bonds together with Senate Amendment #1. House Bill 1702, a Bill for an Act to amend the School Code together with Senate Amendment #1. House Bill 2061, a Bill for an Act concerning small businesses together with Senate Amendment #1.' Introduction and First Reading of Senate

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Bills. Senate Bill 77, offered by Representative Wirsing, a Bill for an Act to amend the Illinois Public Aid Code."

Speaker Brunsvold: "Representative Wirsing, for what reason do you rise?"

Wirsing: "Thank you, Mr. Speaker. I rise on a Point of Privilege."

Speaker Brunsvold: "Proceed."

Wirsing: "And a real honor today to announce that Representative Ron Lawfer is celebrating his birthday today and we want to show recognition of that, to see that he's here that he made it today and in honor of that, there is some cake down here in the front row to be shared by all. So, happy birthday to Ron Lawfer."

Speaker Brunsvold: "Mr. Wirsing, do you have any information of the age of Mr. Lawfer?"

Wirsing: "I'm glad you asked, because I think for a matter of the record, Representative Lawfer ought to tell us exactly what his age is today."

Speaker Brunsvold: "Mr. Lawfer."

Lawfer: "It's over 50, I lost track. But... I am receiving in the mail a lot of information about social security."

Speaker Brunsvold: "Thank you, Mr. Lawfer. The Gentleman from Livingston, Mr. Rutherford. For what reason do you rise?"

Rutherford: "For a Point of Personal Privilege, Mr. Speaker."

Speaker Brunsvold: "Proceed."

Rutherford: "I'm pleased to announce that my district mate and my seatmate is also celebrating a birthday today and Representative Bill Brady is celebrating that. I came a little bit later than Representative Lawfer's from what we understand, but knowing the fiscal conservative that Representative Brady is, he's all inviting you down to eat some of Representative Lawfer's cake with him."

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Speaker Brunsvold: "Thank you, Mr. Rutherford."

Rutherford: "Happy birthday to Representative Brady."

Speaker Brunsvold: "Yes. The Chair wonders if Mr. Brady is over 50, also? The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I think in honor of these birthday boys, we're delighted today to have the former Governor of the State of Illinois, Jim Thompson and his wife, Jayne Thompson on the Floor. Governor Thompson."

Speaker Brunsvold: "Welcome, Governor. Welcome, Governor Thompson. The Chair intends to go to Second Readings, starting on page 6, of the Calendar. And the first Bill that appears on Second Reading is Senate Bill 3. Mr. Hannig. Out of the record. Senate Bill 6, Mr. Dart. Out of the record. Senate Bill 200, Mr. Winters. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill... Senate Bill... Senate Bill 200, a Bill for an Act in relation to elections. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 222, Representative Cowlshaw. Out of the record. Senate Bill 303, Mr. Park. Senate Bill 303, Mr. Parke. Out of the record. Senate Bill 316, Mr. Churchill. Out of the record. Senate Bill 317, Mr. Winters. Out of the record. Senate Bill 345, Mr. Dart. Senate Bill 345, Mr. Dart. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 345... Senate Bill 345. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative

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Dart, has been 'approved for consideration'."

Speaker Brunsvold: "The Gentleman from Cook, Representative Dart, on Floor Amendment #2."

Dart: "Thank you. Floor Amendment 2, was an Amendment which was approved by the committee. It's an Amendment which allows for the Department of Children and Family Services to make an alteration to the registry for biological parents to exclude criminal cases so that we don't have individuals who have been victims of crimes having adoptions slowed down by the defendants and I move for its adoption."

Speaker Brunsvold: "The Gentleman has moved for the adoption of Floor Amendment #2. Is there any discussion? Seeing none, the question is, 'Shall Floor Amendment #2 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

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

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

Speaker Brunsvold: "Mr. Dart."

Dart: "Floor Amendment #3 was also approved. This deals with the child death investigation. It allows for the death records to... from the investigations to be decimated to the state's attorneys, the courts as well as the child's attorney, so that it's an effort to make sure that individuals who had contact with the child who has subsequently been killed while in custody of the department will have the information so that they would be able to change their conduct if there conduct was part of the things that contributed to the death of the child, and I move for its adoption."

Speaker Brunsvold: "On the movement for adoption, is there any discussion? The question is, 'Shall the Amendment be

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adopted?' All in favor say 'aye'; all opposed say 'nay'.
The 'ayes' have it and the Amendment has been adopted.
Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 368, Mr.
Brosnahan. Out of the record. Senate Bill 381, Mr.
Roskam. Mr. Roskam. Out of the record. Senate Bill 435,
Mr. Saviano. Out of the record. Senate Bill 463. Excuse
me, Mr. Clerk. Senate Bill 435, Mr. Turner, a Cosponsor
asks the Bill be moved. Please, read the Bill."

Clerk Rossi: "Senate Bill 435. The Bill has been read a second
time, previously. No Committee Amendments. Floor
Amendment #1, offered by Representative Saviano, has been
'approved for consideration'."

Speaker Brunsvold: "Mr. Turner, on the Amendment. With leave of
the House, Mr. Turner will handle the Amendment for Mr.
Saviano."

Turner, A.: "Thank you, Mr. Speaker. Amendment #1, simply is a
technical Amendment and what it does is... on page 1, it
deletes lines 5 through 31, regarding the signatures on
contracts and it being done electronically and also, on
page 2, by deleting lines 1 through 12, in terms of types
of copies and what has to be made available. I move for
the favorable adoption of Amendment #1, to Senate Bill
435."

Speaker Brunsvold: "Is there any discussion on the Amendment?
Seeing none, the question is, 'Shall the Amendment be
adopted?' All in favor say 'aye'; opposed 'nay'. The
'ayes' have it and the Amendment has been adopted. Further
Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 473, Mr. Scott.

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Out of the record. Senate Bill 521, Mr. Turner, Art Turner. Senate Bill 521. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 521. The Bill has been read a second time, previously. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 535. Senate Bill 535, Mr. Turner, Art Turner. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 535. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 734, Representative Jones, Lou Jones. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 734. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 789, Mr. Dart. Out of the record. Senate Bill 791, Mr. Winters. Senate Bill 791, Mr. Winters. Out of the record. Senate Bill 837, Mr. Morrow. Out of the record. Senate Bill 1020, Mr. Ryder. Out of the record. Senate Bill 1076, Mr. Bugielski. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1076. The Bill has been read a second time, previously. Amendments 1 and 2, were adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Bugielski, has been 'approved for consideration'."

Speaker Brunsvold: "The Gentleman from Cook, Representative Bugielski, on Floor Amendment #3."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Amendment #3, would authorize financial institutions to disclose certain customer information and to participate in

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data exchange basis on agreements with the state agencies.

This is going... in many other states and we are just in compliance with the other states now."

Speaker Brunsvold: "Is there any discussion 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, why do you want to require the Department of Public Aid to pay financial institutions for... to get this information?"

Bugielski: "Well, this is an agreement with all the financial institutions where they would not be liable and that they would just... would refund what their cost would be. That's all it is. They are not making money on it. It's just to reimburse them for their costs."

Black: "Do you have any estimate of potential cost?"

Bugielski: "I was told it would be minimal."

Black: "Minimal."

Bugielski: "That's what the financial institutions mentioned to me."

Black: "All right and... one moment, Mr. Speaker. Let me check with staff here, just a second. All right, so, but we really don't have a fiscal impact. You think... would you mind terribly if we ask for a Fiscal Note, as amended? If you can get the department, if you can't get the answer in a timely fashion, Representative, I will remove the Note."

Bugielski: "Okay."

Black: "But I would like to have some... some reasonable estimation to cost."

Bugielski: "Very good."

Black: "All right, thank you."

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Bugielski: "And I will confer with you later on to it."

Speaker Brunsvold: "Any further discussion? The Gentleman moves for the adoption of Amendment #3. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. The Gentleman has requested the Bill be... remain on Second Reading. The Lady from Sangamon, Representative Klingler, for what reason do you rise?"

Klingler: "Thank you, Mr. Speaker. On a Point of Personal Privilege, I would like to recognize the 8th grade class in the balcony from Trinity Lutheran School, in Springfield. They are with their teacher and they'll be here for a couple of hours today. They're up behind me."

Speaker Brunsvold: "Senate Bill 603, Mr. Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 603. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Saviano, has been 'approved for consideration'."

Speaker Brunsvold: "The Gentleman from Cook, Representative Saviano, on Floor Amendment #2."

Saviano: "Thank you, Mr. Speaker. Just for a matter of clarification, I have filed Floor Amendment #1. I don't know if it would be proper for me to withdraw Floor Amendment #1 before we go to Floor Amendment #2."

Speaker Brunsvold: "The Gentleman requests to... Mr. Saviano, that has not been approved for consideration so you can go right to Amendment #2."

Saviano: "Okay, very good. Floor Amendment #2 came out of committee yesterday. Floor Amendment #2 represents an agreement between the Illinois Pharmacists' Association, the Illinois Retail Merchants' Association, and the Illinois Medical Society on procedures and various cleanup

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procedures in the Illinois Pharmacy Act and I ask that Floor Amendment #2 to Senate Bill 603 be adopted."

Speaker Brunsvold: "And on the question, the Lady from DuPage, Representative Pankau."

Pankau: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Brunsvold: "The Sponsor yields?"

Pankau: "I rise to support this Amendment and will be voting for it. However, there is one section that for Legislative intent, Representative Saviano, I would like you to put it on the record. In the portion that talks about definitions, of patient profiles, it calls for maintenance of prescription and personal information. For Legislative intent as it was said in the committee yesterday, that is basically, name, address, phone number, and the only way outside agencies of any sort could reference any type of information, would be through the person actually releasing it, via a formal statement. Is that correct?"

Saviano: "Yes."

Pankau: "Thank you, and I urge support of this Amendment and of this Bill."

Speaker Brunsvold: "Any further discussion? The Gentleman has requested the adoption of Amendment #2, and on that question, all in favor say 'aye', opposed 'nay'. The 'ayes' have it, the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 1099, Representative Lindner. Out of the record. Mr. Clerk, what's the status of Senate Bill 698?"

Clerk Rossi: "Senate Bill 698 is on the Order of Senate Bills Third Reading."

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Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Clerk, what's the status of Senate Bill 569?"

Clerk Rossi: "Senate Bill 569 is on the Order of Senate Bills, Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. The Lady from Lake, Representative Wood. For what reason do you rise?"

Wood: "Yes. Thank you, Mr. Speaker. I rise as a Point of Personal Privilege. "

Speaker Brunsvold: "Proceed."

Wood: "I have with me here today, a very special guest. We have here today the newly elected mayor of North Chicago, Jerry Johnson. If you could please welcome him for me."

Speaker Brunsvold: "We're going back to seconds again, at the beginning. I know Members are coming in, so we'll go back and go through Second Readings, again. Senate Bill 6, Representative Dart. Out of the record. Senate Bill 303, Mr. Parke. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 303 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Mr. Parke, for what reason do you..."

Parke: "Thank you, Mr. Speaker. I have a Floor... I have an Amendment that has to go through the process and it's just started, so I'm not prepared to call the Bill. It needs to be in Rules. Thank you."

Speaker Brunsvold: "Thank you. Take that Bill out of the record, Mr. Clerk. Senate Bill 316, Mr. Churchill. Out of the record. Senate Bill 381, Mr. Roskam. Out of the record. Senate Bill 445, Representative Silva. Out of the record. Senate Bill 463, Representative Feigenholtz. Representative Feigenholtz, 463. Out of the record."

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Senate Bill 605, Mr. Churchill. Out of the record. Page 2, of the Calendar, Senate Bills, Third Reading. Senate Bill 80, Representative Flowers. Out of the record. Senate Bill 120, Mr. Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 120, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of this Senate Bill."

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

Dart: "Thank you, Mr. Speaker. I would just ask the Clerk, I've submitted a sheet on this, as far as additional Sponsors on this. I was wondering if that..."

Speaker Brunsvold: "Do we have additional Sponsors, Mr. Clerk."

Clerk Rossi: "If the sheet was submitted today, it's probably not in the system yet."

Speaker Brunsvold: "Mr. Dart."

Dart: "Okay, thank you. Senate Bill 120 is a Bill which right now, it makes a minor change in the law in regards to the sentencing of delinquents as far as requiring the court to, at the end of a sentencing when they are issuing their findings, to break it down by offense as opposed to lumping it all together as into one offence, and this is more of a technical thing that has been a problem in the Cook County area and this is to remedy this. This Bill itself though, is one which may end up being the Conference Committee Report for the Juvenile Justice Reform Bill. It will end up being the Conference Committee Report for this. This is just a minor change now, that we'll send this back over to the Senate, though."

Speaker Brunsvold: "The Gentleman from Kendall, Mr. Cross."

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

Speaker Brunsvold: "The Sponsor yields."

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Cross: "Representative, in the event, and I know that we're moving, hopefully moving toward consensus on the Juvenile Justice Package, in the event we don't come to an agreement on that in the next week, will this Bill remain in this present form?"

Dart: "Well, yeah, sure, Tom. What it do, it would... would put in the Conference Committee mode and then kick it over through the summer and just hold it as being the vehicle to use it."

Cross: "Yeah, if there's nothing... if it doesn't end up being in agreement with the Juvenile Justice Package, this isn't going to go anywhere."

Dart: "Nothing else. Nothing else."

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

Speaker Brunsvold: "And on the question, is there any further discussion? Seeing none, the Gentleman from Cook to close."

Dart: "Just support an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 120 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there's 73 voting 'yes', 43 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Mr. Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. I was away from my chair. Let the record reflect please, that I would have voted 'yes' on Senate Bill 120."

Speaker Brunsvold: "It will so reflect. Senate Bill 80, Representative Flowers. Representative Flowers, would you

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like to come back to that Bill? We will return to that Bill. Senate Bill 304, Mr. Noland. Senate Bill 304, Mr. Noland. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 304, a Bill for an Act regarding natural resources. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Macon, Representative Noland."

Noland: "Thank you, Mr. Speaker. This is the Administrative Bill for the Department of Natural Resources. It combines about 12 different issues for the Department of Natural Resources, as well as the Amendment we discussed yesterday dealing with the oil... oil and gas drilling on public lands. I would appreciate your support."

Speaker Brunsvold: "The Gentleman has moved for the passage of Senate Bill 304 and on that question, is there any discussion? The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Phelps: "Mr. Noland, I think you mentioned there were 12 items. Do you... can you give a brief synopsis of each item? I'm sort of trying to catch up with my computer here."

Noland: "I would be glad to. First thing it does, it renames the Hazardous Waste Research Information Center to the Waste Management and Research Center. It provides that the Office of Scientific Research Analysis may perform other related duties and functions. It adds a new section to simplify DNR's authority to utilize indirect cost reimbursements, as state matching funds for Federal Grant Programs..."

Phelps: "Excuse me, Mr. Noland. The DNR cost reimbursements, would you expand on that a little bit? What does that

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mean?"

Noland: "That is the favorite part of this Bill, for me, I think."

Phelps: "I'm sorry."

Noland: "This is my... I'm glad you asked. That's the favorite part of this Bill, for me. Mr. Phelps, let me just read to you what it does. It allows DNR the ability to use indirect cost, such as overhead, office supplies, vehicle usage, et cetera as state matching funds so DNR can recover some of costs that they would have lost under the current law. Federal monies that are received as a result of state matching funds can be deposited into the fund as a direct cost and may be expended subject to appropriation."

Phelps: "Okay. So, you were at number 4."

Noland: "That was number 4."

Phelps: "Okay, you was going to go through the 12 items and I stopped you after three, I'm sorry."

Noland: "All right. Certainly. Number 5, it allows DNR to accept, receive, expend and administer funds through grants, agreements or contracts. This is a response to a non-material audit finding for DNR. Number 6, it authorizes DNR to use monies from the Conservation 2000 fund and subject to appropriation, it can issue grants to public and private landowners for natural resource protection and enhancement and it simplifies the funding process for Conservation 2000 ecosystem projects. Number 7..."

Phelps: "How does it simplify the printing process, do you know?"

Noland: "The current system results in unconventional contracts that require lengthy development process. That process is inefficient and this would streamline that and make that whole process less... less rigorous."

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Phelps: "So, does that mean they were putting out for bid the printing of job and now they won't, or did they ever do that?"

Noland: "Okay, currently, they must go through personal service contracts, despite being awarded on a competitive basis, rather than a bidding process."

Phelps: "Thank you."

Noland: "All right, number 7, it amends the Surface Coal Mining Land Conservation and Reclamation Act to comply with recent changes made in the Federal Surface Mining Control and Reclamation Act of 1977. Number 8, it provides that DNR shall not deny a permit to mining operation based on certain violations of the Act resulting from unanticipated events or conditions. Number 9, provides that the Director of DNR shall appoint a designee to the Surface Mining Advisory Council. Number 10, it amends the Surface Coal Mining Land Conservation Act again, concerning those who may petition DNR to declare an area designated as unsuitable for mining, to be restricted to those persons who have an interest in which may adversely effect surface coal mining operations. Number 11, it amends the Fish and Aquatic Life Code to move the opening date for commercial musseling from April 15, to April 1st, and 12, it amends the Wildlife Code to eliminate the requirement that bows and arrows be cased, unstrung, or otherwise made inoperable by a locking device during hours when deer hunting is unlawful."

Phelps: "Thank you, Representative Noland. Number 7 and 10 dealt with coal concerns. I think number 7 was the Coal Reclamation Act of... with some federal involvement. Can you explain that one, and then number 10, as far as the other coal item?"

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Noland: "Certainly. Number 7... number 7 places the Office of Mines and Minerals in compliance with the federal and state statute obligations. It abolishes the Interagency Committee on Surface Mining Control and Reclamations and it provides that the Office of Mines and Minerals shall take over programmatic functions, formally performed by that committee."

Phelps: "And the name of that committee is what?"

Noland: "Oh, Mr. Phelps, that also deals with reorganization when Mines and Minerals came over to the Department of Natural Resources. So, it's kind of a follow-up to the reorganization of that department. And then you asked about number 10. Number 10 sets out conditions when they can designate an area unsuitable for mining, and it restricts those people who might have an interest in that... in that operation."

Phelps: "Now, maybe that's the item that I was looking for. They can... the department can now designate with the passage of that item in this Bill, who can get a permit for mining because of what, environmental concerns or...?"

Noland: "Mr. Phelps, I believe it deals with the petitioning process. So, if someone has a concern about an area being used for mining, it addresses how they can go about petitioning the department."

Phelps: "So, right now, that's petitioning process is not required or..."

Noland: "Yeah. My notes say that current law is unclear and result in an exorbitant amount of costly reporting completed by the DNR. So, I think it streamlines that petitioning process."

Phelps: "Did it have any cost factor involved with the petitioning process?"

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Noland: "I have... all I know is the entire Bill, the fiscal impact is considered minimal. I don't have a specific cost for that provision."

Phelps: "Okay. Thank you, Representative Noland, very much for that. Thank you, Mr. Speaker. I'll be supporting the Bill."

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman from Macon to close."

Noland: "I appreciate Mr. Phelps' questions and I would ask for your support on this administrative Bill for DNR."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 304 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 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Madison, Mr. Davis. For what reason do you rise?"

Davis, S.: "Yes, thank you, Mr. Speaker. I rise on a Point of Personal Privilege."

Speaker Brunsvold: "Proceed."

Davis, S.: "We are happy to have here today, up in the Gallery, the 8th grade class from Our Lady Queen of Peace School in Bethalto with teachers, Mrs. Shivel and Mrs. Davidson. We would like to welcome them to Springfield."

Speaker Brunsvold: "Welcome to Springfield. Senate Bill 315, Representative Lopez. Out of the record. Senate Bill 320, Mr. Leitch. Out of the record. Senate Bill 340, Mr. Lopez. Out of the record. Senate Bill 452, Mr. Kenner. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 452, a Bill for an Act amending the

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Illinois Identification Card Act. Third Reading of this Senate Bill."

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

Kenner: "Thank you, Mr. Speaker. House Bill 452 is a very simple Bill. It came out of the Senate, unanimously, and it amends the Illinois Identification Card Act and enhances penalties for knowingly applying, applying for or possessing a fictitious or altered Illinois Identification Card and what it does is primarily brings into line, to the same penalty as possessing a fraudulently card from a Class A misdemeanor to a Class IV Felony, and I would enjoy your support and entertain any questions at this time. Thank you."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 452 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 437. Representative Kosel. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 437, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this Senate Bill."

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

Kosel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 437 amends the Illinois Municipal Code so that a police or fire board may require an applicant to have a bachelor's or associate degree and may award them

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five additional points. This does not take away the preference points for veterans. There is no opposition to this Bill and I would ask for your favorable consideration."

Speaker Brunsvold: "And on the question, is there any discussion? The Lady from Cook, Representative Monique Davis."

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

Speaker Brunsvold: "The Sponsor yields."

Davis, M.: "Representative, why are veterans given preference points?"

Kosel: "That is something that has been historically done within the state law for a long time and I was not part of the Assembly that voted on that, but I would assume that it is because of their service to their country."

Davis, M.: "So, veterans are given five preference points when they take a firemen's exam or a policemen's exam, because people feel they have fought for their country and they have earned these... a special recognition or favor as they take this exam, is that correct?"

Kosel: "As I said, I was not here when those were put in, but I would think that it would also be because of the education that they have had within the armed services and the training that they have had, would also be coupled with that, but I'm sure both points would be well taken."

Davis, M.: "Well, do you believe, Representative, that a farm boy who had to work on the farm, or perhaps take care of his parents, and didn't get an opportunity to get a four year college degree, or didn't get an opportunity to get an associate's degree, do you think he should have less of a chance than a person who had the opportunity and the money to attend a four year college or to get a two year college degree? Do you think they deserve something more than that

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other student does?"

Kosel: "I think that the local municipality should have the right to put requirements upon their job applicants to meet a standard for the applicants that they want and if a local... under this Bill, if a local governing unit wants to, it is not mandatory, it is elective, and if they want to, they can require certain standards for their officers."

Davis, M.: "Well, you know what could eventually happen? We could also say, if you're a former teacher, you get five additional preference points, if you become a policeman or fireman. We could say, if you're a former steel worker, you get five additional points for working as a policeman or fireman. Do we want to find a lot of different categories to give them a better opportunity than the rest of the people?"

Kosel: "We're looking at specific training for these categories as the area that we're looking at, so that we have a better educated, more well-trained protection force to protect the citizens of this state."

Davis, M.: "Representative, suppose I had a degree in microbiology, I have a degree in microbiology, does that make me a better candidate for a policeman than a gentleman who is a postman?"

Kosel: "There is a whole process that you need to go through that includes that this is not going to surpass that each individual department can go through. So, I can't answer that on the information that you've given me."

Davis, M.: "To the Bill, Mr. Speaker. I understand your intent, Representative. You want to increase the intelligence, you want to increase the ability to make critical decisions in the police department and the fire department, and I applaud you for your desire. However, the reality is, and

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the result of your Bill, we will find that people who have not had an opportunity to go to college, either because they were not given a grant, they were not given a legislative scholarship they didn't work at the University of Illinois, so their tuition was not waived. They will not have the same starting gate for taking the policeman and fireman's exam. What you're really starting here is a preference. You want to give preference to a select group of people. Now, if it was totally..."

Speaker Brunsvold: "Representative Davis, excuse me for a minute. Mr. Clerk, announcement."

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

Speaker Brunsvold: "Thank you, Representative Davis. You may continue."

Davis, M.: "Thank you, Mr. Chairman... Mr. Speaker. I think it's very, it's critically important for those exams, there be an equal opportunity for all people. Now, usually if a person goes to college and gets a four year degree, someone was capable of paying for that, for that person. That little farm boy who had to work on the farm maybe to take care of his mother because his father was sick, he didn't go to a four year institution. But you're going to give someone a better chance of becoming a policeman just because he has a four year degree. Microbiology doesn't matter. Teaching degree, doesn't matter. And you're saying because a person has a four year college degree, he's better equipped to be a policeman. That really is not true. All policemen go through a training that is designed by a particular locality. They train those policemen in what they want or they should know in order to protect the

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public and provide safety for them. You are setting up affirmative action for a group of people. You are giving affirmative action with five points on a test for those people who were privileged, privileged enough to have a college degree or an associate of arts degree. I think it's totally unfair to the poor little farm boy who didn't get a chance to go to college or the urban youth who barely made it out of high school, but has continued to strive to better him or herself. There's a continuation to do better. But here again, he goes to take the police exam and there's some people five points of preference. No one objects to the veterans' preference because they have truly earned it. The veterans' preference is because they've served their country. They've earned a reward. Because you have a four year college degree or a two year associate's degree, it will not make you a better policeman. It won't make you more honest. What you're doing is setting up affirmative action for those privileged people who've had an opportunity to get a four year college degree and I think it's wrong. I just think it's wrong. It doesn't make it equal. It doesn't make it fair. It won't give you better police protection. All it does, it sets up affirmative action for a particular group of people who have not earned it. They haven't earned it. I urge a 'no' vote."

Kosel: "Thank you very much, for your comments. There is no intention on this Bill to discriminate, but rather to allow local authorities, if they desire, to have a better educated police or fire force, to back and protect each and every one of us. It is a safety issue. It is an education issue and those who will go to college also earn their degrees, and earn their credits. Thank you."

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Speaker Brunsvold: "Any further discussion? The question is, 'Shall Senate Bill 437 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 107 voting 'yes', 7 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 80, Representative Flowers. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 80, a Bill for an Act to amend the Illinois Food, Drug, and Cosmetic Act. Third Reading of this Senate Bill."

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

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The purpose of this Bill is to insure that patient protection and the quality standards for the utilization of a single use surgical device for single use surgical devices. The Bill would regulate reprocessing companies and hospitals that engage in reprocessing of surgical devices and I would move for the passage of Senate Bill 80."

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

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Bill. Representative Flowers was kind enough to answer several questions yesterday. As amended, this Bill becomes landmark legislation and puts Illinois in the forefront on things that, quite frankly, until Representative Flowers brought this Amendment forward, I didn't even know existed. And that is, the reprocessors that actually are regulated under federal statute and reprocessing various surgical

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instruments and her Amendment puts us in sync with that and also makes sure that there aren't fly-by-night operators in this very important field. So, it puts Illinois in a very prestigious field, I think, of leading all the other states on this legislation. I commend the Sponsor and would urge an 'aye' vote."

Speaker Brunsvold: "Any further discussion? Representative Flowers to close."

Flowers: "I would just urge for its passage, please. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 80 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', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 460, Mr. Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 460, a Bill for an Act to amend the Probation and Probation Officers Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Madison, Representative Steve Davis."

Davis, S.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 460, addresses two different areas. One, it amends the Pretrial Service Act by providing that all pretrial services agency personnel are to be employed and trained as established by the Supreme Court as provided in the Probation and Probation Officers Act. It deletes the requirement that the employees must be full-time and deletes the description of the Probation and Probation Officers Act, replacing this description by the name of the

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Act. It also addresses the Probation and Probation Officers Act and amends it by providing that before taking on duties as a probation officer an individual must take an oath to support the Constitution of the United States and Illinois, and faithfully perform the duties of a probation officer before the chief judge of the individual circuit or the chief judge's designee. Under current law, this oath is to be taken in front of the county clerk of the individuals county. It also makes grammatical changes to the sections to provide references to the pronoun 'her' when referring to probation officers. Under current law, all references to probation officers are made as to 'him'.
I would move for the adoption of Senate Bill 460."

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

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

Speaker Brunsvold: "The Sponsor yields?"

Black: "Representative, making a part-time position of a probation officer, does that have the support of the probation and courts officials?"

Davis, S.: "Is that what, Representative?"

Black: "Because we're now allowing probation officers to be part-time employees, have the Illinois probation and court officials taken any position on that?"

Davis, S.: "I don't believe that there is any opposition on anything on this Bill."

Black: "Okay, I was just curious. Thank you, very much."

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

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

Speaker Brunsvold: "The Sponsor yields."

Turner, J.: "Representative, you may recall that we had several

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questions on this in committee. I think one of areas of concern in the committee was the use of hearsay evidence. As I recall, that was going to be revisited and I don't know if you talked to anyone after the hearing or not. But if not, could you tell us what it says with regard to the use of business records at a hearing for someone whose probation is considered being revoked."

Davis, S.: "Representative, Floor Amendment #2, that was approved yesterday, deleted that Section from the original Bill. So, that is now not in the Bill. It was deleted under Amendment #2, that entire Section."

Turner, J.: "All right, then. So, this does not then expand the use of hearsay in a petition to revoke pursuant to the Amendment that was adopted, just recently."

Davis, S.: "That's correct."

Turner, J.: "Representative, I think that I have no further problem with the Bill then and, in fact, I wasn't convinced that, that was a bad provision anyway, but I'm glad to see that you did work on that. I know that there was a question whether or not the Bill would apply to situations where a person could be sentenced to a period of incarceration. Maybe that only pertained to the hearsay evidence, I don't know, but could you tell me if that is the case?"

Davis, S.: "That was deleted, Representative."

Turner, J.: "That was also deleted then."

Davis, S.: "Yes, that entire Section was deleted in Amendment #2."

Turner, J.: "All right. Well, let me just get right down to it, maybe I don't have anymore questions. What is left in the Bill then, and I'm sorry, I don't have it in my file? What is left in the Bill?"

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Davis, S.: "The two provisions that I pointed out in opening statements. The one provision that would allow them to hire part-time employees instead of full-time employees and the other provision, that would require the chief judge or his designate to administer the oath of office."

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

Speaker Brunsvold: "Any further discussion? The Gentleman from DuPage, Mr. Roskam."

Roskam: "Thank you, Mr. Speaker. I rise on a Point of Personal Privilege. My seatmate, Representative Bill Brady is turning the tender age of 36 years old today and he's joined by his lovely wife and child and looks like they brought us all some treats on the House Floor. So, give them a round of applause."

Speaker Brunsvold: "Mr. Davis to close."

Davis, S.: "I would just urge your 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 460 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 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from McLean, Mr. Brady."

Brady: "Mr. Speaker, I rise on a Point of Personal Privilege. Understanding that it was Representative Lawfer's birthday today and he would have treated you all to cake. Rather than cake, I decided to bring a hometown product. You're welcome to stop by my desk and share in one of this state's finest products, a package of beer nuts made in Bloomington, Illinois."

Speaker Brunsvold: "Thank you, Mr. Brady. The Gentleman from

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DuPage, Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Every year I am personally rewarded with the fact that my daughter Laurie is able to come down and visit us in Springfield, and this year is no exception. My daughter Laurie is 32 years old and she lives in Bethsham Adult Care Facility in Palos Heights, Illinois. Laurie suffered brain damage shortly after birth and is really an inspiration to all of us in the Daniels' family as to her ability. She works everyday in a workshop in Palos, Illinois and tells me that some day she is going to make enough money to send her dad on a long trip, right? Actually, there's probably a lot of you that would like to send me on a long trip. But, Mr. Speaker, Ladies and Gentlemen of the House, I would just like you to join me in welcoming Laurie to Springfield and she does have a few words to say to you, as she always does."

Laurie Daniels: "I really thank you for coming here and live to do a good job and keep the good work up."

Daniels: "Thank you very much."

Speaker Brunsvold: "The Gentleman from Madison, Representative Bradford."

Bradford: "Mr. Speaker, on the prior Bill, I had some styrofoam stuck in my button. I would like to be recorded as to the intent to vote 'aye' on the Bill."

Speaker Brunsvold: "Thank you, Mr. Bradford, it will be so recorded. Senate Bill 475, Mr. Scully. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 475, a Bill for an Act to amend the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Cook, Representative

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Scully."

Scully: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I present to you Senate Bill 475, which is an Amendment to the Environmental Protection Act. Pertains to the approval of local sitings for pollution control facilities. This is a disclosure requirement. It's a requirement that if there has been negotiations or written or oral agreement on a hosting facility, that that agreement has to be disclosed before the hearings. As originally presented, this House Bill prohibited... excuse me, this Senate Bill prohibited the prior agreement on these types of hosting agreements. It was amended in the Senate to impose a requirement rather than outlawing prior approval of these agreements that we're merely going to require that they be publicly disclosed at the hearing. I think this is a very good Bill. It puts the public information into the hands of those people who would be interested. These hosting agreements are very lucrative and should be disclosed before the final decision is made. I ask for your affirmative vote."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 475 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 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 510, Mr. Johnson. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 510, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Senate Bill."

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

Johnson, Tom: "Yes, Mr. Speaker and Members of the House, Senate Bill 510 is the initiative of the Attorney General's office coming out of gang task force that has been meeting this past year. What this Bill would do, would amend the portion of the Criminal Code dealing with the obstructing justice, and it adds a Section that obstructing justice in furtherance of a street gang related or gang related activities would be a Class III Felony. So, basically, what it does is, does not change what obstruction of justice is, but merely adds to when that obstruction is involved with gangs, it would move from a Class III to a Class IV Felony. And this Bill passed unanimously out of the Senate and out of the House Committee. I would ask for your favorable vote."

Speaker Brunsvold: "The Gentleman has asked for the passage. Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 510 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 529, Mr. Wirsing. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 529, a Bill for an Act to amend the Public Community College Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from DeKalb, Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker, Members of the House. Senate Bill 529 has three different issues that are in it and just

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a quick synopsis, the one creates a Public University Energy Conservation Act that provides for... state universities may execute a guaranteed energy saving contract with a qualified provider. It also has an Amendment that was entered, Amendment 2, which is relative to the Public Community College Act that providing for a... at least \$50 thousand to each community college eligible for equalization grant, which was needed for that, as well. There also is a segment of this that requires the Student Assistance Commission to provide a biannual report to the General Assembly and the Board of Higher Education accessing the education persistence and success of monetary award recipients. That's a quick overview of the Bill. I would entertain any questions."

Speaker Brunsvold: "And on the question, the Gentleman from Cook, Representative Stroger."

Stroger: "Thank you, Mr. Speaker. I wish the record to reflect that it had been intention to vote 'yes' on Senate Bill 437."

Speaker Brunsvold: "The record will so reflect, Representative. The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. I just rise in opposition to the one Amendment that was placed on this Bill yesterday. This will and... force some of the universities... some of the community colleges to raise the tuition and though the idea and the plan is important because of other reasons, I will be voting 'no'. I hope that you've looked closely at what colleges might be affected in your district. Right now, it's some colleges that are downstate, but the way the formula is setup, it can move that up to, in the future, affect other ones."

Speaker Brunsvold: "Any further discussion? The Gentleman from

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DeKalb to close."

Wirsing: "Thank you, Mr. Speaker. I think in comment to the previous speaker, that part of this Bill does deal with reestablishing and putting in place, assuring that the community colleges are... the funding process is appropriate, 1/3, 1/3, and 1/3. The mention about some community colleges who would be forced into a tuition increase, this Bill does not cause that to happen. There are two community college systems, two community colleges in the whole system that may be affected by this because of their local involvement, their local financial involvement. We have been told that potentially we're talking about a minimal, if they have to increase, this does not say that they have to, if they have to, it's a minimal amount. Perhaps, as little bit as \$2 on tuition. This is... overall, this is a good Bill and it deals with some areas and issues of continuation that have needed. I appreciate your 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 529 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 109 voting 'yes', 5 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is here be declared passed. Senate Bill 537. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 537, a Bill for an Act to amend the Voluntary Payroll Deduction Act. Third Reading of this Senate Bill."

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

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Lyons: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House of Representatives. Senate Bill 537 is a companion Bill to House Bill... Senate Bill 536, which we passed unanimously yesterday. Basically, what we did is we allowed our annuitants to participate in the payroll deduction plan for the charities that are authorized by our Comptroller's Office. (Senate Bill) 537, Senate Bill 537 takes care of the paperwork that has to go along with that in that it requires any recognized charity to have a full-time office and requires some paperwork with social security numbers of our employees and it further required that paperwork be submitted annually to the Comptroller's Office to say that they are within the guidelines prescribed by the IRS as far as being a charitable organization. In committee, in State Government Committee, we did amend on the request of the State Comptroller, Loleta Didrickson, some of the paperwork that was requested and we basically asked that they have to submit a form between the first quarter, January 1st and the end of March, every year, that they are within the requirements set forth by the IRS. This is a good piece of legislation. It passed the Senate unanimously as it did in our House Committee and I would ask for a favorable consideration and a 'yes' vote on this."

Speaker Brunsvold: "And on that question, the Lady from Grundee, Representative O'Brien."

O'Brien: "Mr. Speaker, I rise for a Point of Personal Privilege to introduce..."

Speaker Brunsvold: "Proceed."

O'Brien: "... a group that I have from LaSalle County, Seneca Marseilles area, it's the One Day at a Time Cancer Support Group, led by Carol Rivate, and they are up in the Gallery

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and I would like to welcome them to Springfield today."

Speaker Brunsvold: "Welcome to Springfield. Is there any discussion? Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 537 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 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 548, Representative Crotty. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 548, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Senate Bill."

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

Crotty: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This Bill is Senate Bill 548 that Senator O'Malley and I have been asked by a few of the mayors in our Legislative District to make it permissive that they get official license plates. This passed the House, I mean this passed the Senate and we feel that the mayors are elected officials and they deserve some recognition. We also feel that by having these plates, the mayors and the presidents of the villages would be more visible in their towns and their neighboring communities. I would ask that you support this. Again, it is permissive and I would be more than happy to answer any questions on this part of the Bill. The second part of the Bill is an Amendment that you heard Representative Zickus speak to yesterday. Any questions about the Amendment can be asked by Representative Zickus, but Senator O'Malley, Representative Zickus and I look for your favorable vote. Thank you."

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Speaker Brunsvold: "And on that question, the Gentleman from Kendall, Representative Cross."

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

Speaker Brunsvold: "She yields."

Cross: "Representative, besides the license plate provision, is there another provision of this Bill? It's a little loud and noisy in here which I know is unique but could you tell us again what the second... Is it just license... just deals with special for your mayors."

Crotty: "Just special plates for mayors and village presidents."

Cross: "So, are we going to have... will there be a plate... will there be two different types of plates or will it just say..."

Crotty: "That will be left under the discretion of the Secretary of State."

Cross: "So, we don't know yet whether this plate is going to say, village president or it'll say mayor."

Crotty: "That's going to be left up to the Secretary of State. The color, the design, the wordage, everything will be left up to the Secretary."

Cross: "What's the cost to do this, I mean, do we... I'm really concerned about whether we even need to be doing this."

Crotty: "Well, there is going to be a fee for the original issuance of the license plate and that would be \$15 in addition to the regular registration fee. Then for renewal of that license, there would be, years after, would be two years... \$2 for the renewal. They're saying that the fiscal impact, there would be an increase to the Secretary of State Special License Plates Fund is estimated, estimated because we don't know how many of the Mayors will ask for these plates would be \$19,260, and then the amount derived from the Secretary of State for the potential

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applicants in the years later would come to about 12 hundred, 13 hundred."

Cross: "One of the other concerns we have, Representative, is do you envision the city councils in the city budget or the village budgets utilizing city money to pay for these license plates?"

Crotty: "I don't, no. This would be put on their personal cars, so that would be much like we use our own plates."

Cross: "Don't you think we ought to have... my concern is, if we don't put that in this legislation, then we're going to have coming out of village budgets and city budgets, the need for those cities to pay for those plates. And I think, I don't know that any of us want to be supporting a Bill that allows budgets to go up in our respective towns."

Crotty: "I appreciate your concern but I feel that, that would be a local control, and I think that the budget in each and every single one of our towns should be still scrutinized by the persons that are elected their councils."

Cross: "Are we going to need to raise taxes in each of our municipalities to help pay for these plates?"

Crotty: "No, because I see this as the same as you and I getting our plates and I certainly wouldn't want an increase to purchase my plates."

Cross: "Why on earth do we need a special license plate for all the mayors in the State of Illinois. What are they... do they need a special plate?"

Crotty: "This is permissive. We're not making them take this. But I think it's just recognizing all of their hard work and their achievements within their town."

Cross: "Why don't we go a little further. Have you thought about doing a village trustee plate or an alderman plate?"

Crotty: "No, I haven't."

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Cross: "Pardon me?"

Crotty: "No, I haven't. I haven't thought about doing that."

Cross: "How about a dog catcher plate?"

Crotty: "No, I haven't. I think they have municipal plates on their dog catching vehicles."

Cross: "All right, Representative. Well, I hope that this is not a tax and spend Bill. I'm sure people could read it that way but, I certainly hope my municipalities... the municipalities, that I represent, I don't think they want to be spending money for mayors' plates."

Crotty: "And they won't be."

Cross: "Good luck with your Bill."

Crotty: "Well, thank you."

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

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

Speaker Brunsvold: "The Sponsor yields."

Crotty: "Yes."

Turner, J.: "Representative did I hear you indicate that this is going to cost the state about \$19,250?"

Crotty: "No, those will be dollars generated through the sale of these plates and that's an estimated."

Turner, J.: "What do you mean?"

Crotty: "Well, I can't guarantee and no one can foresee how many of the Mayors would want these plates."

Turner, J.: "So, you're estimating you will sell enough license plates to generate \$19 thousand bucks."

Crotty: "That's what the Fiscal Note has said. This should be cost neutral because the mayors will be paying for the costs themselves."

Turner, J.: "Well, there is no additional expense then, that the Secretary of State's office will generate because they are

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going to have to prepare or make these special license plates?"

Crotty: "There... according to the Fiscal Note that I got from Senator O'Malley, the office of the Secretary of State estimates that the starting cost could be approximately \$45,000. But it could be recouped with the sale of those plates because..."

Turner, J.: "Well, don't you think the Bill should require that the additional expense generated by making these new plates ought to be passed on to those who are purchasing the plates?"

Crotty: "And they are through those fees that I had spoke to earlier with Representative Cross."

Turner, J.: "All right. Is that in the Bill some place that this is going to be passed on to the persons who purchased the plates, is that in the Bill.?"

Crotty: "Yes, it does. Yes, it does."

Turner, J.: "Could you point to me where that is? I can't see that."

Crotty: "Sure. It's under C, an applicant for the special plates shall be charged a \$15 fee for the original issuance in addition to the appropriate registration fee. Then it goes on to say that registration renewal period after for each of those another \$2 fee, addition to the appropriate registration fee and that's where those dollars have been noted in the Fiscal Note."

Turner, J.: "Well, all right, well let me, let me explore this a little further with you. Representative Cross has indicated, I believe through his questioning, whether or not this is going to be a cost added to city government. And as I understood your answer, this Bill does not address whether or not the city, through their city council, will

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authorize payment of these license or whether or not it's something that the mayor could purchase himself, is that correct?"

Crotty: "It says that the Mayor would, I think by the way I read this Bill and the way I just read it now, that the applicant, which would be the mayors, would be charged. So they would have to be purchasing this, and unless... unless their city council says that that could be part of the mayor's budget when they would have to vote on that. But I don't see, the mayors that I've talked to they would really like this and they would like to purchase it themselves."

Turner, J.: "I guess that raises an interesting question, in your response. I'm just curious, what mayors contacted you that wanted a special license plate? What mayors... to what mayors are you referring? Could you give me the specifics?"

Crotty: "Sure, Major... Mayor Siegal and Mayor Veco."

Turner, J.: "What towns, or cities?"

Crotty: "One is from Blue Island, which is not my legislative district, but it is Senator O'Malleys and Jean Siegal is from Chicago Ridge."

Turner, J.: "So, based upon these two mayors contacting you and saying, 'Hey, you know, it's about time we get special license plates for mayors in the State of Illinois,' that's the reason that you Sponsored this Bill?"

Crotty: "They had asked this of Senator O'Malley and myself at a South Suburban Mayors' Meeting and none of the other mayors, except for one, had contacted me and told me that they would rather not have one. And one mayor would rather not, all the rest of them seemed to be in favor of it."

Turner, J.: "Curiously, I know who it was that made the request

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now. Why, did they say why the wanted special license plates? Are they looking for some kind of special privileges or what? What is their reasoning?"

Crotty: "They haven't asked for any special privileges, just like any of us driving our cars, I don't think we're asking for any special privileges. But I think what it does, and I see it even on our plates, it makes us more recognizable in our communities to let people know that we are in our communities and at functions and if they... if you're walking by a building and may want to see any of us, they know that they can go into a community center and find us. So, it is just to recognize them."

Turner, J.: "Now, will this apply to, say a village of a couple hundred people, which I have many of those in my district."

Crotty: "Yes, it does."

Turner, J.: "Equally apply then to a town of 100 thousand or more?"

Crotty: "Sure. It certainly does."

Turner, J.: "So, it applies... does it have to be an incorporated village or can it be unincorporated?"

Crotty: "Any, any village president or any mayor."

Turner, J.: "How about if it's an unincorporated village, does that make any difference?"

Crotty: "They're still either... they're still either a president or a mayor, certainly. They put in just as much hard work as... as any other mayor."

Turner, J.: "All right. Do you know the number of plates that we're talking about then? If we're going to take into consideration all towns, all villages whether they are incorporated or not, do you know?"

Crotty: "I don't really know how many across the state."

Turner, J.: "Let me tell you what my concern is. What if a

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county board chairman comes to you next year and says, 'gee, you know, it would be nice if... I'm chairman of the County Board, if I had a special plate.' Are we going to then have that come up in the General Assembly, the 91st General Assembly to... if you're the chairman of the county board, you get a special plate as well?"

Crotty: "I don't really know. I only know about the Bill that I'm holding in my hand and what I'm asking for, for today. But I'm sure if... if, from what I've seen here in my short time, anything can happen and anything can be written up as a Bill and we'll just vote on that when it gets here."

Turner, J.: "Well, on that response, I have no further questions, thank you."

Crotty: "Thank you."

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

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

Speaker Brunsvold: "The Sponsor yields."

Crotty: "Certainly."

Black: "Representative, do you know how many special categories of license plates we have at the current time?"

Crotty: "How many..."

Black: "Yeah."

Crotty: "I didn't hear you. I heard... can you tell me how many?"

Black: "No, I... we have currently, right now, 33 different categories of special license plates and within that 33, there is called a special plate provision and I saw three of those today. I saw one for the Ansar Shrine Circus, very nice plate. I think I saw one for Springfield Air Rendezvous and I think I saw one that said, 'Eat at Bob's

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Big Boy,' I'm not sure what that was. What's going to prevent people in the area who want these mayoral license plate what are we going to tell township supervisors, county board chairpersons, aldermen or alderwomen that they... what are we going to tell them when they say, 'Well hey, we want one of those plates, too?'"

Crotty: "Well, under this legislation that I'm holding, I would tell them that they need to probably run for mayor and then they could get a license plate."

Black: "Well, I'll bet your mayors will love that answer."

Crotty: "Well, they might if they're looking at retiring."

Black: "What every politician wants is competition. All right."

Crotty: "Hey it's the American way."

Black: "Well, that's true, now that you mention it. Is... well, all right. Representative, I appreciate what you're trying to do, I really do. Mr. Speaker, to the Bill if I might."

Speaker Brunsvold: "Proceed."

Black: "Thank you very much. Ladies and Gentlemen of the House. I am as guilty as anybody in here. I have Sponsored special license plate legislation. It was for the Korean War Veterans, and I make no apologies for that. But, I have seen the light. I have had so many police officers tell me that if we don't stop proliferating license plates in the State of Illinois, that they... we are making their job extremely difficult. Because, not only do we have 33 categories, but in that special license plate category, on any given month there may be a 100 special event license plates that are on the road and it makes it very, very difficult for police officers to do their jobs. And I think, in all due respect to you and the sponsor of the Amendment, at some point we're going to have to say, enough is enough. Because without it, we're going to get into the

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place where we have 100's of specialty license plates. Maybe... maybe the next thing we'll want is a Supreme Court license plate. Maybe that would save a lot of confusion. Oh, they already have them, I've been told. See I mean, they just proliferate as I stand here. And it is nothing against you, it's nothing against what you're trying to do and it's probably even somewhat hypocritical of me because I have sponsored that legislation in the past, but I truly and honestly and sincerely have heard from a number of police officers that say, if we don't put a stop to it we are making their job extremely difficult. So, I guess for the first time since I've been here on any special license plate, I'm going to have to vote 'no', and I'm sure your Bill will pass and the mayors will be very happy. But, I think a year from now we're going to hear from other elected officials who want these plates. Maybe what we should do after we take care of all the elected officials and that includes us, maybe we can... maybe we can create a license plate for just the taxpayer. But maybe there wouldn't be enough of them left to have any, I don't know."

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

Lyons, J.: "Mr. Speaker, I Move we pass the Previous Question."

Speaker Brunsvold: "The Gentleman has Moved the Previous Question. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the question has been put. Representative Crotty to close."

Crotty: "I would... I want to thank everyone that helped in the discussion of this. I think it just goes to show that there is support and there is a lot of thinking on this Floor for our mayors and I make, absolutely, no apologizes either for this Bill because I feel very strongly that the

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mayors work very hard in carrying out many of the Bills that we give them from Springfield to work with. So, I encourage everyone on both sides of the aisle to support our mayors and vote 'yes'. Thanks."

Speaker Brunsvold: "The question is, 'Shall Senate 548 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. And on that question, there are 60 voting 'yes', 55 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 594. Out of the Record. Senate Bill 596, Mr. Scott. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 596, a Bill for an Act to amend the Clerks of Court Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Winnebago, Representative Scott."

Scott: "Thank you, Mr. Speaker. Senate Bill 596 basically does two things: one, is it allows counties of any size to institute a code hearing procedure that's equivalent to that found in the Municipal Code, and second, it allows counties to regulate the pawnbrokers and secondhand resale stores identical to that of the municipalities and I would ask for a favorable vote."

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

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, I... I just don't understand why this is

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necessary. Don't we regulate pawnshops now? I mean, there are various state regulations on them and I was under the impression that municipalities could also require record keeping and things of that nature. What are we doing that's different or outside current practice in your Bill?"

Scott: "Giving the counties the ability to do what the municipalities do."

Black: "Okay. Maybe that's what threw me. Counties, not municipalities, counties?"

Scott: "Municipalities can already do it, that's what gives counties the ability."

Black: "Right. Okay."

Scott: "Because what happens, Representative, is you'll get places that locate right outside the municipality and the purpose for being able to regulate these, basically, is because of stolen property that police officers then can check records and make sure that the items aren't stolen."

Black: "Okay, so, I defer to your legal expertise, if a ..."

Scott: "That may be a mistake."

Black: "Well, I understand that. I've heard from many people that have told me that, warned me about it. But, anyway, I still have great confidence in your abilities. If I locate a pawnshop in an unincorporated area of a county, then I could literally operate without any particular set of rules or regulations on me?"

Scott: "Free of regulation from any kind of unit of local government, yes."

Black: "Okay. Now, I can understand pawnshops to some degree, why secondhand stores?"

Scott: "It's the same theory, basically, that a lot of times second hand stores are dealing in items that have been stolen from one place or another and you know the theory

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behind it is the same, that the items that come into these places aren't traceable very easily any other way, other than doing this record keeping function."

Black: "One of the things, and I've not heard from many people, but I did get a couple of letters and a phone call. Flea markets are really big in rural Illinois lately and they rent space and lots of people come and one person who operates a flea market that says he has up to about 100 booths and I think it's one or two weekends a month, wants to know whether his, I think he calls it a exposition, would fall under this Bill?"

Scott: "Well, you know, I'm not sure about that because you would actually have to be a dealer. I mean, you would actually have to be in the business of doing it. I'm not sure. Obviously, garage sales or if you're setting up in a flea market place, if you're licensed as a business to do it then, yes. Then you're going to have to comply with the requirements here but otherwise, no, I don't think so."

Black: "See I think that was his confusion. I think he's... he's in the business of renting space. He has built a warehouse or a Butler Building, plug for Butler, I mean, that kind of a building, and then he sells space."

Scott: "He rents the space?"

Black: "Yes. He rents the space."

Scott: "He's not taking in the goods then."

Black: "No."

Scott: "So, the regulations aren't going to be applicable to him, even if they may be to particular businessmen who rent the space from him."

Black: "Okay. So, would it be... would it be safe to assume then, that we might... what I'm trying to avoid, particularly, in unincorporated rural areas, is any rural or procedure that

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could be used to go around a garage sales or rummage sales and you know, the heavy handed government stuff?"

Scott: "No, that's absolutely not the intent here and it hasn't been... that hasn't been the case with municipalities, who have be able to regulate these things for years."

Black: "Well, but see, I did have a city that wanted to regulate how many garage sales you could have..."

Scott: "Oh, I live in one that does that so there aren't many that do that. But not with respect to this."

Black: "Okay."

Scott: "...to the pawnbroker and secondhand licensing."

Black: "So, we don't have to worry about coming back next year and complaining to you that all of a sudden our flea market people and rummage sale people are having to keep records and all that, right?"

Scott: "I imagine you would complain to me before next year if that started happening."

Black: "Well, I think you're right. Okay, I understand what you're doing and with your assurance that it's not your intent that this... that you know, that counties get carried away with this, then I guess it's a reasonable Bill to give counties some of the authority that municipalities have. I appreciate your answers."

Scott: "Thank you, Representative."

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

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

Scott: "Yes."

Speaker Brunsvold: "He indicates he will."

Smith: "Representative Scott, on the pawnbroker provision of this Bill it's certainly not the intention to regulate flea markets, garage sales, goodwill stores or any type of

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not-for-profit resale operation, is that correct?"

Scott: "No, not at all."

Smith: "Okay. To the Bill Mr. Speaker."

Speaker Brunsvold: "Proceed."

Smith: "The provision that has been addressed in this Bill on pawnbrokers is at the request of Peoria County to allow them to have some law enforcement capability over resale shops. I believe that if you talk to sheriffs in your counties, they will tell you that this is a problem for them also. It's a good law enforcement Bill to allow for some regulation of resale shops in rural unincorporated areas and I would encourage an 'aye' vote. We have worked out an agreement with the retail merchants and some of the other concerns that were voiced on this issue previously, and I commend Representative Scott for allowing this Amendment on his Bill."

Speaker Brunsvold: "Is there any further discussion? Any further discussion? Mr. Scott to close."

Scott: "Thank you, Mr. Speaker. I think it's a good Bill and it just basically gives counties the ability to do some of the things that municipalities have been doing for several years and, basically, to keep track of and clean up their particular areas and I urge an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 596 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 113 voting 'yes', 4 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 607, Mr. Burke. (sic-Senate Bill) 607, Mr. Burke. Out of the Record. Senate Bill 610.

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Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 610, a Bill for an Act to amend the Illinois Optometric Practice Act of 1987. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. Senate Bill 610 amends the Illinois Optometric Practice Act to allow a therapeutically certified optometrist licensed under the Act to give orders for patient care to a licensed nurse if such orders are within the scope of the optometrist's therapeutic certificate. This is a Bill sponsored or... proponents are the Illinois Optometric Association and there is no opposition. It passed out of the Senate 55 to nothing and it just kind of clarifies Public Act 89140."

Speaker Brunsvold: "The Gentleman has asked for the passage of Senate Bill 610. On that, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 610 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, 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 619, Mr. Dart. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 619, Senate Bill 619, a Bill for an Act to amend the Adoption Act. Third Reading of this Senate Bill."

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

Dart: "Thank you, Mr. Speaker and Members of the House. Senate Bill 619 is a rather simple Bill that is going to require

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the prior to and interim custody order being entered, that notice has to be given to the parents of the individual. This is in response to a couple of cases which pops up, but there was one that was particular notorious up on the North Shore when an individual went into the hospital and the people that were watching her child petitioned for adoption, got custody of the child and the mother was unable to get her child back for four... for six months. And this would remedy that problem by requiring notice being given to a parent that their child is being petitioned for adoption. And I would appreciate a favorable vote."

Speaker Brunsvold: "The Gentleman has asked for the passage. Is there any discussion? The Gentleman from Kendall, Representative Cross."

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

Speaker Brunsvold: "The Sponsor yields."

Cross: "Representative, is DCFS involved with this Bill at all?"

Dart: "No, you know, Tom, this is more in the area of private adoptions. I've not heard from DCFS in regards to this Bill at all. I don't think this is something that would necessarily impact them."

Cross: "Now, this provides for no notice in some situation?"

Dart: "Well, what it is, there has to be some... in present juvenile law right now, there is provisions where no notice would be allowed in the instance that the child could be in danger. This would mirror that statute so if the child's life was in danger, then that would obviate the need to do that."

Cross: "Okay, thanks."

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

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Durkin: "The Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Durkin: "Representative, could you give me some examples of what would be reasonable notice and perhaps, what would be unreasonable notice?"

Dart: "That would be for the court to determine and in this situation, it would be prompt notice because of the fact of what we're talking about is the taking of a child."

Durkin: "Could we just go through the mechanics a little bit? Could you explain to me, what is the proper procedure for notice, right now?"

Dart: "The proper procedure for notice? I'm sorry, can you repeat that again?"

Durkin: "What is the procedure for notice right now and what form is it communicated?"

Dart: "Well, it would be under... we haven't changed that at all here, Jim. What it is, it is going to be... it is going to require the court to give notice to the party whether it's through certified mail or through its direct service and in this case, we're going to require that that be done in a reasonable and prompt way because as I say, because of the nature of what we're talking about here. And we're not changing any of those provisions in this Bill at all. We're just requiring, frankly, something that should be the case. How it got to be this way, we'll never know. Both of the judges that have ruled on these cases in particular have said it was, obviously, an oversight because the Juvenile Court Act requires this right now. And that is in the case where you have abused and neglected children. This isn't even that situation here."

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

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Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield, for a question?"

Speaker Brunsvold: "Yes, the Sponsor yields."

Pugh: "Representative Dart, does this legislation allows for children to be taken from their homes without... without a petition, a written petition from a judge?"

Dart: "No, no, this is trying to prevent that, is what it is, under present law right now, under adoption law, I think this case up on the North Shore, it's a better example than if I explained to you how the law works. What happened with this woman is, she was a Russian immigrant who came to the country, was living with her parents, she was sick and had to go to the hospital. She left her child with a family that had been given to her by a Social Service Agency. She was in the hospital for I think it was about 10 days. She came back out to get her child and in the mean time, these people she had left her child with had filed petitions to have her child adopted. There was no abuse, no neglect, these people basically stole her kid and so, she then went about trying to get her child back. Under the existing law that's on the books right now, there was nothing to prohibit this from happening. There was no requirement that she was notified that someone was trying to adopt her child and there was no ability for her to get into court right away to try to get her child back. As it turned out in this particular case court, she was not... unable to get her child for six months, she was unable to get her child back, and she was unable to get court hearings. I mean, it was absolutely outrageous. So, what this tries to do is it tries to put notice provisions in there so that, basically, you can't snatch somebody's kid. And the provision in there in regards to no notice is just... it was required..."

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the Bar Association, they wanted language in there in the case of a child, someone in the Juvenile Court Act where the child's life is in jeopardy or in danger, that you would be able to have provisions in there where the court can act in extraordinary circumstances. That's already what they do in Juvenile Court Acts. This is to give them that same ability, but the heart of the matter is, frankly, to prohibit people from snatching kids. Because right now, as I say that example, and there was one other one too, is one that brought into focus that the law is just poorly drafted right now. There is no notice provisions, whatsoever, and that people can go about doing this is outrageous."

Pugh: "So, what would be considered a reasonable notice and what kind of time, what kind of time frame is being offered?"

Dart: "Well, once again, I was mentioning to Representative Durkin, we didn't define that because we want it to be left as it is in the present law so that the courts would determine that but in this situation, it would be the intent and for legislative intent that the reasonable notice be virtually immediate. So that if somebody is attempting to take a child away from somebody, that they're going to have to tell the people they're trying to take the child away from and put them on notice right away. I mean... because I don't... you and I are in agreement that there is nothing more precious than someone's child and for someone to be able to go into a court room and basically, without any hearing, no notice given to the parents, be able to walk in and take a child, is outrageous. And that is basically what the law has allowed right now. And so, the reasonable notice provision we haven't played around with that as far as putting the time frame other than the

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fact it is something that is suppose to be done immediately, because of what we're talking about here."

Pugh: "So, in the paragraph as to situations regarding immediate danger."

Dart: "Yeah."

Pugh: "First of all, how does one... how do you identify or determine immediate danger or irreparable harm and how does that conflict with the... with the intent of the legislation?"

Dart: "Well, Coy, the reason it's in there is particularly because there had to be some safeguards because there are those instances where a child's life is in danger and it requires immediate action upon the court. And it would be proved up by the party going into the court with the child saying, 'Your Honor, we have evidence here showing that if this child is not taken away and put into temporary custody right now, this child will be potentially harmed, if not killed.' That was put in to... to take in those extreme circumstances that don't occur very often, but that's section F. Section E is at the heart of the matter, where we're requiring this notice. Section F was put in to make sure that we weren't, in our effort to insure that parents are notified before somebody snatches their kids that we were leaving in room for the exception so that if a child is in danger, and as I say, it's similar to what the Juvenile Court Act does for abused and neglected children. If a child is in danger, the court can act right away. But then, what we did with the language of section F is we put the entire burden on the moving party so that the person who's trying to take the child and saying that there is an immediate danger, has to come forward and present evidence showing all of that and that can only last for 10 days and

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they have to come back into court and back into court to keep it."

Pugh: "Again, can you... can you explain immediate danger? What would be an example of immediate danger?"

Dart: "That the child would be raped, the child would be beaten, the child could be physically harmed that the person that has the child could possibly do those things to the child, and the burden would be on that person coming forward to prove that to a court. Just the fact you said it doesn't mean it happened. The court would then have to... there would be a hearing and they would have to..."

Pugh: "So there couldn't be... what they call a indicated perpetrator? It has to be someone who has... has been through and identified... has been identified as a sexual predator or... or has a case that's been... that's in court?"

Dart: "No. This is primarily for the adoption."

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

Dart: "This is primarily... it's similar to the Juvenile Court Act which, frankly, right now, provides more protection for parents than the Adoption Act and what this would do is it... for those situations, as I say, I keep bringing back that same example here. What... when these people walked in there without giving any notice to the parents, the mother in this case, they took off with her kid. In this situation, that would provide the notice to the birth parents so they wouldn't be able to do that. Now if someone wanted to come in and say the birth parent is threatening to kill the child, she's going to harm the child. They would have to come in front of the court with the evidence of that fact for the judge to make that

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determination. It's a very... it's a very high standard for the court to reach to do that and that's why... and we particularly, we wrote the language in just that way, so it isn't something where people can just walk into the court room and grab a child. I mean, as I said, the thrust of this Bill is the exact opposite because right now under present law, somebody can, in the State of Illinois, who has physical custody of a child, like in this case when the mother was in the hospital, can walk into a court room and petition for adoption and in this case, they had this child for six months. This woman who had never done anything at all wrong to her child. And I think it's also interesting to find out, the two people that took her child, one was found guilty of bank fraud the other one had embezzled over a million dollars and they had gotten the money by utilizing their own children to embezzle the money."

Pugh: "I have no further questions."

Speaker Brunsvold: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. Representative Dart."

Speaker Brunsvold: "The Gentleman yields."

Davis, M.: "You state that this is to protect children, but what is of concern to me is the fact that... well, let me just share it with you. Upon finding that there is immediate danger to the child if service of process is made and notice of hearing is given to the biological parent. You're saying if the child is in the home and if the parent is notified that there will be a hearing in reference to the custody of this child, the parent may harm the child?"

Dart: "That's section F, anticipates that there will be situations come in from a court in which someone will walk in front of the court and say, 'Your honor, this child, if

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not taken away from this parent, will be killed, will be raped, will be beaten half to death.' And so, as a result of that, that would give the court the ability to say, okay, we're going to have a hearing right now, we're going to notify this parent and we're going to bring them in front of the court and they're going to attempt to notify them. If they can't find that parent, then they're going to be able to sit there and say, all right, now based on all this evidence, if this child is going to be killed, raped or murdered, I'm going to allow this child for 10 days, up to 10 days, to be temporarily held until we can find out what's going on here and try to find all these folks. As I said, the problem is is that you have to give the courts that ability right now otherwise you're jeopardizing the lives of children because the fact is, is that there are situations, unfortunately, too often, where birth parents have killed children or they have endangered children, or the like. The thrust of this Bill though, as I say, that section that you're looking at now is similar to the section that we have in the Juvenile Court Act, is just so that the courts will have that ability for those... those situations. The small ones where the child is in danger. Section E, the one before it, is the thrust of this, because we don't have anything on the books right now, which would allow for the parents of a kid to feel secure that they can hang onto their child. Because..."

Davis, M.: "What do they do in cases now if there is a threat or a belief, a belief that a child could be injured by his or her parent?"

Dart: "More often than not, those cases will be brought by telephone calls through DCFS and the like. Those are the primary ways that those are done and then temporary custody

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hearings are held just like in this law here which would bring the kid in front of the court and you attempt to get a temporary custody order and the court grants those after DCFS and people report evidence that there is... irreparable damage would occur to this child."

Davis, M.: "But we wouldn't find cases where children were taken from their parents for 10 days and then we find there really is absolutely no evidence and no truth to these charges that were made, so give the child back and then again and again. We won't have a lot of those cases occurring?"

Dart: "No, those don't... those don't occur that often because of the fact... there are cases where children are taken away and down the line the parents are given the children back because the parents have gone to drug treatment and have gone to parenting classes and things like that and they will get their children back when they have been initially taken away. That happens all too frequently, frankly."

Davis, M.: "So, DCFS won't have anything to do with this at this point?"

Dart: "No, this is for, frankly, this is more for the cases that are not in the child welfare system, as such, but where someone's manipulating the adoption laws. Because in this case in particular that I have been mentioning, DCFS was never involved in this case. These parents, these two people on their own were basically..."

Davis, M.: "Dart, I hate to bring this up, but you wouldn't be thinking of going and getting Baby Richard, would you?"

Dart: "Davis, I wouldn't do that to you."

Davis, M.: "No, Baby Richard. You wouldn't... you're not trying to go get Baby Richard?"

Dart: "No, no this is no... no, no, I'm leaving Baby Richard

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alone this year."

Davis, M.: "Thank you."

Dart: "Thank you very much."

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

McCarthy: "Thank you, Mr. Speaker. I Move the Previous
Question."

Speaker Brunsvold: "That won't be necessary. Mr. Dart, to
close."

Dart: "Thank you, Mr. Speaker. I would just urge the support of
the Body. This is a Bill that is to clarify language, this
is very confusing right now which is his... cause a great
deal of pain and suffering to people in this State of
Illinois because of the fact there are no notice provisions
for individuals who walk up and, in some instances, can
basically steal a child. This would prohibit that and
would prevent that from happening for allowing for the
proper notice, and it is an injustice this hasn't been done
before, and I hope that this would correct that. And I
would move for passage of Senate Bill 619."

Speaker Brunsvold: "The Gentleman has moved for the passage of
Senate Bill 619. 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
118 voting 'yes', 0 voting 'no', 0 voting 'present'. This
Bill, having received a Constitutional Majority, is hereby
declared passed. Senate Bill 659. Read the Bill, Mr.
Clerk."

Clerk Rossi: "Senate Bill 659, a Bill for an Act amending the
Illinois Insurance Code in relation to insurance exchanges.
Third Reading of this Senate Bill."

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Speaker Brunsvold: "The McLean Birthday Boy, Mr. Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Senate Bill 659 has been amended to be identical to House Bill 1552, which was sponsored and passed... sponsored by Representative Mautino, passed unanimously. Unfortunately, it didn't make it out of Senate Rules, so we're using this to send it back over to them. It deals with the Illinois Insurance Guarantee Fund Article. I ask for your favorable consideration."

Speaker Brunsvold: "And on that question, is there any discussion? The Gentleman from Cook, Representative Parke."

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

Speaker Brunsvold: "The Sponsor yields."

Parke: "Yes, Representative, you mentioned in the Insurance Committee last week that you wouldn't move this unless there was an agreement between the exchange and the Department of Insurance, has that been accomplished?"

Brady: "Representative, that has not been accomplished to date. They will continue to work on that agreement. As we move this Bill over with this language on it, it will be on the Senate Calendar for concurrence. If they can come to an agreement, it's likely that this Bill may be a Conference Committee, it may not. But, we... we still are going to try to work on that. The department and the insurance exchange have not come to an agreement but, in fact, this Bill may never change and it just may go on concurrence and be concurred within the Senate."

Brady: "Let me understand. You're saying that it will stay in the Senate or the House if you don't have agreement and it will not be passed to the Governor to become law, without an agreement?"

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Parke: "Representative, we have... all the original intentions of this Bill and all the language that dealt with the exchange have been removed. This Bill now, is identical to House Bill 1552 which dealt with the Illinois Insurance Guarantee Fund, a completely different issue. When we passed that, unanimously, out of here, it was held in Senate Rules. They have asked us... both the exchange have agreed, the Insurance Department has agreed, to now use this Bill to pass the legislation which we unanimously passed. If we pass that out of here, it will go to the Senate on concurrence to take care of a very important issue dealing with the Insurance Guarantee Fund. I will not say, and I'm not sure what the Senate's intention is, but if an agreement regarding the Illinois Insurance Exchange can come about with the Department of Insurance, this may well be non-concurred in the Senate to be used for that purpose. If it doesn't, I believe that the Senate will move to concur with this Amendment."

Parke: "Thank you, for explaining that."

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

Brady: "I ask for your favorable vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 659 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. And on that question, there are 97 voting 'yes', 17 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 670, Mr. Bugielski. Please read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 670. A Bill for an Act amending the

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Interest Act. Third Reading of this Senate Bill."

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

Bugielski: "Thank you, Mr. Speaker, Members of the House. Senate Bill 670 would put for any home equity line of credit secured by residential real estate of a borrower, that it would be unlawful to charge a cancellation fee not exceeding \$500 to the borrower in the event that the borrower would cancel the line of credit or that he would pay it off early. So, we're just putting a cap on there of \$500. Some institutions are charging a percentage fee and this would actually specify that it could be no more than \$5 hundred."

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

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, Floor Amendment #1 is on the Bill and, in fact, becomes the Bill. Is that correct?"

Bugielski: "That is correct."

Black: "All right. Now, I've been given some... you know, I had some people who were kind enough to come talk to me after I last discussed this with you and I think I was headed down the wrong road the last time. I was asking you about this \$500 and why it should be on there but, as I understand it, without your Bill it would be... it is not illegal for a financial institution to charge you whatever they want to charge you."

Bugielski: "That is correct."

Black: "So, it could be a thousand dollars, it could be \$2,000, whatever they think the lender would bear, right?"

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Bugielski: "That is correct, Sir."

Black: "So, what you are saying, in effect, is you are... you're taking something that is currently unregulated and saying, 'if, in fact, you want to do this, you can only... the maximum you can charge to pay off this home equity, is a \$500 fee?'"

Bugielski: "That is correct. It is a consumer orientated Bill, to protect the consumer in cases consumers do not know that some institutions were charging a percentage fee which brought the fee all the way up. It's a low percentage but if you've got a \$25 thousand loan, or a \$50 thousand home equity loan, or 3%, or 5%, is very exorbitant."

Black: "Yeah, I... and I appreciate that explanation and people taking the time to show me that this is, in fact, a proconsumer Bill and that you are giving constructive notice as to what the maximum charge will be and that does not mean that every institution has to charge that."

Bugielski: "That is correct."

Black: "A good business operation who wants you to be a repeat customer may not charge you anything."

Bugielski: "That is correct, Sir."

Black: "I appreciate that. I think it is a good Amendment. I appreciate you straightening that out. I would urge an 'aye' vote."

Bugielski: "Thank you."

Speaker Brunsvold: "Any further discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Brunsvold: "Proceed."

Weaver: "I would like for the Members of the Body to help me welcome to Springfield, the students, parents, and teachers

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from my home town, Ashmore, Illinois."

Speaker Brunsvold: "Welcome to Springfield. The Gentleman from Cook, to close."

Bugielski: "Thank you, Mr. Speaker. Again, just to reiterate, this is a proconsumer Bill. It's there to help the consumer and to protect the consumer and I ask for a favorable roll."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 670 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 117 voting 'yes', 0 voting 'no', 1 voting present. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 594. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 594, a Bill for an Act concerning municipal officers. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 594, is an initiative of the Illinois Municipal League and the reason this legislation was brought about was a situation occurred in which a mutual officer owns stock, a municipal officer owns stock in a mutual fund which invested in General Motors. When it came time to vote on a city contract to buy a new police car manufactured by GM, the city's legal counsel advised that a vote on the contract may result in the officer committing a Class IV Felony even though... even if the officer had abstained on the vote, it could still be construed as a felony. The intent then would be... that provides that a public officer shall not be deemed

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interested in the company if the officer is an employee of a company or owns or holds an interest of 1% or less in the municipal officer's individual name in a company or both, that the company is involved in the transaction of business as a municipality and that the company's stock is traded on a nationally recognized securities' market. It provides that a municipal officer shall not be deemed interested if the officer owns or holds an interest of 1% or less. With this then, they might... it provides that they may provide materials under certain conditions 1% ownership or less. The person that owns that stock still has to abstain from voting and publicly disclose that ownership. So, just to clear it up, they would not be convicted of... or guilty of a felony for having owned stock, but they still disclose and abstain from voting. I would be happy to answer any questions."

Speaker Brunsvold: "And on the question, the Lady from McHenry, Representative Hughes."

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

Speaker Brunsvold: "The Sponsor yields."

Hughes: "So that the record is clear, Representative Moffitt, do the provisions of this Bill apply to Members of the General Assembly?"

Moffitt: "No, it would not. This is just municipal officers and officials, not General Assembly."

Hughes: "Only municipal officers?"

Moffitt: "That is correct."

Hughes: "And again, for clarification purposes, do the provisions of this Bill apply to mutual funds and equities that would be owned by mutual funds?"

Moffitt: "Yes, it would. If the individual owned mutual funds then they would... that would be considered... that would

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be taken into consideration and they would have to declare ownership and abstain from voting. But it would apply to mutual funds, yes."

Hughes: "Okay. To the Bill, thank you. Thank you for that clarification."

Speaker Brunsvold: "Proceed."

Hughes: "And to the Bill. I believe this is very narrowly crafted and is in the best interest of local government and urge a 'yes' vote. Thank you."

Speaker Brunsvold: "The Lady from Lake, Representative Clayton."

Clayton: "Thank you. I rise in support of this Bill. It will permit an elected official to be able to cast their vote even with a less than 1% interest in a business that does business with the village or city. Many times this has come up in the past. I know while I was mayor, any number of times, a trustee would indicate that he had an interest and would abstain from voting. At that time, we didn't realize that they could be convicted of a felony and this would certainly make that practice legal. And I think it's in the best interest of the municipalities and the best interest of the people who have elected them, to be able to cast their vote. Thank you. I urge a 'yes' vote."

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

Hassert: "Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Hassert: "Representative Moffitt, if a situation comes up where a commission, a appointed member of like a planning commission, is a contractor within a municipality and his wife owns the company and he does work within that municipality on contract, would this apply to him? Would he then be... Could he do work with the village?"

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Moffitt: "He would want to declare that ownership. You mentioned, I believe, that it was a spouse was owning it."

Hassert: "The spouse owns the business. He works for the business."

Moffitt: "He would want to disclose that and if you're talking he was a seated member of the Body that is doing the voting they would want to abstain from voting and keep in mind that... that those conditions would have to be met."

Hassert: "He would have to abstain from voting on any contract that's affected by his company, right?"

Moffitt: "Right."

Hassert: "But not on other things like planning commission votes and stuff like that. He could still carry out his duties then? Just... and anything related to his own personal company, he would have to..."

Moffitt: "Right, if he had a personal interest in it."

Hassert: "I strongly encourage support for this Bill. This is becoming a common problem with people in small communities trying to serve on commissions, and what not, and finding qualified people and finding out they might have a conflict. In this case, I'm talking about a gentleman who was possibly going to be charged with a felony offense if he continued to be on the commission. This would clarify that. I urge your support for it. Thank you."

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

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, a case was brought to my attention by some municipal officials, I just got off the phone. You, you own land that you have leased out to a gravel company,

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the gravel company then gets the bid to deliver gravel to your roadways, or culverts, or ditches, or whatever, and yet the city official doesn't own any of the gravel company, but he does own the land for which he gets a lease payment in excess of \$1,000 a month for the gravel company, plus a percentage of what the company makes. Can he still vote, under this scenario? Could he still vote on the contracts for gravel and sand, et cetera?"

Moffitt: "Representative, I don't believe he could vote, because we would be talking a potential conflict of interest, and we really haven't changed the law from what it currently is on a situation that you just described. So, I don't think we've changed anything there."

Black: "Okay. Well, he said he has always abstained, but he thought he wouldn't have to abstain because he really doesn't own any percentage of the business, contracting or bidding to do business with the city. He just owns the land and does get a lease payment and a percentage of the profits. So, he was thinking, 'Well maybe I don't have to abstain.' But I'm not an attorney and I guess what we would have to tell him is that he needs legal advice and may not even be impacted by this law."

Moffitt: "I don't believe he would be impacted by this law. I do believe he needs legal advice."

Black: "Okay."

Moffitt: "And I think the safest thing would be to continue to abstain from voting."

Black: "Okay. Thank you very much."

Speaker Brunsvold: "Representative Moffitt to close."

Moffitt: "Thank you very much, Mr. Speaker. I would just appreciate your consideration. Again, someone legitimately disclosing their ownership, abstaining from voting, but

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still could of been guilty of a Class IV Felony, just because they were buying a product from GM. So this would correct that problem that probably exists in many, many municipalities across the state. So, I would appreciate an 'aye' vote to correct that problem. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 594 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 454, Mr. Deering. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 454, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

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

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 454 does two things. Number one, there is an Amendment that we put on the Bill the other day for Representative Noland and Representative Julie Curry, addressing a concern in their legislative district which would make it a statewide uniform clarification of the statute. And I will let Representative Noland speak to that Amendment in just a second if he chooses. Amendment #1 is an Amendment that often arises in a municipality to adopt an ordinance to enforce overdue or missing vehicle registration stickers. It says that local municipalities can pass this ordinance to issue citations to those vehicles, a \$25 fine. The monies will stay in those municipalities. This has got a lot of support from the Municipal League, from many of the entities. As far as I

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know, there is no opposition to this portion of the Bill. To Amendment #2, that just says that if a road is closed in a county, the sign has to state whose authority closed the road, I believe is all that Amendment does. No, that not what... Representative Noland may want to talk on this Amendment."

Speaker Brunsvold: "On the question, the Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, just a quick question. I was reviewing this file and now, I find I'm not sure what we're doing. How are you defining a registration sticker? Are you talking about a city vehicle sticker? You know, some people have a wheel tax where you have to buy a sticker for your car, or are you talking about the little..."

Deering: "I'm talking about the sticker on the license plate."

Black: "The license plate?"

Deering: "Yes Sir."

Black: "Okay. Now, I'm just curious, wouldn't the state police or the Secretary of State want to share in the fine money? Because you're saying it all goes to the municipality."

Deering: "That's correct."

Black: "So, none of it would return to the State of Illinois even though it's a state law you have to have the sticker?"

Deering: "That's correct and this is due to the 5% plus people out there who just never renew their license plate stickers and if they never get stopped for a traffic citation, or whatever, nobody... if the Secretary of State doesn't run random checks... the information I received from the Secretary States office said that they didn't want any

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reporting or anything coming back to them from these citations. This is clearly an effort. I know if I'm a motorist and I'm stopped in a community and I come in and have a \$25 on my... a \$25 ticket on my window because my license plate sticker is expired, I'm going to go in... or common sense should tell me to go in, and renew that sticker because the next time, it's another \$25 ticket and I know that, that meter maid or that law enforcement official is going to be looking for me. So, it's going to force us to do it."

Black: "Okay. Now, under existing law, I assume a motorist can be ticketed for an out of date license registration sticker, correct?"

Deering: "Yes, he can."

Black: "Now, where would that money go, under current law?"

Deering: "That's distributed in several different ways under the formula that's set in statute. I think so much goes to the... if it's a \$75 citation, if they're driving down the road, that's distributed so much to the state and I think so much to the local entity."

Black: "Well, you know what I'm driving at, Terry, I don't want somebody to say we... we... we didn't do this right and as a result, we diverted some fine money that could go to the Road Fund. Now, I don't think that's the case but I want to make sure you and I don't get blind sided by that a month from now."

Deering: "That's correct and that's clearly not the intent. This is over and above what is already in current statute."

Black: "Okay."

Deering: "We're not changing that statute at all."

Black: "So, in effect, if a City Police Officer issues a citation for an expired vehicle sticker, would it be the state fine

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plus the \$25 for the municipality?"

Deering: "That is correct."

Black: "Okay, fine. Thank you very much."

Speaker Brunsvold: "The Gentleman from Macon, Representative Noland."

Noland: "Mr. Speaker, in reference to the one Amendment which Mr. Deering mentioned, that only says that now when you close a road, the sign does not have to list by whose order. You can close a road with a sign and not list by whose order. That's a common practice that DOT follows now and it's supported by the department. Thank you."

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

McAuliffe: "Thank you, Mr. Speaker. I rise in support of Senate Bill 454. We're always looking for municipalities to be able to increase funding and I think this is a great idea for our municipalities to get additional dollars. And on the other side, by somebody getting a ticket for not having the proper registration plates or maybe a scoff law of someone that doesn't want to register their plates, this will make them go to the Secretary of State, renew their license plates and also, put more money in the Road Fund by doing that. And I rise in total, strong position on this Bill."

Speaker Brunsvold: "The Lady from Cook, Representative Shirley Jones."

Jones, S.: "Yes. Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Jones, S.: "Yes, you know, are you talking about the little sticker that they stick on your plate?"

Deering: "The license plate sticker, yes Ma'am."

Jones, S.: "Right. Okay. You know, when you put those little

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sticker on your plate, you know, nine times out of ten in some neighborhoods, they steal those stickers off your plate. They steal the stickers off your plate. I have one now that I'm driving with the sticker that stick and they've taken my sticker off my plate. And I'm also charged... I mean, I have to renew my sticker again but they still... I have to pay another extra \$5 or \$10 to get a sticker that was stole off my plate."

Deering: "That's right."

Jones, S.: "Representative, if you can and it do go to the municipalities, will they be able to change that sticker and put it next to the sticker of the inside instead of the outside on the plate? Because they do steal those stickers off the plate."

Deering: "We're not changing anything under the current statute, Representative, dealing with the license plates as they are currently. The sticker will still have to be on the license plates."

Jones, S.: "The stickers still have to be on the license plate?"

Deering: "That is correct."

Jones, S.: "Okay."

Deering: "Now, as you know, there is a replating Bill that's sitting on the Governor's desk."

Jones, S.: "I don't think it's fair, though, because I don't think it's fair for somebody to put that sticker on the back of their plate and somebody can come along and steal that sticker and then I have to pay another fee for a sticker. That's wrong."

Deering: "But you're going to have to repurchase a sticker, irregardless. I know it's wrong."

Jones, S.: "Every time your sticker expire, you're going to have to replace it, but why put something where somebody can

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steal it?"

Deering: "Well, I didn't design the current plates, Representative."

Jones, S.: "I know it, that's what I'm saying. If the municipalities get this Bill, I mean if they do get it, can you mention to them or put something in your Bill stating that they will put the sticker on the inside where they can not steal the sticker off the plate?"

Deering: "Representative, we can't... unless you want to introduce legislation changing the current statute as to the license plates or if under the new replating..."

Jones, S.: "Not the plates itself, I'm talking about the sticker. Not the plates."

Deering: "Representative, you know as well as I do that the current statute says that the sticker has to be placed on the license plate and as I was trying to say, there is legislation sitting on the Governor's desk for replating and the new design of the license plate can be in such a way that we can address those concerns potentially, when we design the new plates."

Jones, S.: "Thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman from Washington to close. The question is, 'Shall Senate Bill 454 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 117, excuse me, 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 682."

Clerk Rossi: "Senate Bill 682, a Bill for an Act amending the

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Clerks of Courts Act. Third Reading of this Senate Bill."

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

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, can we pull this out of the record for a minute and come back to it?"

Speaker Brunsvold: "Out of the record. Senate Bill 697, Mr. McGuire. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 697, a Bill for an Act amending the Disabled Persons Rehabilitation Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Will, Representative McGuire."

McGuire: "Thank you, Speaker Brunsvold. The Bill that I have is identical to the Bill that we had a couple of weeks ago so, it's a Bill that amends the Disabled Persons Rehab Act to provide that beginning July the 1st, the personal care attendants shall be paid a minimum rate of \$5.30 cents per hour and on July 1, 1998, a minimum rate of \$5.40 cents per hour. That's basically what the Bill is about. It's about personal care attendants who are employed by the Department of Aging and DOORS to assist the elderly and the physically challenged in their homes rather than in the nursing homes. I'll try to answer any questions, there are no Amendments. It's a good clean Bill, it came out of the Senate and I'm joined by a host of Sponsors on the House Floor and thank you very much."

Speaker Brunsvold: "And on that question, any discussion? The Gentleman from Joe Davies, Representative Lawfer."

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

Speaker Brunsvold: "The Sponsor yields."

Lawfer: "Representative, what would be the cost of this then

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over the period of two, three years?"

McGuire: "I have it here somewhere, Representative. The wage increase provided for personal assistance would cost \$2.4 million for fiscal year '98, \$4.0 million for fiscal year '99."

Lawfer: "Am I correct then, this puts in statute then what their wages would be starting on July 1, of '97, and also of '98, is that correct?"

McGuire: "Would you repeat the first part of that, Representative?"

Lawfer: "Does... this puts in by statute what those wages would be, in other words by law this Bill puts what their wages would be?"

McGuire: "Yes, it would, Representative."

Lawfer: "I know that we have discussed the wages for the personal care attendants often on this Floor and there has been discussion on what that amount should be, but this is a very minute amount. The cost does add up, but on the other hand I think costs benefits are there and I stand in support of this Bill. Thank you."

McGuire: "Thank you, Sir."

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman from Will to close."

McGuire: "I just ask for your favorable vote today and thanks very much."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 697 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 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby

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declared passed. Senate Bill 715. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 715, a Bill for an Act amending the Property Tax Code. Third Reading of this Senate Bill."

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

Fantin: "Thank you. This Bill is the same as House Bill 2200 was, and it amends the Property Tax Code where it will change... it will pick up the new property, disconnected property, or property coming off the tax increment, the TIF districts. And what this does is, because the Cook County has a prior year EAV, all this does is go back and change this that we can pick these up in the tax levy. And like I said, it is exactly the same as House Bill 2200, which we had passed out here a couple of weeks ago."

Speaker Brunsvold: "The Gentleman has asked for the passage of Senate Bill 715. And on that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 715 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 117 voting 'yes', 0 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 682. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 682, a Bill for an Act amending the Clerks of Courts Act. Third Reading of this Senate Bill."

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

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation comes from Public Act 89-70 of the 89th General Assembly, requires setting forth the

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commission to look at auditing of Circuit Clerks throughout the State of Illinois. The commission had met for a period of time and reported back to the Audit Commission and the General Assembly and they came up with a set of guidelines requiring audits of the county circuit clerks' offices because we dictate to those circuit clerks' offices numerous places of where we have to split up fines and send dollars and deposit money. We just want to make sure that everything is above board and everything is run very adequately in these offices. Audits are a fact of life and this is just another one that has been added. I would be pleased to try and answer any questions."

Speaker Brunsvold: "The Gentleman from Champaign, Representative Winkel."

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

Speaker Brunsvold: "The Sponsor yields."

Winkel: "Senate Bill 682 sets forth requirements for disseminating and updating the audit guidelines? However, does it not specify who is to develop the initial guidelines?"

Deering: "Representative, Public Act 89-70 of the General Assembly created the Circuit Clerk Audit Guideline Committee. It was this committee's charge to develop guidelines governing audits of the circuit clerks. The final report was submitted in June of 1996, which included the auditing guidelines. And it is my intent that the guidelines published in the final report of the Circuit Clerk Audit Guidelines Committee addresses the need for initial guidelines to implement Senate Bill 682."

Winkel: "Looking at the language in the Bill, the focus of the audit appears to be very broad. It could include, not only financial and compliance issues, but also the very diverse

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programmatic responsibilities of the circuit clerks. Is this reading consistent with your intent?"

Deering: "No, again, the Circuit Clerk Audit Guideline Committee's final report recommends that the focus of the audits be limited to fiscal and compliance issues related to the assessment, collection, and distribution of funds. The committee also recommended the letter report on financial statements be limited to agency and trust funds and it's the intent that audits done under the Bill, be limited in scope and consistent with both of these committee recommendations."

Winkel: "In section (a), on page one, line 21, the word 'assessment' is included as one of the areas which shall be audited. Circuit clerks do not assess fees. They merely collect the fees assessed by the judges. How will this Bill address this process?"

Deering: "Specifically, Representative, the Bill states that the procedures relating to the assessment of the various fees will be subject to the audit. The language means that auditors will review the procedures by which assessed fees are allocated to various accounts and the record keeping of these allocations."

Winkel: "In section (a), on page 1, lines 21 through 28, Senate Bill 682 requires the administrative office of the Illinois courts to provide a listing of applicable legal requirements. How is this provision to be implemented?"

Deering: "The administrative office is currently drafting a revised manual on fines and fees. This manual will address the requirement in the Bill to list the applicable state statutes. It is intended that this manual be viewed simply as listing of legal requirements and is not intended to replace orders of the court or legal advice given to the

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circuit clerks by the Attorney General or the state's attorney on how to interpret the statutes. Also, the administrative office is only required to compile a listing of the state statutes and rules. Federal requirements can be obtained by the auditors through normal single audit act avenues, such as the cognizant agencies. Finally, auditors can obtain local legal requirements from the county, municipalities, and other local entities."

Winkel: "Well, thank you, Representative, for clarifying the legislative intent of Senate Bill 682."

Speaker Brunsvold: "Further discussion? The Gentleman from Cook, Representative Fritchey."

Fritchey: "Speaker, will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Fritchey: "Representative, I wanted... this Bill, as I read it, applies to all counties, is that correct?"

Deering: "Yes, this came out of the committee."

Fritchey: "I know in Cook County, at least, the auditor... the circuit clerk has internal audits performed. Will they still be required then to have a secondary audit done by a outside CPA?"

Deering: "It's my understanding, Representative, that the Circuit Clerk of Cook County worked in conjunction with the... worked in with conjunction with the committee in developing these guidelines and it is my understanding that this audit can be done as a single audit and not have to be duplicative upon the county."

Fritchey: "So, there's no objection then, at least from the Cook County clerk?"

Deering: "It's my understanding that the Circuit Clerk of Cook County is in favor of this."

Fritchey: "As usual, I commend you for your fine efforts, Sir."

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Thank you."

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

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

Speaker Brunsvold: "The Sponsor yields."

Turner, J.: "Representative, have you heard from the Circuit Clerk's Association? They have a position on this."

Deering: "The Circuit Clerk's Association is in favor of this. As a matter of fact, one of the officers, I believe, testified before the committee or was available for testimony at the committee the day we passed this out."

Turner, J.: "My only other question is, as I read it, it sounds like we are requiring county boards to hire certified public accountants, but we are providing no funding mechanism and therefore, appears to me, on its face, to be an unfunded mandate to county boards. Is that correct?"

Deering: "That could be the appearance, however, some of these audits will... it's been testified that these... some of these audits will reduce costs because it will take away some of the duplicative audits that are being done now and that's the understanding of the intent that I've had."

Turner, J.: "Any estimate, I'm sure it's going to depend upon the size of the county and the size of the circuit clerk's office, but if we're going have a mandate to the counties to do these audits, any estimate on how much the cost is going to be?"

Deering: "I can't answer that, Representative. As you said in your question, the size of the counties are different, different situations. I guess in some counties, the cost could be minimal. Some counties it could be substantial, but we have no way of knowing that."

Turner, J.: "To the Bill. Just to alert everyone, I believe that

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it is an unfunded mandate. The idea to do the audit clearly is a good one. The question becomes whether or not we want to vote for this because we're telling county boards, 'You got to get a certified public accountant to audit the circuit clerk.' It could be expensive in some counties, perhaps not in other counties. Maybe it will be a cost saving measure. Certainly a good idea. A little concern, at least from me, is that it is an unfunded mandate, just to alert everyone to that. Thank you for answering my question, Representative."

Speaker Brunsvold: "Further discussion? The question is, 'Shall Senate Bill 682 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? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 102 voting 'yes', 14 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 755. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 755, a Bill for an Act amending the Illinois Public Aid Code. Third Reading of this Senate Bill."

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

Currie: "Thank you, Speaker and Members of the House. This Bill would require the Department of Public Aid to collect information about clients of the department who are moving from the old Aid to Families With Dependent Children Program, to the new Temporary Assistance for Needy Families Program, TANF. The Bill is agreed to with the department. I know of no opposition and I would appreciate your support. The department agrees with us that it is important for us to find out how people use their TANF

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benefits. How the impact of sanctions operates. What kind of demographic breakdowns are there in the operation of the new program. And as I say, I think this will be useful information for public policy makers and I would be happy to answer your questions."

Speaker Brunsvold: "And on that question, is there any discussion? The question is, 'Shall Senate Bill 755 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. And on that question, 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 777. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 777, a Bill for an Act to amend the State Finance Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Bill places into code the executive order of the Governor concerning the necessity of department agencies including the General Assembly and others to establish a procedure for the signature of contracts that exceed \$250 thousand, either cumulatively or individually. We had an Amendment yesterday that clarified the responsibility of the Illinois General Assembly. And I would be happy to answer questions on the Bill, as amended."

Speaker Brunsvold: "And on the question, the Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Question of the Sponsor, will he yield?"

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Speaker Brunsvold: "The Sponsor yields."

Schoenberg: "Mr. Ryder, could you estimate how many contracts there are in this state that have been entered into for \$250 thousand or above?"

Ryder: "Representative, I'm sorry, I cannot."

Schoenberg: "This... since what apparently precipitated this issue originally, was the issue of signature authorization for the Department of Public Aid and the... in the aftermath of a criminal investigation, some indictments which were handed down. I wanted to ask you if you knew how many contracts that the Department of Public Aid were for \$250 thousand and above?"

Ryder: "I'm sorry, Representative, I do know that number either."

Schoenberg: "For the record, Mr. Speaker and Mr. Ryder, I would like to indicate that a correspondence that I have from Director Wright, to myself and to Representative Biggins, pursuant to our request on March 12th for the Committee of Appropriations for General Services and Government Oversight, the Department... Mr. Wright indicated that for the fiscal year, to date, the Department of Public Aid has processed 165 contracts that meet the \$250 thousand threshold that these 165 contracts represent obligations of 288.6 million and that the total number of contracts for all sizes of this period was 2,194 contracts, the total of 401.4 million in obligations. I rise in strong support of this measure but I would like to ask the Speaker... the Sponsor one final question and that is, at the time when the... at the time when the executive order was announced it had been indicated that, that alone would suffice. What prompted the decision to make the signature requirement become of the statute?"

Ryder: "Representative, you would have to ask Senator Carroll,

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who is the person that Sponsored the Bill in the Senate. I would suggest... he is the person that made the decision to proceed on this. I simply picked the Bill up when it came over here. I believe that the Governor's office maintains their position that his executive office is sufficient I clearly trust the Governor on that matter but since the Bill was here, I felt an obligation to pick it up."

Schoenberg: "I do, as well. When the Bill was in committee, did the Governor's office indicate any formal position for or against this measure?"

Ryder: "Representative, I don't recall that they did. First of all, I don't recall. Secondly, I don't recall that they had a position. Oh, I'm sorry, Representative, I have now had better recall and the recall that I have is that they did indicate their support for the proposition in committee."

Schoenberg: "Very good."

Ryder: "I apologize for my faulty, selective, retarding memory."

Schoenberg: "I wouldn't say your memory is faulting, selective is a different subject and..."

Ryder: "Well, it certainly is that."

Schoenberg: "... a and we'll leave it at that. Ladies and Gentlemen, to the Bill, I would urge my colleagues to vote for this. This certainly should not be the only procurement-related measure that we put on the Governor's desk, because I think we all recognize that these issues do indeed transcend one unfortunate episode and I urge everyone to support this Bill. Thank you."

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

Ryder: "All those in favor vote 'aye'. We can go to voting at

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this time."

Speaker Brunsvold: "The Gentleman has moved for the passage of Senate Bill 777. And on that question... The Gentleman has moved for the passage of Senate Bill 777. 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. And on that question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

Black: "Yes, thank you very much. Inquiry of the Chair."

Speaker Brunsvold: "State your inquiry."

Black: "On this official yellow sheet of paper that doesn't have anything on it, I don't know where this came from. I only assume it came from the Office of the Speaker. It says we're going into committees at 2:00, and the hour of 2:00 is upon us. Are we going to recess here shortly?"

Speaker Brunsvold: "We will, but not at this time. We're going to delay those committees for a little while."

Black: "Oh. So, we're really not going to committee at 2:00 p.m. then?"

Speaker Brunsvold: "No, we're not. Members should know that we're going to continue down the Calendar on Third Reading and..."

Black: "Okay. Will we get an updated committee schedule?"

Speaker Brunsvold: "You will be notified."

Black: "Personally."

Speaker Brunsvold: "Yes, I will personally notify you, Mr. Black."

Black: "Thank you very much."

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Speaker Brunsvold: "But we will go by this schedule, however we will not stand by the 2:00 p.m. schedule. We'll go probably at 3:00 or whenever."

Black: "Well, I must say for the record, I am shocked, somewhat appalled that we are deviating from the printed schedule, but all right."

Speaker Brunsvold: "So noted, Mr. Black. Senate Bill 780, Mr. Winters. Out of the Record. Senate Bill 819, Mr. Novak. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 819, a Bill for an Act amending the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Kankakee, Representative Novak."

Novak: "Mr. Speaker, could you pull this record? Pull the Bill Out of the Record, for a minute?"

Speaker Brunsvold: "Out of the Record. Senate Bill 856, Representative Andrea Moore. Out of the Record. Senate Bill 899, Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 6... Senate Bill 899, a Bill for an Act amending the Illinois Horse Racing Act of 1975. Third Reading of this Senate Bill."

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

Lang: "Thank you, Mr. Speaker. It's nice to be loved. Did you hear... did you hear all that? Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 9099... 899 was sent over here by Senator Madigan. It's a bipartisan Bill. It says 'horse racing technical' on there, but it has been amended. It's no longer a Shell Bill. So, those of you who were concerned about sending a Horse Racing Shell Bill back to the Senate need not be, and as soon as I find what the

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Amendment does, I'll be glad to tell you. The Amendment deals with... This is for the harness horsemen and it... it defines the term contractually representative horsemen's association. Apparently, that was necessary for the Horsemen's Association so that everyone would know what the proper bargaining unit was. I think that's all this does and I would move passage."

Speaker Brunsvold: "And on that question, the Gentleman from Kendall, Representative Cross."

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

Speaker Brunsvold: "The Sponsor yields."

Cross: "Representative, you have... do you have any intentions with respect to gambling with this Bill at all?"

Lang: "I took this Bill when it got to this House with no intentions for it at all. I was not even intending to call it in committee and then I was asked by Senator Madigan and a lobbyist for the Harness Horsemen's Association, to put this Amendment on it, send it back to the Senate, Representative. There does not appear to be any opposition to it and that was my only purpose."

Cross: "Well, Representative, in reading our analysis, I see that the Statewide Referendum Coalition is opposed to this Bill. Do you know of any... anything that's changed their opposition?"

Lang: "I'm certain they're opposed because they think a horse racing Bill with my name on it has other plans, but I have no other plans for this Bill at this time, Sir."

Cross: "I also see that the Illinois Churches in Action on Alcohol Problems are opposed to this. In committee, did they indicate why they were opposed?"

Lang: "Sir, I'm not certain they testified in committee, although I must tell you that some other Representative handled this

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for me in committee. I think Representative Burke, the Chairman of the Executive Committee, handled the Amendment. But I'm fairly certain that all of the opposition was based on the belief that Representative Lang had other plans for this legislation."

Cross: "Excuse me one moment. May I have a request of verification in the event this Bill gets the requisite number of votes?"

Speaker Brunsvold: "So noted, Mr. Cross."

Cross: "I have a couple other questions. I know my time's running. No, I don't have any other questions, thank you."

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

Lang: "Well, Mr. Speaker, Ladies and Gentlemen. This is Senator Madigan's Bill. I can't imagine that Mr. Cross would want to kill a Bill that was sponsored by such an illustrious Senator from his side of the aisle. I would ask him if he would withdraw that request for a verification on that basis? But he refuses to do so, I'll take it out of the record and have Senator Madigan come over here and talk to him. Representative Cross, do you wish to withdraw that request?"

Speaker Brunsvold: "Mr. Cross, Mr. Lang has asked you to withdraw your request for a verification."

Cross: "No."

Speaker Brunsvold: "He indicates he does not want..."

Lang: "Take it out of the record."

Speaker Brunsvold: "Take this Bill, out of the record. Senate Bill 954, Mr. Black. Out of the record. Senate Bill 1031, Representative John Turner. Out of the record. Senate Bill 1048, Mr. Lopez. Senate Bill 819, Mr. Novak. Mr. Clerk, please read the Bill."

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Clerk Rossi: "Senate Bill 819, a Bill for an Act amending the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Mr. Speaker, thank you. Senate Bill 819 changes the point of which payment of the initial fee is required for air pollution operating permits from prior to issuance, to within 30 days of permit issuance. It eliminates the denial of operating permit applicants meeting all the permitting criteria, but have not paid the initial sight fee and allows the EPA to issue joint operating construction permits, reducing the administrative burdens, and speeding up the permitting process. It also eliminates the need to refund fees for denied permits reducing paperwork for both the EPA and the applicant. This is an initiative of the Illinois Environmental Protection Agency and I'll be more than happy to answer any questions."

Speaker Brunsvold: "And on that question, the Gentleman from Macon, Representative Noland."

Noland: "Would the Gentleman yield?"

Speaker Brunsvold: "The Gentleman yields."

Noland: "Does this affect leaf burning?"

Novak: "Pardon me, Sir."

Noland: "How does this affect leaf burning?"

Novak: "Well, to my understanding it does not and also does not preempt Home Rule."

Noland: "Thank you."

Speaker Brunsvold: "The Gentleman from Kendall, Representative Cross."

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

Speaker Brunsvold: "The Sponsor yields."

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Cross: "Representative, I see on our notes that the Environmental... Illinois Environmental Council and the American Lung Association of Greater Chicago are opposed. Is that still your understanding?"

Novak: "Yes, for some reason they do, I mean, this... we're not diluting the permitting process at all. All this we're trying to is trying to streamline the bureaucracy in the EPA so we can expedite the permitting process."

Cross: "But as far as you know, they're still opposed as you and I stand here today?"

Novak: "Yes. Yes."

Cross: "Thank you."

Speaker Brunsvold: "Further discussion? The Lady from Peoria, Representative Slone."

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

Speaker Brunsvold: "The Sponsor yields."

Slone: "Mr. Novak, our notes say that this will affect approximately 600 companies?"

Novak: "I can't hear you, Representative."

Slone: "Our notes say that this will affect about 600 companies?"

Novak: "That's probably a rough... rough estimate."

Slone: "Medium size companies, it says. Do you have the names or any information about any of those companies just for a background?"

Novak: "No, I do not."

Slone: "Thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman from Kankakee to close."

Novak: "Yes, Mr. Speaker. I simply ask my colleagues to give me an affirmative vote on this Bill. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 819 pass?' All in favor vote 'aye'; opposed vote 'nay'. The

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 94 voting 'yes', 12 voting 'no', 0 voting present. This Bill, having received a Constitutional Majority, is hereby declared passed. We have gone through the Third Reading Calendar. We would like to move a few Bills from third to second. Mr. Clerk, status of Senate Bill 71."

Clerk Rossi: "Senate Bill 71, is on the Order of Senate Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Clerk, status of House... or Senate Bill 355."

Clerk Rossi: "Senate Bill 355 is on the Order of Senate Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. The Chair is going to go back to Third Readings and go through the Calendar again. We would like to pick up a Bill that was at the end of the Calendar. Mr. Black was off the Floor for an instant. Senate Bill 954. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 954, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Senate Bill."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 954 is an initiative of the Secretary of State, George Ryan. It puts us in... the first part of the Bill puts us in sync with federal law and that's on a commercial driver's license. If, in fact, you have a commercial driver's license and you are convicted of a... of an offense and have a CDL removed for life, it was

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possible under Illinois law to get that back one time. This simply says if you... if you are suspended of a CDL for life, that means it will be life. You can't get it back in Illinois after 10 years, which you currently can do. Floor Amendment #1 added to the Bill. It repeals the Secretary of State's Merit Advisory Board, July 1, 1997. The current board is supposed to have five members appointed by the Secretary of State. No more than three from the same political party. The Merit Advisory Board has been transferred to the Merit Commission, so it's really no longer needed. Floor Amendment #2 adds to the Bill. It simply says that an affirmation furnished by the Secretary of State may be used as well as an affidavit. This concerns an application for a certificate of title. I would be glad to answer any questions you have."

Speaker Brunsvold: "And on the question, is there any discussion? The Lady from Cook, Representative Monique Davis."

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

Speaker Brunsvold: "The Sponsor yields."

Davis, M.: "Representative Black, what kind of offenses are you speaking of that will prevent a driver with a CDL license...?"

Black: "I don't have a clue. I don't have a... the CDL is primarily a federal law. I would assume, if somebody is here they could answer it. I can't answer it. It would be a serious offense, commercial driver's license..."

Davis, M.: "Is there anybody here that could answer that question?"

Black: "Well, I doubt it but this is done to put us in sync with federal law. We're not changing underlying law."

Davis, M.: "So, federal law, Representative Black, states..."

Black: "Yes, the commercial driver's license is a mandate from

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the Federal Government."

Davis, M.: "So, it's Federal Government also say, if you commit some kind of offense..."

Black: "That is current law. The Federal Government says one life time suspension of a commercial driver's license, that's it. Illinois said, if you go 10 years, you can apply and you can get... you can get one, a commercial driver's license again. That is not in sync with federal law."

Davis, M.: "Is that in violation of federal law?"

Black: "I don't think it's actually in violation, but the whole purpose of a Commercial Driver' License Law was to get dangerous drivers off the road. Before CDL's, you could have 50 driver's licenses. You could go to every state and get a driver's license and as they were revoked for speeding and DUI or whatever in various states, you still had another state license so you could drive your truck or your commercial vehicle."

Davis, M.: "So, these offenses are in reference to driving?"

Black: "Yes, yes."

Davis, M.: "They are? Okay."

Black: "And these are... these are drivers for hire. This isn't what you and I have."

Davis, M.: "Yeah. No, I know exactly what they are but my concern was, if we were in any way prohibiting again, another group, from being employable. But if these are driving violations..."

Black: "Yes, they are."

Davis, M.: "... then perhaps, they don't need to have them returned."

Black: "Right. No it would be in violation... I'm sorry, we don't have the information and maybe they can get it to you

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later."

Davis, M.: "I hope they will."

Black: "My guess is that these would be rather serious violations. Probably under the influence of drugs or a serious violation of a person who earns their living by driving. It's not that you were a member of a gang in 1982, therefore, you're going to lose your license. Has nothing to do with that."

Davis, M.: "That's it, okay. I just wanted to make a matter."

Black: "It's a very good question. In other words, I think your point is, we should not be suspending or revoking a persons right to earn a living for a non-driving related offense."

Davis, M.: "Absolutely."

Black: "Yeah, I agree with you 100%."

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

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman from Vermilion, to close. Representative Black, to close."

Black: "Thank you very much. I just urge an 'aye' vote?"

Speaker Brunsvold: "The question is, 'Shall Senate Bill 954 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. And on that question, there are 108 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair is back on page 2, starting through Third Readings again, and we will look to the Members for Sponsors and move down the Calendar. Senate Bill 315, Mr. Lopez. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 315, a Bill for an Act amending the Emergency Medical Services EMS Systems Act. Third Reading

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of this Senate Bill."

Speaker Brunsvold: "Mr. Lopez, the Clerk indicates that there is an Amendment filed to that Bill. Mr. Clerk, place this Bill on Second Reading."

Clerk Rossi: "Floor Amendment #1, offered by Representative Noland, has been 'approved for consideration.'"

Speaker Brunsvold: "Mr. Noland on Floor Amendment #1."

Noland: "Mr. Speaker, Mr. Lopez allowed me to attach this Amendment to his Bill. Representative Hartke and I have been working on an issue relative to water rescue. This essentially gives water rescue people a statutory home. Currently, there is no place the statutes for them to exist. So, it would allow for a voluntary way for them to provide for inter-agency agreements. An example is, in Effingham County, the County of Effingham may work with the City of Effingham and the Lake Sarah Water Authority to provide water rescue services in that area. So, it's strictly a place to give a home statutorily to water rescue activities."

Speaker Brunsvold: "The Gentleman has asked for the adoption of the Amendment. On that, is there any discussion? The Gentleman from Effingham, Representative Hartke."

Hartke: "Well, thank you very much, Mr. Speaker. To the Amendment. Many of you don't realize but the rescue squads, the water rescue squads we have around the State of Illinois are a volunteer organization and they're asked to do many dangerous activities such as looking for weapons that are disposed of under water, automobiles that are stolen under water and accidents do happen once in a while. We asked our volunteer firemen in the State of Illinois to run into a burning building to rescue a child to save lives and so forth. We do the same thing with our volunteer

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divers. And right now, there is no statutory provision for them that recognizes them in code statutes in the books of the State of Illinois. Mr. Noland and I have worked together on this with our water rescue team in Effingham, Illinois, and this is an attempt to put them into law."

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

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 780. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 780, a Bill for an Act concerning the placement of children. Third Reading of this Senate Bill."

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

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bills, been around since 1995 and it's finally coming to fruition. It's dealing with the Department of Children Service, Children and Family Services, stating that... that the best interest of the child shall be served through permanent placement, as opposed to placing children all over, and it also addresses the Bill to say that race and ethnic heritage in the placement of children shall be given due, but not sole, consideration because it's better that a child finds a loving family as opposed to languishing in the system. And I'll be more than happy to answer any questions that you may have in regards to Senate Bill 780 and I would like to, also, clarify that DCFS is proponent of this Bill and it is codifying federal language."

Speaker Brunsvold: "And on the question, is there any discussion?"

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Seeing none, the Lady has asked for the passage of Senate Bill 780. 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 105 voting 'yes', 0 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 593, Representative Biggins. Out of the record. Senate Bill 681, Mr. Biggins. Out of the record. Mr. Clerk, what's the status of Senate Bill 1101?"

Clerk Rossi: "Senate Bill 1101, is on the Order of Senate Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. On page 6 of the Calendar, Second Readings. Senate Bill 3, Mr. Hannig. Out of the record. Senate Bill 6, Mr. Dart. Out of the Record. Mr. Clerk, Rules Committee."

Clerk Rossi: "Representative Currie, Chairman from the Committee on Rules, to which the following Amendments were referred, action taken on May 15, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment 1 to Senate Bill 423. Floor Amendment 1 to Senate Bill 445. And refer Senate Bill 934 to Second Reading."

Speaker Brunsvold: "Senate Bill 222, Representative Cowlshaw. Representative Cowlshaw, Senate Bill 222? Out of the record. Representative Cowlshaw, in 226? Out of the record. Senate Bill 303, Mr. Parke. Out of the Record. Senate Bill 316, Mr. Churchill. Out of the record. Senate Bill 368, Mr. Brosnahan. Senate Bill 368."

Clerk Rossi: "Senate Bill..."

Speaker Brunsvold: "Out of the record. Senate Bill 381, Representative Roskam, 381. Out of the record. Senate Bill 445, Representative Silva. Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 445. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Silva, has been 'approved for consideration.'"

Speaker Brunsvold: "The Lady from Cook, Representative Silva, on Floor Amendment #1."

Silva: "Speaker, Floor Amendment would only make a change on the date from January 1998 until January 1, 1999. It extends it one year."

Speaker Brunsvold: "The Lady has asked for the adoption of the Amendment and on that, the Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, the Amendment is simply... I'm a little confused. Is the Amendment changing the effective date of the Bill?"

Silva: "Yes, it extends it to a one year period... an additional year."

Black: "All right. So, the Bill becomes effective January 1 of 1998, but the Amendment provides that the administrative office of the Illinois Courts doesn't have to respond until January 1, 1999, is that the idea?"

Silva: "Correct."

Black: "Okay, fine, thank you very much."

Speaker Brunsvold: "Further discussion? The Gentleman from Kendall, Mr. Cross."

Cross: "Representative... or will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Cross: "The only thing your Amendment does, Representative, is change the effective date?"

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Silva: "Correct."

Cross: "You're not addressing any of the fiscal concerns that have been raised in the past?"

Silva: "No. Representative, you passed the similar Bill a couple of weeks ago that actually required the fees, so that would just be in line with that particular Bill that did pass the House as well."

Cross: "Actually, Representative, I don't think that either Bill has much in common but we could talk about that at another date. Does your Amendment address some of the concerns of the community colleges?"

Silva: "As far as I'm aware, there is no concern."

Cross: "Okay. So, other than a date you haven't... okay. I just... that's all I wanted to know. We'll wait until the Third Reading. Thank you."

Speaker Brunsvold: "Further discussion? Seeing none, the Lady has asked for the adoption. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A Fiscal Note and a Judicial Note have been requested on the Bill, as amended, and those Notes have not been filed."

Speaker Brunsvold: "This Bill shall remain on Second Reading. Mr. Clerk, Senate Bill 1020. Read the Bill."

Clerk Bolin: "Senate Bill 1020. The Bill has been read a second time, previously. Floor Amendment #2, offered by Representative Ryder, has been 'approved for consideration.'"

Speaker Brunsvold: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Senate Bill... Amendment #2 contains provisions concerning the merger of foreign

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corporations and limited liability companies. It is an Amendment that was necessitated by the adoption of Amendment #1 in committee. It is an Amendment that has received the approval of both the Illinois State Medical Society and the Illinois Hospital and Health Systems Association. I would be glad to answer any questions."

Speaker Brunsvold: "On that question, the Lady from Cook, Representative Silva."

Silva: "Speaker, the Fiscal Notes that were filed for the Amendment do not apply because it ...there is no Fiscal cost in it."

Speaker Brunsvold: "Representative, could you."

Silva: "... it just changes the date."

Speaker Brunsvold: "Could you wait until we finish with his Amendment, then I'll come back to you?"

Silva: "Yes."

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

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 463, Representative Feigenholtz. Out of the record. Senate Bill 473, Mr. Scott. Out of the record. Senate Bill 605, Mr. Churchill. Out of the record. Senate Bill 665, Mr. Murphy. Representative Harold Murphy. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 665. The Bill's been read a second time, previously. Amendments #1 and 2 were adopted in committee. No Floor Amendments. No Motions filed. A State Mandates Note has been requested on the Bill and has not

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been filed."

Speaker Brunsvold: "The Bill shall remain on Second Reading. Senate Bill 720, Representative Daniels, Representative Cowlshaw. Representative Murphy, for what reason do you rise? Representative Cowlshaw, on 720. Out of the record. (sic-Senate Bill) 789, Mr. Dart. Out of the Record. Senate Bill 791, Mr. Winters. Out of the record. Senate Bill 837, Mr. Morrow. Out of the record. Senate Bill 861, Mr. Churchill. Out of the record. Senate 665, Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 665. The Bills been read a second time, previously and was held on the Order of Second - Reading for the filing of a State Mandates Note. That request has since been withdrawn."

Speaker Brunsvold: "On that question, Mr. Hoeft."

Hoeft: "Thank you, Mr. Chairman. Having filed the Mandates Note for this Bill, I would like to respectfully withdraw that and pass this on to Third Reading."

Speaker Brunsvold: "The Gentleman has withdrawn the Note request. Any Amendments, Mr. Clerk?"

Clerk Bolin: "No Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, status of 445, Senate Bill 445?"

Clerk Bolin: "Senate Bill 445 has been held on the Order of Second - Reading pending the filing of a States Mandates Note request. That request... a State Mandates... Excuse me, a Fiscal Note and a Judicial Note request those requests have since been withdrawn."

Speaker Brunsvold: "Third Reading. The Gentleman from Cook, Representative Lopez, for what reason do you rise?"

Lopez: "Thank you, Mr. Speaker. I would like the record reflect that I would of voted... I intended to vote 'no' on Senate

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Bill 437."

Speaker Brunsvold: "The record will so reflect. Representative Santiago."

Santiago: "On a Point of Personal Privilege. I would also would like the record to reflect that I would have voted 'no' on Senate Bill 437."

Speaker Brunsvold: "The record will so reflect. The House shall stand at ease. Representative Moore, for what reason do you rise?"

Moore, E.: "I rise, Mr. Speaker, to let the record reflect on Senate Bill 437, I wish to have been voted 'no'."

Speaker Brunsvold: "The record will so reflect, Mr. Moore. Ladies and Gentlemen of the House, the House is standing at ease. We are not in recess. No lobbyists are allowed on the Floor. Mr. Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. I rise on a Point of Personal Privilege. I'm very proud today to have the entire fourth grade from Rutledge Hall in Lincoln Wood, Illinois, here to visit us. They're up in the Gallery, up here. It's a great school from my district and they're watching very closely to see what we do with education funding. Thank you, Mr. Speaker."

Speaker Brunsvold: "Welcome, to Springfield. The Lady from Cook, Representative Monique Davis. For what reason do you rise?"

Davis, M.: "Mr. Speaker, what time are we going to committees?"

Speaker Brunsvold: "We'll let you know shortly."

Davis, M.: "What you call shortly.?"

Speaker Brunsvold: "Shortly."

Davis, M.: "Shortly, two days, two hours, one minute."

Speaker Brunsvold: "Okay, Ladies and Gentlemen of the House, announcements. The committee schedule you have received,

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the 2:00 committees will meet at 3:30 and the 2:30 committee will meet at 4:00 and we will proceed through those committees as is listed on your yellow sheet. At 4:15 the Republicans have requested a Conference and the Caucus Chairman indicates he needs an hour. That would mean the House would stand in recess until the hour of 5:15. Is everyone clear on that schedule? We will come back to the Floor at 5:15. Once again, let me go through the announcements, again. The committee schedule is as listed on your yellow sheets. The 2:00 p.m. committees as listed, will meet immediately, at 3:30. The 2:30 committees will meet at 4:00, and then at 4:15 the Republicans requested a Conference in Room 118, which will last for approximately one hour, and we will return to the Floor at approximately, or at 5:15. With those announcements, the Clerk has requested Perfunctory time and the House will stand in recess until the hour of 5:15."

Clerk Rossi: "The House Perfunctory Session will come to order. Messages from the Senate. A Message from the Senate by Mr. 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 a Bill of the following title. House Bill 18, a Bill for an Act relating for bonds for school construction, together with Senate Amendment #1. House Bill 50, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1. House Bill 108, a Bill for an Act to amend the General Obligation Bond Act, together with Senate Amendment #1. House Bill 165, a Bill for an Act concerning children, together with Senate Amendment #1. House Bill 274, a Bill for an Act concerning State Emergency Medical Services Disciplinary Review Board, together with Senate

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Amendments 1, 2 and 3. House Bill 522, a Bill for an Act creating the Home Medical Equipment and Services Provider License Act, together with Senate Amendment #1.' Introduction of Resolutions. House Resolution 162, offered by Representative Granberg; House Resolution 163, offered by Representative Granberg; House Resolution 164, offered by Representative Granberg; House Resolution 165, offered by Representative Granberg; House Resolution 166, offered by Representative McKeon; House Resolution 167, offered by Representative McKeon; House Resolution 168, offered by Representative McCarthy; House Resolution 169, offered by Representative McCarthy. Resolutions are assigned to the Rules Committee. Messages 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 and of the following titles. House Bill 689, a Bill for an Act to amend the School Code, together with Senate Amendment #1, Senate Amendment #2. House Bill 709, a Bill for an Act in relation to taxes, together with Senate Amendments 1, 2 and 3. House Bill 725, a Bill for an Act to amend the Right of Conscience Act, by changing certain sections, together with Senate Amendment #1. House Bill 748, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1. House Bill 754, a Bill for an Act relating to education, together with Senate Amendments 1 and 2. House Bill 844, a Bill for an Act concerning rental vehicles, together with Senate Amendments 1 and 3. House Bill 883, a Bill for Act to amend the Property Tax Code, together with Senate Amendment 1 and 2. House Bill 994, a Bill for an Act to amend the Downstate Public Transportation Act, together with Senate Amendment

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#1. House Bill 1112, a Bill for an Act to amend the School Code, together with Senate Amendment #1. House Bill 1115, a Bill for an Act to amend the Illinois Vehicle Code, together with Senate Amendment #1. House Bill 1180, a Bill for an Act to amend the Public Community College Act, together with Senate Amendments 1 and 2. House Bill 1212, a Bill for an Act in relation to certain land, together with Senate Amendment #1. House Bill 680, a Bill for an Act relating to higher education, together with Senate Amendment #1. House Bill 1374, a Bill for an Act to amend the Metropolitan Water Reclamation District Act, together with Senate Amendment #1. House Bill 1664, a Bill for an Act to amend the Clinical Psychologist Licensing Act, together with Senate Amendment #1. House Bill 2060, a Bill for an Act to amend the Illinois Municipal Code, together with Senate Amendment #1. House Bill 1651, a Bill for an Act to amend the Cook County Forest Preserve District Act, together with Senate Amendment #2. Committee Reports. Representative Burke, Chairman from the Committee on Executive, to which the following Amendments were referred, action taken on May 15, 1997, reported the same back with the following recommendation/s: 'be adopted' Floor Amendments 1 and 2 to Senate Bill 797. Representative Dart, Chairman for the Committee on Judiciary 1 Civil Law, to which the following amendment was referred, action taken on May 15, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment 1 to Senate Bill 303. Representative Harold Murphy, Chairman from the Committee on Personnel and Pensions, to which the following Amendment was referred, action taken on May 15, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment 2 to Senate Bill 667.

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Representative Ronen, Chairman from the Committee on Children and Youth, to which the following Amendment was referred, action taken on May 15, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment 1 to Senate Bill 861. Messages from the Senate from Mr. Jim Harry, Secretary of the Senate. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of their Amendment to a Bill of the following title. Senate Bill 356, a Bill for an Act concerning home repair and remodeling, together with House Amendment #1. Senate Bill 955, a Bill for an Act to amend the Illinois Vehicle Code, together with House Amendment #1. Senate Bill 859, a Bill for an Act to amend the Barber, Cosmetology, Esthetics and Nail Technology Act, together with House Amendment #1.' A Message from the Senate by Mr. Harry, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill with the following title: House Bill 1883, a Bill for an Act concerning adult entertainment facilities, together with Senate Amendment #1.' Committee Reports. Report of the Special Investigative Committee regarding Supreme Court Justice James D. Heiple. Representatives Currie and Kubik, Co-Chair Persons of the Special Investigative Committee, report back the following: One, that the Special Investigative Committee has concluded its deliberations and has filed a committee report as required by House Resolution 89 and House Resolution 155 and two, that two Minority Reports were filed. Committee Reports. Representative Schakowsky, Chairman from the Committee on Labor and Commerce, to which the following

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Amendment was referred, action taken on May 15, 1997, reported the same back with the following recommendations: 'be adopted' Floor Amendment 3 to Senate Bill 73."

Speaker Brunsvold: "The House will come to order. The Chair is proceeding on Second Readings. Bills that Notes have been filed on and the first Bill that appears is Senate Bill 671. Out of the record. Mr. Clerk, Senate Bill 671, read the Bill."

Clerk Rossi: "Senate Bill 671 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lang, has been approved for consideration."

Speaker Brunsvold: "On Floor Amendment #1, Representative Lang."

Lang: "Thank you, Mr. Speaker. Floor Amendment #1 is an Amendment that keeps a Shell Bill as a Shell Bill. I move adoption."

Speaker Brunsvold: "Is there any discussion? The Gentleman from Kendall, Representative Cross."

Cross: "Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Cross: "So I just so everyone understands, Representative, this is a, this is only a Shell Bill at this point.?"

Lang: "Unlike the other Bill which did something, this Bill does nothing."

Cross: "This Bill, absolutely, does nothing at this point?"

Lang: "That's correct."

Cross: "Do you... what do you have intentions for this Bill, Representative, to do something?"

Lang: "Not on Second Reading."

Cross: "Well, what you going to do on Third Reading with it?"

Lang: "On Third Reading, I'm going to try to pass it to the Senate."

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Cross: "What... in what area? Are you working with horses, you working with race tracks, you working with casinos, you working expansion, what are we talking about?"

Lang: "Oh... your guess is as good as mine. Senator Cullerton asked me to send this back to him so we could put this Bill in a Conference Committee."

Cross: "Okay. Thanks for the helpful answers."

Lang: "Thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 303, Representative Parke. Out of the record. Senate Bill 709, Representative Cowlshaw. Representative Cowlshaw, Senate Bill 709. Out of the record. Senate Bill 771, Mr. Scully. Mr. Scully. Out of the record. Senate Bill 795, Mr. Noland. Representative Duane Noland. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 795, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 797. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 797, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Churchill, has been 'approved for consideration.'"

Speaker Brunsvold: "The Gentleman from Lake, Representative Churchill, on Floor Amendment #1."

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

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House. Floor Amendment #1 repeals various sections of the Aeronautics Act. Those are the sections that have been preempted by the Federal Government or sections of the Act which have not been used for a number of years. It's basically a cleanup language for the Illinois Department of Transportation, Division of Aeronautics."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the Gentleman has moved 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 Rossi: "Floor Amendment #2, offered by Representative Churchill."

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

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2, repeals the Meigs Field Airport Act, which was previously passed by the proceeding Legislature. This is a... the current Bill, that I understand has been updated to accurately reflect the various sections of the Act that was passed by the last Legislature, so this would repeal that Act."

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

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 855, Mr. Deering. Out of the record. Senate Bill 878, Mr. Burke. Mr. Burke. Out of the record. Senate Bill 909, Mr. Scully. Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 909, a Bill for an Act amending the Senior Citizen's and Disabled Person's Property Tax Relief and Pharmaceutical Assistance Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 771, Mr. Scully. Read the Bill."

Clerk Rossi: "Senate Bill 771, the Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 710, Mr. Clerk, Senate Bill 710."

Clerk Rossi: "Senate Bill 710, the Bill has been read a second time, previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 1103, Mr. Novak. Senate Bill 1103, Mr. Novak. Out of the record. The Chair would like to go back to Third Readings now and go through the Calendar on Third Readings. Some of the Members were in the Heiple Committee and we would like to give those people an opportunity to act on their Bills. Senate Bill 25, Representative Lou Jones, Senate Bill 25. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 25, a Bill for an Act amending the Housing Authorities Act. Third Reading of this Senate Bill."

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

Jones, L.: "Thank you, Mr. Speaker. Senate Bill 25 amends the Housing Authorities Act in a municipality with more than 500 thousand inhabitants. Creates a Citizens Review Board to monitor housing authority police with three members, I'm

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sorry, with five members being appointed by the CHA Authority, two by the CAC, and two by the local Advisory Council. Those last two, will be residents out of CHA. If some of you can remember, I sponsored the Police Bill for CHA about five years ago. At that time, a Citizen Review Board was not put in place. This is all this Bill does, it just puts that Citizen Review Board in place so they will be in sink with the Chicago Police and I ask for a favorable vote."

Speaker Brunsvold: "And on that question, is there any discussion? The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Durkin: "Representative, you had mentioned... can you go over again, the people who are going to be appointed to this commission? Where are they going to come from?"

Jones, L.: "Five, it's a nine member board. Five of them will be... all of them will be residents of CHA."

Durkin: "All of them?"

Jones, L.: "And five of them will be appointed by the administration. Two by the CAC, which is the Central Advisory Council, and two by the LAC, which is the Local Advisory Council."

Durkin: "What's the CAC?"

Jones, L.: "Central Advisory Council."

Durkin: "All right. What's the need for this type of commission?"

Jones, L.: "Right now, right now they don't, they don't have anything in place. The only thing that the people in CHA can go to is the Chief of Police. Like the Chicago Police, they have the Citizen Review Board. These are not for illegal infractions, these are things like misconduct."

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They can go to the Citizen Review Board, like the Chicago police. And that's basically..."

Durkin: "So, the purpose of this commission is to give some type of a outreach to the residents of the Chicago Housing Authority for allegations of misconduct on behalf of the Chicago Housing Authority police officers?"

Jones, L.: "You're correct."

Durkin: "What's wrong with going to the Cook County States Attorney or the United States' Attorney's Office? They do both a very good job of investigating corrupt and police officers and often, are sending corrupt officers away to jail? Why...?"

Jones, L.: "I don't see anything wrong with that, Representative. The Local Advisory Council and Central Advisory Council brought this problem to Senator Hendon and myself and that's how we dealt with it. Senator Dudycz, who is also on the placement as a Cosponsor of this, of this legislation."

Durkin: "Has the administ... administrative office of the Chicago Housing Authority, are they supporting this?"

Jones, L.: "Yes, they are."

Durkin: "How come the Fraternal Order of Police is not supporting this Bill?"

Jones, L.: "Beg your pardon?"

Durkin: "The FOP is not supporting this Bill."

Jones, L.: "The FOP, I talked to them and they're not... they don't support anything that puts a... that puts a layer of administration... a board. This doesn't have anything to do... I mean, they just told me, both of them told me that they don't because of their... the police belong to their Fraternal Order of Police, they don't support any boards."

Durkin: "Well, let me... let's speak about the board a little

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bit. If a resident comes in and alleges some type of misconduct against a police officer, what type of action would this commission be able to take?"

Jones, L.: "I can't, I can't hear you."

Durkin: "If a resident comes in and alleges misconduct on behalf of a police officer, what type of action is this board to... what type of action are they going to have to take?"

Jones, L.: "This board would look at whatever the complaint is, they would then make a recommendation to the OPS or to the chief."

Durkin: "Well, I think... Office of Professional Standards for the Chicago... for the CHA, do they have their own OPS?"

Jones, L.: "No they don't. The CHA police, basically, come under this, they use the same OPS. Well, not really, they have what they call an inspector general who works along with the Chief of Police."

Durkin: "So, that the inspector general for the CHA police is similar to the Office of Professional Standards in the Chicago Police Department, correct?"

Jones, L.: "Yes."

Durkin: "Well, what's... why can't a resident walk into the inspector general and say that officer so and so did this to me? Is there anything prohibiting that individual from making that type of action?"

Jones, L.: "Well, evidently, evidently this has not been happening and the residents that live in CHA have not been getting the response that they, that they want. I contend that the Chicago Police Force can have a Citizen Review Board, then I also think the CHA police should have one, also."

Durkin: "Well, I still don't see the really the need for this. As I said before, there is plenty of avenues available for

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someone to report misconduct. As I stated before, there is an inspector general which does not prohibit a resident from filing a complaint. Adding a... another level of bureaucracy within this department, I think, is going to be counterproductive. There are... if someone does also have a complaint of misconduct on a police officer, go to the States' Attorney's Office. They just, successfully, prosecuted the Chicago police officer not too long ago. Go to the US Attorney's Office. Those are all open for someone to say, 'I've been a victim of abuse or some type of misconduct on behalf of a police officer, please investigate this.' Those are available. I think that this commission is going to be counterproductive and I don't think it's necessary. And I would respect a 'no' vote. Ask for a 'no' vote."

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

McKeon: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill based on my background as a law enforcement officer, but also as an educator in the criminal justice area. The City of Chicago has a civilian police board which works very closely with the superintendent of police and makes recommendations to the superintendent regarding terminations and disciplinary action and that system has worked extremely well since the 1950's and was part of the O.W. Wilson reform package when considerable problems existed in the department at that time. The CHA police today are in many ways in the same situation that the Chicago Police Department was 40 years ago. Having a civilian police board to advise the Chief of Police and to review cases involving disciplinary action is a practice which is done in virtually every major city across this country. Historically, organizations such as

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the Fraternal Order of Police have opposed these Bills. However, we know from experience that civilian review of a police activity is critical in ensuring that that police agency works with the community and is a part of that community. What we're doing with the CHA Police in having a civilian police board working with their Chief of Police is no different than what we've done with the City of Chicago which has worked well for over 40 years. I urge you to favorably support this Bill and to work with the Chicago Housing Police to deal with the myriad of problems that they're struggling with in being a responsive professional policing agency for the Chicago Housing Authority. Thank you, Mr. Speaker."

Speaker Brunsvold: "Is there any further discussion? Seeing none, the Lady from Cook to close, Representative Jones."

Jones, L.: "This is a very important Bill for the residents in the CHA development in Chicago. It's only for Chicago and I urge an 'aye' vote. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 25 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? Have all voted who wish? Mr. Clerk. Representative Jones, for what reason do you rise?"

Jones, L.: "I forgot to vote for my Bill."

Speaker Brunsvold: "We have not closed the Roll Call yet, you can vote. Very good, Representative. Mr. Clerk, take the record. And on that question, there are 98 voting 'yes', 20 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 710. The Gentleman from Cook, Representative Scully. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 710, a Bill for an Act to amend named

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Acts concerning actions on certain notes. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Scully."

Scully: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I present to you, Senate Bill 710 which amends the Code of Civil Procedure and the Uniform Commercial Code to correct an ambiguity as to the statute of limitations for an action on a promissory note. House Amendment #1, embodies House Bills 378, that was previously amended, passed out of committee, but not out of the House. This Amendment to the Metropolitan Transit Authority Act, provides that any person who notifies the Authority that he or she will be injured as a cause of action within six months shall be furnished with a copy of this shorter statute of limitations. House Amendment #2, amends the Illinois Insurance Code section on uninsured hit and run motor vehicle coverage. It provides that the decisions made in arbitration authorized by the Code of Civil Procedure shall be binding with such limitations on liability as it may be contained in applicable insurance policies. I ask for your favorable consideration of these Bills."

Speaker Brunsvold: "The Gentleman has asked for the passage, is there any discussion? The Gentleman from Logan, Representative Turner."

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

Speaker Brunsvold: "The Sponsor yields."

Turner, J.: "Representative, I would like to ask you a couple of questions to establish legislative intent. First of all it's my understanding that the contents of the Bill are not intended to change the holding of the case, State Farm Fire and Casualty versus Yapejian, that's Y-A-P-E-J-I-A-N, 152

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Illinois Second, 533, is that correct?"

Speaker Brunsvold: "Excuse me, Mr. Turner, Mr. Scully. Mr. Clerk, Committee Announcement."

Clerk Rossi: "The House Rules Committee is meeting immediately in the Speaker's Conference Room. Rules Committee immediately in the Speaker's Conference Room."

Speaker Brunsvold: "Mr. Scully, proceed."

Scully: "In response to your question, Representative, that's correct."

Turner, J.: "Thank you, and in that case, it is my understanding that the court held that the role of the arbitrators is limited to deciding the issues of liability and damages once coverage is established. This Bill does not intend to allow arbitrators to determine the issue of whether or not under-insured motorists' coverage exist for a particular claim. Is that correct?"

Scully: "That's correct, Representative."

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

Speaker Brunsvold: "Any further discussion? The Gentleman from Cook, Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Durkin: "Representative, there is some language in this Bill regarding the, I believe it's CTA or..."

Scully: "I believe you're referring to the Metropolitan Transit Authority."

Durkin: "The Chicago Transit Authority about..."

Scully: "The Metropolitan Transit Authority."

Durkin: "All right. Could you explain to me again I didn't hear it very well, what are you amending and why?"

Scully: "House Amendment #1, is substantially identical to House Bill 378, which was passed out of committee without

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opposition, but not out of the House, it remained in the rules. It amends section 41 of the Metropolitan Transit Authority Act to provide that any person who notifies the Authority he or she was in an accident, as a cause of action, within six months shall be furnished with a copy of section 41 which places this shorter statute of limitations on causes of action against the Metropolitan Transit Authority."

Durkin: "What's the present law regarding the statute of limitations in filing and type of claim against the CTA... or the Metropolitan Transit Authority?"

Scully: "Right now, the law is that the claim must be filed within six months, but there is no duty on the Metropolitan Transit Authority to notify people of that shorter statute of limitations. This imposes the duty on the Metropolitan Transit Authority to provide notice of this shorter statute of limitations."

Durkin: "Are there any exceptions... I mean, we're giving six months from the... let say date of injury if someone is... on a bus, the bus is involved in an accident, then that individual has a duty within six months to file notice that they are going to take some type of legal action against the CTA, is that what...?"

Scully: "That's correct."

Durkin: "Is there... are there any exceptions or are we... is it a very rigid rule or any exceptions from the six months?"

Scully: "I'm not familiar with the case law on this particular provision of the Metropolitan Transit Authority statute of limitations. But as you are well aware, there are a variety of limitations found in case law on the tolling of the statute of limitations under appropriate circumstances. And I think those rules of common law would be equally

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applicable to this shorter statute of limitations for the Metropolitan Transit Authority."

Durkin: "Well, what about in a situation where you have a continuing injury in which at... within a six month period they have not... the injury is still progressing and they have not... they have no ability to really file any type of formal action at that point because they're not quite sure exactly, the extent of their injuries? Would those types of individuals be prohibited from filing a formal notice against the authority?"

Scully: "Representative, the specific language of our Amendment is that when the authority is notified later than six months from the date of the injury occurred, or the cause of action arose, the authority is not obligated to furnish a copy of section 41. In those cases where there would be a continuing injury this statute is silent. We would look to analogist case law on the tolling of statute of limitations for a continuous tort."

Durkin: "That's a great answer and once again, I appreciate the fine legal debate we've had, Representative Scully. I'm going to support your Bill. Good job."

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

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen. I stand in support of this Bill. I had a similar Bill in House Bill 378, or it was the same Bill and in response to Representative Durkin's question, the notice has to be filed with both the secretary of the CTA Board and the general council and to my knowledge there has been no exception to that. And this is in response to a case that was filed where the plaintiff failed to file the claim with those members, and even though he had met with a

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representative who had told him to complete the form, but they never said anything about filing it earlier. So I think this is something that will make good law and I urge an 'aye' vote."

Speaker Brunsvold: "Any further discussion? The Gentleman from Cook, Representative Scully to close."

Scully: "Thank you very much for the active debate. I think we've heard an ample explanation of this law and I ask for your affirmative votes."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 710 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. And on that question, there are 117 voting 'yes', 0 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Mr. Giglio, for what reason do you rise?"

Giglio: "Thank you, Mr. Speaker. I rise on an announcement. Ladies and Members of the House, on your desk when we came back from recess was a copy of a proposal for Education Funding Reform in Illinois. As you look through the proposal, there is a number of problems with it that we're addressing. We were going to try for a hearing before the Education Committee tomorrow. That has been canceled. There's a couple of problems. One, there is a \$500 million hole in the plan right now similar to Edgar's plan at 340 million. The other is obviously the City of Chicago, doesn't fare at all, well. Those two aside, this plan gives a dramatic change in the inequities in funding in Illinois. I'll keep it short and sweet, we hope to have something revised to you that is in full agreement with the

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coalition, possibly, tomorrow or Monday and I appreciate the opportunity to speak. Thank you."

Speaker Brunsvold: "On Second Reading, Senate Bill 1076. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1076 has been read a second time, previously. Committee Amendments 1 and 2 have been adopted to the Bill. Floor Amendment #3 has been adopted to the Bill. A Motion has been filed by, Representative Bugielski, to table Amendment 3."

Speaker Brunsvold: "Mr. Bugielski, moves to table Amendment 3. On that, the Gentleman from Vermilion, Representative Black."

Black: "Thank you. Just one minute, Mr Speaker, if you would. I'm trying to make sure I've got Amendment 1 and 2 in my file here. Okay. Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Black: "Thank you. Representative, Amendment #2 appears to be technical, is that your understanding, technical in nature?"

Bugielski: "Yes Sir, it is."

Black: "Okay. I'm just... on the Motion to table, I just want to make sure. In Amendment #1, could you just very briefly tell me what that did?"

Bugielski: "Table #1... we're only moving it to Third Reading right now."

Black: "Okay. So the Motion before us is to table Amendment #3?"

Bugielski: "Number 3 is the controversial Amendment that came up this morning with the Department of Public Aid."

Black: "Fine, fine, okay, right. I... I appreciate that. Thank you very much and I would certainly stand in support of your Motion."

Bugielski: "Thank you."

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Speaker Brunsvold: "The Gentleman has asked to table Amendment #3. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment #3 has been tabled. Third Reading. Senate Bill 433, Mr. Clerk. Representative Clayton."

Clerk Rossi: "Senate Bill 433 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Giles, has been 'approved for consideration.'"

Speaker Brunsvold: "The Gentleman from Cook, Representative Giles, on Floor Amendment #2."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 simply guts the Bill. The Bill becomes purely a Shell Bill and I ask for it's adoption."

Speaker Brunsvold: "And on the Amendment 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: "Yes. Was Amendment #1 sponsored by Representative Cross? Has that been adopted to the Bill?"

Speaker Brunsvold: "Mr. Clerk, Amendment #1 status?"

Clerk Rossi: "Floor Amendment #1 remains in the Rules Committee... or Floor Amendment #1 remains in committee."

Black: "All right then, an inquiry of the Chair. Is Floor Amendment #2 in order since it appears Floor Amendment #1 will not be considered?"

Speaker Brunsvold: "Yes, Mr. Black, it is in order."

Black: "Is... well, if you have no Amendments on the Bill, then the next Amendment should be #1 and see this one is #2. So it could be construed as being Out of Order."

Speaker Brunsvold: "If it wasn't adopted to the Bill, Mr. Black,

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then the 2nd Amendment would be very much in order."

Black: "...Well if it wasn't, that's my inquiry."

Speaker Brunsvold: "It could be, but it is in order."

Black: "Oh, well, all right, okay. I can't fool you, can I?"

Speaker Brunsvold: "Further discussion? On the question, the Lady from Lake, Representative Clayton."

Clayton: "Yes. Thank you, Speaker. I just wanted to comment that we have agreed to the Amendment being put on the Bill."

Speaker Brunsvold: "Any further discussion? Seeing none, the Gentleman has asked 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 Rossi: "No Further Amendments."

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

Clerk Rossi: "Senate Bill 433, a Bill for an Act amending the Election Code. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Lake, Representative Clayton."

Clayton: "I'm sorry, I didn't know you were going to call it so soon. Thank you. Senate Bill 433, as amended, has become a Shell Bill. We have felt the need to have a Shell Bill for elections and this would certainly serve that purpose. So, I would urge a 'yes' vote on it."

Speaker Brunsvold: "The Lady has asked for the passage of Senate Bill 433. Is there any discussion? The question is, 'Shall Senate Bill 433 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? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 105 voting 'yes', 11 voting 'no', 0 voting 'present'. On that question, 105 voting 'yes', 11 voting 'no', 0 voting 'present'. And

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this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 837. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 837, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been 'approved for consideration.'"

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

Howard: "Thank you, Lady from, thank you."

Speaker Brunsvold: "Excuse me."

Howard: "Thank you, Mr. Chairman, Mr. Speaker that is. Ladies and Gentlemen of the House, I ask for your consideration for Floor Amendment #1 to Senate Bill 837. This Amendment would restore collective bargaining rights for city colleges of Chicago employees. It would merely make certain that employees of the city colleges of Chicago have the same rights as others throughout the state, in every other city college district. Thank you."

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

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, was the... Floor Amendment #1 appears to be very similar to a Bill that was defeated in the Senate Executive Committee, is that your understanding?"

Howard: "That is correct."

Black: "Okay. I'm not... well, to the Amendment. To the Amendment, Mr. Speaker."

Speaker Brunsvold: "Proceed."

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Black: "Thank you very much. Ladies and Gentlemen of the House, what this Bill purports to do, what this Amendment will do, is to abolish the law that was passed two years ago that puts certain restrictions on the city colleges of Chicago collective bargaining agreement. It... as you'll recall that legislation, certain non-economic subjects were excluded from the list of mandatory bargaining subjects. Now these reform measures have been in place less than two years and I'm not sure that sufficient time or data has been collected to say that it isn't working and therefore we need to repeal it. In fact, since the 1995 reform, the city colleges have been able to re-employ, excuse me, redeploy several faculty and staff in order to cope with reductions in state credit hour funding. The current contract has three more years to run, so I'm not sure why we would want to change or abolish what we did two years ago at the present time, since it would appear that it would moot until the current contract runs out. I stand in opposition of the Amendment, Mr. Speaker. I would ask for a Roll Call on the Amendment and request a verification if it should receive the requisite number of votes."

Speaker Brunsvold: "Duly noted, Mr. Black. The Gentleman from Cook, Mr. McKeon."

McKeon: "Mr. Speaker, for the record. If I was at my desk, I'd have voted 'aye' on Senate Bill 433."

Speaker Brunsvold: "Any further discussion? The Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I rise in support of Amendment #1 to Senate Bill 837. As one of the few Democrats who voted for the Chicago School Reform Bill a couple of years ago, I must say that I was unaware at that time that language was in that Bill that affected the city colleges of Chicago."

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And I think whatever one might think about this substance of what was put in there regarding city colleges, I think the process by which this came to us was not one that I was particularly proud of. I think that if there are issues dealing with noneconomic issues related to collective bargaining, then let's have it out and decide up or down whether these are good proposals or not. In fairness, I think that it was not presented to us in a forthright manner and while I did vote for the Bill at that time, I certainly am supporting Amendment #1, which would repeal that section. So, I do rise in support. Thank you."

Speaker Brunsvold: "Further discussion? The Lady to close."

Howard: "I just ask for you positive support on this. Please, vote 'yes'."

Speaker Brunsvold: "Excuse me, Representative Howard. Representative Cowlshaw, do you have questions to ask?"

Cowlshaw: "I'm sorry, Mr. Speaker, I was reading something and didn't hear. Mr. Speaker, Ladies and Gentlemen of the House, the materials that were included in the Chicago School Reform Legislation that applied of the city colleges of Chicago were included in that legislation at the specific request of the city colleges themselves. It seemed to them at the time, that if we were going to give some flexibility in the arrangements that are made in the in the, in the negotiations and other discussions that go on between labor and management in order to facilitate more flexibility for the Chicago public schools that, that very same kind of opportunity ought to be made available for the city colleges of Chicago. We agreed with that and at the time that, that final piece of legislation was presented on this Floor, that question was asked whether that material was intended to apply to the city colleges

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and the answer at that time was, yes indeed, it was purposely included and it meant, it was meant to apply to the city colleges of Chicago. The position, as I understand it, of the management side at the city colleges is a position of very strong opposition to this Amendment. Just so you all understand, this is not something that has been agreed to by those people in charge at the city colleges of Chicago. Thank you."

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

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support Floor Amendment #1. The previous person that spoke, I'm not going to challenge the comments that she made, but I take issue in the fact that last year, or two years ago when we passed... when the Chicago School Reform was passed, I find it appalling that a Bill dealing with the Board of Education in the City of Chicago included language that dealt with the city colleges that was snuck into the Bill, without debate, without input by the employee unions of the city colleges. So, that's why I rise in support of this Floor Amendment. If they wanted to pass language dealing with the city colleges of Chicago, they should of had a separate Bill to do that, not to hide some language in a Bill dealing with elementary and secondary schools. So, I urge green votes on this Floor Amendment."

Speaker Brunsvold: "Any further discussion on the Amendment? Representative Howard, I'll give you another opportunity to close."

Howard: "Again, I am imploring that people on both sides of the aisle understand that we are merely trying to make certain that the city colleges of Chicago employees have the same

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rights that all of the other, all of the other community college employees have across the state. I urge you to vote 'yes', on this Amendment."

Speaker Brunsvold: "The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 63 voting 'yes', 55 voting 'no'. And Mr. Black, has asked for verification."

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

Speaker Brunsvold: "Mr. Clerk. You persist in the verification, Mr. Black?"

Black: "It only needs a majority of those voting."

Speaker Brunsvold: "Yes."

Black: "I would have to take, let's see I would have to take about eight people off of there and I think that's an exercise in futility. We'll exercise our right to oppose the concept on Third Reading. Thank you, Mr. Speaker."

Speaker Brunsvold: "Thank you, Mr. Black. Sixty three voting 'yes', 55 voting 'no', 0 voting 'present'. This Amendment has been adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 837, a Bill for an Act amending the Public Community College Act. Third Reading of this Senate Bill."

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

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. We just put Amendment #1 on that dealt with the collective bargaining rights of the city colleges. But

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what the original Bill did was, if I can find my notes, amends the Public Community College Act, authorizes community college to develop and distribute a directory of graduating vocational and technical school students, effective immediately. I urge... passage of Senate Bill 837. I would be glad to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for the passage of Senate Bill 837 and on that, is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Just simply to revise and extend my remarks. As amended, this abolishes certain reforms that were made to the city colleges of Chicago less than two years ago, the contract has three more years to run. I submit to you, there is not sufficient data, nor any pressing reason to abolish that reform legislation, at this time. There may well be, there may well be when the current contract runs out and there may even, there may even be bipartisan support to do it at that time. But now, we're changing the horses in midstream. You know, we're not here day after day trying to revamp or revoke the Chicago School Reform. It appears to be working and working very well. I submit this could be the same set of circumstances. I rise in opposition to this Bill that would completely alter the reform movement that started with the city colleges of Chicago, two years ago. I would seek a verification, if it gets the requisite number, Mr. Speaker."

Speaker Brunsvold: "So noted. Any further discussion? There being none, the Gentleman from Cook to close, Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker. The previous Gentleman that rose to oppose the Bill, I agree with him that the

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public school system in the City of Chicago is, is, is operating better because of School Reform. But what I take issue at is that we were reforming the Chicago elementary and secondary schools. That's what was the purpose of that Bill. There was no ideal or no push to reform the city colleges of the City of Chicago. No one was saying that the city colleges of Chicago needed to be reformed. So, if... if the Members of this General Assembly see fit that the city colleges need to be reformed or part of some reform package, let's take them on a one by one basis, allow the unions that represent the employees within the city colleges to have input and to have... to come down to Springfield and testify in their behalf on the Bill. I don't think that was done two years ago. So, I urge green votes on Senate Bill 837. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 837 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 63 voting 'yes', 54 voting 'no', 0 voting 'present', and the Gentleman from Vermilion has asked for a verification. Mr. Black."

Black: "I need to persist, Mr. Speaker."

Speaker Brunsvold: "Okay. Mr. Clerk, read the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative.
Representative/s: Acevedo. Boland. Bradford. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Crotty. Currie. Julie Curry. Dart. Davis. Steve Davis. Deering. Erwin. Fantin. Feigenholtz. Flowers. Fritchey. Gash. Giglio. Giles. Granberg. Hannig. Hartke. Holbrook. Howard. Lou Jones. Shirley Jones. Kenner. Lang. Lopez.

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Joe Lyons. Mautino. McAuliffe. McCarthy. McGuire.
McKeon. Eugene Moore. Morrow. Mulligan. Harold Murphy.
Novak. O'Brien. Phelps. Pugh. Ronen. Santiago.
Saviano. Schakowsky. Schoenberg. Scott. Scully. Silva.
Slone. Smith. Stroger. Art Turner. Willard Young, and
Mr. Speaker."

Speaker Brunsvold: "Mr. Black, questions of the affirmative?"

Black: "Yes, thank you very much, Mr. Speaker. We'll try to make
this very quick. Representative Lopez."

Speaker Brunsvold: "Representative Lopez, down here in front of
the well. Side of the well."

Black: "I see him, all right, thank you very much."

Speaker Brunsvold: "Representative Lou Jones asked to be
verified."

Black: "Sure, that's fine, absolutely. I think Representative
Fantin also asked to be verified."

Speaker Brunsvold: "Representative Fantin and Representative
Wyvetter Younge."

Black: "Representative Younge, is seeking. Right, okay.
Representative Dart, no, I'm sorry, I see him right here
and he's in his seat. Representative ... is Representative
Stroger in the Chamber?"

Speaker Brunsvold: "Representative Todd Stroger is coming down
the center aisle."

Black: "There he is. Is Representative Granberg in the Chamber?"

Speaker Brunsvold: "Representative Granberg. Representative
Granberg. Is Mr. Granberg in the Chamber? Mr. Clerk,
remove Mr. Granberg."

Black: "Representative Deering, Mr. Speaker."

Speaker Brunsvold: "Mr. Deering is in the center aisle. He's very
hard to miss."

Black: "He's hard to miss. He takes up the entire center row."

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All of your staff is standing here and I can't see the... I can't see the Dean of the House, is... ."

Speaker Brunsvold: "Mr. Capparelli is in his chair."

Black: "As I suspected, as I suspected. I... there is no reason to drag this out. I think you have everybody here. Thank you."

Speaker Brunsvold: "And on that question, there are 62 voting 'yes', 54 voting 'no', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 423. Read the Bill, Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Currie, Chairman from the Committee on Rules, to which the following measures were referred, action taken on May 15, 1997, reported the same back with the following recommendation: 'be adopted', Floor Amendment 1, to Senate Bill 3. Floor Amendment 2, to Senate Bill 6. Floor Amendment 6, to Senate Bill 106. Floor Amendment 4, to Senate Bill 172. Floor Amendment 1, to Senate Bill 317. Floor Amendment 1, to Senate Bill 368. Floor Amendment 2, to Senate Bill 423. Floor Amendment 2, to Senate Bill 463. Floor Amendment 3, to Senate Bill 698. Floor Amendment 2, to Senate Bill 861. And Floor Amendment 1, to Senate Bill 934. To the Order of Concurrence: House Bill 322. House Bill 581. House Bill 604. House Bill 1123. House Bill 1279. House Bill 1315. House Bill 1375. House Bill 1565. House Bill 1702. House Bill 2209, and House Bill 2226."

Speaker Brunsvold: "On Senate Bill 423, Mr. Clerk."

Clerk Rossi: "Senate Bill 423, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been 'approved for consideration.'"

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

Hannig: "Yes, thank you, Mr. Speaker. Inquiry of the Clerk. Is there two Amendments pending on this Bill, Mr. Clerk?"

Clerk Rossi: "Floor Amendments 1 and 2 have been 'approved for consideration' by the Rules Committee."

Hannig: "Thank you. Please withdraw Amendment #1."

Speaker Brunsvold: "Floor Amendment #1 is withdrawn. Mr. Clerk, further Amendments?"

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

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Amendment makes this Bill a Shell Bill. We have a tentative agreement on the underlying language. But, unfortunately, we don't believe that we have the time to get it all worked out and get it passed by the deadline, tomorrow. So, the plan would be to send this Bill back to the Senate, where they would not concur. We would put the Bill in conference and, hopefully, one day next week we'd have the language, an agreed language, that we could offer to the House for this underlying proposal. So, there is a tentative agreement between the Department of Central Management Services, the community colleges and the unions that represent the employees, and I'm hopeful that in the next few days we can bring the actual language before the Chamber."

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

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

Speaker Brunsvold: "He yields."

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Black: "Yes, Representative, you said this will be a 'Shall Bill' and I thought it was going to be a 'May Bill'. Is that, or is it a Shell with an 'e'?"

Hannig: "I hope this becomes an agreed Bill."

Black: "I think you're right, thank you. Mr. Speaker, to the Amendment."

Speaker Brunsvold: "Proceed."

Black: "I rise in strong support of the Amendment. I appreciate what Representative Hannig has been able to do. I echo his feelings. I think CMS and the community college people, after years and years of trying, are very close to an agreement on this. This is one of those Bills that we truly need to keep alive for what we hope will be agreed language before we adjourn and I rise in strong support of the Amendment."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 423, a Bill for an Act in relation to health care benefits for certain retired community college employees and their dependents. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Hannig."

Hannig: "Yes, I explained what this Bill was about with the Amendment and I'd ask for passage."

Speaker Brunsvold: "Mr. Hannig. The Gentleman has moved for the passage, is there any discussion? The question is, 'Shall Senate Bill 423 pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish?"

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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', 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On Third Reading appears Senate Bill 999. The Gentleman from Jersey, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. As amended, this Bill now represents an agreement between the..."

Speaker Brunsvold: "Excuse me, Mr. Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 999, a Bill for an Act concerning community antennas television systems. Third Reading of this Senate Bill."

Speaker Brunsvold: "Now, the Gentleman from Jersey, Representative Ryder."

Ryder: "Now, I can proceed, Mr. Speaker?"

Speaker Brunsvold: "You may now proceed, Mr. Ryder."

Ryder: "Why, thank you, Sir. This Bill represents an agreement between Ameritech, the cable industry, which allows for a pro-consumer approach to cable t.v. franchises. It came out of the Senate with the intention that these two groups were going to work towards conclusion and they have done that. The purpose is to provide some competition in areas of franchises, some opportunities, so that the consumers may have some choices and these two organizations, Ameritech and the cable industry of Illinois, have worked very hard on this. I would be happy to answer any questions on this Bill."

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

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

Speaker Brunsvold: "Sponsor yields."

Moore, Andrea: "Thank you. Representative, on page 11, lines 18

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through 31 does this language prohibit the municipality from charging permit fees?"

Ryder: "No, it does not."

Moore, Andrea: "And, is this current law?"

Ryder: "Yes, it is."

Moore, Andrea: "And, if you turn to page 14, line 19, Section 3, and then also on line 22, Section 4, is the final decision to grant a second franchise, the sole jurisdiction of the municipality?"

Ryder: "Yes."

Moore, Andrea: "Can the municipality be sued if it makes a decision not to grant an additional franchise?"

Ryder: "No. I would draw your attention to page 16, line 32, which states, 'No municipality shall be subject to suit for damages based upon the municipality's determination to grant or it's refusal to grant an additional franchise provided that a public hearing is here and provided has been held.'"

Moore, Andrea: "Thank you. And, then if you would go to page 15, line 5, Section 5 does the language prohibit the municipality from granting an additional franchise there?"

Ryder: "No."

Moore, Andrea: "Page 15, line 19, 'each considered in its entity.' Is that right?"

Ryder: "Yes."

Moore, Andrea: "Who has the final authority to determine the franchises are competitively neutral when considered in their entirety?"

Ryder: "The franchising authority, which is to say the municipality."

Moore, Andrea: "Thank you. And then, one last question. On page 16, line 10 through 31. Does this language give the sole

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authority to modify a franchise agreement to the franchising authority, the municipality?"

Ryder: "Yes."

Moore, Andrea: "Thank you, Representative. I believe, with these clarifications, the municipal community believes the Cable Bill should be passed. And, our support of a, what they believe, this Bill will do."

Speaker Brunsvold: "The question is 'Shall Senate Bill 999 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 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Lake, Representative Beaubien, for what reason do you rise? He does not wish to speak. We have some Bills to move from third to second, Ladies and Gentlemen. Mr. Clerk, Senate Bill 213. Excuse me, House Bill 213, what's the status of that Bill?"

Clerk Rossi: "House Bill 213, is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Clerk, what's the status of Senate Bill 285?"

Clerk Rossi: "Senate Bill 285, is on the Order of Senate Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Clerk, Senate Bill 320, status please."

Clerk Rossi: "Senate Bill 320, is on the Order of Senate Bills - Third Reading."

Speaker Brunsvold: "Second Reading, Mr. Clerk, and Senate Bill 1048, status of that Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1048, is on the Order of Senate Bills -

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Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Clerk, the status of Senate Bill 368."

Clerk Rossi: "Senate Bill 368, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1."

Speaker Brunsvold: "Read the Bill, Mr. Clerk."

Clerk Rossi: "Offered by, Representative Brosnahan, has been 'approved for consideration.'"

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

Brosnahan: "Thank you, Mr. Speaker, Members of the House. Senate Bill 368, is an attempt to improve on the collection of delinquent child support. The Amendment #1 requires the obligor to report to the obligee into the clerk of the court within 10 days. Each time the obligor obtains new employment and each time the obligor's employment is terminated for any reason. The Amendment also goes on to state that failure to report new employment or the termination of current employment, if coupled with the non payment of support for a period of, in excess of 60 days, is indirect criminal contempt. I worked on this Amendment with the Illinois State Bar Association. They were originally opposed to Senate Bill 368, but with this Amendment, I know they have withdrawn their opposition, and I would move for the adoption of this Amendment."

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

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "Senate Bill 368, a Bill for an Act regarding child support obligations. Third Reading of this Senate Bill."

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

Brosnahan: "Thank you again, Mr. Speaker. Senate Bill 368 amends the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Non-Support of Spouse and Children Act, the Revised Uniform Reciprocal Enforcement of Support Act, and the Illinois Parentage Act of 1984. This Bill was sponsored by Senator O'Malley, in the Senate and I know it got a unanimous support in the Senate. Again, this is a tool to help us in collecting child support. I think it is a very good Bill, it will be very effective, and I would ask everyone to, please, support the Bill. Thank you."

Speaker Brunsvold: "On the question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Has this Amendment been printed? The Amendment that we adopted, has it been printed and distributed?"

Speaker Brunsvold: "Mr. Clerk."

Clerk Rossi: "The Amendment is available on your lap top computer."

Black: "The only thing on my lap top is a turquoise blank screen."

Clerk Rossi: "Update your lap top."

Black: "I updated it a while ago and go the menu for the Rathskellar and boy I sure wanted that, and I don't know how I got that. Well, all right. I'm sure glad we're going high tech. Mr. Speaker, Ladies and Gentlemen of the House, as they're working on my technological marvel, I'm

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not going to vote for this until I see a copy of this Amendment. If there is anything that causes my district office 60% of it's time and effort and energy, it's child support. And I'm telling you the system out there now doesn't work. Of the 60% of the case load we have, half of them don't owe anything, but the Department of Public Aid doesn't know that. I've had one person for six years in a row had their income tax intercepted and he is current and we owe him money and we can't even figure out how to get it back to him. Until I know what's in this and I would advise the rest of you, you want to get in trouble you fool with child support because I'll guarantee you, that system is so messed up that I wouldn't vote for anything on child support until I see it in black and white on my desk. Vote 'no'. And the heck with this computer."

Speaker Brunsvold: "The Gentleman from Kendall, Mr. Cross."

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

Speaker Brunsvold: "He indicates he will."

Cross: "Representative, since we don't know what your Amendment looks like or reads, can you tell us again what... did the Amendment become the Bill?"

Brosnahan: "Yes. The only thing the Amendment changed from the original Bill, was that in cooperation with the Illinois State Bar Association, some of their concerns..."

Cross: "Excuse me, I... Representative, I can't... I can't hear a thing you're saying. I know you have a strong voice but it's just a little loud in here."

Brosnahan: "When the Bill was heard in committee, one of the aspects of the Bill that the Bar Association had a problem with was that it requires... originally in committee, it required the obligor to report to the obligee any change in employment or if employment was terminated. The Bar

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Association wanted to make that reporting, also, to the clerk of the court. So, we added that in the Amendment. Another question that came up during the committee which I worked with the Bar Association was that, the way this was originally drafted, if somebody continued to pay their child support and was totally up to date in paying the child support, but if he didn't report his new employment or the fact that he was terminated, he could of been charged with indirect criminal contempt. What we added in this Amendment is that it also has to be in conjunction with non payment for over 60 days. That's what the Amendment does to the Bill."

Cross: "Did this go through the Judiciary, House Judiciary Civil Committee?"

Brosnahan: "Yes, it did, last week."

Cross: "Did all the, did all the Democrats, all of them vote for your Bill?"

Brosnahan: "I believe all the Republicans did, too. It came out unanimous."

Cross: "I know you've got one, specifically, that usually votes for your Bills. I just wanted to make sure he voted with you. Did you address and, unfortunately, we're having a little trouble picking up this Amendment, did you address all of the concerns of the ISBA, Jim?"

Brosnahan: "The ISBA, also, wanted me to take a look at the removing the indirect criminal contempt, however, I informed them that that's something that I couldn't move on, that without that, I thought this Bill would basically be a toothless tiger. So, on that, I couldn't change that but they have assured me today, as well as all week, when we worked together on the Amendment, that they withdraw their opposition with this Amendment."

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Cross: "So, they don't have any opposition anymore?"

Brosnahan: "No."

Cross: "How about Public Aid, do you know where they are, Jim?"

Brosnahan: "I don't believe they filed a slip in committee, however, according to my analysis, the Department of Public Aid, I believe opposed it in the Senate but, in our committee, I don't believe we had any opposition slips from them."

Cross: "Does this put any obligation on the employer? If there... if your... and you may of said it?"

Brosnahan: "No."

Cross: "So, in a withholding situation, what do we do about the change of paperwork if we are having the child support payments withheld? Does that obligation of the parent paying child support to do that paperwork or the clerk's office do it?"

Brosnahan: "I'm sorry, Tom, I couldn't hear you."

Cross: "I change... my understanding the gist of your Bill is, if I'm paying child support I'm working at XYZ company, I change jobs, I have an obligation to tell the person receiving the support that I've changed jobs?"

Brosnahan: "That's correct."

Cross: "Regardless of what my divorce decree may say. Who change... does the paperwork because if I've got a... most likely, I've got an order of withholding for my child support taken out, my money is taken out by my employer, sent to the clerk, the clerk sends on to the person receiving the support, who makes those changes within the clerk's office? Do I have an obligation as the one paying the support to come in and change the paperwork with my new employer or will the... will we have to go back to divorce court... do you know what I'm asking?"

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Brosnahan: "I believe the onus would be on the obligor to write to the clerk of the court and also, the obligee in writing, the change of employment or the fact that he was terminated from employment."

Cross: "And I'm not asking to give you a hard time, I know right now, you get through doing a divorce case, there's children involved along with the judgement, you file the order of withholding, the supplemental order, with the clerk's office and then they, you know, they pay... the employer sends the money to them. I just don't know how that's going to get accomplished under your Bill and I'm not saying that there is a problem with it, I'm just asking because I don't know. Normally, you go back in as a part of a divorce decree or in a post decree matter and get that taken care of and I just don't know what your Bill... what your Bill says, if anything, about it. And maybe I'm totally missing something, I'm, I'm, as I said, I'm not trying to give you a hard time."

Brosnahan: "Well, I mean, the intent of the Bill is if there is somebody that is falling behind in child support, he can tell his spouse or her spouse and they should be entitled to know where the new employment is at, so if they want to file a garnishment at that new place of employment, they can. That's the intent of the Bill."

Cross: "I understand and, it's a good intent. I mean, it's a good Bill and I'm not quarreling with the concept. I just want to make sure mechanically that we're not going to have some people hanging out there. I'm just saying normally that gets done, the employment issue, within the context of the divorce case. So, I come along, I change jobs, I say to the court, 'I'm now working at the new company.' I just want to make sure, and we can talk about it later, that

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that mechanic... that we have a mechanism in place to make sure that we just have all the paperwork done. It may be a little thing but I'm not so sure it is and it doesn't... your Bill is fine in concept, I just want to make sure we can carry it out. Thanks."

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

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

Speaker Brunsvold: "He indicates he will."

Turner, J.: "Representative, I'm trying to read your... the Amendment to the Bill very quickly, here. Is this, as I understand it, something that we're going to require a court to put in an order? Is that what we're attempting to do here?"

Brosnahan: "It deals with child support orders, yes."

Turner, J.: "I understand it deals with child support, but are we requiring the judge to put something into in order? Is that what the Bill actually does?"

Brosnahan: "Yes."

Turner, J.: "All right. And what are those things that we're requiring the judge to put into the order?"

Brosnahan: "Well, it's notifying the obligor that if he changes employment or if he is terminated for employment for any reason, that he must to notify the obligee of that change. And it goes on... the Amendment goes on further to state what has to be in that child support order."

Turner, J.: "All right. So, there are actually two things then and that is the... if a person moves, is that one of the things?"

Brosnahan: "That's, also, a provision of the Bill, it's correct."

Turner, J.: "Okay. And the other one is, if a person leaves their employment and gets a job elsewhere, then the Bill says

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that the court must put that in the order that the obligor will inform the custodial spouse, is that correct?"

Brosnahan: "That's correct."

Turner, J.: "And is it also a requirement under your Bill, that the order shall provide that notification will go to the... to the circuit clerk, is that what it says, as well?"

Brosnahan: "To the clerk of the court, and also to the obligee within 10 days in the change of status of the employment. That's correct."

Turner, J.: "All right, I'm looking at the language and I think it says that, if I do have the most recent copy, failure to report new employment or the termination of current employment if coupled with non-payment of support for a period of excess of 60 days is indirect criminal contempt, is that the language in the final version of the Bill?"

Brosnahan: "That's correct."

Turner, J.: "All right. Well, let ask you this it appears that you're requiring someone to report new employment or the termination of current employment, but you're not penalizing the failure to do so unless it's coupled with non-payment, is that your intention?"

Brosnahan: "That is. That was one of the concerns stressed to me by the Bar Association. They didn't think it was fair and I agreed with them to a certain extent that if somebody is... has been paying his child support and that he has never fallen behind and he, for whatever reason, did not notify the spouse of the change of employment, the Bar Association felt this was too severe of a penalty. As long as a person is paying his child support, then we shouldn't subject him to indirect criminal contempt. And that's what I changed in the Bill."

Turner, J.: "Well, okay. So, we're going to require that if a

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new job is obtained that a report be made, but there is no penalty if the person just simply fails to report to the clerk of the court or to the obligee? I mean, we're requiring it, but we're not penalizing if they don't do it."

Brosnahan: "Well, he's going to be penalized if he doesn't do it, as well as falling behind... as well as he falls behind in child support payments."

Turner, J.: "Well, the reason they might not do it is if they change jobs, they get a better job because you know, for, basically, for one child is 20%, two children... two children 25% if they change jobs and get a job that pays twice as much, then probably if the custodial spouse were to go back to court, they're going to get an increase in their child support, most likely. But they may not want to report that because they have a better job, I'm talking about the non-custodial spouse. So, perhaps there is some merit, if we're going to require the reporting, that there be a penalty for failure to do so. What do you think?"

Brosnahan: "John, I think you raised a good point. I don't think however, in most cases this... the genesis of this Bill was from an attorney that deals in this kind of cases every day and he went to Senator O'Malley, he was a constituent of ours, and we've talked to him about it, I've talked to him about it the last couple of days and he told me that situation is extremely rare. That situation did come up in our conversations, he said it's very rare. What usually happens is, you know, the opposite. They just don't report, they don't pay but it's usually never for... someone that gets new employment usually, he said, is always been kept up with his child support."

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

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answering my questions. I appreciate it and I'm going to support your Bill."

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

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

Speaker Brunsvold: "He indicates he will."

Mulligan: "Representative, do you know what the Department of Public Aid's comment was against this Bill in the Senate?"

Brosnahan: "No, I don't."

Mulligan: "So, your Amendment that you put on, it has nothing to do with them, it's just an Amendment that you brought for another reason?"

Brosnahan: "I'm sorry, Representative, I couldn't hear you."

Mulligan: "The Amendment that you put on this Bill is not because of direct challenges or disagreement that the Department of Public Aid had with you on this Bill?"

Brosnahan: "Not at all. The Amendment is the result of myself, Senator O'Malley and the Bar Association. The concerns they raised in the committee hearing. The Department of Public Aid was not at the House Judiciary Committee when this Bill was originally heard and I'm fairly certain they didn't file any slips in opposition. No one spoke against this Bill in the House committee, so I'm not aware of what the Department of Public Aid said at the Senate and Senator O'Malley didn't inform me of that."

Mulligan: "Are you aware that the Department of Public Aid is substantially going to change all child support regulations, come the beginning of July, in response to the TANF Program and more than the TANF Program that they will be changing the laws in Illinois?"

Brosnahan: "I don't know what changes they're going to make and, as I stated, they did not appear in the committee hearing."

Mulligan: "Substantiative, Representative, and I can't understand

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why they would not appear and make some comment on your Bill because everything that we're passing now may have... be impacted by all the changes that are going to be made by the new Welfare Reform Bill. So, I don't understand why they would not comment on any of the Bills that are currently going through the General Assembly, right now. So, what you're doing may be a fine Bill but I think that certainly, you are going to have to take into consideration whether it's ever going to be passed or signed into law by the Governor, in taking in concern what the Department of Public Aid is going to do in the area of child support in the next couple of weeks."

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

Lyons, J.: "I move the previous question, Mr. Speaker."

Speaker Brunsvold: "The Gentleman has moved the previous question. On that Motion, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the question has been put. Mr. Brosnahan, to close."

Brosnahan: "I'd just appreciate a favorable ruling. Thank you."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 368 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that, there are 111 voting 'yes', 6 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 799, Mr. Noland. The Lady from Cook, Representative Currie, for which reason do you rise?"

Currie: "Thank you, Speaker. Just for a special introduction. As you all know, our long time and sensational staffer, Ron Levin, plans to leave after the end of this Spring Session."

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He is in the balcony, right up here, with his wonderful wife, Miriam, and she's visiting while waiting for us to adjourn so that the Revenue Committee can celebrate Ron at the Sangamo Club. So, if you would keep your speeches this evening short and to the point, you would be doing a major favor to Ron Levin and his wife, Miriam, as well as all the members of the committee. So, I hope you will join me in giving her a warm welcome and him a fond farewell."

Speaker Brunsvold: "The Gentleman from Champaign, Representative Johnson."

Johnson, Tim: "Well, in keeping with the comments and also, as a further method of sincerely honoring Mr. Levin and his spouse, I move that the House adjourn until the appropriate time."

Speaker Brunsvold: "Mr. Johnson, that's Mr. Black's duty. The... Mr. Johnson was not recognized for that Motion. Mr. Noland. Mr. Noland on Senate Bill 799."

Noland: "Thank you, Mr. Speaker."

Speaker Brunsvold: "Read the Bill."

Clerk Rossi: "Senate Bill's 799 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions Filed."

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

Clerk Rossi: "Senate Bill 799, a Bill for an Act in relation to certain land. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Macon, Representative Noland."

Noland: "Thank you, Speaker. Senate Bill 799, is DOT's annual land conveyance Bill. It involves 25 different parcels. The land is currently owned by the Department of Transportation or the Department of Natural Resources. The state will receive a compensation of \$16,614 for the

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release of these lands and the money is deposited into the Road Fund."

Speaker Brunsvold: "And on the question, is there any discussion? The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. There is some parts of this Bill, a section a parcel containing 1.4 acres in Clark County, in my district, that is still under question. I would ask the Sponsor if he would take this out of the record so we can get that clarified, otherwise, I'm going to have to oppose this Bill. I would appreciate very much if DOT would have the courtesy to contact the Legislators who represent the district in these areas where the land transfer occurs before this Bill comes up for a final vote. It seems only common courtesy for them to do that, so we can get things straightened out before it actually comes to the Floor."

Speaker Brunsvold: "Mr. Noland, what's your pleasure?"

Noland: "Take the Bill out of the record."

Speaker Brunsvold: "The Gentleman removes the Bill from the record. Mr. Clerk, Senate Bill 855."

Clerk Rossi: "Senate Bill 855, the Bill has been read a second time, previously. No Committee Amend... or Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, Senate Bill 6, read the Bill."

Clerk Rossi: "Senate Bill 6, the Bill has been read a second time, previously. No Committee Amendments."

Speaker Brunsvold: "Mr. Dart. Representative Dart. Mr. Clerk, take that Bill out of the record. Senate Bill 71."

Clerk Rossi: "Senate Bill 71."

Speaker Brunsvold: "Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 71, has been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions have been filed. No Floor Amendments."

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

Clerk Rossi: "Senate Bill 71, a Bill for an Act amending the Wildlife Code. Third Reading of this Senate Bill."

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

Deering: "Yeah, Mr. Speaker, thank you. I think I signed on as a, as a Sponsor here, also, so... but I'll present the Bill. Senate Bill 71 does two things. Number one, it would permit a handicapped individual who has a permit to hunt from a standing vehicle with a firearm, an all-terrain vehicle, on hunting preserves, put and take programs. This would address some of the issues that we're having throughout the state where people have problems walking, they have physical disabilities, they can't, they can't walk long periods of times and hunt. This would allow them to be on an ATV, carry a firearm with an open breech or if it's... if it's an over and under type of weapon, they keep the breech open and the gun broke and with it unloaded. They can carry it in an uncased manner, which is currently against the statutes, so, this would provide for that. The second thing that this Bill does, says that a first time offender for an unlawful use of a weapon, unlawful possession of a weapon, if that person is over the age of 21 and has not had any prior convictions and is not a gang member, will no longer be a felony, can't be convicted of a felony. Would be convicted back... or be changed back to a misdemeanor. We're having cases throughout the state where people, even security guards, are getting stopped with guns inside their vehicles, the Ford Explorers, those types of

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utility vehicles. They're getting stopped, they're getting convicted of felonies and they've had no prior arrests, no convictions in their life. This would try to correct that problem. I would try to answer any questions."

Speaker Brunsvold: "And on that question, is there any discussion? The Gentleman from Cook, Mr. Dart."

Dart: "Thank you, Mr. Speaker. To the Bill. Ladies and Gentlemen, this is a measure we've had in front of us before, parts of this, and I spoke rather vehemently against it then, and I stand in strong opposition to this as I had that time, as well. What we are doing here is taking a giant step backwards in the area of law enforcement. I understand the Sponsor's intent, and I understand his concern in this area but, frankly, this was an area that we had examined when it came to the Safe Neighborhoods legislation, we did a few years back with the idea of trying to stop all the shootings and the murders and the crimes in the City of Chicago and throughout the state. And, frankly, this is one of the times where we did something and it actually worked. What we did is, we increased the penalties for the possession, illegally, of a handgun. Not legal possession, illegal possession of a handgun and what it did was, it changed the way that we were able to deal with these crimes and it marked a major decrease in crimes throughout the State. This is something, as I say, that I wish I could sit here and say we were guessing about this but the reality is, this is something where we have the statistics to show, and I don't have them in front of me right now, a major drop in murders, a major drop in armed robberies, a major drop in gang-related crimes as a result of this Bill, as a result of the years that this Bill was in effect and the increased

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penalties that were involved here. This Bill is opposed by the Chiefs of Police Association, the Illinois Coalition Against Handguns and the State Police Department, as well. It's got major problems, folks. As I said, I spoke rather lengthy last time about it and I don't plan on doing it this time, but I can't emphasize enough to you, for all of you folks out there, who sit there and worry about all your mailers that come out every election against you, and talk about whether you're tough on crime, soft on crime, let's be clear here for just two seconds. By voting for this Bill, you are voting to reduce a crime, voting to reduce the penalty. So, there's no two ways about it. People are not going to have to be terribly ingenious when they send this mailer out against you that you're being soft on crimes. You're not dealing with people who are legally in possession of guns here. The very definition of this Bill, of this crime, is the unlawful possession of a firearm. Not a legal possession, unlawful. And what we're doing is we're taking it and decreasing the penalty. So, as I mentioned before, this is your soft on crime Bill for the year, folks. But more importantly, it isn't even just for that reason. It has been an effective tool. There are other ways that you can get at this problem. I've suggested to a previous Sponsor about how we could deal with this as far as maybe a 1410 probation for those people who are legal owners of guns, who get caught illegally holding a gun, how they could then get a special probation that won't go on their record and then they will have learned that this law is on the books and that they can't drive around with guns in their cars and guns on their person. That suggestion was not taken up, unfortunately, because that's something I think we could agree to. The

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reality of it is, folks, this was a very, very, very, effective tool. The Superintendent, Matt Rodriguez of the City of Chicago has said, this is the most important tool that the Legislature has given him ever in the fight in crime. As I mentioned before, the statistics are absolutely staggering about how much gun violence, just in the City of Chicago, has decreased since this law went on the books. As I mentioned before, I'm going to stop beating this dead horse, but this is a Bill we had before. We defeated it before. It's a bad idea. It's a bad idea to decrease penalties on a Bill that was put into effect and is working. It is decreasing murders. It's decreasing armed violence. It's decreasing all of the gun problems that your constituents talked to you about. So, I'd ask you to consider that long and hard before you vote for this Bill, because it is truly something that will come back and haunt you."

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

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

Speaker Brunsvold: "The Sponsor yields."

Turner, J.: "Representative, the previous speaker had indicated that he says that, or at least indicated in his speech that he just gave, that this decreases a penalty but, indeed, I'm reading your Bill, it looks like to me there are various provisions that make increases in the penalty for this particular provision. The way I read it, and please correct me if I'm wrong, is that if a person is convicted of a second offense of unlawful possession of a weapon, then it's now going to be a Class III Felony, instead of a Class IV Felony. Is that correct?"

Deering: "That is correct."

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Turner, J.: "And is it also, as I understand it, now, if we pass this, would it not be that we have increased the penalty for a person under 21 years of age who violates this section by carrying a handgun from a Class IV Felony, to a Class III Felony?"

Deering: "That is correct and also in that statement, gang members, which would fall under that umbrella, also."

Turner, J.: "Okay. So, what you just indicated to me, as I understand it then, you've tried to address some of the concerns by the previous speaker by saying that if a person is convicted of this offense and is associated with a gang or street gang that you're going to increase that penalty. You're going raise that from, what was a Class IV Felony, to a Class III Felony. Is that also correct?"

Deering: "That is correct."

Turner, J.: "And that is your intention under this Bill, is it not?"

Deering: "Yes, Representative, that is my intention."

Turner, J.: "Well, obviously, I'm not from Chicago and I don't think you are either but, perhaps, you've introduced this Bill, because is it possible that people have contacted you either constituents in your district, or perhaps a judge in your district and indicated to you that the way that the law is currently written, we are convicting people of felonies who are simply carrying a gun? Perhaps not in a case, a long gun, or the like, and they're frankly authorized to have the gun and they forget to case it but because of the way the law is working we're convicting those peoples of felonies instead of a misdemeanor. Is that one of the reasons you sponsored this Bill?"

Deering: "That is correct, Representative. And not only people in legal... people in the legal profession, and

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constituents in my district but from throughout the state, as well."

Turner, J.: "All right. As to those professional people, are you saying they lose their license if they get convicted of this felony?"

Deering: "That is correct. If under certain statutes, they could lose a license if they are convicted of a felony and have never had any prior arrests or convictions or anything on their record."

Turner, J.: "All right. Well, thank you, Representative for the answers to those inquiries, and just briefly to the Bill."

Speaker Brunsvold: "Proceed."

Turner, J.: "As to the prior speaker, I have a tremendous admiration for him and agree with some of what he says. And certainly as... the Bill has affected Chicago, I'm not going to dispute some of what he said, but I don't think you can overlook the provisions of the Bill, that do increase the penalties. I don't think that you should overlook the fact that Representative Deering, by sponsoring this, has frankly tailored it to increase the penalties for those who have guns or are involved in gang activities. He's increased the penalty for the second time offenders. He's increased the penalty for the minor who carries the handgun and I certainly think that he should not overlook that. I'd also just like to, in conclusion, indicate that I was written by a Circuit Judge in my district and frankly, the letter said that the Legislature had been absolutely foolish in passing the law that it did a couple of years ago, making this a felony. And the reason that this judge, who is a former States Attorney, said that we had been foolish is because it certainly works unfairly. There are people who have FOID cards, who can

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carry guns but simply get caught in a situation where by negligence they fail to case their gun or have used it, or carried it in such a way, in a completely innocent fashion with absolutely no criminal intent and yet, get convicted of a felony. We usurp the authority of the court to give a misdemeanor. We required the court, if the States Attorney charged it, to give this individual a felony in cases where it should not occur. And for that reason, this judge wrote me and asked me to please change this law and to restore some of the discretion to the sentencing court and to the prosecutor. And for that reason and for all of the reasons that Representative Deering has previously indicated, I would urge an 'aye' vote. Thank you."

Speaker Brunsvold: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen, I rise in support of this Bill, as amended. As many of you, I am a van owner. I've got a... let's see, it's a Pontiac Van but because of the way the law is written now, as a hunter, if I put my gun in the back of the van, it may be decided by a local officer of the law, that I have immediate access to that weapon and thereby, be vulnerable to prosecution for a felony conviction. We're talking hard prison time, just because of the kind of vehicle I own. Now, what this Bill does, as amended, is not take it off the books. It doesn't remove a violation of unlawful use of weapons. What it does is allow the courts to decide in those cases, where it is not an intentional misuse of weapons, it allows the judge and the jury a little bit more leeway in how they deal with that individual. I'm... I'm begging you, that all of you who know hunters, who have hunters in your families, who either drive pickup trucks or

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vans or sport utility vehicles, this makes the law a lot more reasonable and a lot more enforceable, as the previous speaker said, for those judges and juries who are faced with an all or nothing prosecution for a felony. This makes a decent law more reasonable and more enforceable by law enforcement and it deserves your 'aye' vote."

Speaker Brunsvold: "The Gentleman from Washington, Mr. Deering, to close."

Deering: "Thank you, Mr. Speaker. Just briefly, this does increase the penalties as was spelled out in the debate. Doesn't... It's not a soft on crime Bill. It goes after... continues to go after the gang members those people under 21, carrying weapons, those people who are criminals. We're trying to protect the law abiding citizens. Those... those of us in this Body who travel the highways of the state, those people who... those other residents of the state who travel the highways that's who we're trying to protect here. This is a first time offense, is a misdemeanor. Second time, it would be then a felony. This is a good Bill. It's a good common sense Bill. I would ask for an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 71 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? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 73 voting 'yes', 40 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 303. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 303, the Bill has been read a second

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time, previously. Floor Amendment #1, offered by Representative Lang, has been 'approved for consideration.'"

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

Lang: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. It was suggested by the chief judge in Cook County to save his county approximately \$90 thousand. What the Amendment would do would be to give the chief judge at his or her discretion, the ability to eliminate jury commissioners of which there are currently three and replace those three people with one single jury administrator. The expenses and costs of having the jury commissioners would be eliminated and would save the County of Cook \$90 thousand. There's no downside to this for anyone, this for the County of Cook. I don't think there should be any reasonable opposition to it and I would recommend adoption."

Speaker Brunsvold: "On that question, Mr. Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, this Amendment will allow Cook County, and Cook County only, to circumvent the use of jury commissioners, is that correct?"

Lang: "Yes, it would allow Cook County to eliminate jury commissioners and replace the three commissioners with one administrator."

Black: "So, in effect, if we accept this Amendment, it will allow Cook County to use one jury administrator appointed by the Chief Justice of the Circuit Court, is that correct?"

Lang: "I'm not sure I heard your question, but let me add

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something first. Right now, Cook County is the only county with jury commissioners, is my understanding, Representative."

Black: "Oh, no. My county has jury commissioners."

Lang: "All right. So, I withdraw the comment I guess I got the wrong information. So, ask your question again."

Black: "Okay. Thank you. So, this Amendment will allow Cook County to abolish the jury commission and allow the Chief Justice of the Circuit Court to appoint one jury administrator, correct?"

Lang: "The chief judge would be able to appoint one administrator, that is correct, Sir."

Black: "Right. Now, currently, there are three members of the Cook County Jury Commission, is that correct?"

Lang: "That is correct, Sir."

Black: "Two Democrats and one Republican, correct?"

Lang: "I have no idea what their politics are."

Black: "I believe it's two Democrats and one Republican."

Lang: "That's fine. If we're wasting \$90 thousand, it shouldn't matter who the three people are."

Black: "Why... why... I assume this came from the Chief Judge of the circuit in Cook County, is that the genesis of the Bill?"

Lang: "Yes, Sir."

Black: "Does the Chief Judge of that Circuit has a... does he have a problem with the jury commissioners or..."

Lang: "I think he's interested in a smooth administration of justice, Mr. Black, and also to save \$90 thousand."

Black: "Does... how does this amendment relate to the underlying Bill?"

Lang: "It becomes the Bill, Sir."

Black: "I'm sorry, I didn't hear your answer."

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Lang: "The Amendment becomes the Bill."

Black: "The Amendment becomes the Bill. All right. If you allow... if the intent is, in fact, to save money and if the intent is to allow a chief justice of... or a Chief Judge of a Circuit Court to circumvent jury commissioners and to appoint one administrator of that jury commission, then why wouldn't it be good legislation for the entire State of Illinois?"

Lang: "Well, I... it would be fine with me if it was law in the whole State of Illinois. We should allow every county to have smooth administration of justice at the lowest possible cost and I would be happy to support you when you file a Bill, introduce a Bill to do that, Sir."

Black: "All right. I... Representative, I'm not going to belabor this Bill, the hour is late. I... I just in opposition to the Amendment and I'm not even going to call for a Roll Call. It just seems to me that in light of recent events, to give the Chief Judge of a Circuit the sole authority to appoint the administrator of a jury commission while it may, in fact, save money, I'm not sure it's good public policy and I'll stand in opposition to the Bill on Third Reading."

Speaker Brunsvold: "Further discussion on the Amendment? Being 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 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

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

Clerk Bolin: "Senate Bill 303, a Bill for an Act to amend the Jury Commission Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Cook, Representative

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Parke. Mr. Parke, take the Bill out of the record. Announcement to the Members. You should plan on being here on Saturday. Members, so don't check out of your motels Friday night. We will be here on Saturday. Senate Bill 6
Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 6, the Bill has been read a second time, previously. Floor Amendment #1, offered by Representative Dart, has been 'approved for consideration.'"

Speaker Brunsvold: "Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the General Assembly. Amendment #1 becomes the Bill and what it does is, creates Sexually Dangerous Person Act. It's a Bill that I had before the Body about a month ago and what it does is, it basically sets up a system so that individuals who have committed different sex crimes and murders, prior to being released from the penitentiary, will allow the State Attorney, the Attorney General to file a petition to have a civil commitment hearing held to determine whether or not this person is, in effect, dangerous to society and should not be released on the streets. Sets up due-process procedures and other procedures to insure the individual's rights are taken care of and it would in the same since, protect society as well by keeping individuals who are dangerous to society off the streets. I move for the adoption of the Amendment and would be happy to answer any questions."

Speaker Brunsvold: "And on the Amendment, is there any discussion? The Gentleman from Cook, Mr. Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Brunsvold: "He yields."

Durkin: "Representative, this Amendment... is this Amendment

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agreed... has the Attorney General agreed to this language in the Amendment?"

Dart: "This is the Attorney General's language. He and I have been working on this Bill for about two and a half years now and he and I sat down about a week ago and worked out the final details of the language."

Durkin: "Cause I believe in committee yesterday, there were some concerns raised by a number of the Members and I believe this Amendment does answer those concerns and I believe those..."

Dart: "That's Amendment #2."

Durkin: "Amendment #2?"

Dart: "Yeah."

Durkin: "Oh, could you explain...? Well, all right. All right, could you explain to me in Amendment #1 creates... what's it do?"

Dart: "Amendment #1 becomes the Bill and creates the entire system and puts all that into place. Amendment #2, which I hope to do next, is going to take care of some of the..."

Durkin: "I'll wait until #2 then."

Speaker Brunsvold: "Further discussion? The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have and the Amendments is adopted. Further Amendments?"

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

Speaker Brunsvold: "Mr. Dart."

Dart: "Thank you very much. Amendment #2 is the one that we was in reference to, comments that was made during committee hearing yesterday to clarify some of the language of the Bill and to... in addition to clarifying to make some changes pursuant to the committees concerns. The primary

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changes are that we make changes to allow for the procedures for service or process to be civil in nature. We, also, require that the defendant is present during all these hearings. We removed the part in there regards to testimony by telephone and we insert provisions to require speedy trial provisions are available, as well. Those are the heart of it. These are a result of questions that came up during the committee and the Attorney General's Office sat down and put these together to address concerns of different members of the committee."

Speaker Brunsvold: "Discussion on the Amendment? The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No Further Amendments."

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

Clerk Bolin: "Senate Bill 6, a Bill for an Act in relation to sexually violent persons. Third Reading of this Senate Bill."

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

Dart: "Thank you, Mr. Speaker, Members of the House. Senate Bill 6 is basically what I discussed on Amendment #1. It creates the Sexually Dangerous Person Act, which is an effort to keep our streets in our community safe from individuals, who pose an ongoing threat to our children and to adults, as well. This is an attempt to reach out and to ensure that these people, who we know are predators, who are going to prey on our children and on adults in our community, frankly, are not going to be out there and that we are going to ensure that our streets are more safe. It sets up numerous provisions for the due process, for the defendant, as well. This is something that is being tried

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in other states. It's innovative and it is something that truly gets at the heart of the problem and I would encourage your support of this measure."

Speaker Brunsvold: "And on that question, the Gentleman from DuPage, Mr. Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of Senate Bill 6. I had some concerns in the committee and a number of us voted 'present'. Floor Amendment #2 took away those concerns. I commend the Sponsor and commend the Attorney General for their willingness to work with us on that basis and, I urge an 'aye' vote."

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

Durkin: "Thank you, Mr. Speaker. I, also, rise in support of this Bill. Yesterday, in committee, there were a number of questions which were brought up and I compliment the Sponsor and, also, I compliment the Attorney General for his patience and, also, for working with the Members of this committee to make this Bill a better Bill. Some people may criticize this Bill in saying this is too big of leap but, however, I think the time has come in Illinois for this type of a measure. I urge everybody in this room to vote 'yes'."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 6 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 115 voting 'yes', 0 voting 'no', 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar, Mr. Clerk."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

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Speaker Brunsvold: "Senate Bill 939. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 939, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 667. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 667, the Bill has been read a second time, previously. Floor Amendment #2, offered by Representative Hartke, has been 'approved for consideration.'"

Speaker Brunsvold: "The Gentleman from Effingham, Representative Hartke, on Amendment #2."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Senate Bill 667 is the Omnibus Pension Bill that has a lot of provisions in it. I think there is a technical Amendment that has to be, also, adopted to this piece of legislation. I would be happy to answer any questions."

Speaker Brunsvold: "Questions on the Amendment? Mr. Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Is the Amendment... Floor Amendment #2 becomes the Bill, correct?"

Hartke: "That is correct."

Black: "Thank you. Will the Sponsor yield, for questions?"

Hartke: "Sure."

Speaker Brunsvold: "He indicates he will yield."

Black: "How many of the Public Pension Systems have various cleanup items in this Amendment? Are they all in here or just one or two of them or...?"

Hartke: "It's my understanding, most of them are."

Black: "Is there anything in IMRF? Is there any early out for

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the IMRF system in here?"

Hartke: "Yes, there is, and it's my understanding."

Black: "Is it... does it only apply to the IMRF annuitants in Chicago or Cook County?"

Hartke: "Let me try to get staff here to help me with this Bill."

Black: "Okay."

Speaker Brunsvold: "Mr. Black, are you finished?"

Hartke: "No, no, we're waiting for..."

Black: "He said he was waiting for staff to help him a little bit."

Speaker Brunsvold: "Okay. Thank you."

Black: "And I see he's now surrounded by staff. It's a little lonely over there. Hello, staff, democrat staff to Representative Hartke. Staff to Representative Hartke, hello."

Speaker Brunsvold: "Mr. Clerk, take this Bill out of the record while staff checks with Mr. Hartke. Supplemental Calendar #1, appears Senate Bill 934. Mr. Clerk, read the Bill. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 934, a Bill for an Act to amend the Public Utilities Act. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Murphy, has been approved for consideration."

Speaker Brunsvold: "Take that Bill out of the record. Hold that Bill on Second Reading. Mr. Clerk, Senate Bill 878."

Clerk Rossi: "Senate Bill 878, the Bill has been read a second time, previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 667, Mr. Clerk."

Clerk Rossi: "Senate Bill 667 has been read a second time,

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previously. No Committee Amendments. Floor Amendment #2, offered by Representative Hartke, has been 'approved for consideration.'

Speaker Brunsvold: "Mr. Hartke, on Floor Amendment #2."

Hartke: "Thank you very much, Mr. Speaker. Mr. Black, I have an answer to that question that you asked me, if you would repeat the question?"

Speaker Brunsvold: "Please turn Mr. Black on to continue the discussion."

Black: "Hello, hello."

Hartke: "Your answer is 'yes', it does include an early out provision for down state IMRF just as soon as the last provisions, the last early out are fully compensated."

Black: "Okay so, right now, basically, we're discussing the Floor Amendment, correct? Floor Amendment #2?"

Hartke: "Floor Amendment #2, yes."

Black: "Okay. Why... why is there, why is there a window open for the Judges' Retirement System in this Bill? It appears to only impact one person who wants some judicial credit?"

Hartke: "That's my understanding."

Black: "And that person resides in the County of Cook?"

Hartke: "That is correct."

Black: "And that person currently works for the City of Chicago?"

Hartke: "I'm not sure about that."

Black: "How much would that cost for this one person who wants to get back into the Judicial Retirement System?"

Hartke: "The cost of the total Bill has no or little Fiscal Impact."

Black: "How much would it cost for this one person. One person who didn't want to transfer service credit at the time but now takes a look at the Judicial Retirement System and wants to get back in it because she's in private practice

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and is, in fact, a legal advisor for the City of Chicago?

How much would that cost?"

Hartke: "That's about a little over \$200 thousand."

Black: "I'm sorry, \$237 thousand?"

Hartke: "I think you're correct."

Black: "Is there an... do we have to make an appropriation so that person can get back in the Judicial Retirement System?"

Hartke: "No, that's not necessary."

Black: "It will be kind a like magic money, right?"

Hartke: "Well, I suppose."

Black: "Okay. What, what provisions in Amendment #2 take care of the Chicago teachers who went on a wild cat strike? Does it let them buy back that service credit when they were out on strike?"

Hartke: "This is... this is for one teacher in the Chicago wild cat strike who miscalculated. She needs credit for 12 days."

Black: "How long was the strike, 12 days?"

Hartke: "No, she missed 12 days of credit during the strike."

Black: "Well, how long was she out on strike and it was a wild cat strike at that? Okay, well."

Hartke: "He thought he had 20 years in, he was short 12 days of collecting his pension."

Black: "And my question is..."

Hartke: "The system has no opposition to this."

Black: "My question is, the 12 days that, that person was short, were those, in fact, days that, that person was on strike?"

Hartke: "I don't know the answer to that."

Black: "Okay and that's fair. Thank you, Representative. As always, I appreciate your forthright answers to the questions and I'm glad that your staffer got down to help

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you. Mr. Speaker, to the Amendment."

Speaker Brunsvold: "Proceed."

Black: "I would advise people on the Floor to look very carefully at this Amendment. There are a number of very interesting pension windows in here. Doesn't address any of the SERS problems that we would like to do but it does let somebody get back in the Judicial Retirement System who, a few years ago didn't think that would be a good idea and then I guess, she read the story in the Sun Times the other day and said, 'hey, maybe that is a good idea.' I don't think this is a very good Amendment. The underlying Bill may be a story, may be another story in and of itself. This Amendment is not a very good Amendment and I intend to be recorded as a loud 'no' vote on the voice vote that I am sure will follow."

Speaker Brunsvold: "The Gentleman from Kane, Representative Hoeft."

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

Speaker Brunsvold: "He indicates he will."

Hoeft: "As in the committee, I'm not going to ask you direct questions because I don't think... that's unfair but just as a group as a whole, please, this is the Omnibus Pension Bill."

Hartke: "I don't think I said that."

Hoeft: "It happens at the end of each... I know it is. This is an Amendment that has seven different Bills in it that couldn't make it through the regular process. The question comes down to folks, do you want to vote on one of these provisions that increases the funding, the pension, unfunded liability by \$709 million? Do you want to vote for something as for an individual judge? Do you want to have the window for the Legislators is in here, also, to

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the tune of over \$1 million of privileges for each of us? Be careful on this, folks, because this is the radioactive Amendment. It's going to come back to haunt all of us. There is some very good provisions in here. There is some very bad ones, be careful."

Speaker Brunsvold: "Any further discussion? The Gentleman asked for the adoption of Floor Amendment #2. All in favor 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A Fiscal Note and a Pension Impact Note have been requested on the Bill as amended by Amendment #2, and those notes have not been filed."

Speaker Brunsvold: "Leave the Bill on Second Reading, Mr. Clerk. What's the status of Senate Bill 860, Mr. Clerk?"

Clerk Bolin: "Senate Bill 860 is on the Order of Senate Bills-Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading, Mr. Clerk. Going to Third Readings, on page two and continue through the Calendar on Third Readings. Senate Bill 129, Mr. Capparelli. Out of the record. Senate Bill 166, Mr. Novak. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 166, a Bill for an Act to amend the Child Passenger Protection Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Kankakee, Mr. Novak."

Novak: "Yes, thank you, Mr. Speaker. Senate Bill 166, excuse me... Senate Bill 166 amends the Child Passenger Protection Act to increase the age at which a person must secure a child in a restraint system or seat belt from age six to 16. We know that child... accidents on the highway concerning children is a major, major concern. The Department of State Police supports this measure, the

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Department of Transportation, all safety organizations such as the National Safety Council, they support this measure. Just to give you a few statistics that were provided to me from the National Highway Traffic Safety Administration. In 1994 there were more than 57 million children under the ages of 15 years of age in the United States. Motor vehicle crashes are the leading cause of death for children of every age from five to 14 years old, based on 1990 figures, which are mortality data currently available to National Center for Health Statistics. In 1994, there were a total of 40,670 traffic fatalities in the United States. The 0 to 14 age group accounted for 7%, approximately 2,883 of those traffic fatalities. In addition, children under 15 years of age accounted for 5%, 1,814 of all vehicle occupant fatalities, 10% of all the people injured in the motor vehicle crashes and 9% of all the vehicle occupants injured in crashes. In the United States, an average of eight children ages of 0 to 14 years of age were killed and 899 were injured ever day in motor vehicle crashes during 1994. Of the 0 to 14 year age group, males accounted for 59% of the fatalities and 49% of those injured in motor vehicle crashes during 1994. I think this is a very safety conscious piece of legislation. It passed the Senate very easily and I certainly ask my colleagues for support in this public policy, good conscientious measure dealing with trying to protect our children in automobiles. I'll be more than happy to entertain any questions."

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

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

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Speaker Brunsvold: "State your inquiry."

Black: "Yes. Has this Bill been amended in the House, while it has been in the House?"

Speaker Brunsvold: "Mr. Clerk, have there been any Amendments placed on this Bill?"

Clerk Bolin: "No Amendments have been adopted to the Bill."

Black: "Okay, fine, thank you. Mr. Speaker, will the Sponsor of the Bill yield?"

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, it's my understanding that this, because of the way this Bill is worded, this seat belt, mandatory seat belt provision becomes a primary offense and thus, the police would be able to stop a car for the seat belt violation and I suppose if had reasonable cause, could then search the car, is that your understanding?"

Novak: "Representative, that's not my understanding. The way this... the way this is worded simply requires, the way I read it, simply requires the occupants, in the ages that I indicated, to be secured either in a restraint system or a seat belt."

Black: "Our staff feels very strongly and I, you know, you and I both rely very much on staff, our staff has reviewed this and said that, in fact, the Bill is drafted so poorly in the Senate, that if a child under the age of 16 in the front seat is not belted in, it's not a primary offense."

Novak: "It's not?"

Black: "No, it's not a primary offense. But if there are children under the age of 16 in the back seat and not belted in, it's a primary offense and the police can pull the car over."

Novak: "Well, I don't read it that way, but I'll tell you what, in deference to you, Representative Black, I'll certainly

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take this Bill out of the record so we can provide for further analysis. Thank you."

Black: "Thank you. I appreciate that. Thank you."

Speaker Brunsvold: "The Gentleman takes the Bill out of the record. Senate Bill 799. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 799, a Bill for an Act in relation to certain land. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Noland."

Noland: "Thank you, Mr. Speaker. Earlier, I discussed this Bill and pulled it out of the record because Mr. Weaver had a concern about the parcel in Clark County. He has been on the phone with the district engineer in that area and there is an agreement. So all 25 parcels then have an agreement and I would appreciate any questions and your support."

Speaker Brunsvold: "The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. I want to thank Representative Noland for pulling the Bill out of the record long enough for us to have a conference call with the district engineer and the interested parties. We've gotten the problem straightened and I now rise in full support of the Bill. Thank you, Duane."

Speaker Brunsvold: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 799 pass?' All in favor voted '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 'aye'; 1 voting 'no'; 0 voting 'present'. This Bill, received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Senate Bill 698."

Clerk Rossi: "Senate Bill 698, the Bill has been read a second time, previously. Amendment #1 and Amendment #2 have been

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adopted to the Bill. No Motions have been filed. Floor Amendment #3, offered by Representative Santiago, has been 'approved for consideration.'

Speaker Brunsvold: "Representative Santiago, on the Amendment."

Santiago: "Thank you, Mr. Speaker and Members of the General Assembly. Amendment #3 is identical to House Bill 126, which passed out of here. The content of the Amendment, this is in relationship to the assistance for legal immigrants here in the State of Illinois. I have been working with the Governor's Office and various groups and Republican and Democratic Leaders in the last couple of weeks so that we may reach a compromise within next week. The Federal Government already acted and it has in their budget, a compromise, has set aside \$10 billion for the United States. But we don't know how much of that money is going to come to Illinois. So, what I'm trying to do is here, to keep the process moving along so that we could keep negotiating and waiting for the Federal Government. I have been advised by the Governor's Office that the Governor, once again, is going to go to Washington to try to get more money so that all the benefits may be restored to these legal immigrants. I move for the adoption of Amendment #3."

Speaker Brunsvold: "The Gentleman has moved for the adoption. Is there any discussion? Seeing none, the question is, 'Shall Floor Amendment #3 be adopted?' All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

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

Speaker Brunsvold: "Hold the Bill on Second. Mr. Clerk, Senate Bill 939."

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Clerk Rossi: "Senate Bill 939, a Bill for an Act in relation to environmental protection. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you, Mr. Chairman (sic-Speaker). This is a Vehicle Bill for the ongoing negotiations between the Governor's office, DCCA, and the IEPA. We think we've reached a tentative agreement, today. We'd like to move this over and continue the process. Representative Stephens is the Joint Sponsor along with Representative Novak, Scott, Persico and they're all in support of this to the best of my knowledge. Thank you."

Speaker Brunsvold: "The Gentleman has asked for the passage. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "He indicates he will."

Black: "Yes, are we on the Bill or the Amendment?"

Speaker Brunsvold: "We are on the Bill, Mr. Black, on Third Reading."

Black: "Oh, on the Bill, and who is that Sponsor? Stephens?"

Speaker Brunsvold: "Mr. Stephens has indicated to the Chair that he would defer to Mr. Holbrook on the Bill."

Black: "Oh, Representative Holbrook is carrying the Bill. Will the Sponsor yield?"

Speaker Brunsvold: "He indicates he will."

Black: "Yes, what's your intention? Shell Bill?"

Holbrook: "This is a Vehicle Bill, yes."

Black: "To continue the discussion on Brownfields?"

Holbrook: "Yes."

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Black: "Is there anything about the Greenfields in it?"

Holbrook: "No."

Black: "Is there anything about sewage treatment for hog waste?"

Holbrook: "No."

Black: "Is there anything in it about rural... grants for rural sewage treatment systems?"

Holbrook: "No."

Black: "Well, there isn't a whole lot in it, is there?"

Holbrook: "No."

Black: "Do I have your word and that of the preeminent Representative Stephens that the only thing this will be used for, would be Brownfields legislation? That's all we're going to use it for, correct?"

Holbrook: "Absolutely."

Black: "And could you ask the prematurely gray staffer to your right if that's his understanding, as well?"

Holbrook: "He wants a riverboat for Danville and we're not going to let him put it in there."

Black: "Well, I better not ask anymore questions then. Fine. This is a very good Bill and with your assurances of what it will be used for, I'm sure we can send it over to the Senate. Let's go."

Holbrook: "Thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 939 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 117 voting 'yes'; 1 voting 'no'; 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Announcements."

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Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room. Rules Committee immediately in the Speaker's Conference Room."

Speaker Brunsvold: "Senate Bill 237, Mr. Daniels. Mr. Leitch. Senate Bill 237, Mr. Leitch, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 237, a Bill for an Act amending the Illinois Planning Council on Developmental Disabilities Law. Third Reading of this Senate Bill."

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

Leitch: "Thank you, Mr. Speaker. I would first like to ask leave of the House to amend, to table Amendment #2 and Amendment #3 and would so move. I was advised that could be done on Third, if you need to take it back to Second, that's okay."

Speaker Brunsvold: "Mr. Clerk, place that Bill on Second Reading."

Leitch: "Thank you, Mr. Speaker. I would move to table Amendment #2 and Amendment #3."

Speaker Brunsvold: "The Gentleman moves to table Amendment #2 and Amendment #3. On that Motion, is there any discussion? The Gentleman from Cook, Mr. Lang."

Lang: "A point of inquiry, Mr. Speaker. Can we table an Amendment without a Roll Call?"

Speaker Brunsvold: "On a voice vote? The Amendments may be tabled on a voice vote, Mr. Lang."

Lang: "That's fine."

Speaker Brunsvold: "Any further discussion? The question is, 'Shall... The Motion is to Table Amendments 2 and 3. All in favor say 'aye'; opposed say 'nay'. The 'ayes' have it and those two Amendments have been tabled. Mr. Leitch."

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Leitch: "Thank you very much, Mr. Speaker. Amendment #1 became the Bill."

Speaker Brunsvold: "Mr. Leitch, excuse me. Third Reading, Mr. Clerk. Read the Bill."

Leitch: "Amendment number..."

Speaker Brunsvold: "Proceed, Mr. Leitch."

Leitch: "Amendment #1 became the Bill and it permits the Department of Human Services to use grant funds for community, mental health and developmental disabilities services to provide home-based support services to adults with severe mental disabilities who age out of special education. It's a very important Bill to the developmentally disabled population and will resolve an important problem. I don't know of anyone who is opposed to it and I would ask for your support."

Speaker Brunsvold: "The Gentleman has asked for the passage. Is there any discussion? Seeing none, the question is, 'Shall Senate Bill 237 pass?' All in favor vote 'aye'; all opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On 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 315. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 315, a Bill for an Act to amend the Emergency Medical Services Systems Act. Third Reading of this Senate Bill."

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

Lopez: "Thank you, Mr. Speaker. Senate Bill 315, this legislation provides for a person currently approved as the

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first responder or licensed as a emergency medical technician may operate an automated defibrillator if he or she has successfully completed a Department of Public Health approved course in automated operation is functioning with department approved EMS System. This is a... a proponents are the Department of Public Health, American Heart Association and also, the Associated Firefighters and I know of no opposition to this Bill and ask for a favorable Roll Call."

Speaker Brunsvold: "The Gentleman has asked for the passage. On that, is there any discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I would just like to indicate on the previous Bill, 237, I would of liked to been recorded as a 'yes'."

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

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I stand in support of this legislation. If you remember earlier this afternoon, we had an Amendment on it that includes the underwater rescue teams and I appreciate the Sponsor's willingness to work with me on this Amendment and Representative Noland."

Speaker Brunsvold: "From Vermilion, Representative Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, why are you doing this? If we continue to to delay adjournment, you're going to need to take a defibrillator over to the Sangamo Club for a staffer that's given the bulk of his adult life to your side of the aisle. Now let's get on with the business of the House and

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adjourn."

Lopez: "I agree, so lets get a Roll Call and lets get going."

Speaker Brunsvold: "Any further discussion? Seeing none the Gentleman from Cook to close."

Lopez: "I ask for a favorable Roll Call."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 315 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, 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Committee Reports."

Clerk Bolin: "Representative Currie, Chairman from the Committee on Rules, to which the following Bills, Resolutions and Amendments were referred, action taken on May 15, 1997, reported the same back with the following recommendation: 'be adopted'. Floor Amendment #7, to Senate Bill 106. Floor Amendment #1, to Senate Bill 222. Floor Amendment #6, to Senate Bill 320. Floor Amendment #4, to Senate Bill 381. Floor Amendment #4, to Senate Bill 473. Floor Amendment #1, to Senate Bill 720. Floor Amendment #1, to Senate Bill 1016. Floor Amendment #2, to Senate Bill 1048. Floor Amendment #1, to Senate Bill 1101. Floor Amendment #1, to Senate Bill 355."

Speaker Brunsvold: "This is the last Bill, Ladies and Gentlemen. Senate Bill 106."

Clerk Bolin: "Senate Bill 106, the Bill has been read a second time, previously. Floor Amendment #1, has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative O'Brien, has been 'approved for consideration.'"

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Speaker Brunsvold: "Representative O'Brien."

O'Brien: "Amendment #2 to Senate Bill 106 would allow for the creation of a TIF district in Grundy County only. This language is specific only to Grundy County and is an economic development incentive requested by the county board in Grundy County, the taxing bodies and my school districts in Grundy County."

Speaker Brunsvold: "Is there any discussion? Seeing none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

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

Speaker Brunsvold: "Representative Scott. Representative Scott is going to handle the Amendment for Mr. Stroger."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3, to Senate Bill 106 amends the Cook County Forest Preserve District Act. It provides that on forest preserve district property, they will use the county building and codes and ordinances and not any of the municipalities and I know of no opposition to the Amendment."

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

Black: "As it seems to me... Will the Sponsor yield?"

Speaker Brunsvold: "He will yield."

Black: "Representative, it seems to me that we're changing the law regulating civil service, as well, in this Amendment for the Cook County Forest Preserve District. Would that be your understanding?"

Scott: "Well, it's my understanding that they have a County Human Resource Ordinance and are trying to do away with the civil service, as many other units of local government has done."

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They're trying to create their own Human Resources Ordinance. So, yeah, basically."

Black: "What confuses me, it appears that this applies to all counties rather than just Cook County. I don't see a Cook County... I don't see the usual language that would say..."

Scott: "Representative, if you look up at the top on line six, it amends the Cook County Forest Preserve District Act. So, the things that follow after that..."

Black: "I thought they, also, had property in Will and other Counties."

Scott: "No, I believe their boundaries are co-terminus."

Black: "Oh, well, all right."

Scott: "I think that means that they are all the same."

Black: "I'm sorry, what?"

Scott: "I think that means they're all the same, the boundaries."

Black: "What the boundaries or co-terminus?"

Scott: "Co-terminus."

Black: "Oh, all right, that's fine, okay. Yeah, we don't have any problem with this Amendment."

Scott: "Okay."

Speaker Brunsvold: "The question is, 'Shall Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Brunsvold: "Representative Stroger. Representative Scott, on Floor Amendment #4."

Scott: "Calling for the right hander from the bull pen. Amendment #4, allows a county health department to demolish buildings in the city which makes a specific request for

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them to come in and do it. The Village of Robins had some buildings that were in need of tearing down. The county had agreed to do it for them but they need some specific authorization to do it. This is... the Municipal League is fine with this particular Amendment because the language states that the particular municipality has to specifically ask the county to come and do it. I know of no opposition."

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

Black: "Thank you. Was there a House Bill... is this a House Bill that failed earlier, that's been embodied in Amendment #4?"

Scott: "That's a good question, I don't know that for sure."

Black: "Okay."

Scott: "I don't believe so."

Black: "Can you find out so that we can rant and rave tomorrow, on Third Reading?"

Scott: "Mr. Stroger tells me 'no'."

Black: "What are you doing presenting his Amendment and he's right there?"

Scott: "I..."

Black: "All right. We'll revise and extend our remarks for tomorrow on Third Reading. Terrible Amendment."

Speaker Brunsvold: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #6, offered by Representative O'Brien, has been 'approved for consideration.'"

Speaker Brunsvold: "Representative O'Brien."

O'Brien: "I'll withdraw Amendment #6."

Speaker Brunsvold: "The Lady withdraws the Amendment. Further

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Clerk Bolin: "Floor Amendment #7, offered by Representative O'Brien, has been approved for consideration."

Speaker Brunsvold: "Representative O'Brien."

O'Brien: "This language just further clarifies Amendment #2 and just makes it specific so that it is just Grundy County."

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

Black: "All right. An inquiry of the Chair. What happened to Amendment #5? We skipped right over Floor Amendment #5."

Speaker Brunsvold: "It failed in committee, Mr. Black."

Black: "Oh... that must have been a Republican Amendment. I'll be darn. Will the Sponsor for Amendment #7, yield?"

Speaker Brunsvold: "She yields."

Black: "Representative, where is Grundy County?"

O'Brien: "It's God's Country, just north of Springfield by about two hours, near Truckers' Video."

Black: "Okay and so... so this... you're creating a new TIF district for truckers? What did you say?"

O'Brien: "No, that's not the intent of the legislation."

Black: "Oh. This TIF district won't be used for a video store, will it?"

O'Brien: "No, it will not."

Black: "All right. Representative, is it your intention to run this Bill tonight on Third Reading or can we do this first thing in the morning?"

O'Brien: "It's not my intention to run it this evening."

Black: "I don't know what... well, I'm hoping you will run it first thing in the morning. Okay?"

O'Brien: "Do you promise to be fresh then, for the debate?"

Black: "I'm always fresh, my dear. I'm in enough trouble, lets move the Amendment."

Speaker Brunsvold: "The Lady has moved for the adoption. All in

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favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Black is recommended... is recognized for a Motion."

Black: "I just got a call from the Sangamo, Ron says if you're not over there in a half an hour, he's going to quit and after 45 years of service, that's a shabby way to treat him. Let's adjourn."

Speaker Brunsvold: "The Gentleman has moved for adjournment. Allowing Perfunctory time for the Clerk, the House will stand adjourned until May 16th, Friday, until the hour of 9:00 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House does stand adjourned. Mr. Burke."

Burke: "Thank you, Speaker. I would like to remind the Members of the Executive Committee that we'll be meeting in this Chamber as soon as you leave the Chair."

Speaker Brunsvold: "Mr. Burke, Executive Members will meet here on the House Floor. Any further announcements? Mr. Giles. Mr. Giles."

Giles: "Thank you, Mr. Speaker. The State Government Election Reform, 118, prompt."

Speaker Brunsvold: "Mr. Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. To all Members who are on the Public Safety Appropriation Committee, we are meeting tomorrow morning at 8:15 a.m., in Room 118. The subject matter will be operations of the State Police and State Attorneys, Appellate Prosecutors Drug Enforcement Funds. It will be an exciting committee. Be there."

Speaker Brunsvold: "Thank you. Any further announcements?"

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Executive Committee."

Clerk Bolin: "Perfunctory Session will come to order.
Introduction of Resolutions. House Resolution 170, offered
by Representative Parke. House Joint Resolution #27,
offered by Representative Shirley Jones. House Perfunctory
Session now stands adjourned."