

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

67th Legislative Day

May 22, 1997

Speaker Brunsvold: "The House will come to order. All unauthorized personnel should retire from the Chamber, to the Balcony. All unauthorized personnel, please leave the Floor of the House of Representatives. We will be led in prayer today by Reverend Mark Sidney with St. Emanuel Lutheran Church in New Douglas. Reverend Sidney is the guest of Representative Ron Stephens. Guests in the Gallery may wish to rise for the invocation. Reverend Sidney."

Reverend Sidney: "Good morning. On the way up, driving up from New Douglas, I was listening on the radio and listening to somebody talk about how Abraham Lincoln was instrumental in developing the tradition of the National Day of Prayer and so I thought it was a fitting reminder of our need for God in our public life and the privilege it is for me to be here and to lead you in prayer. So let us pray. Mighty God, maker of heaven and earth we give You thanks this morning for this beautiful, beautiful spring day that You have created, and for all the riches of creation that You've given to us. You have blessed our nation and the State of Illinois with blessings far beyond number. Our greatest blessing, our richest resource is the people of this great state, young and old, rich and poor persons of all races, nationalities and backgrounds and most especially all the children. Gracious God, give us wisdom to be faithful stewards of all the gifts, all the blessings that You have given to us. The blessings of freedom. The blessings of the state and all the wealth and riches in the people of this state. Help us to be faithful stewards so that we can pass on these blessings to our children and our grandchildren. Lord God, give us wisdom to be faithful stewards of all Your gifts, to make decisions based on Your

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justice and Your mercy and to give thanks to You in all things. In the name of God we pray. Amen. God's peace to you."

Speaker Brunsvold: "We'll be led in the pledge today by Representative Pankau."

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

Speaker Brunsvold: "Roll Call for Attendance. Mr. Cross, Republican absentees."

Cross: "Thank you, Mr. Speaker. Let me look at my list here real quick. Apparently no one's absent today, thank you. We're all here."

Speaker Brunsvold: "Thank you, Mr. Cross. Mr. Dart."

Dart: "We're all here today like usual."

Speaker Brunsvold: "Thank you, Mr. Dart. Mr. Clerk, take the record. And there are 118 answering the quorum call and we do have a quorum to do business of the state. The Gentleman from Jefferson, Representative John Jones. What reason do you rise?"

Jones, John: "Thank you, Mr. Speaker. You know each year we have the YMCA Youth and Government Classes come up here and compete and they run for office and the like. We're the only state in the Union that allows our Capitol Building and our Chambers to be used for such a program and I think all of our leaders from Governor Edgar, Secretary George Ryan and Lieutenant Governor and all of them are to be commended and the President of the Senate Pate Philip, Emil Jones, Leader Daniels and Speaker Madigan are to be commended for allowing the Chambers to be used. But I'm honored that three of those students from Mount Vernon

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Township High School are here today and we were very fortunate that, you know, at a time whenever education is a big issue and the Governor has a proposal out there so don't be surprised if the Governor works the Floor today. Because I'm honored to say that we have the Governor of Youth and Government in the State of Illinois from Mount Vernon Township High School, Mr. Greg Holman. We also have Amanda Beverage. Amanda was Speaker of the House in this year's Youth in Government. And we also have Mike Metiera and Mike was also Speaker of the House this year. So if you would please welcome the three of them. We have three other members that's here, but they're over working in the Senate this year and they're going to do some paging for us today. So we're extremely proud to have these young people here and to represent Mount Vernon Township High School."

Speaker Brunsvold: "The Gentleman from McDonough, Mr. Myers."

Myers: "Thank you, Mr. Speaker. I'd like to have my colleagues in the House today join me in welcoming about 55 students from the North Grade Brown County Junior High School, seventh grade from Mount Sterling, Illinois. They are here today with their teachers, Mrs. Miller and Mrs. Kelly. Mrs. Kelly also has the distinction of being the sister of Representative Jerry Mitchell. So, welcome to the seventh graders from Brown County Junior High in Mount Sterling."

Speaker Brunsvold: "Committee Reports."

Clerk Bolin: "Representative Currie, Chairman from the Committee on Rules, to which the following Bills and Resolutions, Amendments and Motions were referred, action taken on May 21, 1997, reported the same back with the following recommendation/s: 'be adopted' the following Motions to concur. Senate Amendment 1 and 2 to House Bill 190. Senate Amendment 1 to House Bill 725. Senate Amendment 1 to House

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Bill 998. Senate Amendment 1 and Senate Amendment 2 to House Bill 1141. Senate Amendment 1 to House Bill 1252 and Senate Amendment 1 to House Bill 1916. Messages from the Senate. A Message from the Senate by Mr. Harry, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred with the House in the adoption of their Amendments to the following Bill. Senate Bill 381, a Bill for an Act in relation to court cases for frivolous law suits filed by prisoners, amending named acts. Together with Amendment #1 to Senate Bill 381 and House Amendment #2 to Senate Bill 381. I'm further directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of the following Amendments, House Amendment #4 to Senate Bill 381."

Speaker Brunsvold: "Mr. Clerk, House Bill 165. The Gentleman from Cook, Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. I move to concur with Senate Amendment #1. Senate Amendment #1 makes some technical changes to the Bill to add provisions dealing with notice for individuals who are going to a... involved in termination proceedings. It also makes changes in regards to putting a severability clause in the Bill in case we run into any problems with some of the changes we have made. And I would be happy to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for concurrence on Senate Amendment #1. And on that question, is there any discussion? The Gentleman from Kendall, Mr. Cross."

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

Speaker Brunsvold: "The Sponsor yields."

Cross: "Tom, is DCFS okay on this?"

Dart: "Yes, they helped write the Amendment."

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Cross: "Governor's office? I take it's fine. So, there's no opposition now with any of this language?"

Dart: "There's no opposition with the Governor's office or from the department."

Cross: "Is there any opposition, that you know of, at this point?"

Dart: "We had some concerns in the Public Defender's Office. We addressed, I believe, on 90% of them. I don't know if they are on board yet, though. I would tend to doubt it. But we addressed most of their concerns."

Cross: "Any opposition that you know of from the Judicial Branch in Cook County?"

Dart: "No."

Cross: "Are they supportive of this, as far as you know? I don't see why they wouldn't be."

Dart: "Yes."

Cross: "Okay. Thank you."

Speaker Brunsvold: "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. Sorry, I missed, you know, your initial statement. Would you kind of go over the Senate Amendment and the definition of an unfit person?"

Dart: "Okay. The Senate Amendment right now what it does is it changes a couple of the notice provisions in here to bring this Act more in line with the Civil Procedure Act which would provide more notice in the situations where we're talking about termination proceedings here. It also provides a severability clause for the Bill so that if some of the areas of the Bill are found unconstitutional or there's problems that the rest of it can stand on its own."

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Those are the primary changes that are made with the Senate Amendment #1."

Davis, M.: "Representative, how would a person be notified that his or her child, or what are they doing taking away the parental rights? So how would they be notified that their parental rights are being abolished?"

Dart: "They would receive the notice that they normally get right now which would be a petition itself, that would be served upon them, they would get that. Then in addition to that, after that initial service has been had on them, they would then get service through their attorney would be the primary one next as far as any of the proceedings."

Davis, M.: "Usually, these people don't have an attorney."

Dart: "No, they would all have attorneys."

Davis, M.: "They would be given a Public Defender?"

Dart: "Public Defenders, yes."

Davis, M.: "They would be given a Public Defender? Okay. Now how long, how long would it take for a person to lose their parental rights? In other words, let's say I'm an unfit parent and my children are with DCFS, they're in foster care. How long must they be in foster care before the determination is made or even an investigation is made to classify me as an unfit parent?"

Dart: "Well, it would depend on the individual case, because some parents, frankly, are doing all they can to get their child back. And for those individuals, a termination proceeding would probably go on and eventually not proceed. It would not go ahead. But then there's parents who just aren't doing anything. Who have no concern about the child. Have not showed up in court, aren't involved. Aren't doing anything. For them we've tried to tighten the time line on that, to move that into a 12 month period.

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The reality of it is though for individuals who are, have had their children taken away, we really aren't changing that in the sense that if they're going along with the case plan. If the case plan says, 'Mom, you have to go to drug rehab, Mom you have to go to parenting classes,' and Mom is doing all of those, there's no time line saying, 'well, Mom, you didn't do it quick enough.' If Mom's going along with the case plan, Mom's fine."

Davis, M.: "Does your Bill say that? Does your Bill say that if a parent is following, I guess, a court prescribed rehabilitation plan then your children, you won't be losing parental rights. Is that correct?"

Dart: "Correct, correct. This is the, the heart of this Bill, frankly, is to get after the parents who are in default. The ones who want nothing to do with the child. They've showed no interest. Who once in awhile decide to show up. Slow the proceedings down and lead to a situation that we have right now in Cook County where we have 40 thousand children in foster care, who have no permanent setting right now, who are bouncing around in foster homes. What we're trying to do is get at the ones who are showing no interest at all."

Davis, M.: "I understand what you're trying to do, Representative. Are you saying that if a child is in foster care for two or three years and the parent perhaps is showing no interest, are we also we're not talking about when children are in relative foster care are we?"

Dart: "No, if a child is in a relative care setting and that's the setting that the department, everyone has agreed is the proper one, we're not playing around with that. As a matter of fact we're working on a substitute guardian provision now where those individuals would not have to go

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through the proceeding of actually adopting the child where they could become guardians of that child, and keep that relationship intact. We're concerned about those kids that are lingering in foster care situations, primarily in non-relative situations where you have individuals who the parent, once again, is showing no interest in it all and is not involved with the child, does not want to do anything that the department or the court is putting forth."

Davis, M.: "Representative, I've gotten to know you as a very honorable person and I believe that you have the best intent. I personally have a problem deciding that a parent should no longer have parental rights, and the reason I'm saying that is because we hear of cases where a person is perhaps addicted to drugs for a very long period of time. But at some point when the services are available, they turn their lives around and sometimes just the possibility of getting their children back or retrieving them and having a family unit. It becomes an impetus for them to turn their lives around and my fear, Representative, is that if they have lost all rights to their children, they will totally give up in this attempt to rehabilitate their lives. I believe that our Body is very knowledgeable. We study issues. But I just, I'm very concerned when our attempt is to abolish parental rights."

Dart: "That's not what we're trying to do."

Davis, M.: "But that's a big step. Do you know that's a major step to take?"

Dart: "Oh yes, I understand it very, very well from dealing with these folks I've worked with for about four and a half years now, visiting children in foster care around the state and seeing these children's lives who are being destroyed by the fact that their parents have no concern

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with them. As for the parents that you are talking about, who are involved with the programs, are getting their act together, this Bill does not affect them."

Davis, M.: "Tom, Representative Dart."

Dart: "Sure."

Davis, M.: "And another reason I can't support your Bill is because I know parents, or I have heard from parents, who have been, the children have been taken away and they have fought for years to get their children back. They have denied the charges of the state. There's never been a court hearing on the charges and I could give you the name of those people, but I won't do that, Tom. It's that kind of case that truly frightens me. Recently, we had a case in the Tribune, Chicago Tribune, gave a story of children saying their parents had fed them rats, in other words, big lies had been told. Initially, reading such a story you would think what horrible people. Yes, we should take their children. But after a thorough investigation because of the story, it wasn't true and the parents were given their children back. So my fear, Representative, is some children will not get to know their grandparents. They won't get to know their aunts and uncles. Because we would have abolished the rights of their parents and the rest of their heritage and their lineage. And I'm sorry I just think it would be terribly wrong for us to support that kind of legislation. With all due respect to you and your really good intentions, the result, in my opinion, would be for us to separate people from their children forever and I just don't want that responsibility and to make an error and take these children away from the families they're born into and leave these parents without any hope of ever getting their kids back, of any hope of getting off drugs,

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or finding jobs. Or not being homeless. And what really frightens me is with the TANF Program. Some of these of these parents will be given absolutely no assistance. Say if they're released from prison, they will not be given any assistance by the Government to take care of their children. So, because of that we could assume there's no interest. But it isn't a matter of interest, it's a matter of finance at that point. So we would be terminating parental rights for people who just wouldn't have the money to get a high priced lawyer who would probably fight the case to the end."

Dart: "That's illegal. But that's illegal."

Davis, M.: "For example, like the Walgreen case, the Walgreen case, the girl won her case because she could afford high priced attorneys. Some of these people won't be able to do that."

Dart: "That wasn't DC... that was a private adoption. That had nothing to do with this."

Davis, M.: "But it was still kind of the same thing. They wanted to abolish her parental rights. And they still may do it."

Dart: "To be honest with you, it was like night and day. I mean, it was very, very different, and frankly, it's illegal to base, taking children away based on on financial considerations."

Davis, M.: "But it would, it's not directly considering that. It just the fact that if I'm a rehabbed drug user. I will not have the finances to fight the state to get my children, I won't have those dollars."

Dart: "Most of these people are going into state..."

Speaker Brunsvold: "Bring your question to a close, Representative."

Davis, M.: "In all due respect to the Sponsor, I would just urge

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a 'no' vote at this time on House Bill 165."

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

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

Speaker Brunsvold: "The Sponsor yields."

Pugh: "Representative, can you, can you explain to me the process, once an individual is, say a individual mother, is convicted of a crime and she has two children, would her children be taken away from her? Will she be considered under this particular piece of legislation? Would she be considered as an unfit person?"

Dart: "It would require her to have some type of action, do something to the child. So if a mother is convicted of stealing a car, that doesn't necessarily impact her ability to deal with the child. So, there has to be a petition filed by somebody saying that there's abuse and neglect being done by that individual against the child. And the fact that the Mom is convicted of stealing a car wouldn't, of itself, be the grounds to do that. If Mom, on the other hand, is running a dope operation out of her house and her children are the direct, the people being impacted by it because you have dope dealers running through it, that would probably be grounds for neglect petition, whether or not they, then they would be able to prove it up is another thing altogether. They would then have to bring in evidence showing that based on a dope house being run out of here it has somehow impacted the children. But to just the actual conviction, no."

Pugh: "But that's not what the legislation says. Here it says, 'a parent's incarceration when the child is in the custody of DCF (sic-DCFS), if prior to incarceration the parent had

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little or no contact with the child or provided...' Is that your staff person there, Representative?"

Dart: "Yes, Representative Cross has been working on my staff for quite awhile."

Pugh: "Okay. I just wanted to know if this was the State's Attorney's thing?"

Dart: "No this was not a States Attorneys Bill."

Pugh: "Oh. Okay. It says, 'The parent's incarceration when the child is in the custody of DCFS, if prior to the incarceration the parent had little or no contact with the child, or provided little or no support for the child after the petition for termination of rights is filed.' So this is saying that if an individual is incarcerated that their children can be taken away?"

Dart: "No, that's not what the Bill says. What the Bill is, is in context what that says, is if an individual showed no interest in the child before any conviction occurs, then that individual can not use the fact that now they are in jail to try to get a habeas corpus petition out basing it on the child. Before the conviction there is no interest shown in the child. That's what that is getting at now and that's the whole theme of this Bill. This is going after the parents who don't care about their kids, which unfortunately are way, way too many of them. We're not going after good parents. We're not going after people that have an interest in their children, at all. This is for the ones that are causing us to have 40 thousand children, in Cook County, that don't have a home."

Pugh: "And, and, and I agree that that's an admirable cause and one that should be addressed. But it does not say that in this Bill. This says that, any child whether or not they are loved by their mother, who happens to have been

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convicted of a crime, will be taken away from their parent. Now, the major problem that I have with is... I don't know, know if you listen to NPR radio in the mornings. But in Australia, the same kind of situations were taking place and the children, children were, legislatively, taken away from their parents. And now the Constitutionality of that is being challenged and they're in court battles. My concern is that if the parent has shown a history of neglect and then is incarcerated then there should be some cause taken."

Dart: "But that's what this does. That's exactly what this does. That's what this says in legislative intent."

Pugh: "But this does, it does not. Okay where, okay where does that say? Where does it say in there? It does not say that in there."

Dart: "I'll get you the exact cite, but that's what it does say and that is what our intent is. The intent of the Bill..."

Pugh: "And another, and another point... That's one example. Another point, there's a Gentleman in Decatur right now, his name Napoleon Williams and he has, he has four children and as a matter of fact, his wife is pregnant and he was arrested just the other week..."

Speaker Brunsvold: "Mr. Pugh."

Pugh: "...and his children and two of his children are in the custody of DCFS. Two of his children are in the custody of DCFS, under current legislative rule, if this individual were to adhere to a, to a series of counseling sessions and tests that he might be able to regain custody of his children after he is incarcerated. This does not speak to that."

Dart: "I'm sorry. You would have to rephrase that."

Pugh: "Once, once an individual. The individual that I

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referenced has four children. Two of them are in the custody of DCFS. He is currently incarcerated for a separate charge. For something that has nothing to do with child neglect. Now, once he is released if he adheres to a plan set out by the Department of Children and Family Services, under current law he can regain custody of his children. But under this, this says that an individual will lose custody of their children after they are incarcerated."

Dart: "No, no that's not the case either, and actually, I got it on page 154 under the grounds we were talking about. It talks about grounds for unfitness says the child is in the temporary custody or guardianship of DCFS, the parent is incarcerated as a result of criminal conviction at the time of the petition or motion for termination parental rights is filed. Prior to incarceration the parent had little or no contact with the child or provided little or no support for the child. So those things all have to be done before anything's impacted. So if this is an active parent who is involved with a child, the fact of the conviction doesn't impact it at all. And if a family member comes forward and steps forward, the child doesn't even go into the custody of DCFS. It will be in the guardianship of the relative then. And then this doesn't apply at all."

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

Pugh: "Yes Sir. Sir, you're, you're saying that there is a provision which allows for for relatives to receive custody of the child prior to it going through the court process..."

Dart: "Absolutely."

Pugh: "...of being adopted and that's our first priority. Is

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that the first priority in your legislation?"

Dart: "I'm glad you brought that up. When you take this in context with Representative Flower's Bill, from earlier this year, DCFS is under law required now to first go to the relative for placement. They have to go there first. If the relatives want the child, that's where the child going to go. So, I think collectively when you take all of this together you find it really does look after the child's best interest and also the relatives and the family members are the players in this situation."

Pugh: "Thank you. I have no further questions, Mr. Speaker."

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

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield? Representative, I'm assuming you'll yield."

Speaker Brunsvold: "The Sponsor yields."

Schakowsky: "Okay. Are there any opponents to this legislation?"

Dart: "Opponents?"

Schakowsky: "Opponents."

Dart: "I believe the Public Defender's Office is still an opponent."

Schakowsky: "Okay."

Dart: "As I mentioned before though, we've been working with them for about a month now and frankly we've given them about 90% of what they wanted. But if they don't get everything they want they're not on the Bill and frankly that's not how I negotiate and that's not the real world."

Schakowsky: "Okay. Could you just tell me what their outstanding objections are? I realize that's not your concern, necessarily, but I'd like to know."

Dart: "They wanted us to put another Bill that had passed the

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House for cooperative adoption and got, I think, bottled up in the Senate. They wanted us to put this in here and we said no."

Schakowsky: "Okay, all right. When I look at the criteria for claiming that someone is unfit which could include open and notorious adultery, or failure to protect the child from conditions within his environment injurious to the child's welfare that that last one and I know that's not... ."

Dart: "That's present law and we're not changing that."

Schakowsky: "No, I understand, I understand that's present law. We could be... if a woman is a victim of domestic violence, sometimes she can be deemed as failing to protect her child from an environment that may be injurious and while she may be trying to get out of that situation in a timely way, sometimes there aren't the services or law enforcement and all kinds of things assisting her in that, but which might make it hard to meet that time frame. Have you considered victims of domestic violence in this, in this issue, in your Bill?"

Dart: "The only people who have ever been held accountable on the provision you're talking about have been the fathers. It's been DCFS' experience from talking to them, it has never been the mother. When the child gets beat up as a result of some domestic violence in the house, it's the father who is the focus of it and the non-custodial person, not the mother."

Schakowsky: "I also, I heard you talking to someone about drug addicted mothers. If they are making a good faith effort toward treatment, are they not subject to this?"

Dart: "Correct. We're not, we're not touching them at all. The problem has been, as I mentioned before with the system is, we have these children languished in the system because we

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have frankly, people know the system and play the system who show no interest in the children who appear once in a blue moon then don't follow through on a case plan. They come back for another petition against them and they don't follow through on that either. If an individual is showing their interest in the child and following through with this program, they're not affected by this Bill."

Schakowsky: "There are some instances I've been told where birth parents actually are asking to meet with their children. I understand that they're even calling some Legislators and saying, 'You know I want to meet with my kids, but I can't meet with my kids.' What about that situation?"

Dart: "Well, I'm sure that in this state there is always probably one or two or three or four problems where... thinking people would say well the department or the courts or someone didn't act right. I'm sure that happens all the time. The vast majority of the cases, no, I'm unaware of those cases as far as where... it's been my dealing with the department and with the court system, when there's a parent that wants to show interest in the child, they bend over, in my opinion, too far backwards to make sure that that parent's allowed access to the child and give them the benefits of all the parental rights. I guess I'm a little bit more strict than that, but the... by in large as I say, I'm at a loss to find situations where the department is not trying to do everything they can to keep the child with the original parents to allow visitation and all the rest. And I think we ought to look at it to look at it from a fiscal standpoint, the quicker a child is put back in with his original birth parents, it saves everyone a lot of money. So, not only, I think, by just on the moral argument of keeping child together with their family, does

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the department operate that way. But also when you look at the fiscal reasons, the quicker the child's back in that setting the better. So, are there cases where it does not happen that way? I'm sure in this state there's got to be a couple of them, but I would say that is by far the very, very rare exceptions. And I would also say too, I get contacted a lot by people who have complaints about children being removed, and so on and so forth. And upon further examination, lo and behold, you know, it turned out there was a real good reason why they are not in contact with their kids. And a real good reason why they aren't being, given their child back."

Schakowsky: "Let me... and my final question, without your legislation in the current world, what happens to these kids? Is there, is there no time frame, whatsoever?"

Dart: "No, no, see the thrust and the whole theme of this Bill is to put some accountability and some time frames there right now because there is no rhyme or reason. There's kids that I've visited and talked with and met with who have been in the system seven, eight, nine years and there is no finality. It's not as if they're targeted for adoption. It's not as if they're targeted to go back home. They're not in a residential... they're just bouncing from home to home to home and no rhyme or reason. What this does, frankly, it holds a lot of people's feet to the fire and says, 'This child's life is the paramount concern here and we want this child in a permanent setting and we want it done as quickly as possible.' And so, what this does, it sets those time frames together so that we can accomplish that. Right now it's very loose and there's not a lot of rhyme or reason other than some very good judges and some very good case workers and attorneys who are

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trying to do that, but this would require that they do these things."

Schakowsky: "Okay. Thank you, Representative."

Speaker Brunsvold: "The Gentleman from Cook, Mr. Dart, to close."

Dart: "Thank you very much, Mr. Speaker, Members of the House. As mentioned before during the debate, this Bill is a Bill that makes monumental changes in how we treat and think about our children in this state, and the children we're talking about are the least fortunate ones. This Bill does not in any way snatch children. This does not go after good parents. If a parent is following through on case plans calling for drug rehab, they're okay. If the department is, if they're supposed to go through a drug program, but there's no slots for them, they are not affected by this Bill. The language is specific in saying that. This is going after, frankly, the bad parents. The ones who are out there right now, as I mentioned before, we have over 40,000 children right now in substitute care in Cook County alone and they are sitting there in some cases, seven, eight years. What this does, is it requires that we move these kids into homes and into permanent placements as soon as possible. And the Bill goes after, not the good parents, it goes after the ones, frankly, who don't care about the kids, who don't show up in court, don't follow through on anything and, as I said, when you look at the numbers in New York and California, the child is in the system an average of about eight months. In Illinois a child is in the system an average of 35 months. There is no reason why we should be in that position. It's time for us to do something about these children. I've worked for the last three and a half years on this Bill, to be honest with you, with the Governor's office, with the department

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and we've made some great strides and this would really affect the children, the vast majority of children, and it's long overdue and I would appreciate a favorable vote."

Speaker Brunsvold: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 165? This is final action. All those in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question there are 98 voting 'yes'; 12 voting 'no'; 8 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 165. And this Bill, having received a Constitutional Majority, is hereby declared passed. Well, Ladies and Gentlemen of the House, I don't know how historic this event is, but the Chair is about to place at the Speaker's Podium, a hog farmer. So with that, Mr. Chuck Hartke. Representative Hartke, in the Chair."

Speaker Hartke: "Thank you very much, Mr. Brunsvold. House Bill 274, Representative Kubik."

Kubik: "Can we have a little order here, Mr. Speaker?"

Speaker Hartke: "Yes. The Gentleman from Cook, Mr. Lang."

Lang: "Well thank you very much, Mr. Speaker. I just wanted you to know it's a pleasure to see you in the Chair and perhaps now you'll stop talking about it. Thank you very much."

Speaker Hartke: "Thank you very much. The Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I just want to tell you what a pleasure it is to see you in the Chair today. And I did want to tell you what a lovely tie you have and also I wanted to as a Point of Personal Privilege wanted to introduce Christy Dailey who is the director of the Evanston YWCA and the Battered Women's Shelter who is down

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here today with Illinois Coalition Against Domestic Violence on behalf of battered women, and I wish we could give her a round of applause. Thank you."

Speaker Hartke: "Welcome to Springfield. Representative Kubik."

Kubik: "Thank you, Mr. Speaker and personally I wish you had worn your hog tie, but that one's all right."

Speaker Hartke: "Mr. Kubik, I do have my hog tie on. Harley tie."

Kubik: "Thank you, Mr. Speaker. I would move that we concur with Senate Amendments 1, 2 and 3 to House Bill 274. I will explain the three Amendments, as they were adopted by the Senate. Senate Amendment #1 would exempt from the Open Meetings Act discussion by municipally owned utility and municipal power agency or a municipal natural gas agency when the discussions are number one, regarding contracts relating to the purchase, sale, or delivery of electricity or natural gas or the results or conclusions of load forecast studies. This is an Amendment which was a Bill that passed out of this House earlier this year. The second Amendment also amends the Freedom of Information Act and the Illinois Vehicle Code to define 'news media' and also define 'commercial benefit as it applies to news gathering in the Freedom of Information Act and the Illinois Vehicle Code. The third Amendment deals with the issue of Social Security Numbers and would require that all license applications with the Department of Professional Regulation would include the applicant's Social Security Number. It would also amend the Vital Records Act and require that a death certificate contain the deceased's Social Security Number. This is a Bill which also passed out of the House and is related to Enforcement of Child Support. I would be happy to respond to any questions you

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might have and would appreciate your support on a Motion to concur in Amendments 1, 2 and 3."

Speaker Hartke: "Is there any discussion on the issue? The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I don't have any questions on the Bill. I just want to rise with many others to congratulate you, you look great up there the fine leader that you have proven to be and I like your tie and your smile and everything about you. Congratulations."

Speaker Hartke: "Thank you, Representative. Is there any other discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 274?' All those in favor signify by voting 'aye'; those opposed voting 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? On this question, there are 100 and... Take the record, Mr. Clerk. On this question, there are 118 voting 'aye'; 0 voting 'no'. And the House does concur in Senate Amendments 1, 2 and 3 to House Bill 274. And this Bill, having received a Constitutional Majority, is hereby declared passed. Members, we will be going to a Floor action for awhile until committee meets and then we will be coming back after the committees meet for more Floor action. House Bill 2059, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur with Senate Amendments #1 and 2. Senate Amendments #1 and 2 establish concrete criteria and qualifications for community development, financial institutions, incorporates significant accountability measures, including the request for solicitation, requisite solicitation of requests for proposals before the Community Development Financial

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Institutions can proceed with this revolving loan program.

I would be happy to answer any questions, and I would urge your favorable support."

Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1? Excuse me, Representative Kosel."

Kosel: "I was not able to hear one thing that he said, I'm sorry. Could you please repeat yourself?"

Speaker Hartke: "The Lady asked for a clearer explanation, Representative Schoenberg."

Schoenberg: "You're asking me to repeat that eloquence, verbatim."

Speaker Hartke: "Yes, she is, Representative."

Schoenberg: "Okay. I'll do my best. Representative, what Senate Amendments 1 and 2 do to the Bill is to establish concrete criteria and qualifications for the Community Development Financial Institutions which could implement this revolving loan program. In addition to providing for significant accountability measures, and one of the most notable ones is the requisite solicitation of request for proposals before a Community Development Financial Institution can impose any, can execute any loans under this program. This is... what the Amendments do is add significant and meaningful accountability standards for this revolving loan program that would be executed by the community based Financial Development Institution."

Speaker Hartke: "Is there any other discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 2059?' This is final action. All those in favor signify by voting 'aye'; those opposed signify by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? On this

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question, there were 116 Members. Clerk, take the record. On this question, there are 116 Members voting 'aye'; 2 Members voting 'no'. And the House does concur in Senate Amendments #1 and 2 to House Bill 2059. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 593, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Just a clarification, right off. When they introduced you, was that hysterical moment or historical?"

Speaker Hartke: "I think that was historical."

Hoeft: "Oh, Okay. That's very important to me. I would ask this Chamber to concur with Senate Amendments 1 and 2 to House Bill 593. The base Bill dealt with the ability for policemen to have portability amongst pensions. While we were discussing this, Representative Deering had a concern and Amendment #1 is addressing that concern. Also, Senator Molaro asked that we put on the opening of the the window of opportunity for the optional retirement plan which is a program that's worked real well with the municipalities to extend that from this year '97 to '02. I know of no opposition to either of these Amendments and ask for concurrence."

Speaker Hartke: "On the question, is there any discussion? From the County of Cook, Representative Dart."

Dart: "Thank you, will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Dart: "Representative, you may have said it, I couldn't hear over the din. But is, does this encompass House Bill 2047, as well?"

Hoeft: "Yes, these are just Amendments to it. Excuse me, 2047 you said."

Dart: "Yes, was it 2047?"

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Hoelt: "This is House Bill 593."

Dart: "No, I was going to say, does this have any of the provisions that were in 2047, as well?"

Hoelt: "That would only be Amendment #2 and I would not know of that original Bill number."

Dart: "Okay, no, there was a House Bill I wasn't sure if this was from maybe a previous pension Bill and I was just trying to see if this was similar. Is the Municipal League got a position on this?"

Hoelt: "Yes, they are all asking for this. This is optional. This program has worked well in the past and they just want to extend it. It has worked, you know these programs have windows every five years, they sunset, and we're asking that this program be continued."

Dart: "Thank you."

Speaker Hartke: "Is there any further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 593?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'aye'; 0 voting 'no'. And the House does concur in Senate Amendments 1 and 2 to House Bill 593. And this Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from Cook, Representative McCarthy, rise?"

McCarthy: "I'd like a Point of Personal Privilege for an announcement please."

Speaker Hartke: "State your point."

McCarthy: "Thank you, Speaker. It is with great pride that I stand today to announce the birthday of my seatmate, Tom

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Dart. We have some cake down in the front row here provided by his lovely secretary, Tracy, and we would like you all to wish Tom, happy birthday and also enjoy in having a piece of cake. So, thank you."

Speaker Hartke: "Thank you. For what reason does the Gentleman from Vermilion, Mr. Black, rise?"

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

Speaker Hartke: "State your point."

Black: "Yes, I would just like to commiserate with the Speaker. I read in the morning editions that the bad news is, for the downstate constituency you've decided not to run for Congress. But the good news is because you've announced that, they at least let you sit in the Chair. So, all is not lost, at least a downstater is the Speaker today and I congratulate you and let me say the downstate Caucus, all four of us, are behind you 100%."

Speaker Hartke: "Thank you, Representative Black. On concurrence is House Bill 108, Representative Hannig. Representative Hannig presenting House..."

Hannig: "Thank you, Mr. Speaker and Members of the House. I would move that we not concur in Senate Amendment #1."

Speaker Hartke: "The Gentleman has moved to nonconcur with Senate Amendments #1 to House Bill 108. All those in favor say 'aye'; opposed 'no'. The 'ayes' have it and the Motion carried. The House does nonconcur. The House nonconcurs with Senate Amendment 1 to House Bill 108. House Bill 2152, Representative Feigenholtz."

Feigenholtz: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1. It's basically a clarification. There were some problems that the title companies were having with the language in this Bill. The Amendment further

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addresses those concerns and provides greater procedural safeguards for these third parties in the Bill."

Speaker Hartke: "Hearing the Lady's Motion, is there any discussion? Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2152?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question, there were 118 Members voting 'aye; 0 voting 'no'; 0 voting 'present'. The House does concur in the Senate Amendment #1 to House Bill 2152. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 613, Representative Cross."

Cross: "Thank you, Mr. Speaker. Senate Amendment #1 is an agreement with the Chicago Bar Association. Passed out of committee yesterday, unanimously, with a 'do recommend.' I don't know of any opposition. We debated it yesterday but I'll be glad to answer any questions. And I would appreciate a favorable vote."

Speaker Hartke: "Is there any discussion on House concurrence on House Bill 613? Seeing none, the question is, 'Shall the House concur in Senate Amendment 1 to House Bill 613?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? On this question, there are... Mr. Clerk, take the record. On this question, there were 118 Members voting 'yes'; 0 voting 'no'; 0 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 613. And this Bill, having received a Constitutional Majority, is hereby declared passed. On concurrence Motion it's House Bill 1230, Representative

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Phelps. House Bill 1230, Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I think the Motion was to move to nonconcur with Senate Amendment 1 to 1230."

Speaker Hartke: "So, Representative Phelps has moved that the House nonconcur with Senate Amendment #1 to House Bill 1230. All those in favor say 'aye'; those opposed say 'no'. The opinion of the Chair, the 'ayes' have it. And the Motion to nonconcur with Senate Amendment #1 to House Bill 1230 has passed. House Bill 1174, Representative Persico."

Persico: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #2 to House Bill 1174. Basically, it makes a few changes which I agree with. The language in the law has changed from small cities to all cities. The 5% requirement which was part of 1174 before has changed from 5% to 2%."

Speaker Hartke: "Representative Persico, excuse me. I apologize, Representative Persico, but that Motion or your Bill has not come out of committee. Let's take that Bill out of the record. House Bill 2215, Representative Cross."

Cross: "Thank you, Mr. Speaker. I move to nonconcur on Senate Amendment #2. Send this to Conference Committee. We're going to attempt to negotiate some opposition we've had with this Bill. And I would appreciate a favorable vote on a Motion to nonconcur. Thank you."

Speaker Hartke: "Is there any discussion on House Bill, Senate Amendment #2 to House Bill 2215? Seeing none, the question is, 'Shall the House concur in Senate Amendment... The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 2215. All those in favor say 'aye'; those opposed 'no'. The opinion of the Chair the 'ayes' have it and the House does nonconcur in Senate Amendment #1. No,

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excuse me, Senate Amendment #2 to House Bill 2215. House Bill 1211, Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Amendment #1 to House Bill 1211 allows donors of charitable organizations to make an informed financial decision about the charities they wish to contribute to. The Amendment will require charity to pay an annual \$15 filing fee and professional fund raisers to pay an annual fee of \$100. Charities who raise less than \$15 thousand a year will not have to pay filing fees or submit reports. They will only have to attest that their earnings were below the \$15 thousand threshold. The initial registration for charities below the \$15 thousand threshold will be comprised of three pieces of information: the amount raised, the amount spent and the funds on hand. The current threshold is \$4 thousand, so this represents an increase in that threshold. In Illinois there are about, there are approximately 15 thousand charities registered with the Attorney General. This legislation will provide resources for dissemination of annual disclosure forms and summary reports to the public for their review via printed copies to each public library in Illinois, the Attorney General's home page, and a toll free telephone number accessing the Charitable Trust Division of the Attorney General's Office. Initiatives are supported by the United Way and the Attorney General and there is no known opposition to it, and I would appreciate a favorable vote. Thank you.

Speaker Hartke: "On that question, is there any discussion? The House recognizes Representative Black, from the County of Vermilion."

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

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yield?"

Speaker Hartke: "He indicates he will."

Black: "Representative, I was just curious about the Senate Amendment. Have the various charitable organizations signed in in support or are they aware of this fee structure that's being implemented?"

Meyer: "Again, Representative, the United Way is in support, I believe the Jewish Federation is neutral on it. I'm not aware of any opposition to it. The Amendment passed out of the Senate 58 to 0. I think it's a good Amendment."

Black: "Is... in the Amendment is there a definition of a charitable organization?"

Meyer: "By common law."

Black: "And it is already in the law? So, this would impact... I guess what I... Would this impact like the Salvation Army or the Red Cross Chapter or something of that sort?"

Meyer: "Well, the Red Cross is exempt as are Religious Organizations."

Black: "But, I know in my district every year the Salvation Army has a Ring the Bells, you know, solicitation over Christmas. Now would they be required to have a filing fee since they are a charitable organization raising funds or are they already exempt?"

Meyer: "Yes, they are."

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

Speaker Hartke: "Is there any further discussion? Seeing none, the question is 'Shall the House concur in Senate Amendments #1, Senate Amendment #1 to House Bill 1211?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk,

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take the record. On this question, there are 65 voting 'yes'; 48 voting 'no'. And the House does concur in Senate Amendments #1 to House Bill 1211. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 66, Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 66, is a cleanup language to... a couple different provisions in the Department of Children and Family Service Act. It provides some changes that different organizations and the Public Defender's Office and the like asked us to make. The highlights of it are that it requires the guardian ad litem in all counties to have at least one face to face interview with children before adjudication. Because it has come to our attention that in some counties children are being adjudicated without ever having met their lawyer and haven't talked to them at all. So we felt that it was very important that the child's lawyer at least meet with them before the child's life is decided. It also provides that... a that in instances where a case is already gotten to the point where a parent is not proceeding that a lawyer cannot then become a... keep continuing a case in a effort to, frankly, get legal fees and this would allow that that, the court to act on that. It also clarifies that DCFS has to provide services that are commensurate with whatever the case plan is, whether it's reunification or whether it's termination or whatever it is. It's going to require that their services follow that. It also makes some changes to conform with federal law in regards to permanency hearings. And as I mentioned before, there is numerous groups that worked on this and it provides changes that different groups had asked us in regards to 165 and also into existing statute. And I would

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move for the passage of the Senate Amendment."

Speaker Hartke: "On that question, is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "The Sponsor indicates he will."

Black: "Thank you. Representative, is it a fair assumption to say that this Bill is a trailer Bill to House Bill 165?"

Dart: "Correct."

Black: "So, if we don't, if we don't concur in this Amendment... By the way, the Amendment becomes the Bill, correct?"

Dart: "Correct."

Black: "Okay. And if we don't concur in Senate Amendment #1 then 165 may be a work in progress rather than something..."

Dart: "To a certain extent, what it was... what it would do is there was different interest groups that had some concerns with 165. These were changes we made to address their concerns. If this Bill does not pass, then different concerns raised by numerous groups would not be addressed in the Bill, which is going to the Governor's office."

Black: "And the Senate Sponsor of the Amendment was Senator Karpel?"

Dart: "Correct."

Black: "Is she your Senator or..."

Dart: "No, just for this Bill."

Black: "But you two have a very close working relationship on this concept, right?"

Dart: "Absolutely."

Black: "How, no I'll ask you later. Well, I think from what I've read of the Senate Amendment, it appears to answer some of the concerns that were expressed about House Bill 165. So,

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I think it's safe to assume that if we concur in the Amendment then if we take both Bills together, if 165 is a 50% of a good Bill and the Senate Amendment is 50% of a good Bill then if we combine them, we would probably have a good Bill?"

Dart: "Yes."

Black: "Well, I'm all for that and I know Senator Karpziel has talked to me about this Bill and has threatened or has told me that it's probably a very good Amendment. So I will probably stand in support of this fine Amendment."

Speaker Hartke: "Further discussion? The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Durkin: "Representative, you indicated that part of this Amendment is necessary to conform with federal law. Could you explain to me what change, what federal law you are seeking to adopt in this Amendment?"

Dart: "In regards to permanency hearings?"

Durkin: "What would that be?"

Dart: "The time frames that are required under federal law."

Durkin: "Why do we need to do that if it is already done federally? Why do we have to do it on a state level?"

Dart: "We have to do it so that it conforms with the federal laws and the federal Mandates in regards to this area. The Feds have... you have to have permanency hearings within a certain period of time and we want our law to comply with that."

Durkin: "Well what federal agency would conduct these types of hearings if we're trying to conform with them?"

Dart: "Well, a federal agency wouldn't conduct the hearings. It would still be done in the state courts the way it is."

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It's a question of whether or not we'll lose federal money if we don't conform with federal law."

Durkin: "I'm still not too sure about that. If there is no federal agency which, I mean, I... If there no federal jurisdiction over this type of matter, why are they coming in and telling us to adopt their rules and regulations?"

Dart: "What it is is it's similar to virtually... I mean an example would be what we used to have with the federal language in regards to speed limits. If you didn't have certain speed limits you were in jeopardy of losing federal money. We had jurisdiction over certain things. In regards to the Crime Bill that they have been talking about on the federal level too, if you do certain things you will access federal money. In this area, too, the Feds have made statements to in regards to they feel the period of time for permanency hearings for a child to go from being taken into state custody into a permanent setting. We want to make sure that we are in compliance with the federal statute that way."

Durkin: "Well, if we choose not to follow the federal law, what would be the consequences for the state?"

Dart: "We lose money."

Durkin: "Where?"

Dart: "Child protection money and foster care money."

Durkin: "Could you give me a ball park figure of how much money we would stand to lose if we told the Federal Government to butt out of our business of conducting this type of affairs."

Dart: "We're not sure of the exact, but a ball park would be about \$700 million."

Durkin: "Alright. I have no further questions, thank you."

Speaker Hartke: "Further discussion? The Gentleman from Cook,

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Representative Pugh."

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

Speaker Hartke: "He indicates he will."

Pugh: "Representative, you stated that this piece of legislation is designed to bring us in, conformance with federal law and if we did not conform we would be at risk of losing \$77 million?"

Dart: "In a ball park figure about 700 million."

Pugh: "Can you tell, can you explain to me the process for adjudication? What happens when at the... how does a child go to get to the first dispositional hearing?"

Dart: "This first is a shelter care hearing when the child is first taken into custody. You get the hot line call that the child's been severely beaten or raped. The case worker takes the child into custody and then there is an immediate shelter care hearing and then within 90 days, there is a 90 day time frame, after that there has to be an adjudication hearing which is sort of the trial for the case worker and all the other people who may be involved, to come forward and present their evidence that this wasn't just some neighbor trying to get even with somebody and so they're going to ruin someone's life. That we have hard evidence showing this child had been beaten half to death, had been raped and that... so it should be taken away. And then 30 days after that 90 days, there's a dispositional hearing as far as what should be done in this situation as far as where the child should go. Should the child be given to the grandmother, the child go to an aunt, should the child go to a non-custodial parent who may be around, or should the child go into a non-relative foster setting?"

Pugh: "So it's 90 days, 90 days to a dispositional hearing and

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how soon after that 90 day period for an adjudication or the next hearing, the permanency hearing?"

Dart: "The requirement is that there's a permanency hearing 12 months after the child's removed from the parents. And that's a requirement of federal law."

Pugh: "So, within that 12 month period, there is investigations going on to determine whether or not that the charges are valid?"

Dart: "Actually within that first 90 days during that adjudicatory period, there will be that, and, I mean, I think that makes sense. It's almost like a speedy trial requirement that you have to try someone a period of time. If you're going to take someone's child away from them, you'd better be able to show it and you better be able to do it soon so that people don't have their children taken away for extended periods of time. So you have that 90 day window when they have to come forward and prove up basically what the allegations are."

Pugh: "And this particular legislation replaces the Bill so the I SEARCH language that was originally in the Bill is negated."

Dart: "The I SEARCH language is still in here, as well. We rewrote the whole Bill, but we kept that in there. That's in the Bill."

Pugh: "Thank you, I have no further questions."

Speaker Hartke: "Further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 to House Bill 66?' This is final action. All those in favor signify by voting 'aye'; those opposed voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there were 115 Members voting

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"yes"; 0 voting 'no'; 0 voting 'present'. And the House does concur to Senate Amendment #1 to House Bill 66. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 998, the Gentleman from, Representative Jones. Representative John Jones."

Jones, J.: "Thank you, Mr. Speaker. On House Bill 998 we would just like to move to concur with Senate Amendment #1."

Speaker Hartke: "Would you explain the Amendment? Would you explain the Amendment?."

Jones, J.: "Just a moment, Mr. Speaker. All the Amendment does is adds a sunset date of January 1, 2008, to the Bill. And amends the State Finance Act to create the Petroleum Resource Revolving Fund."

Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 998?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 118 Members voting 'aye'; 0 voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 998. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1757, Representative Silva, from the County of Cook. The Lady from Cook. Representative Silva, House Bill 1757 concurrence."

Silva: "Thank you, Speaker. I want to concur with Senate Amendment 3, it becomes the Bill. It creates a Job Training and Economic Development Demonstration Grant to be run by DCCA. The grants are made from money appropriated by the General Assembly for that purpose and it would provide for a minimum of 12 and up to 20 grants and they are

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employer linkages. Priorities given to projects with an in kind match by the employer and I would..."

Speaker Hartke: "On the issue is there any discussion? The House recognizes Representative Rutherford, from the County of Livingston."

Rutherford: "Thank you, Mr. Speaker. I stand in support of the Representative's efforts here. She's worked very closely with the Department of Commerce and Community Affairs. Has crafted an Amendment to the legislation to make it a fine portion to it and I would even highlight the fact that I am even a hyphenated Sponsor with her on this now, too."

Speaker Hartke: "Any further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Chuck, Chuck."

Speaker Hartke: "Declining to speak. Is there further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1?' No, excuse me. Senate Amendment #3, to House Bill 1767. This is final action. All those in favor signify by voting 'aye'; those opposed signify by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? On this question, Mr. Clerk, take the record. On this question, there were 116 Members voting 'aye'; 0 voting 'no', and the House does concur in Senate Amendment #3 to House Bill 1757, and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 586, Representative Capparelli. Out of the record. House Bill 1327, Representative Clayton, on a nonconcurrency Motion. Out of the record? Out of the record. House Bill 1881, the Gentleman from Bureau, Representative Mautino. On a concurrence Motion."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentleman of the

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House. I move concurrence on Senate Amendments 1, 2 and 4 and we filed a Motion to Nonconcur in Senate Amendment #3."

Speaker Hartke: "On that question, is there any discussion? The Motion is to concur on Senate Amendments 1, 2 and 4 on House Bill 1881. We're going to divide the question. And on that issue is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "State your inquiry."

Black: "Did I hear you say you're going to divide the question? Vote on each Amendment separately?"

Speaker Hartke: "We'll divide the Motion."

Black: "Divide the Motion."

Speaker Hartke: "Yes, we will concur on Senate Amendments 1, 2 and 4 and then we will move to his Nonconcur Motion."

Black: "Okay. Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he will."

Black: "Representative, Senate Amendment #1 picks up some provisions from House Bill 333. Do you have in your file, what the final vote was on that Bill in the House? You know the total?"

Mautino: "I do recall that it was a very strong Majority, overwhelming, on that Bill itself. I do not, I'm looking through staff file, I don't have a copy of the Roll Call. I believe it was around in the 80's or 90's though."

Black: "Basically, Senate Amendment #1 deals with mastectomy and mammogram coverage. Is there anything else, any other Mandates in that Amendment that you're aware of?"

Mautino: "In there we have the post mastectomy care and we have the mammography language which is from Representative

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Feigenholtz in a Bill that passed out of here also, overwhelmingly."

Black: "Okay. Then Senate Amendment..."

Mautino: "The others will be dealing with... in following Amendments. Included in the Bill also is the prostate coverage and Pap smears, as well."

Black: "That's specifically mentioned in Amendment #2, as I recall."

Mautino: "Correct."

Black: "And then Amendment #4, let's take just a quick look at that. That has to do with mandating coverage of naprapathic services."

Mautino: "Representative Davis explained to me what the naprapaths were, as well."

Black: "Well, nobody has ever explained it to me, but whatever. So, a vote for Senate Amendment #4 is a vote for the naprapaths?"

Mautino: "Yes, that's going to provide for insurance coverage. It's Representative Burke's legislation, I believe it passed through both Chambers, with very strong votes."

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

Speaker Hartke: "Further discussion? The Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield? And would the Chair clarify, are we dividing the question on each Amendment here?"

Speaker Hartke: "The Motion we're discussing right now is the concurrence Motion on Senate Amendments #1, 2 and 4."

Mulligan: "So, we're looking at 1, 2 and 4 for concurrence together, jointly?"

Mautino: "Yes."

Mulligan: "Thank you."

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Speaker Hartke: "The Gentleman says he will yield for a question."

Mulligan: "Representative Mautino, in Amendment #1, what kind of post mastectomy coverage are we talking about here? Certainly not anything as broad as what we passed over to the Senate three times out of this Body."

Mautino: "No that is... you are correct in that. This is an initiative was introduced in the Senate. Making changes to your original Bill, I believe was 333 and it has... It does require and mandates inpatient care for inpatient services for mastectomies and it has a provision that the... subject to the request of the physician, whatever the length of stay is going to be. This is a provision that was put in by Senator Parker, I believe enrolled in Amendment #1."

Mulligan: "Where does it provide for inpatient care? All I see is post mastectomy coverage, which I presume could also mean a visiting nurse coming to your home after you've had a outpatient mastectomy and telling you how to change the bandage."

Mautino: "One minute, I'm just looking through the Amendment itself."

Mulligan: "Representative, look on page nine."

Mautino: "I just got there to page nine, yes. It's a rather extensive Amendment. It would be Line 3 and 4 and the language is, 'Shall provide inpatient coverage following mastectomy for a length of time determined by the attending physician.'"

Mulligan: "What is different than the way the law is now, which is already been... messaged in order, well I suppose that's the wrong word to use with this Bill..."

Mautino: "That'd be Amendment #4, that's the Naprapaths as

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Representative Davis told me earlier."

Mulligan: "Oh, okay. Right now, supposedly, what HMOs in Illinois and patient plans say, is that it is up to the attending physician but they have gotten around that by the way they mutilate contracts. So this does not specify any specific length of time. 'It says it's up to the attending physician, so basically, what we're doing is we're throwing out a Bill that we're saying is changing coverage, but we're not actually changing the coverage in any way, are we?"

Mautino: "My understanding, Senator Parker's Amendment left that to be decided by the physicians and I think that was the negotiated agreement when she made this Amendment."

Mulligan: "Not anything against Senator Parker, I presume she felt it was better to get something out rather than nothing. But I consider this to be nothing because they didn't negotiate anything and, quite frankly, I think some of this language would be maybe considered ERISA language but the next Amendment, Amendment 2, which is Senator Petka's Amendment, specifically removes any reference that would cover all women in Illinois and now we're back to private care which probably leaves out 60% of the women. So, they put on Amendment #1, and they threw in mammograms to make sure we would all have to vote for it, then they put on Amendment #2, which basically changes the Amendment #1 by removing any reference that would cover all women in Illinois or any ERISA languages but they throw in Pap smears, so the good news is something that the women in Illinois have been working on since I arrived at the General Assembly, was to get Pap smears covered, but of course, for HMOs which are preventive care, they probably were covering Pap smears anyway. We've thrown in Pap smear

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and we've thrown in mammography to make sure we have to vote for this Bill but as far as mastectomies go, we have done nothing. In fact, we've probably let a lot of women to believe that we're going to cover them to an extent, we're not covering them. So, I feel that it is very important, before voting for this Bill, to point out to the women in Illinois that they are not getting any better coverage for mastectomies, in fact, they may be getting less coverage for mastectomies than what they had and although there are parts of this Bill that will probably encourage the Body to vote for it, we've got a problem here with the perception that we've provided. So, you know, I cannot recommend that the Body not vote for this, but I want to be very clearly on record that this Bill creates the illusion of something that is not there as far as covering women who are having mastectomies in Illinois. And I know that it is not your fault and... but anybody that has to send a Bill from Insurance Committee rather than Health Committee, we know it's not going to have the same quality in it."

Speaker Hartke: "Further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor indicates he will."

Stephens: "Would you tell this Body who will determine the length of stay of a woman who has a mastectomy?"

Mautino: "That would be the... determined by the attending physician and in their best judgement they will go ahead and decide what the amount of stay is, but I think if you look into the language, we are mandating into these policies that the insurance company will pay for in-hospital care, which is something that hasn't been

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there. To the best of my knowledge, that is the biggest change and probably the most important change in this legislation."

Stephens: "Well, that's it exactly and the battle has been that insurance companies, HMO, administrators, bureaucrats, and bean counters used to make those decisions, or at least had influence over those decisions. This Amendment, as I understand it, clearly says, that the attending physician shall make that determination. For anyone to stand on this Floor and represent otherwise, is not the case. And I wanted to make sure that the Body understood that. And to stand here and say that, I'm going to... we should all vote for this Bill but it doesn't do what you and I know that it does, is inappropriate and I take exception to the early remarks. Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing none, the question is, 'Shall the House... excuse me, the Lady from Cook, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would just like to address something that was addressed by the previous speaker and that is, the notion that the doctors will be able to make the decision, now that of course is the goal, that is what we want. It is, however, the physicians themselves who requested that some more specific language be put in, as was done, twice now in House Bills for the reason that even under current situations the HMOs, the insurers will say, 'Well it is up to the doctor. We don't have any language here that will prevent them.' But there are coercive ways that the doctors acknowledge that have forced them to send women home earlier than they think they should. The language in the House, is it three occasions now that we've passed this

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legislation, had been specific for a reason and that is, because we have seen managed care entities get around what the physician thinks is best for the patient and we wanted to be more specific. So, we're disappointed in the language, not because we don't want the doctors to decide, we do. But, because we feel that this will not, in fact, enhance their opportunity to make those decisions and could continue current practice which is sending home, sending women home sooner than they ought and in some cases, as out-patients. So, you know, we have lots of reservations with this language on mastectomies."

Speaker Hartke: "Thank you. Further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1, 2, and 4, to House Bill 1881?' This is final action. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 Members voting 'aye'; no one voting 'no', and the House does concur in Senate Amendments #1, 2, and 4, to House Bill 1881. All right, Representative Mautino, on a Motion to nonconcur. Do you wish to Nonconcur with the Senate Amendment #3?"

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur on Senate Amendment #3."

Speaker Hartke: "The Gentleman has moved to nonconcur to Senate Amendment #3, to House Bill 1881. All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. And the House does nonconcur with Senate Amendment #3, to House Bill 1881. On concurrence Motion is House Bill 586, Representative Capparelli, the Gentleman

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from Cook."

Capparelli: "Thank you, Mr. Speaker. First of all, I'd like to thank Michael McAuliffe for holding this Bill as the neutral Sponsor while they were negotiating for banks to sell insurance. So I concur with Amendment #1 to House Bill 586, which becomes the Bill, and it represents the agreement among the banking and insurance industry. The Bill, as amended, is supported by the Illinois Bankers' Association, the Illinois League of Financial Institutions, the Community Bankers' Association of Illinois, the Illinois Credit Union League, the Professional Independent Insurance Agents' Association of Illinois, and the Illinois Life Underwriters' Association. The Bill, as amended, authorizes banks to sell insurance and will permit them to compete effectively in the financial service companies both in the state and among other states. Under this Bill, the banks and bank employees who sell insurance will be subject to all the laws and regulations that apply to any insurance agency or agent when they sell insurance in Illinois. The bottom line is that the Bill is good for the banking industry, the insurance industry, the state's economy, and most importantly Illinois consumers, and this Bill has been agreed and worked on for many years and I'm the happiest guy in the world to see that an agreement has been come to, and I ask for a favorable Roll Call. But before I do that, I would like to turn the mic over to Frank Mautino, who has always been on the side of the underwriters and those who sell insurance."

Speaker Hartke: "On this question is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I apologize for being

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on the phone. You were a little quicker in the Chair than I anticipated. Would the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Black: "Thank you. Dean, good to see you. I want everybody to know that we are finally voting on a question that I think will put to rest a Bill that we have voted on every year since I've been here two or three times and probably every year since you've been here, and that goes back to when Governor Small was talking about getting us out of the mud. Right?"

Capparelli: "Right. You're absolutely right."

Black: "And what this does is finally address the questions as to whether banks shall sell insurance, and it appears that we have a compromise Bill that the insurance agents agree with and that the banks agree with. Is that a fair statement?"

Capparelli: "That's what I understand."

Black: "After all these years, how did you accomplish this, Representative?"

Capparelli: "It wasn't me. They took it away from the lawyers and they gave it to the bank and those that sell insurance and they worked it out."

Black: "Well, it's only appropriate that the Dean of the House carries legislation that probably has been around here longer than most of us have served, and as you pointed out, it appears that there is finally agreement on this issue. I look forward to voting on it and not having to go through this two and three times a year in the future. So I congratulate your efforts on the Bill."

Capparelli: "I'll tell you one thing, Representative Parke has kept me on the Floor a few years ago for two and a half hours with Amendments. Thank God he is not doing it this year."

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Black: "He may do that again today, but I don't think so."

Speaker Hartke: "Further discussion? The Gentleman from Bureau, Representative Mautino."

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

Speaker Hartke: "Indicates he will."

Mautino: "I just have one question. This is for the purpose of legislative intent. Under the definition section, the term insurance shall not include six different lines of insurance which are listed, does mortgage life insurance, and the mortgage accident and health insurance fall into one or more of the six excluded insurance lines?"

Capparelli: "Yes."

Mautino: "Now that we got that out of the way. I commend Representative Capparelli and Representative Bugielski, Brady and Deuchler for the work that they've done also on this issue throughout the course of the year. This is an agreement that ends an over a 20 year battle, and I think that we will see that the consumers and the state chartered banks and the insurance companies have been given a piece of legislation which is going to allow for competition but protections for the consumer. And on that I would simply urge an 'aye' vote and thank all the Members and especially the members of the banking and insurance industries that sat down outside of lobbyists and counsel and worked out how they could structure a Bill that they would have to do in the real world. Thanks."

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

Davis, M.: "Thank you, Mr. Speaker. I rise in support of this legislation and I commend the Sponsors who have been able to reach the kind of agreement that has been reached. As a

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Member of the Financial Institutions Committee, I know the hard work that it took to get this legislation on the books and ready to passage. I commend you and I urge an 'aye' vote."

Speaker Hartke: "Further discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know this is an issue that was going on before I got here 10 years ago, and I just want to congratulate all involved, the Sponsors, the advocates, the bankers, the insurance companies, everyone involved for finally sitting down and getting this resolved. They're to be commended. This is a good piece of legislation that should pass."

Speaker Hartke: "Further discussion? The Representative from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker. I too want to stand in support of this issue. I know Representative Capparelli worked day and night on this issue for the last three months, not to mention the last 25 years. I've never seen anyone work so hard as Representative Capparelli has worked on this issue. And with the support of Representative Mautino and all the other Sponsors and particularly the industry, I don't know how anyone could vote against this. The Dean of the House worked tire... I don't know what he's going to do with all his time, but everyone please vote for this issue."

Speaker Hartke: "Further discussion? Seeing none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 586?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On Senate Amendment #1 to House Bill 586, there

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are 117 Members voting 'yes', 0 voting 'no', 1 Member voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 586. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman... With the leave of the House, we're going to dump this Roll Call and take another one. Leave is granted. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 586?' This is final action. All those in favor signify by voting 'aye'; those opposed signify by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes'; 1 person voting 'no', and 3 persons voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 586. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1664, the Gentleman from Whiteside, Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would indulge your 'yes' vote on Senate Amendment #1, to House Bill 1664. This is an agreement that's been worked on for over five years, I've been involved in it for about three. This allows hypnotists in the State of Illinois to practice their trade without any concern over violation of the law. The agreement was made with the Medical Society, the Clinical Psychologists, Nurses' Association. Everyone is on board, everyone agrees with Senate Amendment #1. I would like to thank all of the Cosponsors who have helped, this is certainly a bipartisan effort. I would like to thank Representative Brunsvold and Representative Boland, and also Representative Moffitt, for

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their support. And I would be happy to answer any questions. Thank you."

Speaker Hartke: "You have heard the Gentleman's Motion. Is there any discussion? The Lady from Cook, Representative Schakowsky."

Schakowsky: "Mr. Speaker, on House Bill 586, the 'no' switch was... I inadvertently had that pushed and I certainly meant to vote a rousing 'yes' on House Bill 586."

Speaker Hartke: "The Journal shall so reflect. Is there any other discussion? The Gentleman from Saline, Representative Phelps."

Phelps: "I move to waive the posting requirements for House Joint..."

Speaker Hartke: "Just a minute, you're not recognized for that Motion at this time. We have a concurrence on the Floor. Is there any discussion on House Bill 1664? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1, to House Bill 1664?' This is final action. All those in favor signify by voting 'aye'; those opposed voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 117 Members voting 'yes'; 0 voting 'no', and 0 voting 'present'. And the House does concur with Senate Amendment #1, to House Bill 1664, and this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Phelps, for what reason do you rise?"

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to move, to waive the posting requirements on House Joint Resolution 25, 27, 28, and Senate Joint Resolution 27."

Speaker Hartke: "You heard the Gentleman's Motion. Is there any

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discussion? The Gentleman from McHenry, Mr. Skinner."

Skinner: "I wonder if we could know the subject matters?"

Phelps: "Was that a question? I didn't hear you."

Skinner: "Yes. What are the subject matters of each Resolution?"

Phelps: "These have to do with Mandate waivers."

Skinner: "Oh, okay."

Speaker Hartke: "Further discussion? The Gentleman from Virginia...Vermilion, Representative Black."

Black: "Well, thank you all very much there, Mr. Speaker."

Speaker Hartke: "You're welcome."

Black: "I rise in support of the Motion to waive the posting requirement. I think these Mandate waiver requests should be heard in committee and not be brought directly to the Floor as a result of a Rules Committee meeting. So, I stand in support of the waiving of the posting requirements so they can be heard in committee."

Speaker Hartke: "Any other discussion on the Gentleman's Motion to waive the posting requirements? Seeing none, all those in favor will signify by saying 'aye'; those opposed 'no'. The Gentleman's Motion is carried and the posting requirements are waived. Representative Tenhouse, the Gentleman from Adams County, for what reason do you rise?"

Tenhouse: "Mr. Speaker, I rise to request a Republican conference in Room 118. As I understand it, we're ready to adjourn and we'll do that immediately following adjournment. Recess."

Speaker Hartke: "I'm sorry, Representative Tenhouse, I don't think we're ready to adjourn yet."

Tenhouse: "But you are ready for a conference, I hope, because we're ready to go."

Speaker Hartke: "How long to you expect to be, Representative Tenhouse? Twenty minutes?"

Tenhouse: "One hour. More or less."

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Speaker Hartke: "Gentlemen, do you realize we're going to be going to committees after your caucus and then we come back to the Floor for more Floor action?"

Tenhouse: "That's fine. We request an immediate conference. One hour."

Speaker Hartke: "The Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Just one further correction on the waiving of the posting requirements. It should have included House Joint Resolution 24, also. And I move to do that now."

Speaker Hartke: "Mr. Tenhouse, if you would just hold your request just a second. The Gentleman has requested a waiver of the posting requirements on House Joint Resolution #20...124. Is there any discussion? Excuse me, we better get the right, 24. Is there any discussion? Representative Parke."

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

Speaker Hartke: "The Sponsor will yield."

Parke: "Representative, you are wanting to waive it, is this a duplicate or almost exactly the same as the first Bill that for mandate, waivering of mandates?"

Phelps: "No, this is not a duplication, this should have been heard sometime before and we just overlooked it. It deals with a GED requirement being further substantiated through appropriation process."

Parke: "Now, is this agreed by our side?"

Phelps: "Yes, Sir."

Parke: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing none, all those in favor of the Motion signify by saying 'aye'; opposed 'no', and the Motion carries. Mr. Tenhouse, you've requested a

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Caucus, a Republican Caucus in Room 118 and that request has been granted for one hour. Committee schedules are to begin at 2:00 o'clock and we will reconvene the Chamber at 12:30 or immediately after...2:30 or immediately after the committee hearings. The House stands in recess.

Speaker Hartke: "The House will come to order. Mr. Clerk, Committee Reports. Excuse me, Mr. Clerk. Will all authorized individuals not entitled to the Floor, please retire to the Gallery? Mr. Clerk."

Clerk Bolin: "Representative Gash, Chairman from the Committee on Judiciary II, Criminal Law, to which the following Joint Action Motions were referred, action taken on May 22, 1997, reported the same back with the following recommendations: recommend 'be adopted' Motion to concur with Senate Amendment #1, to House Bill 172. Representative Eugene Moore, Chairman from the Committee on Revenue, to which the following Joint Action Motions were referred, action taken on May 22, 1997, reported the same back with the following recommendations: recommend 'be adopted' Motion to concur with Senate Amendment 1, 2, 4, and 5, to House Bill 1513 and Senate Amendments 1, and 2, to House Bill 883."

Clerk Bolin: "Messages from the Senate. Message from the Senate by Mr. Harry, Secretary. 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 with the following title to wit; Senate Bill 56, a Bill for an Act to amend the Public Utilities Act by changing Section 8-204 with House Amendment #1, to Senate Bill 56. Senate Bill 172, a Bill for an Act in relation to sex offenders, with House Amendment #2, and House Amendment #5. Senate Bill 271, a Bill for an Act in relation to alternatives to dissection, with House

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Amendment #2. Senate Bill 317, House Amendment #1. Senate Bill 473, a Bill for an Act to amend the Circuit Courts Act, House Amendment #4. Senate Bill 773, a Bill for an Act to amend the Civil Administrative Code, House Amendment #1. Senate Bill 837, a Bill for an Act to amend the Public Community College Act, with House Amendment #1. Senate Bill 574, a Bill for an Act to amend Illinois Municipal Code, with House Amendment #1. Message from the Senate by Mr. Harry, Secretary. Mr. Speaker, I am directed to inform the House of Representative that the Senate has concurred with the House of Representatives in the passage of House Bill 729, a Bill for an Act to amend the Election Code, together with Senate Amendment #2. 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 in the adoption of their Amendment to Senate Bill 454, a Bill for an act to amend the Illinois Vehicle Code, with House Amendment #2. I am further directed to inform the House of Representatives that the Senate has refused to concur with the House in the adoption of the following Amendment. House Amendment #1, to Senate Bill 454."

Speaker Hartke: "The House will come to order. Motions of nonconcurrences, Motions to refuse to recede, Senate Bill 465. The Representative from McDonough County, Representative Myers, on House Amendment #1. Representative Myers."

Myers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On Senate Bill 465, I move to refuse to recede and ask for a Conference Committee be appointed. Thank you."

Speaker Hartke: "Representative Myers has moved that the House refuse to recede from House Amendment #1. All those in

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favor say 'aye'; opposed...Representative Black, do you have a comment to make on House Bill 465?"

Black: "No, I'm sorry. My light has been on for about 2 1/2 hours, I didn't even know if it was still on. My little bulb is burned out, is it on up there?"

Speaker Hartke: "Yes, it is, Representative."

Black: "Well, I have an Inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Okay. I, in all due respect to you, Mr. Speaker, you know, I love ya, but things have not been moving smoothly since you have been in the Chair. Now, I expect you to pickup the pace here just a little bit because there are things that we need to get done tonight, and so if I have some reasonable assurance that the Gentleman from Teutopolis will move the process along, I'm going to work with you, but if we're just going to sit here hour after hour, with you in the Chair, I'm going to have to raise some points."

Speaker Hartke: "Please do, Sir. We'll try our best to move it right along."

Black: "All right. Okay."

Speaker Hartke: "Is there any other discussion? If not, all those in favor of the Motion, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from Senate Bill 465, House Amendment #1, and that the House requests a Conference Committee be appointed. Senate Bill 493. The Gentleman from Rock Island, Representative Brunsvold, on House Amendment #1, to Senate Bill 493."

Brunsvold: "Thank you, Mr. Speaker. I would move not to recede from House Amendment #1, to Senate Bill 493 and request a Conference Committee be appointed."

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Speaker Hartke: "You've heard the Motion. Is there any discussion? Seeing none, for those in favor of the Motion signify by saying 'aye'; those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from Senate Bill 493, House Amendment #1. And that the House requests a Conference Committee be appointed. Senate Bill 569. The Gentleman from Madison, Representative Stephens, on House Amendment #1. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. House Amendment #1, the Senate didn't like that Amendment and we still like that Amendment, and so I think we need to discuss this further and I refuse to recede and would ask a Conference Committee report."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? Seeing none, all those in favor of the Motion signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1, to Senate Bill 569. And the House requests that a Conference Committee be appointed. Senate Bill 670. The Gentleman from Cook, Representative Bugielski, on House Amendment #1."

Bugielski: "Thank you, Mr. Speaker, Members of the House. I refuse to recede on House Amendment #1, to Senate Bill 670, and I ask that a Conference Committee be appointed."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? (You) heard the Gentleman's Motion, those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1, to Senate Bill 670, and request that a Conference Committee be appointed."

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Mr. Clerk, Committee Report."

Clerk Rossi: "Representative Phelps, Chairman from the Committee on Elementary and Secondary Education to which the following Resolutions and Joint Action Motions were referred, action taken on May 22, 1997, reported the same back. Recommended 'be adopted' House Joint Resolution 24, House Joint Resolution 28, Senate Joint Resolution 27. Motions to concur, Senate Amendment 2, to House Bill 689. Senate Amendment 1 and 2, to House Bill 754, and Senate Amendment #1, to House Bill 898."

Speaker Hartke: "Senate Bill 789, the Gentleman from Cook, Representative Dart on House Amendment #3."

Dart: "Thank you, Mr. Speaker. I move to refuse to recede from House Amendment #3, to Senate Bill 789, and ask for a Conference Committee."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? Seeing none, all those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #3, to Senate Bill 789, and the House requests that a Conference Committee be appointed."

Speaker Hartke: "Senate Bill 730, the Gentleman from Boone County, Representative Wait, on House Amendment #1. Out of the record. Senate Bill 408, the Lady from Cook, Representative Feigenholtz, on House Amendment #1. Is the Lady in the Chamber? Out of the record. Senate Bill 240, Representative Lindner, from Kane County on House Amendment #1."

Lindner: "Thank you, Mr. Speaker. I would refuse to recede from House Amendment #1."

Speaker Hartke: "You've heard the Lady's Motion. Is there any discussion? Seeing none, those in favor of the Motion

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signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse to recede from House Amendment #1, to Senate Bill 240. And that the House requests that a Conference Committee be appointed. Senate Bill 460, the Gentleman from Madison County, Representative Steve Davis. A Motion on House Amendment #1 and #2. Representative Davis."

Davis, S.: "Yes, thank you, Mr. Speaker. I would like to move to recede from House Amendments #1 and 2, and send this to a Conference Committee."

Speaker Hartke: "I think the Motion should be refuse to recede from House Amendments #1 and #2. Is that correct? Representative Davis, you refuse to recede ."

Davis, S.: "Refuse to recede, I'm sorry, yes."

Speaker Hartke: "You've heard the Motion. The Motion is that Representative Davis refuses to recede from House Amendments #1 and 2, to Senate Bill 460. Is there any discussion? Seeing none, all those in favor of the Motion signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1 and House Amendment #2, to Senate Bill 460. And that the House requests that a Conference Committee be appointed. On concurrence Motions there's Senate Bill 521, the Gentleman from Cook, Representative Turner, on House Amendment #1. Representative Turner. Representative Wait, are you ready to run your Motion? (Senate Bill) 521 should be taken out of the record. On the Order of concurrences with House Bill 190, the Gentleman from Cook, Representative Burke, on Senate Amendments #1 and #2. Representative Burke."

Burke: "Thank you, Speaker. House Bill 190, I would ask that we concur with the Senate Amendments #1 and #2. Now this Bill

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is identical to Senate Bill 878, Senator Watson's Bill. It is the prepaid college education fund. These two Amendments have been recommended by the administration, it would remove the full faith and credit of the state and some other minor concerns and I would ask for the Body's favorable consideration."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? The Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "Indicates he will."

Parke: "Representative, on Amendment #1, that came out of the Senate and it's a Watson Amendment. Do you know of anybody who is objecting to this Amendment?"

Burke: "They are, actually, both Senator Watson's Amendments and this is, again, identical to his Senate Bill. Our Bills are concurrent and there was no opposition to any matter related to this Bill."

Parke: "Okay. Well, just a minute. Okay, well it passed out of the Senate what, 56 to 1?"

Burke: "Yes."

Parke: "And nobody is objecting to it as far as you know?"

Burke: "There is absolutely no objection."

Parke: "Thank you. We appreciate it."

Burke: "Thank you."

Speaker Hartke: "Is there any further discussion? Is there any further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2, to House Bill 190?' This is final action. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the

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record. On this question, there are 116 Members voting 'yes'; 0 voting 'no', 0 voting 'present' and the House does concur with Senate Amendments #1 and 2 to House Bill 190 and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of concurrence, House Bill 727, Representative Burke. Representative Burke, do you want to run House Bill 725, Senate Amendment #1?"

Burke: "Thank you again, Speaker. On House Bill 725, I would move that we concur with Senate Amendment #1. Simply stated, Senate Amendment #1 would provide that, first of all, it amends the Health Care Surrogate Act. And simply stated, it would require that a surrogate would not be allowed to withhold, withdraw, or terminate all or any portion of life-sustaining treatment with knowledge that the patient's death is likely to result. The surrogate could not knowingly and intentionally decide to kill a patient. And I would ask for the Body's favorable consideration."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? On that issue, the Gentleman from DuPage, Representative Roskam."

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

Speaker Hartke: "Indicates he will."

Roskam: "Representative Burke, for purposes of legislative intent, it's my understanding that this Amendment would allow surrogates to make medical treatment decisions for patients without decision-making capacity who do not suffer from a qualifying condition. Since the patients are not dying, this Amendment would not allow a surrogate to forego life sustaining treatment, is that correct?"

Burke: "That is correct."

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Roskam: "Thank you."

Speaker Hartke: "Is there anyone else seeking recognition? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 725?' This is final action. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'aye'; 3 Members voting 'no', and 1 Member voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 727 (sic-725). And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 172, the Gentleman from Logan, Representative Turner, on Senate Amendment #1."

Turner, J.: "Mr. Speaker, thank you for calling my Bill, I appreciate it. House Bill 172, as amended by the Senate, incorporates all of what was House Bill 2174, all of what was House Bill 591, all of the original language that was in House Bill 172, and they added some language that made it a Class A misdemeanor to improperly call 9-1-1 numbers when there is no emergency. I move for concurrence in Senate Amendment #1. Be glad to answer any questions."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? On that issue, the Chair recognizes the Gentleman from Cook, Representative Dart."

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

Turner, J.: "Yes, I will."

Dart: "Thank you. Representative, the changes that you make with Senate Amendment #1, is three different Bills of yours. Is that correct?"

Turner, J.: "That is correct, Representative Dart, and the really only new language is with regard to the 9-1-1 and the usage

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thereof, improperly making it a Class A misdemeanor."

Dart: "That's the only difference from what the other three Bills were?"

Turner, J.: "Yes, just to be very technical, they also added some language when you either transmit or cause to be transmitted to police agencies, fire departments, ambulances, they added just, 'or causes to be,' I mean technically that is new language, too. But really 9-1-1 and calling that number is additional things that they put into the Bill that we have now already passed out of here."

Dart: "Did the other Bills, did they all die in the Senate Rules?"

Turner, J.: "I'm not certain, I think they did."

Dart: "My point is, is none of them are on the Governor's desk, now. The reason that you're doing these is because they aren't getting there."

Turner, J.: "Oh, correct. They did not advance, I don't know if they are definitely in Rules and dead, but they did not advance."

Dart: "So, did this get your batting average up substantially then?"

Turner, J.: "Well, not really because they've reduced all of the fine work that you had actually helped me with some of it, into only one measure, and I did have several measures that I think it probably looked a little better. So, as far as a batting average, it probably doesn't give me much of a boost."

Dart: "Just one last question. The 'no knock' provisions, these are provisions that are mandated by the Supreme Court cases, is that correct?"

Turner, J.: "Not necessarily mandated, the Supreme Court pointed out that our particular statute was unconstitutional, and

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frankly, with the assistance of many individuals, including the Appellate Prosecutor's Office and the Cook County Public Defender's Office, what we did was try anticipate, Tom, what might be some other problems with our statute, not only with the Illinois State Supreme Court but also with the U.S. Supreme Court and so we made changes so that we thought that it would make it Constitutional in all respects and indeed since we passed it over to the Senate, the U.S. Supreme Court in the Wisconsin case did come up with some language which seems to indicate, I think on anybody's fair reading, that what we passed is Constitutional both in Illinois and the U.S. Constitutions."

Dart: "Was there any opposition to any these, the different Bills of yours?"

Turner, J.: "Was there any opposition in the House to the other Bills?"

Dart: "Yeah."

Turner, J.: "(House Bill) 2174 looks like it went out 117 to nothing. Tom, I don't have the Roll Call on the House Bill with regard to 'no knock', but I know there was some opposition from your side of the aisle. I think it had close to 100 votes, but I don't know if I can give you exactly the number. If I get the Roll Call here and I'll give it to you."

Dart: "Okay, thanks a lot, John."

Speaker Hartke: "Is there any further discussion? The Chair recognizes the Representative from Kendall, Representative Cross."

Cross: "I'm sorry, Mr. Speaker. My light was inadvertently put on. I am fully in support of this Bill. I didn't know that I was being called on. Thank you."

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Speaker Hartke: "Is there any further discussion? Seeing none, Representative Dart to close, if you'd like. Representative Turner, to close."

Turner, J.: "Mr. Speaker, I appreciate the fact that you're going to allow me to close on this Bill, even though Representative Dart did ask some very good questions. I hope that you will join me in voting for my Motion to concur."

Speaker Hartke: "The question is, 'Shall the House concur in Senate Amendment #1, to Senate Bill 172...House Bill 172?' This is final action. All those in favor signify by voting 'aye'; those opposed vote 'nay'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 172, Senate Amendment #1 there were 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair would like to announce that when we adjourn on Friday afternoon, late... Members could I have your attention? It's the Chair's intention that when we adjourn the House on Friday afternoon, late Friday afternoon, we will not be required to return here until 1:00 p.m. Tuesday. For what reason does the Gentleman from Vermilion rise?"

Black: "Well, thank you very much, Mr. Speaker. In light of that announcement, I have an Inquiry of the Chair."

Speaker Hartke: "Proceed."

Black: "My Calendar, the Calendar that I was given by the Democrat Majority, the Calendar that I carry next to my heart in my pocket says that Friday, May 23, is the date we adjourn. What is this coming back Tuesday? I have plans. I have non-refundable Greyhound Bus tickets. You know, I was headed for Arkadelphia, do a little fishing. What is

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this coming back Tuesday? You know, the Calendar clearly says, that Friday, May 23, is the date of adjournment."

Speaker Hartke: "Well, Mr. Black, I think you can head for Arkadelphia if you'd like, but you better be back here Tuesday, to do the work of the people."

Black: "Well, I'm going to tell you, I'm shocked and appalled and somebody is going to reimburse me for those bus tickets. I'll tell you that right now."

Speaker Hartke: "And what does the Gentleman from Madison County, rise?"

Stephens: "Mr. Speaker, to protest. I don't know which Bill Black to believe. Today he tells us, he's got Greyhound Bus tickets. Every other time we've discussed a transportation issue, mass transit, he tells us there is not one bus that runs through his district. Everybody in the district is unemployed and the schools have no money. So, I know that we're going to have to choose between the Bill Black of today or the Bill Black... oh, he had to catch the bus in Champaign, I stand corrected. He had to walk to Champaign, up hill all the way in the snow to catch the bus so that he could ride back to Arkadelphia, or whatever that place is."

Speaker Hartke: "On concurrence Motions, we have House Bill 1147, Senate Amendments #1, 2, and 3. The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move that we would concur on Senate Amendments 1, 2, and 3, to House Bill 1147. Essentially, 1147, as amended in the Senate, would have two major provisions. First, it would establish a uniform statewide framework for municipal franchising of telecommunication carriers that use the public rights-of-way and secondly, it

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would replace the out moded state tax on invested capital with a uniform statewide infrastructure fee. The Bill would, is an agreement among all of the Telecom Carriers, the Municipal League, and other units of local government. It would preserve local control over rights-of-way while at the same time simplifying and streamlining the local market entry by companies that want to invest in our state. Be happy to respond to any questions, but would appreciate your support on the Motion to concur on Senate Amendments 1, 2, and 3."

Speaker Hartke: "You heard the Gentleman's Motion. Is there any discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments... for what reason does the Gentleman from Vermilion rise? Representative Black."

Black: "Yes, will the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Black: "Thank you. Representative, it's very hard to hear here, there's a Caucus right between us. Is this the Bill that takes care of the franchise agreements?"

Kubik: "Yes."

Black: "Okay. And it gives Chicago a different rate than other cities would get, correct?"

Kubik: "That is correct."

Black: "Okay. Are there any new fees to be imposed under the new franchise arrangements in these Senate Amendments, that are not currently imposed?"

Kubik: "Representative, not that I'm aware of. As I understand it, we're replacing a investment capital tax with what we would call an infrastructure maintenance fee and outside of the City of Chicago, that fee, that maximum would be 1% on gross receipts, and inside the city it would be 2. The local unit of government would have the discretion as to

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whether or not they wish to levee this maintenance fee.

But that's my understanding of the Amendments."

Black: "Excuse me, I don't have my file with me. This has nothing to do with negotiating new franchise agreements, as such, as to how you're going to serve that community. It has to do with infrastructure improvements and right-of-way issues. Is that what we're after in the Senate Amendments?"

Kubik: "That's my understanding, yes."

Black: "As far as I know, if... I'm trying to remember the last time I talked about this Bill. This is one of those rare Bills where it appears that everybody in the telecommunications business would probably stand in agreement with this package?"

Kubik: "That is correct."

Black: "And that includes the the cable companies as well as the cellular companies and the traditional telcos?"

Kubik: "That is my understanding, Representative."

Black: "Okay. I appreciate your questions, but I can't find the right file, so I appreciate answering the questions. Thank you."

Speaker Hartke: "Further discussion? Further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1, 2, and 3, to House Bill 147 (sic-1147)'? This Motion requires 71 votes. This is final action. Mr. Clerk. All those in favor vote 'aye'; all those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 70 Members voting 'yes'; 45 voting 'no', 3 voting 'present'. And this Motion, having failed to receive the Constitutional requirement, is hereby declared

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lost. Representative Black."

Black: "Speaker, I have an Inquiry of the Chair. I realize that you've taken the record and declared the measure lost, so it's probably too late. In the opinion of the Senate, this did not preempt the right section of the Home Rule Act. The Senate staff clearly said, it only took 60 votes not 70. It may be an exercise in futility at this point, but I would be most grateful if you would look into that. I believe it preempts subsection (h), of the Home Rule authority which does not require 70 votes. At least that was the opinion of the Senate, not that they are the definitive answer, but I think in this case they're probably right."

Speaker Hartke: "Well, Mr. Black, we'll have the Parliamentarian here shortly to make a ruling on your suggestion."

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

Speaker Hartke: "Representative Kubik."

Kubik: "Mr. Speaker, my light was on during the Roll Call. I was requesting Postponed Consideration on that Motion."

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

Lang: "Thank you, Mr. Speaker. Since this is just a Motion to concur, Mr. Kubik doesn't need Postponed Consideration. He can renew the Motion at any time."

Speaker Hartke: "The Lady from Cook, Representative Monique Davis, for what purpose do you rise?"

Davis, M.: "Mr. Speaker, I would like to be recorded as 'no' on House Bill 172, Senate Amendment 1, the concurrence Motion that contains the 'no knock' provision."

Speaker Hartke: "The record will so reflect. The Gentleman from Cook, Representative Pugh. For what purpose do you rise?"

Pugh: "Yes, Mr. Speaker. I, too, would like to be recorded as a 'no', on that same piece of legislation."

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Speaker Hartke: "The record will so reflect. nonconcurrences on the board, we have Senate Bill 939, the Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This vehicle is meant for Brownsfield, Brownsfield legislation which is being worked out as we speak. I would move to refuse to recede and call for a Conference Committee Report on Senate Bill 939."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? Seeing none, all those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from Senate Amendment #1 to House Bill 939 and the House requests a Conference Committee Report. Supplemental Calendar announcements."

Clerk Bolin: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "Rules Committee announcements."

Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room. Rules Committee immediately in Speaker's Conference Room."

Speaker Hartke: "On nonconcurrences, we have Senate Bill 1019, Representative Cross, the Gentleman from Kendall."

Cross: "Is this the educ... no, this isn't the education Bill. I'm sorry. I move to nonconcur on House Amendment #1."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? Seeing none, those in favor of the Motion signify by saying 'aye'; those opposed 'no'. Representative Cross."

Cross: "I made a mistake, because I thought it was another Bill. I refuse to recede on that, I apologize. On House Amendment #1."

Speaker Hartke: "You've heard the Gentleman's Motion, he refuses to recede from on House Amendment #1, to Senate Bill 1019."

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All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from this Bill, and the House requests that a Conference Committee be reported. Senate Bill 659, House Amendment #1, the Gentleman from McLean County, Representative Brady."

Brady: "Mr. Speaker, I believe I filed a Motion to refuse to recede, and ask for a Conference Committee Report."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1, to Senate Bill 659 and the House requests that a Conference Committee be appointed. Senate Bill 663, Representative Scully."

Scully: "Thank you, Mr. Speaker. I move to refuse to recede to the Amendment."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from Senate Amendment #1 and #2 to Senate Bill... House Amendment #1 and 2 on Senate Bill 663, and the House requests a Conference Committee be appointed. Senate Bill 730, Representative Wait, the Gentleman from Boone County on House Amendment #1."

Wait: "Ladies and Gentlemen of the House, I refuse to recede on this Bill."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1 to Senate Bill 730, and the House requests that a Conference Committee be appointed. On the Order of concurrence, is House Bill

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1141, the Gentlemen from Cook, Representative Lopez. Out of the record. On the Order of concurrence on House Bill 1916, the Gentleman from Cook, Representative Burke on Senate Amendment #1."

Burke: "Thank you, Speaker. I would move to concur with Senate Amendment #1, to House Bill 1916. This initiative has been brought to us by the City of Chicago to give the city the opportunity to garnish the wage of city employees as well as the Chicago City Colleges, Chicago Transit Authority and the Chicago Park District. And what this Amendment would do, would be provide greater protection for those whose wages would be garnished by providing that proper notice be given. Certain Members, both the Senate and the House, had recommended this change so it is a little more reasonable and not quite as difficult to be in favor of, and I would ask for Body's favorable consideration."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "Indicates he will."

Black: "Representative, the Senate Amendment gives a little more protection to the employee on the amount of wages that can be garnished. I think that's a pretty good idea and so you're concurring in that Amendment."

Burke: "Yes."

Black: "And does the Amendment give any additional due process to the employee, one of my concerns when we first talked about this was some individual's liable to have wages garnished and then a couple of months later find out, whoops, that was the wrong person."

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Burke: "This, in fact, would require that prior to any wage deduction the agencies must certify to the City of Chicago that the employee has been afforded an opportunity for a hearing to dispute the debt. So, all notices would have to be proper and if they were not, the employee would have the opportunity to challenge that after receiving that proper notice."

Black: "Okay. I appreciate what you're trying to do and I realize that the city has a rather serious problem. Mr. Speaker, if I might, to the Motion."

Speaker Hartke: "To the Motion."

Black: "In all due respect to the Sponsor, and I intend to vote for this, I want to make that very clear. I think Chicago should be given the tools to clean up its own problem. But I would say this, and to many of my downstate colleagues, this clearly shows what I said a couple of years ago and took a lot of ridicule for. The Chicago parking ticket system is in dire need of fixing and now when it was only downstaters complaining about it, they had a tendency to laugh at us, although I must say and I'll give the mayor credit, under Hugh Murphy, we are making progress on Chicago's so called, phantom tickets. I think it's ironic justice that the city now has to take special means to collect unpaid parking tickets from city employees. And it further emphasizes that the city needs to get their act together on not only their parking ticket problem, but now they've got unpaid water bills. I don't mind voting for this, and I think every downstater should vote for it, because it only affects Chicago and I would say that the message we're sending, that yes, we'll stand with you to correct the problem that you have and we hope, and I think, Representative Burke and I have talked about this. I think

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he will stand with us to continue to make improvements in due process rights on Chicago parking tickets. So, in a way, I'm glad this happened. I'm glad that the city realizes there are significant problems in the collection of these tickets. They need this material and these tools to collect this money, they should have that. I don't think it's fair that a tax paid employee doesn't pay fines that are legitimately owed. But, I do think and I rise to some point of ironic justice that we've argued this a couple of years ago, maybe now we'll get even a more fair hearing on the issue at hand. So, I intend to vote 'yes'. I encourage my colleagues to vote 'yes'. And we'll continue to work on the issue that impacts downstaters."

Speaker Hartke: "Further discussion? Representative from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative Burke, I had some opposition or some questions on this Bill prior to the Amendment. But I just want to confer some things and I think the Amendment has taken away the concerns I had. If I'm reading this correctly and in some discussion with people from the City of Chicago, the due process opposition or concerns we have, have been addressed and there's ample due process from what I understand from the employees prior to any wage deduction. Is that accurate?"

Burke: "That is accurate. It is absolutely correct."

Cross: "And it, there are several steps the city would have to take before they could take any steps to withhold money from their paychecks. Is that correct?"

Burke: "That is right."

Cross: "All right. And my understanding as well is this only applies to employees, public employees from the City of

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Chicago. Is that correct?"

Burke: "That is correct and that would be the Chicago Public Schools, who owe right now, \$3.7 million. The Chicago Park District employees, who owe \$362 thousand. The Chicago Transit Authority, who owe \$1.5 million, and the City College employees who owe \$604 thousand."

Cross: "As I said earlier, I had some opposition to this Bill early on and I don't think I voted for it before. I appreciate you addressing the concerns that many of us had in the Senate. I'm fully supportive of this Bill now, I hope that others will see that the opposition we had at one time is gone and I appreciate your work on it. Thank you very much."

Burke: "I appreciate your remarks."

Speaker Hartke: "Further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1, to House Bill 1916?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 87 Members voting 'aye'; 29 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Currie, Chairman from the Committee on Rules, to which the following Amendments and Bills were referred, action taken on May 22, 1997, reported the same back with the following recommendation: 'Be adopted' Motion to concur with Senate Amendment #1, to House Bill 709, and refer to Second Reading Senate Bill 645."

Speaker Hartke: "On the Order of concurrence, House Bill 754, the

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Gentleman from Cook, Representative Burke on Senate Amendments #1 and 2. Representative Burke. Excuse me, that's Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The underlying Bill provided for a mechanism whereby private schools could tap into technology that was available to the public schools at no cost to the state. The language was worked out with the State Board of Education, the Catholic Conference and the IEA. Senate Amendment #1 provides for a school technology revolving loan fund for those situations where private schools would be would be asked to pay a fee or a charge to be a part of this program. Senate Amendment #2, resurrects a Bill that, House Bill 449 that came out of this House, Representative Cowlshaw sponsored it, I think an overwhelming vote, but was held in the Senate Rules Committee for whatever reason. That Bill basically brings the state in line with the Comptroller's change in statutes last year so that the lapsed period spending is removed... is reduced from 90 to 60 days and that makes changes... and this Amendment makes changes in those payment schedules that the State Board of Education uses in order to get within that... those guidelines. So, that's what the Bill does and I move for concurrence."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "Indicates he will."

Black: "Representative Hannig, very quickly, I'm just not sure about Senate Amendment #1. It requires the State Board to

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deposit state funds from non-public schools charged for access. I assume that's access to the internet, telecommunications, et cetera, to the statewide educational network into this fund. Now, does that mean then, the underlying Bill, they're included in the fund, correct?"

Hannig: "They would be included by the underlying Bill, they would be able to access the technology."

Black: "Okay."

Hannig: "And the whole idea was that it would be at no cost to the taxpayers. So, I think what the Senate thought of, that we had omitted was there could be a situation where the private school would want to get into the system, and it would cost the taxpayers some money but they would agree to reimburse the taxpayers. So, this would be a mechanism where we could collect that money."

Black: "So, it's just really creating a mechanism whereby they can actually come up with the money, deposit it in the account and then participate in the program."

Hannig: "Yes. So, if they wish to participate and they can do it and there is no cost involved, fine."

Black: "Okay. Fine."

Hannig: "If there is some costs and they are willing to pay them that's fine too."

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

Speaker Hartke: "Further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendments #1 and 2, to House Bill 754?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'aye'; 0 voting 'no', and 1 Member voting 'present'.

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And the House does concur in Senate Amendments #1 and 2, to House Bill 754. And this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar, Mr. Clerk."

Clerk Bolin: "Supplemental #2 is being distributed."

Speaker Hartke: "Mr. Clerk, on Supplemental Calendar #2, appears... the Order of nonconcurrency, we have Senate Bill 3, House Amendment #1, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. I would move that the House refuse to recede and that a Conference Committee be established."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed say 'no'. In the opinion of the chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1 to Senate Bill 3, and that the House requests a Conference Committee to be appointed. Senate Bill 423, Representative Hannig on Amendment #2, House Amendment."

Hannig: "Yes, thank you, Mr. Speaker. I also would move that the House refuse to recede from the House Amendment to Senate Bill 423, and that a Conference Committee be established."

Speaker Hartke: "You've heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #2, to Senate Bill 423. And that the House requests that a Conference Committee be appointed. Senate Bill 1129, Representative Hannig, on House Amendment #1. Out of the record. Mr. Clerk, on Supplemental Calendar #2 appears Senate Bill 645. Read the Bill, please."

Clerk Bolin: "Senate Bill 645, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of this Senate

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

Speaker Hartke: "Hold that Bill on Second Reading, Mr. Clerk. On the Order of nonconcurrence is Senate Bill 408, House Amendment #1. The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. I would like to refuse to recede to House Amendment #1, and send this to Conference Committee."

Speaker Hartke: "You've heard the Lady's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1 to Senate Bill 408 and that the House requests a Conference Committee be appointed. Senate Bill 574, House Amendment #1, the Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Mr. Speaker. I would respectfully request to refuse to recede to the Senate Amendment or to the House Amendment #1, to Senate Bill 574. This is a Bill for administrative adjudication by the City of Chicago."

Speaker Hartke: "You have heard the Gentleman's Motion. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does refuse..."

Fritchey: "Mr. Speaker, would you like for me to repeat?"

Speaker Hartke: "Just hold a minute. Take that out of the record. On the Order of concurrence, we have House Bill 883, Representative Kubik, on Senate Amendments #1 and 2. Out of the record. On the Order of Concurrence, House Bill 689, the Gentlemen from Saline, Representative Phelps, on Amendments #2, Senate Amendment #2."

Phelps: "Thank you, Mr. Speaker. I rise to concur in Senate

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Amendment #2 to House Bill 689. What this provision... this Amendment did was eliminate a provision we had originally in for the school mandate waivers which now takes out the provision to notify Legislators of the mandate waiver requests"

Speaker Hartke: "You have heard the Gentleman's Motion. Is there any discussion? The Chair recognizes the Gentleman from Vermilion County, Representative Black."

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

Speaker Hartke: "Indicates he will."

Black: "Representative, Senate Amendment #2, takes out the seven day notice to State Legislators for a waiver modification. I can understand that, but now I'm confused as to what the Bill actually does. And I realize that, you know, don't have to answer that but I thought the purpose of the Bill was to notify Legislators and now that's been taken out."

Phelps: "Representative, the only thing left now is that the bargaining agent would be notified of the public hearing at least seven days prior to the hearing and the local school board could modify the waiver within the five-year period by following the same procedure as for granting the waiver. So, it took out the notice to the... as a public hearing to the State Legislators."

Black: "Does it do anything to change the way the mandate waiver situation is handled, currently?"

Phelps: "No, you mean the process? No, other than the five-year period that the school board could modify, the waiver within that five-year period. That's the only thing that would be altered."

Black: "Okay. I'm not aware of any opposition to the Bill with the Senate Amendment, are you?"

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Phelps: "No."

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

Speaker Hartke: "Further discussion? Seeing none, the question is, 'Shall the House concur to Senate Amendment #2, to House Bill 689?' This is final action. All those in favor signify by voting 'aye'; those opposed signify by voting 'no', and the polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 74 Members voting 'aye'; 44 Members voting 'no'. And this Bill does... and the House does concur in Senate Amendment #2, to House Bill 689. And that this Bill has received a Constitutional Majority, and is hereby declared passed. On the Order of Concurrence, we have House Bill 898, the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendments #1 to House Bill 898. Essentially, the Senate took a very close look at the original underlying Bill and provided a lot of clarification and I would like to go over some of the points with the Body. It gives more discretion to the local regional school superintendents, it includes other natural disasters or condemnations pursuant to Section 3-14.22 of the School Code, among the events that qualifies a school district to apply for such assistance. Currently the eligibility is based upon needs due to fire, earthquakes, or tornadoes. It establishes a grant program to provide assistance to districts qualifying for the loan program, to cover allowable expenses that exceed the cost a district can finance through the loan provisions. Establishes a temporary emergency relocation grant fund as

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a revolving fund with proceeds of the repayments from the loan program, paying into the grand fund to maintain its balance of \$3 million. Adds language that the regional office of education to indicate any or all schools of the district that may warrant condemnation during the ensuing school term, permissive authority to the state board to attach the general state aid payments otherwise due a district to finance urgent repairs. Would be more than happy to entertain any questions. Essentially, they just about rewrote the entire Bill that was promulgated by State Board of Education. We think it makes it more appropriate and more agreeable to all parties concerned."

Speaker Hartke: "You've heard the Gentleman's Motion. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He will."

Black: "Representative, it appears... the Senate Amendment becomes the Bill, is that correct? And it seems that, I believe it was Senator Maitland's Amendment, it seems to tighten, it seems to have tightened up some of the things that you and I discussed when this Bill was before us in the House."

Novak: "You're correct."

Black: "I... actually, I think the Senate did a pretty good job of taking a good Bill and making it a little bit better. The only concern that some people have expressed is, extending to the City of Chicago, what all other school districts have."

Novak: "Right."

Black: "And will that levy authority be granted to them without

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referenda?"

Novak: "Yes, that's correct. Only to pay off the amount of the loan."

Black: "Right. And when that... let me ask you just a procedural question. When that loan, in fact, is paid off, does that levy have to go off?"

Novak: "That would be the intention, yes, Sir."

Black: "Yes, that's what I would think. Okay, thank you, Representative."

Novak: "That's just like going to the bank and borrowing the money."

Black: "Right. Okay."

Speaker Hartke: "Further discussion? The Gentleman from McHenry, Representative Skinner."

Skinner: "Do I understand you correctly that..."

Speaker Hartke: "Yes, the Gentleman will yield."

Skinner: "That the Amendment allows the City of Chicago to levy a tax of 5 cents per 100 without a referendum?"

Novak: "Only for condemned buildings. Only for the amount needed to replace, not replace, but fix up the condemned buildings."

Skinner: "The answer is 'yes', then."

Novak: "Pardon me."

Skinner: "The answer is 'yes'?"

Novak: "Yes, just like every other school district is allowed to in the State of Illinois."

Skinner: "Thank you."

Speaker Hartke: "Further discussion? Seeing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 898?' This is final action. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted

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who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 80 Members voting 'yes'; 38 Members voting 'no'. And this Bill... on this question there are... And this Bill, having received a Constitutional Majority, is hereby declared passed. On Supplemental Calendar #1, there appears House Joint Resolution #24, Representative Phelps."

Phelps: "Thank you, Mr. Speaker. House Joint Resolution 24, directs the State Board of Education to fund on a one-time only basis, supplemental grants for the GED purposes, expressly for that purpose. This is also asking that the ongoing study be made, feasibility study and the report come back to the General Assembly the end of this year."

Speaker Hartke: "You've heard the Gentleman's Resolution. Is there any discussion? The Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "He indicates he will."

Parke: "Thank you. Representative, have you cleared this through our education Chairman? Have you talked to our education people about this?"

Phelps: "Yes."

Parke: "I'm sorry."

Phelps: "I don't know if I understood the last part of your question, I couldn't hear you."

Parke: "Have you talked to Mary Lou Cowlshaw about this, is she on board?"

Phelps: "I think in committee she acted like she was very cordial towards this idea."

Parke: "Okay. So, this is... is anybody in opposition to this?"

Phelps: "I don't know of any."

Parke: "Okay. So this strictly is going to cost... it sets up a

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study and it, costs about, what \$200 thousand for the study?"

Phelps: "Well, the study doesn't cost \$200 thousand, we're talking about appropriation, one time to get GED stable funding until the study can give us a long-term suggestions."

Parke: "Okay. Thank you, Representative."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, I'm sorry, I was down talking to the press so if you've covered this, I do apologize. I'm very concerned and I think anybody, and I know you are as well, that the owner of the test is raising the fees on taking the GED test and in districts like yours and mine, that will have a deleterious impact on those people who want to take the test. So, what I'm trying to figure out is if your Resolution is going to subsidize that fee or are we just trying to send a message to the owner of the test about the fee increase."

Phelps: "This is not an appropriation Bill, you know, it's a Resolution... sends a message that we need to stabilize this funding because of a change in the fees, it has been a few years since they have raised it but..."

Black: "And I understand that and the test company, I'm sure, is justified in raising its price, but in your district and probably mine, it's going to put a real hardship on people who we encourage to take the GED. Now that the test may go up, I don't know, \$10, \$15, \$20 more, it's going to have the absolute inverse reaction. I mean, there will be fewer

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people able to take it. So, does the Resolution call for us to help pay for it or just a Resolution saying we're concerned about this increase in the cost?"

Phelps: "Well, this Resolution stipulates that we appropriate \$200 thousand for taking care of this purpose. If we don't, you and I have probably used GED... will lose GED testing sites..."

Black: "Yeah, absolutely."

Phelps: "And those vulnerable population could be more vulnerable."

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

Phelps: "Thanks."

Speaker Hartke: "Further discussion? The Gentleman recognizes... will recognize the Gentleman from Kane County, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Just a comment, please. This is an emergency brought upon to the State of Illinois by the company. There was no warning of this. If you care anything about the 21 thousand people who take GED in this state, we've got to vote 'yes', and then we've got to sit down and talk about a real solution. This is a good Bill, we need to put it through to protect those people who need to continue their education."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Joint Resolution 24 pass?' All those in favor vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Joint Resolution 24, there are 118 Members voting 'yes', 0 voting 'no'. And the House does pass House... adopt House Joint Resolution 24. On Resolutions, Supplemental Calendar #1, Senate Joint

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Resolution #27, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution 27, with this action we are actually complying with the action of the Senate which is required in order to be able to move anything out in answer to mandate waivers. This disapproves a request pertaining to the 10 year life safety survey submitted by Community Unit School 300, Carpentersville. I appreciate your support."

Speaker Hartke: "You've heard the Gentleman's Resolution, is there any discussion? The Gentleman from Kane... the Lady from Kane, Representative Lindner."

Lindner: "Yes, thank you, Mr. Speaker. I urge non-support for this denial of this waiver request. There are a number of things under, technically under life safety, the things that were a threat to the safety of the children, the school district did fix. I have the list of the other things that they are requesting of the waiver and they are things that, to maybe bring some things up to code but things that are not broken that do not do anything to threaten the safety of the children and it would cost the school district about \$6 million and I'd ask that you consider denying this."

Speaker Hartke: "Further discussion? The Gentleman from McHenry, Representative Skinner."

Skinner: "Yes, Mr. Speaker, and Ladies and Gentlemen of the Assembly. I also represent district 300, and I would like to let you know the process has been less than satisfactory. There was a very detailed submission given to the State Board of Education which the State Board of Education failed to summarize until today. Let me tell you what is in it. There's a mandate that there be one, over

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\$1 million worth of re-roofing. Now, why on earth should the State of Illinois care how the roofs are on various schools? There's \$5.2 million of a state mandate for new boilers, ventilation systems, plumbing systems. Now if school district 300 thinks it's more important to put money into school salaries or into other maintenance expenditures, why on earth is the State of Illinois telling them they can't do it? Why on earth is the Board of Education not telling us what the specific requests are? When this came to the Senate there were two words, life safety. Well, gee whiz, we're all afraid of life safety, right? Well, some of these are so stupid, as the door is not close enough to the edge of the wall. Or the door is not close enough to the end of a dead-end corridor. There are two items which perhaps we might want to require them to do. One has to do with fire safety, with replacing doors that are not solid core, with solid cored doors. A bit of alarm stuff, alarm system stuff. That's \$180 thousand, there is \$260,700 for electrical suggestions. This Resolution, unfortunately I think, is a result of the Senate having been duped by the Office of Education through its poor informing of the office of what is involved. It's certainly 'big daddyism' at its best. I hope you will vote against it. I join my colleague, Mrs. Lindner, in asking for your opposition."

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

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

Speaker Hartke: "State your inquiry."

Black: "Yes, and this happens every year on these mandate waivers. So, I just want to make sure, there is always

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confusion. A 'yes' vote denies the waiver request. Am I correct?"

Speaker Hartke: "If you support the waiver request, you vote 'no'."

Black: "Now, you confused me because you didn't answer my question the way I asked it."

Speaker Hartke: "If you support the waiver request you vote 'no'. If you're against the waiver request you vote 'yes'."

Black: "All right. A 'yes' vote disapproves the district's request for a waiver."

Speaker Hartke: "That is correct."

Black: "Okay. Thank you."

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

Phelps: "We merely ask for your support for this to comply with Senate action."

Speaker Hartke: "You've heard the Gentleman's Motion. If you favor...Representative Fritchey, for what reason do you rise?"

Fritchey: "Mr. Speaker, I've got some confusion, I think I'm joined in that confusion. Is this for just one specific waiver request or for all of them? Just this one."

Speaker Hartke: "Representative Phelps."

Phelps: "Community of 300, Carpentersville district only."

Fritchey: "And this has no impact on any of the other waiver requests?"

Phelps: "Just this question. No other waiver requests are in this Bill."

Speaker Hartke: "Seeing no further persons seeking recognition 'Shall the House adopt Senate Joint Resolution #27?' Those in favor, if you support this Resolution request you vote 'no', if you're against the waiver request, you vote 'yes'."

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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 issue, Senate Joint Resolution #27, 93 people have voted 'yes'; 24 individuals have voted 'no', and the Resolution... and 1 voted 'present', the Resolution is adopted. Representative Kubik, would you like to concur in House Bill 883, Senate Amendment #1 and 2? Out of the record. Representative Hannig, would you like to call House Bill for concurrence 754, Senate Amendments #1 and 2? We did that already? Out of the record. Representative Turner in the Chamber? Art Turner. Mr. Clerk, what is the status of Senate Bill 645?"

Clerk Rossi: "Senate Bill 645 is on the Order of Senate Bills, Second Reading. There are no Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On the Order of nonconcurrency is House Bill 521. Representative Turner, Art Turner. Senate Bill, excuse me, with House Amendment #1."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I refuse to recede to House Amendment #1, and ask that a Conference be set for Senate Bill 521."

Speaker Hartke: "You heard the Gentleman's Motion. All those in favor say 'aye'; opposed 'no', and in the opinion of the Chair, the 'ayes' have it and the House does refuse to recede from House Amendment #1, to Senate Bill 521, and ask that... or request that a Conference Committee be appointed. Representative Brunsvold in the Chair."

Speaker Brunsvold: "Once again the Chair would like to inform the Members that we will be leaving Friday afternoon, late. Returning Tuesday, at 1:00 p.m. Returning Tuesday, at 1:00 p.m. Mr. Moore, what reason do you rise?"

Moore, E.: "For an inquiry, Mr. Speaker."

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Speaker Brunsvold: "State your inquiry."

Moore, E.: "Will we be adjourning tomorrow and coming back for a Special Session?"

Speaker Brunsvold: "No, we..."

Moore, E.: "Is that what the intent is?"

Speaker Brunsvold: "We will be adjourning tomorrow, late afternoon, returning on Tuesday. That's not a Special Session, even though the Calendar indicates we will adjourn, that does not indicate a Special Session."

Moore, E.: "Okay, so therefore, you're extending the current Session."

Speaker Brunsvold: "Well, the schedule as it was indicated early in the year is not correct at this time."

Moore, E.: "Oh, okay. Thank you very much, Mr. Speaker."

Speaker Brunsvold: "Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to make an announcement."

Speaker Brunsvold: "Proceed with your announcement."

Morrow: "Thank you. For those Members who are a member of the Legislative Printing Unit, we will be holding a meeting at 8:00 a.m., tomorrow morning in Room L-1, Stratton building. Legislative Printing Unit, that's one that prints up your business cards and your stationary, Representative Davis. So we're going to be holding a get acquainted meeting tomorrow morning. All Members, please try. I don't know who you are, you know who you are who are Members of the unit, but let's be there at 8:00."

Speaker Brunsvold: "On Resolutions, we have House Resolution 83. Representative Schakowsky. House Resolution 83, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker. I present today a Resolution that is... was brought to me by the Coalition of

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Polish American Women, the Polish American Congress, the Polish National Alliance, the Polish Women's Civic Club, the Polish Copernicus Foundation, and the Polish Arts Club. And what it does is urge Congress to support the establishment of a time-table for the admission of... in Republic of Poland to to North Atlantic Treaty Organization. And I move its adoption."

Speaker Brunsvold: "The Lady has moved for the adoption of House Resolution 83, and on that question the Gentleman from Cook, Mr. Parke."

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

Speaker Brunsvold: "The Sponsor yields."

Parke: "Representative, you want to allow Poland to join NATO, is that what this Amendment is to do?"

Schakowsky: "This urges the President and the Congress to support that, which the President has indicated, he does. Yes."

Parke: "Now, has NATO asked for Poland to be in there as the organization of NATO? Have our Joint Chief of Staffs requested this?"

Schakowsky: "Well, this has come from... the Government of the United States through the President, has recommended it although there will be a vote on that."

Parke: "Do you know of anybody that is opposition to this Resolution?"

Schakowsky: "No, it was heard in committee and was no one signing in, in opposition."

Parke: "Is this only apply to Poland, I thought Hungary and one other, oh yeah, here it is Czechoslovakia, and the other Slovakian companies (sic-countries) and Romania also are being considered. Why don't you include them in this?"

Schakowsky: "This Resolution was brought to me by a large number of groups from the Polish-American community and that's

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what this Resolution refers to and that is the only action, the only recommendation that the President of the United States has made."

Parke: "Okay, thank you."

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

Bugielski: "Thank you, Mr. Speaker, Members of the House. I rise in support for House Resolution 83, this is just asking President Clinton and Congress to accept Poland into NATO. The President of the United States suggested this back in January of 1997. He publicly supports Poland being accepted into NATO, with the geographical location of Poland, it borders right up to Russia. It is a very strong support for the United States and by having Poland join NATO, it will be a great support for us against Russia in case Russia ever decided to do anything and start another war. So, it's very important for us to pass this Resolution to urge the President and Congress to encourage the other nations to accept Poland into NATO. And I ask for a favorable Roll Call."

Speaker Brunsvold: "And on the question, the Polish Gentleman from DuPage County, Mr. Johnson."

Johnson, Tom: "Yes, will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields."

Johnson, Tom: "Representative, you said this was in committee, right?"

Schakowsky: "Yes, it was."

Johnson, Tom: "And you said there were no slips in opposition."

Schakowsky: "That is correct."

Johnson, Tom: "Do you know if anybody from the Russian community attended your committee meeting?"

Schakowsky: "No, I don't know."

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Johnson, Tom: "Do you know if Russia supports this Resolution?"

Schakowsky: "You're talking about the Russian Americans, or are you talking about the Nation of Russia?"

Johnson, Tom: "The Nation of Russia."

Schakowsky: "My understanding is that, you know, Boris didn't testify and I believe that they are not in favor of this."

Johnson, Tom: "Well, why would we want to alienate our markets and friends in the Nation of Russia, just in support of this Resolution?"

Schakowsky: "In the interest of the stability of Eastern Europe. In the interest of... in the National interest of the United States, in the view of the President of the United States, this would be in the best interest of our country as well as, in support of Poland."

Johnson, Tom: "Well, Jan, the reason I asked is I'm very concerned about this because my son is going to be in Russia for the next year. And if I, as a Legislator in Illinois, do something against the Nation of Russia, I'm concerned about my son and about other Americans over there in Russia. So, I'm very concerned about this, but I think I'll support you."

Schakowsky: "I think that you should vote in favor of this for the reason of peace and security in Eastern Europe and in favor of your son's from safety."

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

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

Speaker Brunsvold: "The Lady has moved for the adoption of House Resolution 83. All in favor say 'aye'; all opposed 'nay'. The 'ayes' have it and the House does adopt House Resolution #83. The Gentleman from Kendall, Mr. Cross."

Cross: "Thank you, Mr. Speaker. It's 6:30, on Thursday night and

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tomorrow we've been told, at least through your press office and all the newspapers in this state, that we're going to vote on the largest tax increase this state's seen in a very long time. We haven't seen a Bill. We would like to know when we can expect to see this Education Funding Bill. Where is the Bill? In all honesty, we want to know when we can expect to see the Bill, Mr. Speaker. The largest tax increase in this state's history and we have yet to see the Bill. When can we expect to see the Bill?"

Speaker Brunsvold: "I think, Mr. Cross, you ought to refer your questions to the Governor's Office on the second floor."

Cross: "I'd like to know when we can expect to see the Education Bill, it's up tomorrow. You've told us, we've read in the paper that it's going to be up tomorrow. We would like to know when we can expect to see the Bill, not from the Governor's Office, but from the Speaker's Chair. When can we expect to see the Bill? The largest Bill of this Session, the biggest issue, and we haven't seen the Bill yet."

Speaker Brunsvold: "Mr. Cross, 782-6871 is the Governor's number. Would you please give him a call?"

Cross: "Is the Governor Sponsoring the Bill, Mr. Speaker, or is someone from your side?"

Speaker Brunsvold: "The Governor seems to be very..."

Cross: "When can we expect to see the Bill?"

Speaker Brunsvold: "I would not know, I have not talked to the Governor."

Cross: "Will we see it tonight or will we see it an hour before when we vote on it?"

Speaker Brunsvold: "Like a fine wine, Mr. Cross, when it gets here, you will see it."

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Cross: "Are we going to get an answer? Well, I'm sure that's fair. That's fair to the people of the State of Illinois, isn't it, Mr. Speaker?"

Speaker Brunsvold: "Mr. Cross."

Cross: "Are we going to have a committee hearing on this Bill before we vote on it?"

Speaker Brunsvold: "I'm sure that there will sufficient discussion on the Bill when we get it and you know, as well as I do, what happens at the end of Session."

Cross: "How much time can we expect to vote... before we vote on this Bill? Mr. Speaker, are we going to go to committee tonight or will we be going to committee tomorrow?"

Speaker Brunsvold: "Representative Cowlshaw. Would you like to present your Motion?"

Cowlshaw: "I beg your pardon."

Speaker Brunsvold: "Would you like to present your Motion?"

Cowlshaw: "You interrupted me right in the middle of reading an editorial, it was the most interesting thing I've seen in the paper all day long."

Speaker Brunsvold: "Was it the Wall Street Journal?"

Cowlshaw: "Yes, actually, Mr. Speaker, it was. It was the editorial page of the Wall Street Journal, and I want you to know, the day after I read that editorial, I put in a year's subscription to the newspaper. I would be glad to make the Motion, Sir, if I could remember what it was."

Speaker Brunsvold: "House Bill 1147, Representative."

Cowlshaw: "I move we adjourn."

Speaker Brunsvold: "Mr. Clerk, please read the Bill."

Cowlshaw: "I move to reconsider the vote by which House Bill 1147 failed."

Clerk Rossi: "Pursuant to Rule 65, and having voted on the prevailing side, Representative Cowlshaw moves to

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reconsider the vote by which the Motion to concur with Senate Amendments 1, 2, and 3, to House Bill 1147 lost."

Speaker Brunsvold: "Is there any discussion on that question? The Lady has moved to reconsider the vote, having voted on the prevailing side... the Lady has moved to reconsider the vote, she has made the Motion. The vote now will be on the reconsideration. All those in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all vote who wish? This will require 60 votes. 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 the reconsideration, there are 93 'yesses'; 24 'noes', and 1 voting 'present'. And the vote shall be reconsidered. The Lady from DuPage, Representative Cowlshaw. Representative Cowlshaw made the Motion. Mr. Kubik, on the... with the Bill."

Kubik: "I thought we would let Representative Cowlshaw go back to her editorial."

Speaker Brunsvold: "Before we go back to Representative Cowlshaw, Mr. Black."

Black: "Mr. Speaker, an Inquiry of the Chair. I don't think we'd be in this position had we gotten a ruling from the Chair that the Senate had already concurred with. This Bill was ruled that it took 71 votes. If you'll look, it's in the Subsection (h) of the Constitution on the preemption of Home Rule that this Chamber has always ruled only requires 60 votes. Now, if you persist in your 71 vote requirement, this Bill is in jeopardy, perhaps, I don't know. But I would ask the Chair, I didn't get to ask this until the record had been taken the last time and I think it only requires 60 votes."

Speaker Brunsvold: "Mr. Black, we're going to look into that

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right now."

Black: "Thank you."

Speaker Brunsvold: "Mr. Kubik, would you like to proceed with the explanation."

Kubik: "Thank you, Mr. Speaker. I think we had a thorough explanation before. What this Bill has to do with the Telecommunications Act, it would provide a uniform statewide framework for municipal franchising of telecommunication carriers and it would have replaced the state tax on invested capital with a uniform statewide infrastructure fee. Again I would be happy to respond to questions. I know that there were some concerns raised by some people when we voted last. I think those concerns have been addressed. I'd be happy to respond to questions. We'd appreciate your support in the Concurrence Motion on Senate Amendments 1, 2, and 3."

Speaker Brunsvold: "The Gentleman has moved for concurrence. On the question, Mr. Black, the Parliamentarian indicates 71 votes. Mr. Black."

Black: "Mr. Speaker, in all due respect to the Parliamentarian and I have great respect for him, I don't even know the Parliamentarian in the Senate, but how can we be in this position where the Senate rules that it requires 60 votes and the House is going to require that it takes 71 votes?"

Speaker Brunsvold: "Mr. Parliamentarian."

Kasper, Mike: "Representative Black, the State Constitution provides, in pertinent part under Subsection (g) of Section VI, of the local government Article of the Constitution, that the General Assembly by law approved by the vote of three-fifths of the Members elected to each House may deny or limit the power to tax of a Home Rule Unit. This Bill provides on Senate Amendment #1, page 8, line 11, permits a

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municipality to impose an infrastructure maintenance fee. Line 17 limits that fee in municipalities with a population of over \$500 thousand to a 2% revenue fee because it's a limit... it is a tax that is permitted but in a limited way, it falls under that provision of the Constitution which requires a super majority vote."

Black: "All right, I would ask that you notify the Senate of the error of their ways. Thank you."

Speaker Brunsvold: "Mr. Black, there may be an unheard of precedent setting here that the Senate has made a mistake. The Gentleman has moved for concurrence. Is there any discussion? The question is, 'Shall the House concur in Senate Amendments 1, 2, and 3, to House Bill 1147?' This is final action. All those 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 90 voting 'yes'; 26 voting 'no', 2 voting 'present'. And the House does concur in Senate Amendments #1, 2, and 3 to House Bill 1147. And this Bill, having received a Constitutional Majority, is hereby declared passed. On concurrence, House Bill 709. Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1, 2, and 3. As you recall, this Bill was taken out of the record a couple of days ago for some corrections and the referrals to Rules and the committees. The underlying Bill gives permissive authority for filing tax liabilities electronically by utilities. And Senate Amendment #1, expands the exemption from the public utility taxes imposed by the state for business enterprises making investment of

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at least 200 million which is suggested by the Danville Area Economic Development Corporation. Senate Amendment #2 actually reduces that amount of investment from 200 million to 175 million for a business enterprise that employs at least 150 full-time employees. And Senate Amendment #3, actually clarifies existing law as to the meaning and scope of an exemption regarding state gas revenue tax and it was a piece of legislation that was passed on March 1, 1995. And I would move to concur with Senate Amendment #1, 2, and 3, and would be happy to answer any questions."

Speaker Brunsvold: "And on the question, is there any discussion? The Gentleman from Cook, Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. Will the Sponsor yield for questions?"

Speaker Brunsvold: "The Sponsor yields."

Schoenberg: "Thank you. Representative Moore, could you please reiterate and explain the provision in the, I believe it was Amendment, either 1 or 2, that featured some form of exemption for utility that had a threshold of \$200 million."

Moore, A.: "Representative, Senate Amendment #1 expands the exemption from public utilities taxes that are imposed by the state for business enterprises that are making an investment of at least 200 million, and creating a minimum of 150 full-time equivalent jobs. This legislation is similar in intent to a Committee Amendment that was placed on Senate Bill 804, and it was suggested by the Danville Area Economic Development Corporation."

Schoenberg: "Pardon me, Representative. How many entities would this kind of specialized break assist?"

Moore, A.: "It's my understanding that this is pretty narrowly worded. Let me check specifically. It would be available

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statewide, but they would have to meet the \$200 million investment and the minimum of 150 full-time equivalent jobs."

Schoenberg: "So, there would have to be the creation of 150 new jobs?"

Moore, A.: "Yes."

Schoenberg: "And an investment of 200 million, in order to qualify for this tax break?"

Moore, A.: "Well, there is other criteria in addition to that. The business is either in an Illinois enterprise zone or in a federally designated foreign trade zone or sub-zone and designated by the department as a high impact business."

Schoenberg: "I'm sorry, what was the last portion of that?"

Moore, A.: "The business is either in an Illinois enterprise zone or a federally designated foreign trade zone or sub-zone and designated by the department as a high impact business. The extent of the abatement is decided by the state, it may be up to 20-years and if the state decides to abate the public utility tax for a particular business, each utility company serving that firm is excused from collecting the public utility taxes. There is a company considering Danville for the location of a steel factory, and they are also considering a site in Indiana and so the Danville Area Economic Development Corporation has requested this assistance."

Schoenberg: "I see, so to reiterate what you said earlier, this is rather narrowly, while it could be applicable statewide, it's really narrowly drawn in an attempt to successfully woo a steel company to go to Danville instead of going elsewhere out of state."

Moore, A.: "That's correct."

Schoenberg: "That's correct. Thank you."

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Moore, A.: "Thank you."

Speaker Brunsvold: "Representative Moore, to close."

Moore, A.: "Thank you, Mr. Speaker. I would move to concur in Senate Amendment #1, 2, and 3."

Speaker Brunsvold: "The Lady has moved for concurrence, and the question is, 'Shall the House concur in Senate Amendments 1, 2, and 3, to House Bill 709?' This is final action. All those in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 111 voting 'yes'; 5 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendments 1, 2, and 3, to House Bill 709. And this Bill having received a Constitutional Majority, is hereby declared passed. House Bill 1619. Representative Lou Jones."

Jones, L.: "Thank you, Mr. Speaker. House Bill 1690 (sic-1619) I move to concur on Senate Amendment #1, and I'm going to defer the questions or the explanation to Representative Wood, to explain the Senate Amendment."

Speaker Brunsvold: "Senate Amendment #1 explanation, the Lady from Lake, Representative Wood."

Wood: "Thank you, Mr. Speaker. Senate Amendment #1, basically guts the Bill, Senate Amendment #2, which was also considered in committee. Are we doing that at this time? Actually adds the language to the Bill."

Speaker Brunsvold: "Representative Jones, are we concurring in 1? What about Senate Amendment #2, what's your desire on that Amendment?"

Wood: "Senate Amendment #1 gutted the Bill. Senate Amendment #2 adds the language."

Jones, L.: "There was only one Amendment."

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Speaker Brunsvold: "The Lady indicates there was one Amendment.

There's two Amendments, Representative?"

Wood: "No, there's two. There's two Amendments that was considered by committee."

Speaker Brunsvold: "Could you please take this Bill out of the record and we'll sort out the Amendments? Mr. Clerk, give us Amendment clarification."

Clerk Rossi: "House Bill 1619 has one Senate Amendment adopted to the Bill and that is Senate Amendment #1."

Speaker Brunsvold: "Representative Wood."

Wood: "Thank you very much. Senate Amendment #1, which was passed unanimously by the Judiciary Committee, amends the statute concerning perpetuity and it basically provides that a qualified perpetual trust can be created by expressly providing that the rule of perpetuities does not apply. This Amendment was considered by the Senate, was passed out, I believe by 55 votes. And I would appreciate your support."

Speaker Brunsvold: "The Lady has explained the Amendment. Is there any discussion? The Gentleman from Cook, Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Lady's Motion. As the lawyers in the House know, the rule against perpetuities is a very difficult matter to understand. None of us understood it in law school either. The result though of the fact that other states around us have eliminated this rule, but not the State of Illinois means there is some trust business and other business going to other states that doesn't have to go there. So, the Senate Amendment would deal with the rule against perpetuities in a way that it would allow the State of Illinois to continue to do trust business and because we don't, we have not repealed it, trust companies,

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fiduciary companies, and others are losing some business that they might need. My view of the rule against perpetuities is that it is unnecessary and therefore, we should concur in the Senate Amendment and vote 'yes' on the Lady's Motion."

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

Durkin: "Will the Sponsor yield?"

Speaker Brunsvold: "The Sponsor yields. Representative Wood, are you referring to Representative Wood."

Durkin: "Representative, give me one more chance and maybe educate me. What the heck is the rule against perpetuities? I went to law school, I took Bar-bri from Mike Spak. He said something about the rule against perpetuities states that all interest must vest, if at all, within 21-years in lives of being. What the heck does that mean?"

Wood: "Well, Representative, it's been far more many years since I've been to law school. So, I will quote from Gray, the rule against perpetuities. 'No interest is good unless it must vest, if at all, not later than 21 years after some life in being at the creation of this interest'."

Durkin: "Well, all right. Well that explains things. My only concern now is for these probate lawyers and now that we're going to eliminate this rule, are they going to be stuck with... now relying on the rule in Shelly's case, or the rule in Wild's case?"

Wood: "Representative, we are not eliminating the rule against perpetuities. We are creating a modification to the statute to permit grantors to opt out against using the rule."

Durkin: "Well, I've been practicing law for 12 years, and thank you for finally answering that question for me."

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

Biggert: "Thank you, Mr. Speaker. To the Bill. I rise in support of this Bill. This really is a qualification and you have to be assured that future interest and the rule against perpetuities will still be taught in law school. This just is a modification to say that for generations skipping trust, that the rule may be waived. And I stand in support."

Speaker Brunsvold: "The question is, 'Shall the House concur in Senate Amendment #1, to House Bill 1619?' This is final action. 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 115 voting 'yes'; 2 voting 'no', 0 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 1619. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Calendar under Resolutions is House Resolution 113, Mr. Holbrook."

Holbrook: "Thank you, Mr. Chairman (sic-Speaker). What this Resolution does is commemorate the Armenian genocide that occurred on April 24, eighty-some years ago. It was brought to me by my Armenian Church in my area. It was the worse genocide, with the exception of the Jewish genocide at the point and I believe there are four other Cosponsors on this House Resolution, also, and I would move for its passage."

Speaker Brunsvold: "The Gentleman has asked for the adoption. Is there any discussion? Seeing none, the question is, 'Shall the House adopt House Resolution #113?' All in favor say

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'aye'; opposed 'no'. The 'ayes' have it, and the House does adopt House Resolution 113. House Bill 5...excuse me, Senate Bill 545, House Amendment #1. Mr. Mautino. Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I filed a Motion for refuse to recede from the House Amendment #1, and ask that a Conference Committee be set up."

Speaker Brunsvold: "The Gentleman has moved to not to recede from House Amendment #1. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the House does refuse to recede from House Amendment #1. The Gentleman asks that a Conference Committee be appointed. The Chair is prepared to adjourn. One more item of business. Mr. Clerk, what's the status of Senate Bill 129? Senate Bill 129."

Clerk Rossi: "Senate Bill 129, the Bill has been read a second time, previously. No Committee Amendments. Two Floor Amendments have been referred to committee."

Speaker Brunsvold: "Third Reading. There will be, Ladies and Gentlemen, there will be committees tomorrow at 10:00 a.m., and you should check your Calendar for the committee schedule tomorrow morning. Mr. Black, with a Motion."

Black: "Mr. Speaker, I move we adjourn."

Speaker Brunsvold: "The Gentleman has moved that we adjourn. Allowing Perfunctory time for the Clerk. Mr. Black holds his Motion for one second. What's the status of Senate Bill of Senate Bill 645, Mr. Clerk?"

Clerk Rossi: "Senate Bill 645 is on the Order of Senate Bills, Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Black has moved the House stand adjourned until Friday, May 23, at the hour of 11:00 a.m. Allowing Perfunctory time for the Clerk, Members should check their committee schedules

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for the 10:00 a.m. committees in the morning. All in favor of the adjournment Motion say 'aye'; all opposed 'nay'. The 'ayes' have it, and the House does stand adjourned until Friday, May 23, at the hour of 11:00 a.m."

Clerk Bolin: "House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution #176, offered by Representative Younge. House Resolution #177, offered by Representative Giglio. House Resolution #178, offered by Representative Phelps. House Joint Resolution #29, offered by Representative Art Turner. House Joint Resolution #30, offered by Representative Erwin."

Clerk Rossi: "There being no further business, the House Perfunctory Session stands adjourned."