

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

104th Legislative Day

March 3, 2000

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor Lana Sutton of the First United Methodist Church in Woodstock. Pastor Sutton is the guest of Representative Franks. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Sutton: "Thank you, Speaker Madigan. This is a day that the Lord has made, let us rejoice and be glad in it. Please join me in prayer. Gathered here today are filled with gratitude for the blessings of our rest, for the safe arrival today at this time-honored seat of government, and for the renewal of our bodies and minds, and especially, for the nourishment of body and soul that gives us energy for the tasks at hand. Fill this day with Your mercy and Your power. May Your spirit guide our work, our speech, our deliberations, and our listening skills. Speak to each of us about the opportunities to form broad coalitions for the betterment of the people of this state. Give each elected Legislator and their staffers, a sensitive listening ear to the constituents. Have compassion toward those among us who are ill, those who suffer, those for whom pain is a daily reoccurrence. We ask You to bless our families who have sent us here with their love. Bless those who work in each district back home and bless the people who have... the State of Illinois the capacity to dream beyond taxes, to overcome what some may call limitations and to shake the addictions that afflict... the very goals that You would have us reach. Give us a passion for justice... the spirit of peace that passes all understanding. Grant us wisdom. Refuse to ride the backs of our most vulnerable and poorest citizens. ... access and voice to those who have no money nor influence. ... of

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the people, by the people and for the people. O, Holy One provide in each of us a sense of joy as we labor together in the vineyard to which You have called us. Guide each in Your service we humbly pray as we, Your creatures, beseech Your holy blessing we... whose being we are all becoming. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Bellock."

Bellock: - 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 Madigan: "Roll Call for Attendance, Representative Currie."

Currie: "Thank you, Speaker. It may surprise the Body to know that we have only one excused absence today. Representative Shirley Jones."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that all Republicans are here today."

Speaker Madigan: "Mr. Clerk, take the record. There being 117 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measures were referred, action taken on March 2, 2000, reported the same back with the following recommendations: 'be adopted' Floor Amendment #1 to House Bill 3654, Floor Amendment #1 to House Bill 3655, Floor Amendment #2 to House Bill 3841, Floor Amendment #1 to House Bill 4116, and Floor Amendment #1 to House Bill 4697. Representative Dart, Chairperson

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from the Committee on Judiciary I-Civil Law, to which the following measure was referred, action taken on March 2, 2000, reported the same back with the following recommendation: 'be adopted' Floor Amendment #1 to House Bill 4407. Representative Sara Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure was referred, action taken on March 2, 2000, reported the same back with the following recommendation: 'be adopted' Floor Amendment #2 to House Bill 2965 and Floor Amendment #1 to House Bill 4693. Representative Dan Burke, Chairperson from the Committee on Executive, to which the following measure was referred, action taken on March 2, 2000, reported the same back with the following recommendation: 'be adopted' Floor Amendment #1 to House Bill 3478. Representative Phil Novak, Chairperson from the Committee on Energy and Environment, to which the following measure was referred, action taken on March 2, 2000, reported the same back with the following recommendation: 'be adopted' Floor Amendment #1 to House Bill 4699. Representative Mike Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measure was referred, action taken on March 2, 2000, reported the same back with the following recommendation: 'be adopted' Floor Amendment #1 to House Bill 2932 and 'be adopted' House Resolution 636, House Resolution 643, House Resolution 645 and House Joint Resolution 51. Introduction of Resolutions. House Resolution 637 is assigned to the Rules Committee."

Speaker Hartke: "Representative Hartke in the Chair. House Bill 1284, Representative Madigan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1284, a Bill for an Act amending the Illinois Sports Facility Authority Act. Third Reading of

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this House Bill."

Speaker Hartke: "Hold that Bill on Third. For the Members' information, we're going to be reading a list of Agreed Bills, and it will take a little while. Just bear with us, please. House Bill 2069, Representative Daniels. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2069 has been read a second time, previously."

Speaker Hartke: "Third Reading. Read the Bill a third time."

Clerk Rossi: "House Bill 2069, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 2910. Mr. Clerk."

Clerk Rossi: "House Bill 2910 has been read a second time, previously."

Speaker Hartke: "Third Reading."

Clerk Rossi: "House Bill 2910, a Bill for an Act in relation to the regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third Reading. House Bill 2910. Excuse me. House Bill 3130. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3130 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3130, a Bill for an Act in relation to municipal government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3143."

Clerk Rossi: "House Bill 3143 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3143, a Bill for an Act in relation to

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environmental safety. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3184."

Clerk Rossi: "House Bill 3184 has been read a second time, previously."

Speaker Hartke: "Mr. Clerk, read the Bill. Third Reading."

Clerk Rossi: "House Bill 3184, a Bill for an Act in relation to utilities. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3186. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3186 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3186, a Bill for an Act amending the Public Utilities Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3257. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3257 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3257, a Bill for an Act in relation to technology. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3442. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3442 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3442, a Bill for an Act regarding regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3460. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3460 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3460, a Bill for an Act in relation to child support. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3568. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3568, a Bill for an Act in relation to regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3574. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3574, a Bill for an Act amending the University of Illinois Trustees Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3583. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3583, a Bill for an Act amending the Children's Health Insurance Program Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3588. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3588, a Bill for an Act in relation to health care. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3595. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3595, a Bill for an Act concerning health care accessibility. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3599. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3599, a Bill for an Act amending the Adoption Act. Third Reading of this House Bill."

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Speaker Hartke: "Hold that Bill on Third. House Bill 3603. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3603, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3606. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3606, a Bill for an Act in relation to financial regulation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3608. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3608, the Bill has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3608, a Bill for an Act amending the Interest Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3609. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3609 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3609, a Bill for an Act concerning commerce and community affairs. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3612. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3612, a Bill for an Act in relation to the Metropolitan Water Reclamation District. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3613. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3613, a Bill for an Act in relation to

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townships. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3615. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3615, a Bill for an Act in relation to municipal government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3616. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3617, a Bill for an Act in relation to county government. House Bill 3616, a Bill for an Act in relation to municipal government. Second Reading of this House Bill."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3616, a Bill for an Act in relation to municipal government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3617. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3617, a Bill for an Act in relation to county government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3619. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3619 has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill 30... Read the Bill."

Clerk Rossi: "House Bill 3619, a Bill for an Act in relation to real property. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3620. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3620, a Bill for an Act in relation to real property. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3621. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3621, a Bill for an Act in relation to

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tobacco settlement proceeds. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3623. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3623, a Bill for an Act in relation to education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3626. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3626, a Bill for an Act in relation to education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3629. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3629, a Bill for an Act concerning aging persons. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3637. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3637, a Bill for an Act in relation to state procurement. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3640. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3640, a Bill for an Act in relation to governmental ethics. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3646. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3646, a Bill for an Act in relation to elections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3647. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3647 has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill... Read the Bill again."

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Clerk Rossi: "House Bill 3647, a Bill for an Act in relation to elections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3651. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3651, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3652. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3652 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3652, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3665. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3665, a Bill for an Act amending the Juvenile Court Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3671. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3671 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3671, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3679. Mr. Clerk, read the Bill. Seventy eight, excuse me, 3678."

Clerk Rossi: "House Bill 3678, a Bill for an Act amending the Children and Family Services Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3685. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3685, a Bill for an Act amending the WIC

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Vendor Management Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3691. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3691, a Bill for an Act in relation to insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3693. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3693, a Bill for an Act in relation to transportation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3694. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3694 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3694, a Bill for an Act in relation to transportation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3699. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3699, a Bill for an Act in relation to transportation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3701. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3701, a Bill for an Act in relation to airports. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3706. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3706, a Bill for an Act in relation to wildlife. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3708. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3708, a Bill for an Act concerning growth planning. Third Reading of this House Bill."

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Speaker Hartke: "Hold that Bill on Third. House Bill 3712. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3712, a Bill for an Act regarding environmental safety. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3720. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3720, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3746. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3746, a Bill for an Act in relation to pensions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3751. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3751, a Bill for an Act in relation to pensions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3756. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3756, a Bill for an Act in relation to pensions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3758. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3758, a Bill for an Act in relation to the Secretary of State. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3761. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3761, a Bill for an Act in relation to the State Comptroller. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3768. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3768, a Bill for an Act in relation to education. Third Reading of this House Bill."

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Speaker Hartke: "Hold that Bill on Third. House Bill 3771. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3771, a Bill for an Act amending the Workers' Compensation Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3773. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3773, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3779. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3779 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3779, a Bill for an Act in relation to marriage. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3785. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3785, a Bill for an Act in relation to real property. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3788. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3788, a Bill for an Act in relation to courts. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3806. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3806, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3808. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 3808 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3808, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3872. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3872 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3872, a Bill for an Act in relation to property taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3873. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3873 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3873, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3875. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3875, the Bill's been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3875, a Bill for an Act in relation to property taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3876. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3876 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 3876, a Bill for an Act in relation to income taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3886. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3886 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3886, a Bill for an Act in relation to financial regulation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3887. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3887 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3887, a Bill for an Act amending the Interest Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 3939. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3939 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3939, a Bill for an Act in relation to income taxation. Third Reading of this House Bill."

Speaker Hartke: "House Bill 4201. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4201 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4201, a Bill for an Act amending the Mental Health and Developmental Disabilities Code. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4202. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 4202 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4202, a Bill for an Act in relation to executive agencies. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4204. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4204 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4204, a Bill for an Act in relation to human services. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4209. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4209 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4209, a Bill for an Act concerning tobacco proceeds. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4211. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4211 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4211, a Bill for an Act concerning capital facilities. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4212. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4212 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4212, a Bill for an Act in relation to

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insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4213. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4213 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4213, a Bill for an Act amending the Children's Health Insurance Program Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4214. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4214 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4214, a Bill for an Act concerning public aid. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4220. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4220, the Bill's been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4220, a Bill for an Act in relation to insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4224. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4224 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4224, a Bill for an Act amending the Unemployment Insurance Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4226. Mr.

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Clerk, read the Bill."

Clerk Rossi: "House Bill 4226 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4226, a Bill for an Act amending the Workers' Compensation Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4227. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4227 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4227, a Bill for an Act amending the Environmental Protection Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4228. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4228 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4228, a Bill for an Act in relation to county government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4229. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4229 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4229, a Bill for an Act in relation to transportation. Third Reading of this House Bill."

Speaker Hartke: "Hold the Bill on Third. 4230. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4230 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4230, a Bill for an Act concerning state's attorneys. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4232. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4232 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4232, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold the Bill on Third. House Bill 4234. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4234 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4234, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4237. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4237 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4237, a Bill for an Act amending the Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4238. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4238 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4238, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

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Speaker Hartke: "Hold the Bill on Third. House Bill 4240. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4240 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4240, a Bill for an Act concerning support payments. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4242."

Clerk Rossi: "House Bill 4242 has been read a second time, previously."

Speaker Hartke: "Third Reading. House Bill... Read this Bill again."

Clerk Rossi: "House Bill 4242, a Bill for an Act in relation to family law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4244. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4244 has been read a second time, previously."

Speaker Hartke: "Third Reading."

Clerk Rossi: "House Bill 4244, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4258. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4258 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4258, a Bill for an Act concerning job training. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4260. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4260 has been read a second time, previously."

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Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4260, a Bill for an Act amending the Toll Highway Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4261. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4261 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4261, a Bill for an Act amending the Toll Highway Act. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4309. Mr. Clerk, read the Bill."

Clerk Rossi: "What was... "

Speaker Hartke: "4309."

Clerk Rossi: "House Bill 4309 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4309, a Bill for an Act in relation to higher education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4421. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4421, a Bill for an Act amending the Franchise Disclosure Act of 1987. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4656. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4656, a Bill for an Act in relation to local government. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4659. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4659, a Bill for an Act in relation to labor relations. Third Reading of this House Bill."

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Speaker Hartke: "Hold that Bill on Third. House Bill 4663. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4663 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4663, a Bill for an Act in relation to downstate forest preserve districts. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4668. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4668, a Bill for an Act in relation to Cook County Forest Preserve District. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4700. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4700, a Bill for an Act concerning beverage distribution. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. House Bill 4206. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4206 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4206, a Bill for an Act in relation to health facilities. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill on Third. I would like to announce that there have been two distributions to your desk. One distribution is a list of the Bills that we moved this morning, in the last half hour. There is also a yellow tabulation sheet that has also been distributed to every Member's desk. We ask that you sign each and every page, that will indicate a 'yes' vote on every Bill on that page. If you care to vote 'no' or 'present', they should

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also be checked on this yellow sheet. The Clerk will tabulate those results. These yellow sheets should be presented to the Clerk in the well before 11 a.m. this morning. I expect that that would be perfectly clear. Representative Black."

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

Speaker Hartke: "State your inquiry."

Black: "Of the list that you just read, rather lengthy, that was the Third Reading of the Bills on the Agreed List?"

Speaker Hartke: "That is correct. All except one Bill which is on the list that it was removed and that was House Bill 3930, at your request."

Black: "Thank you. While the Clerk, the chief Clerk, was reading that, his voice, it's early in the morning, was very soft. Could he read all of those again so that we could make sure we heard him correctly?"

Speaker Hartke: "No."

Black: "Oh. Okay."

Speaker Hartke: "Speaker Madigan in the Chair."

Speaker Madigan: "Is Mr. Steve Davis in the chamber? Has anybody seen Mr. Steve Davis? Is there such a person as Steve Davis? Representative Bellock. Representative Bellock, let's do your Bill. Yeah. Rise. Turn on Representative Bellock. What's the number of your Bill that's concerned with the Department of Human Services? House Bill 4396. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4396, a Bill for an Act concerning the nurse aide registry. Third Reading of this House Bill."

Speaker Madigan: "Representative Bellock on the Bill."

Bellock: "Thank you, Mr. Chairman. I'd like to present House Bill 4396 which deals with a very serious concern that HCFA had when they did an audit of the State of Illinois. This

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Bill deals with setting up nurses aide registry and reporting people who have served... who work in mental health or developmentally disabled facilities who have had claims substantiated of serious abuse of patients within these facilities that after they are terminated, that their names would be placed on a registry. That's the number one issue. The number two issue is, that from then on, after their name was placed on the registry, they would be able to have a hearing, and after that hearing the name would be placed on the registry forever. And therefore, those people would never be able to be rehired to work in a state-operated mental health or developmentally disabled facility. I'd be glad to take any questions."

Speaker Madigan: "Now, Representative Bellock, am I correct in my understanding that this is now a shell Bill?"

Bellock: "Yes."

Speaker Madigan: "All right. So the Bill being considered by the House now is a vehicle Bill?"

Bellock: "Right."

Speaker Madigan: "Okay. Now, given all that, is there any discussion? Mr. Black, did you wish to entertain us this early in the morning? Those in favor of the passage of the Bill signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McKeon. Mr. McKeon, what's the number of your Bill? Turn on Mr. McKeon."

McKeon: "House Bill 4114."

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

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Clerk Bolin: "House Bill 4114, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Speaker."

Speaker Madigan: "Mr. McKeon, one second. All right. Mr. Clerk, put this Bill on the Order of Third Reading and Mr. Clerk, read the Bill for a third time."

Clerk Bolin: "House Bill 4114, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Speaker Madigan and Members of the House. This is a supplemental appropriation Bill for the current year budget to compensate Anthony Porter who was wrongfully convicted and incarcerated on death row for 15 years. This is a very high profile case where some university students in the Chicago area helped identify the person living in Indiana, who subsequently, confessed to the crime and is awaiting trial. Mr. Porter is destitute, and there's been a request to accelerate the award by the Court of Claims and that's the purpose of this Bill. I'll gladly answer any of your questions."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. The Chair recognizes Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, excuse me, I don't really understand this Bill. Normally, I assume the award to Mr. Porter has already been approved by the process, correct?"

McKeon: "That is correct."

Black: "All right. So there's no argument about that, Mr. Porter

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will receive the amount of money specified in your Bill at some point. But I'm not familiar with a Bill that would be a supplemental appropriation to the normal Court of Claims. Is your intent to, what's the right word, circumvent the normal period of time that the Court of Claims takes to make such judgments? Are you trying to speed up the process or... "

McKeon: "The latter, I'm not trying to circumvent anything. As you know, if the Court of Claims finds in the favor of the plaintiff on any case against the state, then that finding must come before the General Assembly for appropriation. Given the exigent nature of the personal circumstances here, we are attempting to accelerate not circumvent the process of making the award by introducing a supplemental to the current year's budget rather than waiting for the Fiscal 2001 year budget."

Black: "That would explain, because normally all of the awards are in one Bill."

McKeon: "That is correct."

Black: "I assume that you have taken the necessary precaution that should your accelerated authorization to pay the claim will not result in the same claim appearing later in the Session or in this General Assembly that there won't be a duplicate, it will not appear again in the Court of Claims Appropriation Bill, I assume."

McKeon: "Right. I'm working and will be working with the Bureau of the Budget to make sure that doesn't occur, but I'm sure the Comptroller if that, inadvertently, happened would not make a second payment for the single judgement. But, obviously, we don't want that to happen."

Black: "So you are relating to us that the amount of money, bear with me, \$145 thousand are rounded off, has in fact,

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already been approved by the Court of Claims?"

McKeon: "Yes, that is correct."

Black: "And you are simply asking to speed the process by which the award will be sent to Mr. Porter?"

McKeon: "That's correct."

Black: "Thank you very... "

McKeon: "Approximately, we're speeding up the process by, probably, six to nine months."

Black: "Thank you very much."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I, reluctantly, rise in opposition to the Gentleman's Motion. I believe the previous conversation has indicated that, indeed, that amount of money that the Representative seeks has been approved by the Court of Claims. And the Court of Claims' list will be part of the final budget. This Gentleman will be paid no faster, will not receive the money any quicker by passing this Bill than he will in the normal course of events, however meritorious the claim, to select one person, company, claim from the entire list, is violative of that process and is asking us in this case, to create a spending exception that, as part of the appropriation process, I cannot support. I would ask my fellow Legislators to join as well. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. I concur with my... the former speaker's who... in opposition to this Bill, but I'd like to ask the Sponsor a question. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Biggins: "Representative, isn't the individual that you're seeking this claim for going to get paid by the state, anyway?"

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McKeon: "That is correct, I responded to that question to Representative Black. And, basically, I'm trying to accelerate the process by six to nine months."

Biggins: "Well, but you will not accelerate the payment process by this Bill, you may duplicate the payment process. Do you think he's worth double what you're asking?"

McKeon: "That's not my intent."

Biggins: "Well, but I think that's the reality, though, because the bills will be paid when they're paid. The Comptroller cannot pay this person in advance or pay him any quicker than the process allows to the Court of Claims."

McKeon: "Representative, I think your confusion is that this is a supplemental to the current fiscal year, whereas, the other issue you're talking about would be included in the FY 2001 budget. If we get this Bill passed in the House and Senate, obviously, that would not be in the final budget because the supplemental to the current fiscal year has been approved by the House and Senate."

Biggins: "But this isn't the 2000 supplemental Bill, already... he'll be paid from the 2000 supplemental?"

McKeon: "That's correct."

Biggins: "So, why are we doing this as an additional payment for what? Why would we do this? He's going to get the money anyway. He's going to get it in the same time as would be the case, as will be the case. So why would we do this Bill?"

McKeon: "My understanding is that that is not correct. That it would be in the Fiscal Year 2001 budget for an award, not in the supplemental."

Biggins: "I beg to correct, but it's in the 2000 supplemental Bill that is before us now. So, it's already there."

McKeon: "I don't believe that it is."

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Biggins: "It's there, so he's going to get it and he's entitled... I mean, if he's entitled to it, but I mean, he's going to get it."

McKeon: "I don't believe that's the case."

Biggins: "Okay, good. Well, then why don't you do this. Why don't you tell us about this fine young man. Is this the only felony he's ever been accused of?"

McKeon: "No."

Biggins: "Well, can you deliver us a list of his rap sheet while you're here defending, you know, giving him state money?"

McKeon: "No, the issue here is that he was wrongfully incarcerated for a murder for 15 years which he clearly did not commit."

Biggins: "Well, you don't want to read a list of his other prior arrests or what?"

McKeon: "I don't have that information."

Biggins: "Is it a long one?"

McKeon: "I can't answer that question. I know he has some priors."

Biggins: "Oh, okay. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Hannig, did you wish to record yourself? Mr. Clerk, take the record. On this question, there are 63 'ayes' and 53 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Steve Davis, House Bill 3852. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3852, a Bill for an Act concerning liens. Third Reading of this House Bill."

Speaker Madigan: "Mr. Davis."

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Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. House Bill 3852 amends the Illinois Municipal Code and it addresses a concern that municipally-owned regional sewer treatment plants are having with the collection of bad sewer debt. And it adds a provision to the Municipal Code that would allow them to file liens, and that liens may be certified annually to the proper taxing office which shall enter the delinquent charges upon the next tax roll against the premises to which the services were rendered. Monies collected on these accounts of liens shall be promptly remitted to the municipality. There's a big problem with some of these regional sewer treatment plants and this is one vehicle that will allow them to be able to collect some of the bad debt that is owed them from delinquent and from delinquent sewer bills. I'd be happy to answer any questions on the Bill."

Speaker Madigan: "Mr. Black. Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, this is an issue that I've worked on off and on for several years and you've joined me, I think, a couple years ago and you've come up with maybe a better idea. I know mine would have allowed... One year, I had a Bill that said, eventually unpaid sewer bills, we're going to turn off your water. Because you sure won't be able to use your sewer if you don't have any water, and it's an ongoing problem. So as I understand it, you've now adopted a new technique. The lien will appear on the property tax bill, correct?"

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

Black: "Now, how will that be enforced, as a payment on property

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taxes, there will be a penalty applied to the property tax bill?"

Davis, S.: "Well, when they file the lien for the amount that is owed, the taxing authority in each county will apply that to the property tax bill and when you pay your property tax bill then that money will be reverted back to the treatment facility that filed the lien."

Black: "Okay. Well, that... Maybe we can pass this one. We didn't get too far with the one where we would have the right to shut your water off if you didn't pay the sewer bill so this one appears to, perhaps, be a little more carefully drafted. I commend you. This issue's been around for four or five years and it's about time we make these people pay up because, otherwise, it's a pure cost shift on you and me. So, I commend you for it. Thank you very much."

Davis, S.: "Thank you, Representative."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Slone, do you wish to record yourself? Mr. Clerk, take the record. On this question, there are 115 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative O'Brien, House Bill 2965. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 2965, the Bill's been read a second time, previously. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative O'Brien, has been approved for consideration."

Speaker Madigan: "Representative O'Brien."

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O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 replaces the underlying Bill and becomes the Bill and it represents a compromise between the manufacturers of generic brand drugs, manufacturers of name brand drugs, the Illinois Department of Public Health and the Sponsors of the Bill. And what it does is that it allows once a generic drug is approved by the FDA that it's automatically available for sale in Illinois, unless the Technical Advisory Committee would pull that drug because there's a problem with it and then it would start a review process. And the idea is to allow generics to come on to the market sooner and about 80% of those that are approved by the FDA are not controversial at all. And this would allow them to get on the market faster, but also allow for a continual review process of the ones that do have some questions by the Department of Public Health."

Speaker Madigan: "The Lady moves for the adoption of the Amendment, and the Chair recognizes Mr. Black. Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, didn't we pass a very similar Bill last year as I recall, didn't we? And the Governor vetoed."

O'Brien: "There was a generic drug Bill that passed, but this is not real similar. Actually, last year my Bill said that once the FDA approved the drug, it was available for sale in Illinois and that TAC could still review it, but they couldn't withhold it from being marketed or sold. And this Bill does allow for those drugs to be reviewed by TAC, prior to their availability for sale."

Black: "And the Bill still doesn't define a 'critical dose drug'?"

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O'Brien: "It does not really define what a 'critical dose drug' is, but it allows the Technical Advisory Committee to pull any drug that they may have some concerns or question about and enter into a review process. So it actually broadens their authority over what the Governor's Amendatory Veto did last year."

Black: "I was going to say, would this Bill address the items in the Governor's Amendatory Veto language of last year?"

O'Brien: "Yes."

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

Speaker Madigan: "Mr. Stephens, on the Amendment. Mr. Stephens."

Stephens: "Thank you. Will the Lady yield for a question?"

Speaker Madigan: "Yes."

Stephens: "You said it would allow the Technical Advisory Committee to review 'any' drug?"

O'Brien: "Correct."

Stephens: "Would that be the pre-'38 drugs?"

O'Brien: "That doesn't include pre-'38s at all. This Bill has nothing to do with pre-'38s, whatsoever."

Stephens: "Okay. So it's not true to say that the Technical Advisory Committee would then be able to review 'any' drug."

O'Brien: "What I said was that it would be able to review any drug that had been approved for sale by the FDA. Pre-'38s have no FDA approval."

Stephens: "Okay. So your Amendment did not address the issue of pre-'38 drugs."

O'Brien: "Not at all."

Stephens: "Well, I guess we'll discuss that on the Third Reading. Mr. Speaker, I know that you've made public comments about pre-'38 drugs. The Senate Sponsor of this Bill feels very strongly, as I do, about those pre-'38 drugs and I don't

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believe we agree. I think we can discuss this on Third Reading, but I would hope that we can sit down and talk about the pre-'38 drugs, because it just... our argument, I believe is solid. I believe, as a pharmacist, I think it makes sense that we talk about those drugs that should be grandfathered, and should be able to be reviewed by the Technical Advisory Committee and just because the FDA didn't approve drugs before 1938 is essentially... that's no reason why we shouldn't allow for the review of drugs that are pre-1938 and whether or not they can, we can have available generic substitutes for them. And I believe that that's a valid issue. I think it should be part of your Bill. And I believe that when this Bill gets to the Senate, if it does, it's going to be amended with the pre-'38 language. And when it comes back, I hope that we can agree that that is sound reasoning."

O'Brien: "And Representative Stephens, this Bill, as you're aware, has been extensively negotiated and Judge Getty was brought in to help us facilitate an agreement, and it was a decision and the Senate Sponsor was there, that we would go forward with this Bill without that very controversial provision, so that we could have these provisions in place. And, ya know, I don't have any control of what happens over in the Senate, but this language was very heavily negotiated. Last year, my Bill didn't include pre-'38s. It wasn't part of the issue that I was most concerned with, which is getting these FDA approved drugs out on the market in a more timely manner. But certainly, I think that there is room for discussion on that, but I didn't want to have the entirety of this Bill fail because there isn't an agreement on that issue."

Stephens: "You're not representing that the Senate Sponsor said

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that... was part of an agreement, are you?"

O'Brien: "He's agreed as to this language, but you're absolutely correct in your assessment that he wants the pre-'38 issue addressed."

Stephens: "Thank you."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'nay'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. However, a fiscal note and a state mandates note have been requested on the Bill as amended and those notes have not been filed."

Speaker Madigan: "Okay. The Bill shall remain on the Order of Second Reading. House Bill 4... Mr. Righter."

Righter: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Mr. Speaker, this week we have spent a great number of hours on the floor of this chamber discussing issues relating to seniors, discussing issues about prescription drugs. And Mr. Speaker, specifically, Wednesday during the debate on House Bill 3036, every speaker to my recollection and certainly everyone on the Republican side of the aisle got up and talked about an expansion of the Circuit Breaker Program, talked about raising the income threshold on the Circuit Breaker Program to allow more seniors to access it, adding drugs to the Circuit Breaker Program and raising the income threshold so more people could access that... add tens of thousands of more seniors. To my recollection, Mr. Speaker, every person on the Democratic side of the aisle who got up and spoke on behalf of House Bill 3036 said, 'I, too, am in favor of a Circuit Breaker expansion.' Several of the Members on the Democratic side of the aisle had legislation this year to

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expand the Circuit Breaker. One of the Members over there even offered to walk us all down to the Governor's Office and say, 'Let's expand the Circuit Breaker Program.' It's clear that an expansion of that Program, Mr. Speaker, which would be such a benefit to seniors in my district and yours and all the other 116 Representatives here, has broad bipartisan support. Mr. Speaker, because of that, I'm making a Motion pursuant to Rule 18 (g) that you rule on my written Motion which I have filed to discharge from the Rules Committee, House Amendment #1 to House Bill 4215 which contains that Circuit Breaker language."

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. Pursuant to Rule 49, I'm joined by five Members on my side of the aisle to request a record vote on Representative Righter's Motion to Discharge House Amendment #1 to House Bill 4215 from further consideration by the House Rules Committee. Now, this Motion has been filed in writing and appears on the House Calendar in full accordance with all House rules. So we again rise and ask for a record vote on Representative Righter's Motion to Discharge, pursuant to 18 (g), and again, Mr. Speaker, I'm joined by practically all Members if not, indeed, all Members on my side of the aisle pursuant to Rule 49, to seek a record vote on the Representative's Motion to Discharge the Rules Committee from further consideration of House Amendment #1 to House Bill 4215."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Speaker. I object to the Motion, and as you know, this Motion requires unanimous consent. As there is one objector, the Motion fails. And I don't think that there is any reason for a record Roll Call vote. One

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objection is enough to kill the Motion and I've announced my intention to object."

Speaker Madigan: "Mr. Black."

Black: "Mr. Speaker, in all due respect to the Majority Leader, even under the unanimous consent rule which I objected to when they were adopted, one can make a reasonable argument that... there should be no presumption of a failure to, perhaps, get a unanimous vote when there is no vote of record to show that. So, since you've... I don't know whether you've denied our Motion, but if you do based on the simple verbal objection of the Majority Leader, all of our Motions and our Motions are in writing and in full accordance with your rules, I would then respectfully ask for a record vote on a Motion to appeal the ruling of the Chair if, in fact, you deny our Motion within our rights for a record roll call on a Motion to Discharge."

Speaker Madigan: "All right. For purposes of our status, you made your Motion, Representative Currie objected. The rules do provide that your Motion requires unanimous consent. The Chair would rule that Representative Currie's objection is well founded and, therefore, your Motion is denied. And Mr. Black, I presume, for another Motion."

Black: "You leave us no choice, Mr. Speaker, and I'm sorry to have to do this. But I'm joined by sufficient number of Members on my side of the aisle to appeal the ruling of the Chair, pursuant to House Rule 57 (a) and again ask for a record vote under our right to do so, as embodied in Rule 49."

Speaker Madigan: "So the Gentleman has moved, and Mr. Daniels."

Daniels: "Yes, briefly, Mr. Speaker, and thank you for recognizing me. And the Gentleman has made his Motion which we asked be a record Roll Call vote. I would like to

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advise this Body that this morning we were advised by the American Association of Retired Persons (AARP) that they have fully endorsed our Amendment #1 to House Bill 4215. They have instructed their 160 locals throughout the State of Illinois to support this Amendment, to support this Circuit Breaker Bill. Now, we've had a lot of talk and a lot of acrimony regarding a Bill that everyone of us knows is gonna go no further and we also have an opportunity here, both sides of the aisle, to support a Circuit Breaker Bill that has now been fully endorsed by the largest \$1.5 million membership organization in the State of Illinois, to work on behalf in a bipartisan fashion, to pass a law that I believe that the Governor of the State of Illinois would sign. I have offered you, Mr. Speaker, joint sponsorship of this Bill and will once again renew that effort in an effort to bring this Bill to reality and to save millions of dollars for our senior citizens in prescription drugs. I would also say that if you do accept that offer to sponsor this in a bipartisan fashion, I'd be happy to add every Member of the House as cosponsors of this legislation so that we could pass it out, bring this Bill to the floor, pass it today, and send it over to the Senate. This is the right thing to do and we, respectfully, appeal the ruling of the Chair and hope that you will accept our offer to move in a bipartisan fashion."

Speaker Madigan: "All right. Ladies and Gentlemen, Mr. Black has moved to appeal the ruling of the Chair. And on that Motion, the question is, 'Shall the Chair be sustained?' So for those who wish to support the Chair you vote 'yes'. For those who do not wish to support the Chair you vote 'no'. Mr. Clerk, take the record. Mr. Clerk, take the record. On this question, there are 60 'ayes' and 57

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'noes'. And the Motion fails. The next Bill will be Representative Wojcik, House Bill 4370. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4370, a Bill for an Act concerning property taxes. Third Reading of this House Bill."

Wojcik: "Thank you, Mr. Speaker and Members of the House. This Bill has been prompted by the Schaumburg Park District in my district. They're having a problem with land that they are leasing from the Village of Schaumburg, and they've wanted to build an ice arena, and because they cannot lease back the property without huge taxes, they're asking that we legislate that the taxes would be abated. And it also allows a property tax abatement for any qualifying entity that sublets property and includes a provision that allows the governing authority of a park district to abate the taxes for any property sublet."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. For what purpose does Mr. Lyons seek recognition with his red shirt?"

Lyons, J.: "Speaker, I call for recognition for a brief announcement."

Speaker Madigan: "State your announcement."

Lyons, J.: "Ladies and Gentlemen of the House, I've just been informed from our dear friends Herrington's Corn Beef in Chicago, that on Tuesday morning for Tuesday afternoon,

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I'll be bringing down a couple hundred sandwiches for the Members of the House of Representatives, compliments of Herrington's. So lunch on Herrington's on Tuesday. Just to calm things down on... "

Speaker Madigan: "House Bill 3610, Representative Erwin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3610, a Bill for an Act concerning commerce and community affairs. Third Reading of this House Bill."

Speaker Madigan: "Representative Erwin."

Erwin: "Thank you, Speaker. If you'll recall, this is a Bill that will transfer surplus state property to Maryville Academy in New Horizons, as well as, it also includes an important African trade program. I urge your support."

Speaker Madigan: "The Lady moves for the passage of the Bill. Is there any discussion? Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. A question of the Sponsor, if she would?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, just for my edification, can we, in fact, under existing law, can we transfer property to a nonprofit entity without an appraisal of fair market value of said property?"

Erwin: "It's a good question, Representative Black, and we grappled with that for awhile. Said property is the old Reed Mental Health Center. It was never appraised. It's state property that they actually, they didn't even do a legal description so CMS, Mike Bartletti and CMS, has been kind enough to restrict the language. It was an Amendment we put on to make it as succinct as possible, but the state has not had it appraised. It was actually set aside under a DCCA program to be developed for some time, but it was

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never developed. And so at this point, we do have a number of medically complex wards of the state that are cared for by Maryville on this campus. They already have Building A. Unfortunately, there are more of these children that are wheelchair bound or bedridden, and all they're doing, Representative Black, is conveying Building B. I might add that there's no electrical, it's a pretty dilapidated building. Maryville will spend, possibly, a million dollars to rehab the building because we happen to have more of these kids. So, it's a good question and I tried on this. There, simply, is not an appraisal. The state never deemed it important enough to do so."

Black: "Well, then I guess we could, conceivably, be open to a lawsuit because technically, this property belongs to the taxpayer and we are seeking no remuneration (sic-remuneration) for the investment the taxpayers have made when... how old is the building? I mean, is it a hundred years old or... "

Erwin: "I'm sorry, I didn't bring the maps and I know that CMS would be happy to provide the information to you. In their opinion, this is the best use of these buildings."

Black: "So that they would be willing... "

Erwin: "Frankly, you say a not-for-profit, it is for the State of Illinois that this not-for-profit is caring for our children, wards of the state."

Black: "So the children that'd be housed there would, in fact, be wards of what, DCFS or... "

Erwin: "They are wards of the state who, unfortunately, in many instances, are victims of gang violence and are very, very seriously disabled, Representative Black. They are either bedridden or wheelchair bound, medically complex cases. Because of that, they are discovering that where they have

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been able to find some foster parents, God love them, they need to expand a respite care to give some of the parents of these really, really challenging young people some respite care, so that's actually the plan. It literally is Building A which they already have spent a fortune on. In other words, Maryville is investing private dollars to rehab state dilapidated buildings. So quite honestly, Central Management Services thinks that it is the highest use of this property, because we haven't been doing anything with it. For 10 years it's been sitting there. Now, Representative Black, there actually are other things on the Reed Mental Health Campus that are consistent with, and I can, certainly, be happy to have Mike McAuliffe speak to this, he was the original Sponsor of this measure. It just so happened he already had three Bills. It's in his district."

Black: "And I don't rise in opposition, Representative, I do see a potential. I don't want to be in a precedent-setting situation, and quite frankly, I do have a privately operated residential treatment center for juveniles, particularly those who have been adjudicated as sexual offenders, in my district. And I want to make certain that none of the private operators, I don't know if any of them have even been contacted, but I know they have a constant battle spending money to keep their facilities, you know, to the standards that the state requires. And I just want to be able to go to the academy this summer and make certain that Maryville wouldn't be getting favorable treatment that a private residential center may not be able to ever access."

Erwin: "It's a good question. The state is not giving them one red cent... "

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Black: "Okay."

Erwin: " ... to rehab Building B."

Black: "All right."

Erwin: "We're not giving them a dime to do that."

Black: "And CMS has or will stipulate that the transfer would represent the highest and best use of the property?"

Erwin: "They indicated to me that they do believe this is the best use of abandoned surplus state property that is of no use right now."

Black: "Okay. Can you tell me how many years it's been abandoned? Do you have any idea?"

Erwin: "Well, Representative, Reed Mental Health Center, you know, it was around the time that we deinstitutionalized. Some of the buildings have been used, for instance, Maryville used some of the other buildings on this campus for troubled youth. Quite honestly, the neighborhood, and again, Mike McAuliffe could speak to this better than I, it's my understanding that the neighborhood preferred that troubled youth that are also wards of the state, not be housed on this campus which is why the medically complex children are there."

Black: "All right. Fine. Thank you very much."

Speaker Madigan: "Mr. McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I applaud Representative Erwin for helping me trying to do a good thing for the New Horizon Center and also for Father Schmidt and Maryville Academy. This... It does happen to fall in my district. There was something that was done years ago where part of this old property in the downsizing of DHS, left a big parcel of land in the City of Chicago in my district. And some of the land was conveyed from CMS to give Father Schmidt some property."

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Currently now, there is an abandoned building there that's been abandoned for many years. There's an old swimming pool in there. I took a tour of it. There's no occupancy in there at all. Nobody's been in there and it's really an eyesore to the community and I believe that by this Bill going through and CMS letting Father Schmidt and New Horizon acquire this land, is the best possible use for this piece of land. And I urge your 'aye' vote and if anyone has any more questions, I'd be happy to answer them."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? One person... Mr. Clerk, take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Garrett. Garrett."

Garrett: "Yes, thank you, Mr. Speaker. On a note of personal privilege, I would like to introduce the Junior Girl Scout Troop, #2052 and 344 from Wadsworth, Illinois. They're here to pay a visit to us and I hope everybody in the General Assembly will welcome them."

Speaker Madigan: "Mr. Capparelli, House Bill 2870. Mr. Clerk, read the Bill. I think it's 2870."

Clerk Rossi: "House Bill 2870, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Capparelli. Present the Bill."

Capparelli: "This is a memorial for the Fire Fighters' Memorial out... standing out there between the Stratton Building and our building here and this will keep it in good shape like the Police Memorial Fund. And I know of no objection to it

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and I just ask for a favorable roll call."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Burke, House Bill 3868. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 3868 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Mr. Burke. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "House Bill 3868, a Bill for an Act to create the Home Loan Collateral Fund Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Burke."

Burke: "Thank you, Speaker. House Bill 3868 would create the Home Loan Collateral Fund Act. The Act creates the Home Loan Act to be administered by the State Treasurer. The intent of the Fund is to provide collateral to Illinois citizens seeking home loans for a home in the state or for those citizens currently owning a home, but who are seeking to avoid foreclosure on an existing home loan. This would provide citizens of our state the access to 10% of whatever the cost of the loan would be and it's my intention to help in an effort to avoid individuals being confronted with the sub-prime market in our state that has been taking advantage of our citizens now for at least the last three years. And I would ask for your favorable consideration and am available for any questions."

Speaker Madigan: "Mr. Black."

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Black: "You're too quick, Mr. Speaker. I'm not through with my raw bagel, yet. Excuse me. Representative, is there any punitive measures in the Bill, i.e. a financial institution does not care to participate, will they then be penalized in any way or denied access to future programs?"

Burke: "No, Sir."

Black: "This is the Amendment... The Bill, basically, is the Amendment that we talked about yesterday, and you're granting this Bill immortality and that is your intent, correct?"

Burke: "As we spoke yesterday, that's our intent."

Black: "The financial industry, the mortgage brokers, have they expressed any concerns to you as to what this may do to them in the marketplace?"

Burke: "I would have to insist to you that they would have no interest in this type of legislation, Representative. And there is no opposition filed."

Black: "Representative, what I don't understand, let's say that in your, in the City of Chicago or in certain, even in areas of my district, people will purchase a home, obviously, everyone's dream and we certainly want to encourage that, but they get into trouble, maybe too much mortgage, too little income. Five years down the road they're in a lot of trouble. They've made some bad choices and foreclosure is imminent. Now, does your Bill then require the original mortgage holder to renegotiate or to credit counsel with them or how's that work? What's the scenario? Somebody in your neighborhood has bought a house, a little too much house, maybe, little too high a mortgage, payments are a little stiff, they get downsized or the raises don't come through and five years into this mortgage they're in trouble and foreclosure may be

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imminent. Now, what happens under your Bill?"

Burke: "You're correct in the remark about the renegotiation of a loan. This is directed to individuals who have less than perfect credit. To avoid their going to a sub-prime market and paying excessive interest fees and costs, we would ask that the state provide them access to 10% of whatever the value of the loan is to make them whole to a conventional loan entity, more likely, a bank or a savings and loan. So that individual would present themselves to a bank and savings and loan and with this 10% collateral line they would then be eligible for the prime rate as opposed to some excessive rate that a sub-prime lender would prepare for them."

Black: "All right. So, now, that's a very important part and I appreciate being brought up-to-date on that. Do they do this prior to a mortgage or does your Bill allow them to do it after they've already entered into a contract?"

Burke: "Representative, it would be after if they were delinquent and found themselves in difficulty. It would be prior if they had less than perfect credit making application for the loan."

Black: "Now, I would assume that there's a safeguard in the legislation, i.e. the Fund should not be expected to come into someone, who is obviously, so overextended that even the 10% simply delays the inevitability of foreclosure. In other words, I don't want the state... it's not your intent to make the state the absolute lender regardless of the implications or the, you know, certainly someone in the Treasurer's Office could say, 'There's no reason to do this. There's no way this person's going to survive this mortgage.' We don't have to make the collateral loan do we?"

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Burke: "No, there is no insistence that the loan be granted."

Black: "So, there is a safeguard there, and is there to be a payback to the state, i.e. the taxpayer for the collateralization?"

Burke: "Oh yes. Oh yes, and the interest generated is the state's money."

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

Burke: "I might insist to you also that the State Treasurer taking an interest in this particular situation will promulgate rules and regulations and insist that individuals that would be accessing this privilege would certainly conform to certain criteria in order to qualify for the loan."

Black: "Okay. And you know, Representative, you might want to think about at some point should this be signed into law. I think one of the things you could do to help not only the state, who collateralized the loan, but the individual is to put some kind of prohibition or notice to the Treasurer on these home equity people who are so prevalent lately in the state, who will sweet-talk somebody into, 'You know, hey, you're back on your feet, we can give you a fast \$5 thousand. You need a new car, you need a vacation, let us make you a home equity loan.' And then we're back in trouble and now the state has an involvement. So maybe we need some kind of a notification to the Treasurer's Office that the home equity folks are again trying to get into this person's mortgage which would possibly precipitate another crisis in their mortgage."

Burke: "You're absolutely right, Representative. And certainly, House Bill 3868 would kind of join with the effort that House Bill 3007 would begin to discuss and that is the unfortunate increase in foreclosures in our state as a

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result of people overextending themselves and engaging with sub-prime lenders who literally have no regard for communities or individuals when they gouge them with outrageous interest rates and fees."

Black: "I wanted to give you a chance to pontificate on that and may I say that you did it very well."

Burke: "And I appreciate that, Representative."

Black: "Thank you."

Speaker Madigan: "All right. Ladies and Gentlemen, this Bill is on the Order of Standard Debate. Mr. Burke has spoken for the Bill. Mr. Black has risen in response. There will be two more for the Bill and two more in response. The following people are seeking recognition: Mr. Parke, Mr. Johnson, Mr. Morrow and Mr. Delgado. Mr. Parke are you in response? Mr. Parke in response."

Parke: "Thank you. Representative Burke, isn't there in this Bill as it's planned, where I believe, it's the Comptroller's Office gets 5% of the total funds to be used to administer this program?"

Burke: "Mr. Parke, I don't know what you're reading from, but there is no reference made to the Comptroller's Office, whatsoever."

Parke: "I misspoke, the Treasurer's Office?"

Burke: "You're absolutely right, it is the Treasurer."

Parke: "And has anybody... Is this supposed to be a profit-making program for the State of Illinois?"

Burke: "No, that's not the intention of the legislation. The intention is... "

Parke: "Is it supposed to cost the taxpayers of Illinois any money?"

Burke: "No, it is not."

Parke: "Well, taking 5% and loaning out the money could bring the

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fund into a deficit, couldn't it?"

Burke: "Clearly, Representative, it would be our goal, certainly, to see that the fund would generate dollars rather than lose. There is interest that would be gained and that would be certainly, at the state's disposal."

Parke: "But it could lose money?"

Burke: "Well, we believe that we have... the Treasurer will promulgate rules and regulations to insure that individuals who are accessing this fund, would be in good shape to continue to make their payments and not fall into default and not become again victims of this unfortunate system that we have been confronted with over the last three years."

Parke: "Well, who makes the decision on who gets these?"

Burke: "The Treasurer."

Parke: "So, if you or I decide that we have a friend that we'd like to have get this money, we go to the Treasurer and say, 'Excuse me, Mr. Treasurer, will you make sure my friend gets a loan?'"

Burke: "No, Sir. The first step in the process would be to have the individual make application to a lending institution, a federally-insured lending institution. The criteria would start at that point. The Treasurer would then determine that that criteria was met at the initial point of application at a lending institution."

Parke: "But, ultimately, he makes the decision."

Burke: "The bank would have to first approve you for consideration."

Parke: "Well, yes, but... "

Burke: "The Treasurer would then agree or disagree with the lending institution that you would be qualified."

Parke: "So that is still, ultimately, his decision that he will

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make, he or she?"

Burke: "The Treasurer would be ultimate in terms of making the decision, but the first point is the bank."

Parke: "How much money is this... are we looking at putting into this fund?"

Burke: "I'm going to ask for a general revenue appropriation of \$5 million."

Parke: "Five million dollars. So we're gonna underwrite decisions that people make on behalf of the taxpayers to try and help them, bail them out of bad decision-making on their initial entry in. Isn't that true?"

Burke: "I wouldn't know I'd necessarily phrase it that way, Representative. Certainly, this is an assistance to individuals and families in our state. This is an effort to permit individuals to, indeed, participate with the American dream and enjoy home ownership and stay in a home that they've already burdened themselves with in terms of the cost of maintaining and paying a mortgage. We're trying to save people from foreclosure and in so doing, save them from being eliminated from our tax rolls and becoming a further burden to this state, and possibly, having to reside in state-funded housing. We're trying to keep people in their homes. We're giving them a chance to be made whole in terms of their credit rating and we are certainly not so cavalier as to take anyone off the street and permit them to access this fund. They are going to have to meet some very strict criteria and they'll have to be legitimate in terms of their intention to remain in a home and to continue to participate in our society."

Parke: "Thank you. Mr. Speaker, to the Bill. It's obvious the Sponsor is trying to solve a wrong, that he sees not only in his district but throughout the state, but I'd offer to

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the Body to look hard and long at this. Is this a precedent that we want to set in this state where we start to underwrite the decisions of your constituents or any constituent? I mean, today it's a home, why not a car tomorrow, why not a fishing boat the next day? Is this the role of state government? And as much as we respect the current officeholder in the Comptroller's Office, excuse me, the Treasurer's Office, we don't know what the future Treasurers will be and ought we give the Treasurer's Office the discretion of \$5 million that can be used, in my opinion, to garner political favor for those that get some bank or some institution that may want to also garner favor, to just simply say, it's our opinion this is okay so why don't you let the state underwrite this? This is fraught with real danger. I understand the intent of the Sponsor and I commend him on it, but this is a terrible, terrible precedent to start and I certainly will not put my vote on it and I would ask the Body to reject this idea and let the free market system deal with these kinds of problems as they have in the past. And work with the Attorney General's Office if there's fraud or misrepresentation of some unscrupulous financial institutions or industry people and solve the problem that way because that's obviously what the Sponsor's trying to do is solve a problem that he sees. But I would say this is not the way to do it and we ought not to vote for this Bill."

Speaker Madigan: "Mr. Morrow, do you rise in support of the Bill?

Mr. Morrow for five minutes."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of 3868. This Bill does address a need in the urban areas of the state where many seniors

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and people who are on fixed incomes are being preyed upon by sub-prime lenders. When they're being forced to accept loans sometimes for more money that they're trying to borrow and this is one of the reasons why they get in financial debt. I don't see what the problem is in trying to help out urban areas when we've helped out rural areas. We've subsidized farmland. We've froze assessments on farmlands in this state when our farmers were in fiscal problems. You know, I've been here 14 years and every time it comes to helping the have-nots, there's a problem. We talked about a Bill the other day when it talked about senior drugs, helping seniors afford medicine so that they can live longer. Well, last year I didn't see any uproar when we gave Duchossois, the owner of Arlington Rack Track, a \$67 million tax break. I didn't say any oh, he should be making better business judgments to keep his race track open. We say, hey, we're going to help you and we help out people who own hotels that defaulted on their loans. We say, oh we're going to help you. But when it comes to helping people who just need an assistance, people who might not have the business wherewithal when they sign a mortgage. Owning a home is a dream. Owning a home is a dream. It's a dream that everybody wants. So sometimes they may make a bad business decision. I think this Bill is saying, before you get into a bad situation, we want to make sure that you're being counseled and that before you put your name on the dotted line you actually know what you're getting into. This Bill, I was reading the fiscal notes on this Bill. There's no fiscal notes attached to this Bill. There's no cost attached to this Bill. But we can give Donald Christ and Bill Wirtz all kind of subsidies and protections under the law. Take care of our people one

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time, that's all I've ever asked for in 14 years of being down here. Just one time take care of the little guy, just one time. Is that too much to ask? Vote 'green' on 3868."

Speaker Madigan: "Mr. Tom Johnson, do you stand in response?"

Johnson, Tom: "Yes."

Speaker Madigan: "Mr. Johnson for five minutes."

Johnson, Tom: "Some questions... Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Johnson, Tom: "Representative, I have some questions going more to how you perceive this thing working. If somebody were to apply for this, what is it a loan guarantee, correct, or collateral?"

Burke: "It's collateral and that would actually enhance their credit standing, so... "

Johnson, Tom: "Yeah, what would be the qualifications that you perceive that would entitle them to enter this program?"

Burke: "A previous credit history, certainly, one's ability to make a monthly payment based on their current income, their economic status."

Johnson, Tom: "Okay and as far as the forms and the application process, you see this being set up through the Treasurer's Office or what?"

Burke: "Yes, Sir."

Johnson, Tom: "Okay. Now if you qualify, you're saying that... I'm trying to understand how you see this thing working. The Treasurer really guarantees or state funds would guarantee up to 10% of whatever the amount of the loan somebody is seeking, let's say a regular bank, correct?"

Burke: "That is correct."

Johnson, Tom: "Okay. Would the Treasurer's Office then, would they have a first lien right on the property? You see them getting involved there in terms of... how are they going to

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secure their payback should this thing foreclose?"

Burke: "Well, Representative, to the extent that they could pay the money back without accessing the collateral, nothing would be withdrawn. So, literally, this is more of a paper shifting situation where a reputable banking institution would consider your application for a loan and now knowing that there is the additional 10% collateral that the state would front, it's more a paper situation than it is actually transferring of dollars."

Johnson, Tom: "I understand, but the person gets this collateral, guaranteed by the Treasurer, goes out gets their regular loan at the bank or refinance, whatever the case may be, then fails in terms of payments to the bank, the bank forecloses on the property. Where does the state's money and guarantee stand then in relationship to the bank's first mortgage or second mortgage? Is the bank in a second position or a first position, under this?"

Burke: "Well, certainly, from our prospective is, the state, we would like to see ourselves in the first position. But it is, indeed, something that's going to have to be negotiated with the lending institutions and that has yet to be discussed with the banks. The state effort would be to be in first position on the lien."

Johnson, Tom: "Well, shouldn't that be contained in the legislation? Because, you know, what I see happening here is, of course, the state goes and helps somebody out, the person still does not make it, the bank comes out whole, the state comes out short. Now why wouldn't you have that contained in the legislation?"

Burke: "As we discussed a little bit, just briefly, the intention is to have the Treasurer's Office work out the particulars in terms of the rules and the regulations and the

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qualifications and the criteria. And that's something, that I believe, that the Treasurer's Office would properly do with regard to your concern."

Johnson, Tom: "Okay. How is this 10% released over a period of time? Is it... How long is the Treasurer's Office and state funds on the hook here in terms of that 10%? When is it released, how is it released?"

Burke: "Well, certainly, with the second mortgage there would probably be a lesser term, maybe a 15 year loan. First mortgages as you would understand, would maybe be 30 years. It doesn't... it actually depends on the type of loan that's actually being applied for, in terms of the dollars being... "

Speaker Madigan: "Mr. Johnson, could you bring your remarks to a close?"

Johnson, Tom: "I'll bring my remarks to a close. To the Bill. I think this is a great concept. However, I think the Bill is lacking in the sense of what the state's lien rights are. You know, we set in here on many pieces of legislation for sanitary districts and everything else, that they have first lien rights or second lien rights. This Bill leaves that open for 'negotiation'. I think it's critical that the state knows what it's getting into in terms of its protection for the return of that money. Secondly, I don't see anything in this legislation that shows that the state's liability is going down and being released, say upon 25% of the payback to the mortgage holder. I can see that this thing can lead us into a case where the state is gonna be on the hook for unknown liabilities for many, many years. And I think it's a good concept, but I think, Representative, that this Bill ought to be more definitive in terms of its parameters, and

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therefore, I'm going to be voting 'no'."

Speaker Madigan: "Mr. Delgado in support of the Bill. Mr. Delgado for five minutes."

Delgado: "Thank you, Mr. Speaker and Members of the House. I rise in strong support for House Bill 3868 and I want to help the Body understand how this foundation of our great state, families, and homeowners will benefit. We have to understand that an example of a person who had back surgery and was out of work for nine months and because of that fell in arrears, \$6 thousand on a home he purchased for \$80 thousand and today is worth \$135 thousand. Now, the equity in that home is incredibly high. Now, the person has gone back to work after nine months from that back surgery and can make the monthly payment, but because they're in such arrears, they're credit rating is terrible and it has a domino effect. They can't get Susie or Johnny the braces. They can't pay the tuition. So we have an entire collapse of families and when the economy takes a downturn, we will have a slew of bankruptcies. Now, they foreclose on this home but they only owe \$6 thousand in arrears and they can make their monthly payment. But they have more... So when they foreclose, they're taking all the equity. So if we can move the delinquency line out of there and put it back into their principal, then they have the credit worthiness and that is what this is about. It's preparing to make sure that we don't pay later with all of the bankruptcies that we will have and see. It will become the worst... It will become worse when this economy takes a downturn. I have a neighbor who came into my community and moved in from another state and she's rehabbing a home. And that's exactly it, the equity is rich and they're going to take their home because they only owe six grand, so when they

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foreclose they walk away with a huge profit. So we know that the person who had that operation, who's been working for ten years and all they need is that opportunity to keep their credit worthiness so we don't have a domino effect. And that is why this legislation is so important and we know they have the money that can cover them, so they're equity rich and dollar poor. We have seniors, for heaven sakes, who have paid their entire home off, but bought into a loan for 125%. And all they wanted to do was take a vacation. But now they're losing their home because their payment was higher than their income. So this is a wonderful opportunity to work together with the state. It is the bank for our taxpayers. The taxpayers have a right. The person's gone back to work, let's help that person, let's help that family. Let's prepare for the future and not be shortsighted. And say, we want to put a Band-Aid on this shotgun wound now when this is a wonderful partnership with the Treasurer's Office. I commend the Sponsor in bringing this legislation forward. And it's happening in all of our districts. Let's give the families back their opportunity to keep their home, their largest investment and let them help their daughters and sons go to their proms and pay the bills that they have to when they go out and apply for credit. Ladies and Gentlemen, to sum up. This is very simple. They have a delinquency line that may hit them with \$6 thousand, but over the years their equity has grown so high that that money is really there but they can't access it because their credit rating is bad and they're in a 'Catch 22'. So this will at least relieve some of that stress and provide a remedy for those who qualify, for those who went back to work after the therapy, for those who went back to work after that major car

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accident. They can pay that thousand dollar mortgage, but they can't pay the \$6 thousand delinquency but they have 20 grand in equity. My bankers came to me and asked me to support this because it breaks their heart that they have to foreclose knowing that the money is there. Please analyze this, it's a win-win situation for the State of Illinois and it's good for downstate and it's good for upstate and it's good for the east and west. Thank you, Mr. Speaker. I commend the Sponsor. Let's look at the numbers. Thank you."

Speaker Madigan: "Mr. Burke to close."

Burke: "Thank you, Speaker. One of the previous speakers made reference to individuals possibly buying boats, cars, maybe furs, jewelry, airplanes, whatever luxury of life. We are not talking about luxuries here, Ladies and Gentlemen, we are talking about individuals, residents of our state that have an American right to own property and live comfortably. As we all know, people do take advantage of credit, they abuse credit, they find themselves in circumstances that they did, in fact, cause themselves to be in, but can't get out of. We're saying that there's an opportunity now if you are reasonable, if you're legitimate, you deserve reasonable and legitimate terms at a reasonably priced banking institution. A fair deal. It's very simple. We're not talking about giving the state's money away, we're not talking about putting the State of Illinois on a hook. We're talking about permitting citizens, constituents of each of us, to live decently, to remain in a home and to be given fair and equitable treatment at a financial institution. I'm certain my district might be rather unique in the sense that in the last year in my home zip code, there were 810

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foreclosures. This is obscene, this cannot continue. Those 810 families are now in the street or in state-funded properties and their homes have become abandoned and the abandoned home then becomes a crime scene, ultimately. This has got to stop, someday. This is a very reasonable and fair offer. This is something that's overdue. People are prepared to pay their fair share if they are given a fair chance to do so. And I would ask each and everyone of you consider the people that live in your communities. Everyone here has known someone that has fallen behind on their payments to either credit cards or mortgages. This is a minor deal, a minor opportunity to offer something that's very desperately needed. It's not going to cost us, the state, a nickel. There is no opposition to the Bill. I would ask each and everyone of you to vote in favor of your constituent and vote in favor of neighborhoods and community in our State of Illinois. Please vote 'aye'."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. 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 69 'ayes' and 46 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3944, Mr. McCarthy. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3944, a Bill for an Act amending various Acts concerning business organizations. Third Reading of this House Bill."

Speaker Madigan: "Mr. McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3944 is a initiative of the Illinois Securities Department under the office of Secretary of State, Jesse White. It makes some changes in three main

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Acts, the Illinois Securities Law of 1953, the Business Brokers Act of 1995, and the Business Opportunities Sales Law of 1995. Most of the changes are made to bring the actions of the Department into the conformity with the law. As far as the Securities Law, one of the main changes is that we will now cover Internet transactions. We will also change our Statutes so they're in conformity with the North American Securities Administration Association. In the Illinois Business Opportunity Act, the main change is, basically, that we'll now cover business opportunities that are under \$500. There was a \$500 ceiling before and the agencies that deal with these activities everyday have found that many of the business opportunities had been selling for just under \$500 in order to avoid registering with the Department. The changes to the Business Brokers Act is, basically, to correct an oversight in the law. The way the law was written in order to violate that Section you had to violate all three Sections and, actually, we wanted to create it so it could be either you violate by doing something against Section A, B, or C, instead of the way it's written now, it looks like you have to be against all three at one time. I would move for passage of the Bill and I'm ready to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3240, Mr.

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Beaubien. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3240, a Bill for an Act amending the Uniform Penalty and Interest Act. Third Reading of this House Bill."

Beaubien: "Yes, thank you, Mr. Speaker. This Bill is an Amendment to the Uniform Penalty and Interest Act. It will benefit all the taxpayers of Illinois and will promote Illinois as a taxpayer-friendly state. This Bill is an effort and is sponsored by the Department of Revenue and the Chicagoland Chamber of Commerce, the Illinois Chamber of Commerce and numerous other taxpaying bodies. I'm going to go over what the highlights of the changes are. From now on the interest will be charged on the tax liability only, not the penalties. On the failure to file, the penalty will be on the net tax only and that eliminates the situation where you've paid in an excess and actually have a refund due and are penalized if you filed your return late. But I think the major change that affects most of the citizens is the failure to pay penalty, which historically, if you pay your installments a day late you have a 20% penalty. Under this law, there's a 2% penalty for 30 days, 5% penalty for 90 days, 10% penalty for 180 days, and 15% penalty thereafter. This is a taxpayer-friendly Bill, and again, I emphasize this is a joint effort by the Department of Revenue and the various Chambers of Commerce in the State of Illinois. Thank you very much."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Howard, House Bill 4270. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4270 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "House Bill's on the Order of Second Reading. There are no Amendments to the Bill, so the Bill shall be placed on the Order of Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "House Bill 4270, a Bill for an Act to eliminate the digital divide. Third Reading of this House Bill."

Speaker Madigan: "Representative Howard."

Howard: "Thank you, Mr. Speaker. House Bill 4270 creates the Eliminate the Digital Divide Act. This Act is designed to address the unfortunate circumstance that exists in this state resulting from a substantial portion of our population lacking the necessary exposure to digital technology, including computers, the Internet, and advanced communications. Unfamiliarity with the new technology more often than not means marginal employment and a standard of living near the poverty level. This new Act would establish educational and economic development initiatives that will bridge the digital divide making possible a society in which all individuals can benefit from the opportunities provided by the new technologies. There are seven components to this Bill. And I did, specifically, speak on each of them yesterday. At this time, I will take questions and if necessary, I will repeat the description

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of each of those components."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. I rise in strong support of the Representative's Bill. She is on target in that the technological revolution is really creating an Illinois of haves and have-nots. Obviously, those in the technology business would, obviously, concentrate on the population centers first and the high growth areas of the suburban counties, whereas in downstate, where we still may have an analog telephone switch, we don't have high speed data access or we don't even have direct access to long distance trunks. I have many schools that have computers but can't afford to hook them up to the Internet because the toll charges to access a line where you can get on the Internet are so prohibitive even with aid that we've done in the past year or two, they just simply can't afford to operate them. And as technology becomes the fact of life, the way of life, this Bill I think, and I commend the Sponsor, this Bill will help all areas of the state at least have access to this new technology so that some of us won't be so far behind by the time we can get the digital switches and the high-speed switches and the data ports and everything else that it would be almost cost prohibitive for us to catch up. So in that respect, I think it's not only good for those of you who have all this access, but if you leave the rest of the state behind, at some point you're going to be asked to pay to get us caught up. So I think the Lady's Bill is very proactive and I am very proud to be a cosponsor of the Bill and urge an 'aye' vote."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? One person has not voted. Mr.

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Clerk, take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Brosnahan, House Bill 4693. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 4693 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Brosnahan, has been approved for consideration."

Speaker Madigan: "Mr. Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. Floor Amendment #1 was approved in committee. I'd like to thank Representative O'Brien who presented that Bill. I've had a Amendment in committee last night. Floor Amendment #1 is an agreed Amendment between the Department of Public Health and the Hospital Association. There's no opposition to this Bill or to this Amendment. It simply exempts, from the Bill, all hospitals licensed under the Hospital Licensing Act as well as the University of Illinois Hospital, and I would move for its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Lopez, House Bill 3383. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 3383, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Lopez."

Lopez: "Thank you, Mr. Speaker and Members of the General

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Assembly. House Bill 3383, what it does it provides that the department at its discretion, would administer examinations in Korean, Spanish, or Polish, in addition to English if requested by the applicant for insurances, Department of Insurance. Provides the department to provide translation services upon advance written request from an applicant not fluent in English. The cost is to be borne by the applicant requesting the service and also there's a sunset provision of three years to see if this is something that's actually necessary in Illinois. I believe it's necessary and I urge an 'aye' vote. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. Representative Lopez has worked with us on our concerns with the Department of Insurance and this is voluntary if there are people who wish to have the language, the license in one of three languages, they have to request it and in addition he has put a sunset on this to come back to the Legislature and see if, in fact, it is working. So because of his accommodations and willingness to work with the Department of Insurance, I will rise in support of his legislation."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Boland, House Bill 2374. Mr. Clerk, what is the status of that Bill?"

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Clerk Rossi: "House Bill 2374, a Bill for an Act amending the Election Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Boland."

Boland: "Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Boland."

Boland: "Mr. Speaker, first I'd like to say that there are now 26 cosponsors of House Bill 2374. House Bill 2374 amends the Election Code to create a voters' guide containing statewide candidate portraits and statements, explanations of ballot questions and general information on registering and voting. The proposed guide, and this I quote from the Illinois Campaign for Political Reform, 'The proposed guide is designed to provide voters with a straightforward, comparable information about the candidates, which in small measure may offer a counterbalance to the flood of negative and confusing political advertising that we see each election', unquote. Ladies and Gentlemen, our Committee, the House Committee on Elections and Campaign Reform held six hearings across the state, public hearings in Springfield, Rockford, Champaign, Homewood, Highland Park and at Loyola University in Chicago. In many of these places there was standing room only. And citizen testimony again and again came forth on a desire for a voters' guide. This Bill is modeled on similar guides from the states of Massachusetts, Alaska, Washington, California, Utah, Washington and Oregon. This Bill is supported by the League of Women Voters, Citizen Action, Laborers International Union, Public Interest Research Group, Protestants for the Common Good, Illinois Campaign for Political Reform and the Cook County Clerk's Office. I would be more than happy to answer any questions."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, who pays for the pamphlet? Taxpayers?"

Boland: "Could you repeat that? I... "

Black: "Yes. Who pays for the pamphlet? I assume the taxpayers will pay for the pamphlet."

Boland: "There are two methods. One, there's a schedule of fees that would be based on the size of the statement and then secondly, it would come from General Revenue Funds. Approximately two and a half million dollars, probably."

Black: "Is there anything in your Bill that limits the amount of glittering generalities that a candidate can put in this voters' guide?"

Boland: "No, it doesn't. There is no censorship except as far as racial statements, that type of profanity, that type of thing is limited. It does require that each candidate start out with information on their occupation, occupational background, offices held, that type of thing."

Black: "Who's to make a judgement if one of the people covered under this pamphlet puts a sentence in there that says, 'My honorable opponent has been doing very well since being released from the drug and alcohol treatment center in California.'?"

Boland: "There probably wouldn't be anything except that this does have to go through the State Board of Elections and if it was a derogatory thing that was untrue, they could eliminate it."

Black: "Does the Bill specifically say that the State Board of Elections will check for the veracity and accuracy of any statement made in this voters' guide?"

Boland: "No, it doesn't."

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Black: "Don't you think that's a considerable weakness?"

Boland: "Well, it might be, except the only alternative is to have the State Board acting as a censorship board. And I don't think any of us would like to have that."

Black: "So, in other words, it would be possible for a candidate with extensive campaign funds to buy the largest space in this voters' guide that he or she might be able to buy and could put a statement in there that, 'I am running against an opponent who has been leading an exemplary life after receiving three DUIs and a domestic violence charge 10 years ago.' If nobody is empowered to check the accuracy of that statement, this voters' guide, instead of becoming an informational guide, can become, quite frankly, another political piece that most of us are sick and tired of reading."

Boland: "Anything is possible. It... let me read you what it would be, what they would reject, 'Any obscene, profane or defamatory language. Anything that incites or advocates hatred, abuse or violence toward any person or group; or it contains any language that may not legally be circulated through the mails.' Now, it also says in this Bill, 'that any author of any statement is not exempt from any criminal or civil action because of any defamatory statements.' So, if the person made up a total lie about somebody, then they could obviously sue over it or possibly even bring criminal charges."

Black: "But there isn't anything that would... and I know you can't get into legislating good taste, but you could have in this pamphlet a statement from an ex-spouse who said, 'you know, so-and-so is a fairly levelheaded person when he or she takes his prescribed medication. But when he or she forgets to take the prescribed medication, he can become

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somewhat difficult to deal with.' Now, that may be substantially a true statement, but to me, would not be... would fly in the face of the Code of Fair Campaign Practices that most of us would sign in any election campaign."

Boland: "I think you're right as far as the signing of those pledges. That would cover part of it. I think anything that was a total lie, obviously, could result in civil procedures. Let me just say this, that they have already done a test run of this, paid for by the Joyce Foundation in Cook County for municipal offices, in the, I believe it was February or whenever the last municipal election was of 1999. And they did a follow-up study and the recipients were very positive about the type of information that they got. And if you'd like, I would be more than happy to provide you a copy of that. In other states they've also, that have done this for several years, the response from the public has been very positive."

Black: "What if an acknowledged leader of a hate group, an acknowledged leader of a racist group decides he or she is going to run for one of the offices covered under this brochure?"

Boland: "'The Board can reject any statement, argument or other matter that's offered that incites or advocates hatred, abuse or violence toward any person or group.'"

Black: "But probably could not deny that person the right to get his or her picture in the brochure and some general statements about how the world will be better off if his or her views are shared and supported by the voters and so forth and so on. I mean, these people are outstanding at their ability to use catch phrases and innuendo and half-truths and now at taxpayers' expense, we're giving

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them a platform to spread their propaganda, is the word I'll use, I don't want to use something that was closer... having come out of my mouth. I have some real problems about that. We would be giving them the ability to espouse some of their views, carefully worded, using several catch phrases. And they are masters of the propaganda and so now statewide we're getting to expose, they're getting the exposure that they might not be able to pay for or access to, in any other way."

Boland: "Well, not really, Representative, because remember, anybody that is put in these voter guides has to have been certified for the ballot statewide by the Board of Elections. In other words, you have to get, I believe it is between 5 and 10 thousand signatures to get on the ballot statewide. And as we know, even rather bona fide third parties often have a very, very hard time qualifying. In fact, that's just for the major parties. If you're a minor party, you have to get something like 25 thousand signatures to get on the statewide ballots. Just about impossible, as the Taxpayers' Party and some of the others have found out in the last election."

Black: "Well, Mike, I'm sure you'll recall and it wasn't that many years ago, some candidates that the regular Democratic Party in Illinois certainly were not very enthralled with, got on the ballot and as I recall, threw the Democratic Party apparatus that election year into absolute chaos. And I don't think either of the two regular parties, and if there's to be a third one, and I'm sure there will be at some point on the ballot, would be thrilled if this would be replicated and distributed statewide partially at state expense, or taxpayer expense."

Boland: "Well, number one, I think that we're much alert to that

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possibility from what happened, as you recall back, I believe, was in the '70s I think it was, when the LaRouchie candidates took over a couple of positions and I think the major parties are greatly alert to that possibility today and will work against it, in fact, I know on our side of the aisle, we actually have."

Black: "Okay. All right. Thank you very much, Representative, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. This is not an easy Bill to vote against. And I can appreciate and understand what the Sponsor is doing and he did make a commitment to make this apply only to statewide elected office, as well as some offices running on the federal ballot. But if you'll take a look at this, there is a potential expense to taxpayers. The Bill is very vague on what kind of glittering generalities and/or political propaganda that might be able to appear in this pamphlet. You know, I guess at some point, again, and it's just a philosophical argument, and I'm jousting with windmills. Again, it's the responsibility of the voter and I still don't think it's a cliché to say that, to look into candidates and races and cast an informed vote. And one of the things that I'm particularly concerned about this election cycle, is how many of the media outlets in this state, particularly the video and electronic media have literally refused to carry debates, make air time available to candidates. They'll sell you advertising time at hundreds of dollars for a 30 second spot, then turn around and editorialize that you spent too much money to get elected. Now that makes a lot of sense to me, too. But, you know, I just have a... I guess it's just a philosophical problem. If I was running for a statewide office and I had some slick candidate who got some sharp

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legal advice, who could point out some problems with my health that existed 20 years ago or used some glittering generalities and political propaganda, and there are dozens of consultants out there who can do that so well that it becomes very difficult to distinguish between what might be real and what might be grossly exaggerated. I just don't know that I want my tax dollars available for this kind of purpose. I don't quarrel with the intent of what you're trying to do, and if the media would pay a little more attention, I think, to campaigns and to debates, I think there... Mike, I don't know, I think I read somewhere where there were like only two television stations in the State of Illinois who had agreed to do some debates or carry some debates on candidates. And I know we can't make them do that, but at the same time, I don't think the following lead story at 6:00 news should be, 'Voter Turnout Down', 'Public Dissatisfied.' Well gee, if all you lead with in the month of coming to the election is, 'Who got murdered, who got stabbed, who got run over, who got drunk, what happened in Massachusetts?' I thought their job was to help educate people make decisions on elections, but obviously, that isn't shared by many of the media outlets. And I think it's a tough Bill to vote against, it's a 'feel good' Bill. But I can see some... without some further tightening up in this Bill, I can really see some potential for abuse from candidates who might be willing to exaggerate just a little beyond what I would like to see in a statewide voter guide. But I do appreciate the fact that you are trying to address the problem of voter cynicism and low voter turnout, but when all is said and done, it still relies on that person in that precinct accepting his or her responsibility and casting that vote that people have

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literally given their lives, their fortune and their sacred honor to pass through, to pass along to us over the last 200 years. I wish I had an answer that would increase voter participation. I can't think of any magic bullet, but I'm not sure this will do it either, but I do appreciate your answer to the questions."

Speaker Madigan: "Mr. Meyer. Mr. Meyer"

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

Speaker Madigan: "Sponsor yields."

Meyer: "Representative, could you give us the genesis of this legislation?"

Boland: "Yes. This Bill came from several campaign reform groups; The League of Women Voters, Public Interest Research Group, The Illinois Campaign for Political Reform. And basically, it's copied after what has happened in several other states; Washington, Oregon, Utah. New York City does it for city elections, so it's not a brand-new idea."

Meyer: "Well, I would agree with you, it's not a brand-new idea and I like the word that you used there, 'copied after', those words. What the Body may not know is that Representative Boland and I attended the same university. We were political science majors together in the same political science classes. And I remember one class where we had to submit, I think it was, wasn't it Mike, 50 political reforms or something like that, in order to pass the class."

Boland: "I very well remember that."

Meyer: "And I remember you had this as one of your reform items. I want to know, are you gonna go right through that book with every one of your Bills and bring them to us to debate?"

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Boland: "I may over time, Jim. I may over time."

Meyer: "Well, I remember when I was in that class with you, we did a pretty good job of debating on this Bill to start with. Well, I... to the Bill here, excuse me, another question. How did you pick the offices that you wish to highlight? And the reason why I'm asking that question, it seems to me like these are the most publicized offices, and the most information is out there about the candidates who seek those offices on their own behalf. Why would we be spending state money on that?"

Boland: "Well, partly it's to counteract what, I think, all of us recognize is the almost increasing negative campaigning among folks running for office and also the fact that as Representative Black had pointed out, the news media doesn't do as much coverage of debates and sort of 'candidate profiles' as what they used to do, and so this helps to level the playing field so that some candidate who may not have a great deal of money will, at least, be able to get his name, his occupation, his background out there, particularly for those lower statewide offices like Comptroller or Treasurer, those types of things."

Meyer: "Well, Representative, the noise level in the House here is certainly high and I didn't get all of what you said. I'm sure it made about as much sense as it used to when we were in class together. But I'll give you the benefit of the doubt on it. And with the noise level continuing to increase, either people are losing interest in your Bill or in my conversation with you, so I'll sit down. Thank you."

Boland: "Thank you very much, classmate."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? One person has not voted. Mr. Clerk, take the record. On this question, there are 78 'ayes' and 39 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, for an announcement."

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

Speaker Madigan: "Mr. Clerk, House Bill 3478. What is the status of that Bill?"

Clerk Bolin: "House Bill 3478, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Madigan: "Mr. Saviano, on the Amendments. Mr. Lyons, are you familiar with the Amendment? Turn on Mr. Lyons."

Lyons, J.: "Yes, Speaker, I can carry it."

Speaker Madigan: "Could you offer the Amendment? Mr. Lyons. Excuse me, Mr. Lyons. Mr. Saviano has appeared. Mr. Saviano, on the Amendment."

Saviano: "Thank you, Mr. Speaker. I just have an inquiry of the Chair. Did Amendment #2 come out of Rules?"

Speaker Madigan: "Mr. Clerk. Mr. Saviano, this matter is before the Rules Committee right now. So, I think we'll take this out of the record... "

Saviano: "Thank you."

Speaker Madigan: "... and come back to it later. Mr. Black. Representative Cowlshaw, House Bill 4320. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4320, a Bill for an Act in relation to Administrative Rules. Third Reading of this House Bill."

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Speaker Madigan: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is now a shell Bill because we need to continue to discuss the issues that inspired it. And because we have not concluded the discussions, I would appreciate it very much if we could send this over to the Senate as a shell Bill, negotiate it there in accordance with whatever the Senate and all the participants in the discussions may wish to do, and then bring it back here and of course, we would have to vote on a Concurrence Motion, so we are not relinquishing our right to have a say about what happens to this issue. But briefly, please, let me explain what inspired me to have filed this Bill in the first place. Nearly everyone in this chamber voted for a Bill last year, that under certain circumstances exempted fundraisers held by organizations like the PTA, to benefit local schools, both public and private. At the time, we all agreed in this chamber that since we do not adequately fund our public schools in this state, we certainly ought not to be imposing sales tax on the folks back home who are trying to raise money for those schools. And so, that Bill passed by enormous margins, I believe it was a unanimous vote, in fact, in both chambers. However, of course, it can't actually happen, it can't be implemented until the appropriate department has written and submitted the rules and regulations and they have been approved by JCAR. Having served on JCAR for six years, I can tell you that in many cases we pass a law, the Governor signs it, it has an effective date but it never gets implemented if the department that is supposed to produce the rules and regulations, happens to not want that to actually go into effect. So, in fact, what we have is a Legislature and a

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Governor whose will is being denied by the bureaucrats. This Bill in its original form, simply said, 'that every department has ten days from the time a Bill becomes effective to submit the rules and regulations to JCAR and that for each day beyond the ten, that that department fails to do that, there is a penalty imposed in regard to the appropriation for their annual budget.' My colleagues, I have to tell you, I was never able to get the attention of any bureaucracy to the extent that I got their attention with this Bill. However, and I think this is understandable some of them say, 'ten days is just not enough if it is a really massive Bill'. Some of them also say that, they believe there ought to be a negotiation about what sort of penalty would be involved for not complying with the law, if in fact, it was like a very, very small department and even a small amount of reduction in their appropriation would have an adverse effect. I am perfectly willing to negotiate with the bureaucrats and try to determine what is workable and realistic about all of this. In fact, I would be willing to consider simply providing that each department must inform the chief Sponsor in both the House and the Senate whenever a Bill becomes effective, as to what it is that they plan to do to produce the rules and regulations so the thing can actually go into effect. We should not be permitting the bureaucrats to deny the implementation of a law that has gone into effect in this state. Consequently, Mr. Speaker, I'm gonna try to be as reasonable as I can, and I am pleased that so many of you who have horror stories about your own Bills that some department simply didn't want, and so they stand in the way of that thing ever becoming effective. We were elected to make the laws, Mr. Speaker,

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not the bureaucrats. And on that basis, I would respectfully request that we pass this shell Bill across to the Senate and continue to work on making sure that it is we, and not others who make the law."

Speaker Madigan: "Representative, did you state that this is now a vehicle Bill?"

Cowlshaw: "This is now a shell Bill."

Speaker Madigan: "Right. And the Chair recognizes Mr. Skinner on a shell Bill. Mr. Skinner."

Skinner: "Mr. Speaker, this may be a shell Bill, but it's a shell Bill with an attitude. And we ought to pass it. But I would suggest that the negotiators think about what the bureaucrats really care about, it's not their budget, it's their salary. Why don't you follow my seatmate's suggestion and cut their salary by so much per day, maybe a thousand dollars a day? I guarantee you, that will catch a director's attention."

Cowlshaw: "I always appreciate any suggestions, however, I have a little reluctance to suggest that that ought to be a... for, I think, understandable reasons that that ought to be part of these discussions."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? One more person. One person has not voted. The Clerk shall take the record. On this question, there are 113 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Dart. Mr. Dart. House Bill 2967. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2967, a Bill for an Act to create the Illinois Legislative Medal of Valor Act. Third Reading of

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this House Bill."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 2967 we'd had a debate on, I believe, it was Monday we had started, there was a technical mistake with one of the Amendments which we have corrected, now, which gives us our Legislative Medal of Valor Bill. What it is and as I say, I'm not gonna repeat it, in an effort to save time here, but it's an initiative by our state to acknowledge our veterans, people involved in the armed forces who have gone above and beyond the call of duty. The standard we have set is the highest standard possible, similar to the Congressional Medal of Honor and it's an effort on our part to have our state acknowledge our veterans who have done so much for our country. As I said, I went through the Bill in great detail last time. I'd be happy to answer any questions, though and I urge its passage."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Mr. Stephens."

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

Speaker Madigan: "Sponsor yields."

Stephens: "Thank you. Representative, this designation for the Medal of Valor will be determined by a five-member recommending panel, is that right?"

Dart: "Correct."

Stephens: "And who appoints those five members?"

Dart: "Each Legislative Leader has a member on there and then the Adjutant General's also an ex officio member."

Stephens: "Okay. Representative, we danced around this a little bit the other day and I want you to know that I appreciate the thoughts that you have put into this Bill and the meaning behind that and that you are... your intentions are the best. However, right off the bat, we've got a problem.

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Because we're looking at elected officials four of the five that are on the... on the member... on the Legislative Medal committee are elected officials and they're gonna make recommendations for this outstanding award to come before Members of the General Assembly, again, elected officials. So right away, I think, we're going to have a problem that... "

Dart: "Representative, if I could just... I may have misspoke here. If I can. The five members are citizens appointed by each of those legislative people. So where you're going at this... it's still valid, what you're talkin' about, but just so I can clarify, so I haven't misled you. It, our five-member panel consisting of one member of the public appointed by each of these folks and they're individuals who have to be veterans. The members of the panel must be veterans of the state and military force."

Stephens: "You're right. You're right. I misspoke."

Dart: "So no, I misspoke. I gave you the wrong information."

Stephens: "My point is that the... at the very beginning the enacting clauses of this Bill, from that point, should it become law, we're involving politicians. And we're going to wind up having votes here on the House Floor cast by politicians and what we're going to wind up doing is, my fear is, that we're going to politicize acts of bravery, acts of honor committed by military personnel in times of peace or in times of war. I would think that would be very, very wrong for us to do and we will be setting a precedent that others will think they need to follow. I think that that's not a good concept, Representative. All the best intentions aside. Secondly, Ladies and Gentlemen, the United States military already recognizes after hundreds of years of history they have developed systems of

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recognizing and awarding medals and other honors to those who have committed acts of bravery, acts of valor, acts of courage, acts of merit, acts of service and there's a absolutely complete spectrum that covers all of the needs that exist for recognition within the military. And for Illinois to say, 'well, we think that you have to have another medal.' is in one way saying to our military, 'well, you're not properly recognizing the service and the courage and the bravery and the sacrifice of the members of the military today, so we have to add another medal and Illinois is going to put the real designation of who deserves to be recognized for an act of valor.' Representative, I think this would be a fine idea if we wanted to do it for citizens that were not members of the military because there is no system for that. That would be a grand idea. I believe the system of awarding recognition and merit for those who commit acts of bravery and courage, service and other merit already exists in the military. It should be saluted. It should be recognized. It doesn't need to be added to. I wouldn't ask anyone to vote 'no' on this, but I think the right vote is a 'present' vote. This Bill should stay here in the House. If we amend it... if it stays here, it should be amended to deal with civilian acts of valor and bravery because we already, through over 200 years of history in the Army, Navy, Marine Corps and the Air Force and the Coast Guard, recognize acts of valor with that are committed by military members. So I would urge a 'present' vote on this Bill."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, I have an unusual request. I would actually like to ask Representative Stephens a couple of questions, if he

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wouldn't mind."

Speaker Madigan: "Does he consent?"

Daniels: "Representative Stephens, you are a honored war veteran, is that correct? Well, you received... you were injured at Viet Nam?"

Stephens: "I was."

Daniels: "And you received a medal for that?"

Stephens: "Well, we call it the dumb award."

Daniels: "And the award was?"

Stephens: "Purple Heart."

Daniels: "Purple Heart. And you were shot how many times as a result of your injuries?"

Stephens: "Well, Leader Daniels, I was in combat as many Americans were and for that service those Americans, if you were wounded in combat, you receive a Purple Heart. If you commit other acts, you may receive a Bronze Star. Members that have served in this Body, Clyde Choate received the Medal of Honor for actions that he took. I, certainly, don't want to be singled out. I didn't do anything heroic. Don't... I don't want to be portrayed that way. But the military certainly recognized the sacrifices that I and others made and yes, I did get several awards for... "

Daniels: "Well, I want to thank you for sharing that with us. I know those are difficult times because when you and I have talked privately, I know sharing the story is always very difficult. And Mr. Speaker, thank you for the indulgence. I rise to comment on this Bill understanding the well intentions of the Sponsor of this Bill not to criticize anybody, but we have, what I consider a hero, in this Body, one of many who have served in this legislative Body before. I turned to him when this Bill came before us and I asked him and inquired, you know, what would be the

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position of a person like him who has given so much for this country fighting for our democracy. You know, many of us in this Body have never been called to the armed services to fight on behalf of America and to defend the democracy and I hold people like Ron Stephens in the highest of esteem because when the country called, he was there. And consequently, I listen very carefully to what his opinion is regarding legislation of this nature. So where I commend the Sponsor of the Bill for certainly a well intended piece of legislation, I'm going to agree with Representative Stephens and vote 'present' on the Bill because that's the type of information and opinion that really is very important to me. Thank you very much."

Speaker Madigan: "Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker. I need to make a comment on this legislation or the proposed legislation, as well. I think that to simply pass this through as a 'warm and fuzzy' good piece of legislation, as being 'warm and fuzzy' is of great concern to me. Creating this kind of situation is of extreme and serious decision process. I was not... I served in military like a lot of people, but I lost a brother in the military. And I think that when we talk about awarding medals away from those places within military within the war zone, if you will, is of great concern to me. I believe that the medals of honor that are awarded through our military are appropriately done. Those are individuals who were... situations that were witnessed by people that were there and that has maintained a high level of standard. I'm concerned about this legislation because in my mind it tends to water down the importance of those people who, in fact, were wounded or who did lose their lives and were or were not awarded medals. I think

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that the system of awarding medals today and it has been for many years maintains a high standard and I just... I will be a 'present' vote, as well."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. 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 74 'ayes', 1 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed."

Speaker Madigan: "House Bill 3177, Mr. Stroger. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3177, the Bill's been read a second time, previously. Amendment #1 was adopted to the Bill. No further Amendments. No Motions filed. A fiscal note has been requested on the Bill, as amended, and that note has not been filed."

Speaker Madigan: "Mr. Clerk, leave the... Mr. Parke."

Parke: "Is the Sponsor going to call that Bill? I'm ready to deal with the Bill."

Speaker Madigan: "Mr. Parke, the Clerk advises me that you've filed a request for a fiscal note. And because of that the Bill would remain on the Order of Second Reading."

Parke: "Thank you."

Speaker Madigan: "Mr. Parke, am I correct in understanding that this Bill is currently a shell Bill?"

Parke: "Say that again, Mr. Speaker."

Speaker Madigan: "Am I correct in understanding that this is currently a shell Bill?"

Parke: "I don't think so. I may be confused, but I don't think it is a shell Bill."

Speaker Madigan: "Let's take it out of the record and we can come

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back to it. The Clerk for an announcement."

Clerk Bolin: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures were referred, action taken on March 3, 2000, reports the same back with the following recommendations: 'direct floor consideration' for House Amendment #2 to House Bill 3478."

Speaker Madigan: "House Bill 3225. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "House Bill 3225 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Has the Bill been read a third time?"

Clerk Bolin: "The Bill has not been read a third time."

Speaker Madigan: "Read the Bill."

Clerk Bolin: "House Bill 3225, a Bill for an Act concerning compensation of the Cook County Sheriff's Merit Board. Third Reading of this House Bill."

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 3225 was brought to me by the Cook County Sheriff. We had a couple matters... What this Bill does, it expands the board from five members to seven. Additionally, it increases the pay for Merit Board members from \$10 thousand to \$25 thousand. And I would ask for a favorable vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Gentleman yield?"

Speaker Madigan: "Sponsor yields."

Morrow: "Representative Saviano, do you happen to know what the current makeup of the board is right now, by gender or race?"

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Saviano: "Mr. Morrow, I know that there's five members on the board. I'm only familiar with a couple of them. I understand what you're getting at and I don't believe there's any African-Americans on the board right now. But I can't be sure of that because, again, I'm not familiar with all the members."

Morrow: "What's the reason why Sheriff Sheahan has come down here for this Bill?"

Saviano: "I guess to increase the pay for the Merit Board members who in 20 years their duties have expanded, they've professionalized the Merit Board over the last four or five years to be more efficient, put more professional people on the board. And also, I don't know if the Members are familiar with it but you cannot serve on the board if you're an elected official in any capacity. They've professionalized it by putting lawyers on the board and civic leaders, people who are highly regarded in our community."

Morrow: "To the Bill. I wouldn't necessarily rise and oppose this legislation, but I think the Sheriff of Cook County has not done or has a poor track record when it comes to his relationship to the African-American community. You saw last summer where officers of his left one of his fundraisers drunk, got into an argument with an African-American couple, started shooting at them, chased them through several suburbs. The fact that they had to be stopped, the only reason why they stopped they happened to be arrested by other law enforcement officers. He also defied a court order when it came to strip searching women coming back from prison, which is not done to male inmates. The judge told him to desist, he refused. The only reason why he stopped because the judge then threatened to

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incarcerate him. I think... I would urge my colleagues on this side of the aisle and the other side of the aisle, I don't care what you think about race or gender, but I think people should be treated fair whether they're law-abiding citizens or citizens who are incarcerated. And until I feel more comfortable with the Sheriff of Cook County and his track record when it comes to minorities and women, I just can't see putting a 'green' vote on 3225. Representative Saviano, himself has said, and I'm not going to hold him to his comment on this, he doesn't think there is an African-American on the Cook County Police Sheriff Merit Board. And if there aren't any females on that Merit Board, that is an even greater disgrace and he probably doesn't have any Latinos on that board. So, I, in good conscience could not vote 'green' on this. And I would urge my colleagues to vote 'no' on 3225."

Speaker Madigan: "Mr. McAuliffe."

McAuliffe: "Sponsor yield?"

Speaker Madigan: "Sponsor yields."

McAuliffe: "Representative Saviano, currently now, the Cook County Sheriff is Michael Sheahan, is that correct?"

Saviano: "Yes."

McAuliffe: "And what party is he affiliated with?"

Saviano: "He's a member of the Democrat Party."

McAuliffe: "Okay. So, that would... I would assume that all people on the Merit Board would be from his party affiliation."

Saviano: "No, that's... The makeup of the board is not all Democrats. There's five members on the board, three are Democrats, two are Republicans. So, adding the two members to the board, proportionately, it would go four Democrats, and three Republicans. And to be perfectly honest with

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you, I have occasionally recommended Republicans to serve on that board and also, I would also recommend to Representative Morrow that he follow the same pattern that I have. I have directly lobbied the sheriff for appointments on that board and I would recommend he do the same. I know it's... sometimes it's rough to get through to the sheriff, but I'm sure that he would entertain an audience with the Representative."

McAuliffe: "Thank you."

Speaker Madigan: "Representative Hamos."

Hamos: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hamos: "Representative Saviano, our analysis says that the Cook County Board president is now neutral on this Bill, but would have been opposed to this Bill without the Amendment. What does that mean? And what is the status... Is the Cook County Board president supporting this Bill?"

Saviano: "Yeah. The original Bill had a COLA built into the pay for the board members and we amended that and took that out of the Bill because the president of Cook County Board didn't want to have to be committed, budgetarily, to a yearly increase. So, we removed that and just kept it at the flat amount of 25 thousand."

Hamos: "But the Cook County Board president, who seemingly, doesn't like to spend money on hardly anything, is willing to spend money on increasing the pay for these board members?"

Saviano: "Yes."

Hamos: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Novak, did you wish to record yourself? Mr. Acevedo, did you wish to record yourself? Mr. Clerk, take the record. On this question, there are 65 'ayes' and 45 'noes'. This Bill, have received a Constitutional Majority, is hereby declared passed. House Bill 3911. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "House Bill 3911, the Bill's been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions filed. The Bill was held on the Order of Second Reading pending the filing of note requests. Those note requests have been withdrawn."

Speaker Madigan: "Place the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Bolin: "House Bill 3911, a Bill for an Act in relation to criminal statistics and law enforcement. Third Reading of this House Bill."

Speaker Madigan: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 3911 is a Bill with Amendment #1 that provides for the State Police Officers when they are issuing a traffic citation or warning citation, that they record the race of the motorist and whether a search has occurred. This type of legislation has made national attention and in many states across the country, they're passing legislation to request the race of the driver and the race... and whether searches take place. This Bill is the Racial Profiling Bill and it's simply a study that asks the Secretary of State to provide statistical data to the Leaders in both Houses."

Speaker Madigan: "The Lady has moved for the passage of the Bill. This Bill is on the Order of Standard Debate. Mr. Parke do you stand in response?"

Parke: "I oppose."

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Speaker Madigan: "Okay. Mr. Parke in response for five minutes."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think we should take a good hard look at this. I understand what the Sponsor is trying to achieve, she feels and I'm not trying to put words in her mouth, that this would be a good tool to protect the rights of law enforcement officers and citizens who may have a traffic stop. But, in fact, I have a listing here of many of the major police departments and agencies in the State of Illinois who feel that this will allow those people who have committed crimes that may... Mr. Speaker?"

Speaker Madigan: "Mr. Parke."

Parke: "I, inadvertently, have pulled the wrong file. I do not have anything to question the Sponsor about at this time."

Speaker Madigan: "Okay, thank you. There will be two more in support of the Bill. The Chair recognizes Representative Krause for five minutes."

Krause: "Thank you, Mr. Speaker. I rise in support of House Bill 3911, but have just a few questions if the Sponsor would yield?"

Speaker Madigan: "Sponsor yields."

Krause: "In the legislation as I've reviewed it on the counting that is going to be done here, it is merely on the traffic citations as such and I think also any warning citations, but you are not going to also count the arrests. Is that correct?"

Davis, M.: "That is absolutely correct."

Krause: "Okay. All right. And then my other question relates to that point as it relates after this has been gathered, the information has been gathered. It does then, I just want to be clear as to what will be done with the information and with the statistics?"

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Davis, M.: "The State Police will submit their data to the Secretary of State's Office and the Secretary of State will compile the data and send it to the Leaders and the Minority Leaders in both Houses and the Governor."

Krause: "I appreciate that. Very briefly, to the Bill. I believe that a great deal has been done on this legislation in both the review and the revisions and it has come out to be a very balanced Bill. I have a community that I represent that has proceeded in a voluntary basis to do profiling that is much more extensive than what is contained in this Bill. As I said, I believe that the Bill is very balanced as to what has been done and that the reporting, in fact, will also take into account the work by not having included the arrests which I think is sound in this Bill. That, in fact, it will be a legislation and statistics that then will come back to the Leaders but also can be used by the General Assembly also to see if anything further should be done. I am in support of the legislation."

Davis, M.: "Thank you."

Speaker Madigan: "All right, Ladies and Gentlemen, two people have spoken for the Bill and there will be one more for and there can be three in response. Mr. Black, do you rise in response?"

Black: "Mr. Speaker, in all honestly, I'm still trying to figure out how I'll vote. I'd like to ask some questions if I could, if it's in order?"

Speaker Madigan: "That'll be fine. You'll be recognized in response."

Black: "All right, thank you very much."

Speaker Madigan: "Five minutes."

Black: "Representative, what would the response be, perhaps, a

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way to get around this... or that's not right, not to get around it. Perhaps a way to address the issue is, is could the information be required to be on everyone's driver's license so that the officer would know the minute he came into possession of the driver's license, racial identity, ethnicity, everything that officer might need for a report could be on that driver's license or would that be viewed as an intrusion into a citizen's right of privacy?"

Davis, M.: "Well, we don't want to know what's on the driver's license. We want to know what the officer perceives the race of the person to be. I believe in 1960 the State Police made a determination that they didn't want the race of the driver on the license."

Black: "I recall that. And that's why I'm a little confused because it seems like we went from clearly identifying the racial characteristic of a driver to eliminating that to now going back and trying to leave it up to the officer's discretion, you know... "

Davis, M.: "We're leaving it to his total discretion and he is not to ask the motorist, he is merely to jot down what he perceives the race of that driver to be. He doesn't discuss it with the driver, he merely writes down what he thinks, and if he's not sure he can write 'unknown'."

Black: "But wouldn't that lead to the possibility where an officer would say, 'You know, I've stopped 40 drivers this month, 12 have been Caucasian, 10 have been Hispanic or Latino, the balance have been African-American. So I'm going to say on this report, even though the driver was clearly African-American, I'm just going to write down I perceived him to be Caucasian.'"

Davis, M.: "Well, Mr. Speaker, I mean, Representative... "

Black: "Thank you very much. Thank you. You heard that, Mr.

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Speaker, move over."

Davis, M.: "Representative, we just will have to trust the integrity of most officers to put down accurately the race of the driver... "

Black: "And I don't have a problem with that."

Davis, M.: "... and, actually, most of our police officers are very accurate, are very honest... "

Black: "Oh, I... I couldn't agree more."

Davis, M.: "So, I would not consider that as a deterrent to this Bill. I trust them to do the right thing."

Black: "And I do as well. And I think they have a very, very difficult job to do. Certainly, a job I don't think I would want to even attempt to do. But I'm trying to get at the root cause here... because I thought maybe there could be a way either on the driver's license or even information on the license plate so that when the driver, excuse me, when the police officer is stopping someone... They normally will call in that license plate and the computer will kick back to them that the plate is registered to a 1995 Ford Crown Victoria. It is registered to a John Doe who lives in Pleasantville who is an African-American male. And then, when the officer gets out, literally, the report is already done. But, I gather, that is not what you really want done?"

Davis, M.: "When a person is arrested, or in a major accident, or there's a major altercation during an arrest, the race of the driver is already noted. The officer, currently, notes the driver... the driver's race. So, he just writes down what he thinks."

Black: "Okay. All right, but... It's not fair to ask you what you would support because that's hypothetical. But I could see where information on a license plate could be helpful

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to an officer, particularly, if they then go to the car knowing it's registered to a Caucasian male and they come up there and see a Hispanic female driving the car. Right away they're going to say, 'I may have a problem here'. Now, obviously... "

Davis, M.: "Well, the point of the legislation would not be to see who's driving a car, I mean... "

Black: "To gather the statistical... "

Davis, M.: "... to gather the statistics... "

Black: "Okay."

Davis, M.: "... but the statistics that we're attempting to gather are, 'Is there racial profiling in the State of Illinois?'. "

Black: "Okay."

Davis, M.: "There are those who say that it really is not. And this statistical study will document their accuracy."

Black: "Okay."

Davis, M.: "There are those who say it is. And if it is, this will document their accuracy."

Black: "So... "

Davis, M.: "And the State Police will have an opportunity to address those concerns."

Black: "I'll bring my remarks to a close, Mr. Speaker. One last question, when the evidence is gathered, and let us say that the evidence shows that of a thousand traffic stops, 585 were African-American drivers, 230 were Hispanic, and the balance Caucasian or other. Then what would the response be to that kind of data that might clearly show the preponderance of stops in that region were made into one racial category? Would there... Would the officer or the officers, be facing disciplinary action or would it lead to legislation saying that you can't stop people or I

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don't know what we'd do with the data. What do we do with the data when we have it?"

Davis, M.: "Well, if it were determined that a preponderance of those tickets were issued to one race or the other, and it would be no valid reason, our statistical study would merely point that out in the document. There is absolutely nothing in this Bill to punish any officer or we would leave that solution up to the State Police. Because we believe they would best geared to know why this particular region would have such a disparity. You know what I'm saying? There could be many reasons. For example, it could be it's a region in which most African-Americans live, or in another one, it could be where most African-Americans are coming from work. But only that police state chief would know the reasons for that data."

Black: "Okay."

Davis, M.: "The data would be, let's see, 'the report shall not contain any information regarding the identity of any individual who has been stopped or any law enforcement officer.'"

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

Davis, M.: "You're welcome, Sir."

Speaker Madigan: "Two people have spoke in support of this Bill, one person has stood in response. Mr. Lang and Mr. Hoffman are seeking recognition and we're going to have one more person for the Bill. Mr. Lang was seeking recognition first. Mr. Lang for five minutes."

Lang: "Thank you, Mr. Speaker. You'll be happy to know I won't need five minutes. Ladies and Gentlemen, I rise in... Thank you. I rise in support of this good Bill. We've heard about racial profiling all over this state and country. We need to do something about it as many other

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states have. We've heard just in our state of two or three police departments that have not been doing the right thing. They've been making traffic stops inappropriately, and may even have a department policy in favor of racial profiling. It's bad enough if individual officers are doing the wrong thing, but when we see that there may be police departments that have an actual policy of racial profiling, it begs for a legislative response. This is a step forward. It's a limited response for a limited period of time, to give us an opportunity as a General Assembly and as a state, to take a look at these statistics and to find out if what we think is happening is really out there; whether racial profiling is rampant in the State of Illinois or whether it's isolated. We need to know so that we can create a good public policy in this area. And probably, in the future pass some substantive legislation to deal with this, if police departments around the state are not willing to do it on their own. I'm sure that most police departments are not involved in racial profiling. Neither are most police officers in the State of Illinois, but nevertheless it exists, nevertheless we must make a step and nevertheless we must do something to get the information we need to do the job that we're elected to do. I strongly recommend 'aye' votes."

Speaker Madigan: "Mr. Turner, do you wish to stand in response?"

Mr. John Turner. Mr. Turner, do you wish to stand in response?"

Turner, J.: "I'm in opposition, Mr. Speaker."

Speaker Madigan: "Yes, so five minutes for Mr. Turner."

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

Speaker Madigan: "The Sponsor yields."

Turner: "Representative, I'm having a hard time hearing some of

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what you said. But what is the total cost of the proposal?"

Davis, M.: "Well, the last fiscal note we received from the State Police said it would cost 160 thousand. However, Representative Turner, last year when we passed House Bill 1089 which was the Seat Belt Law and this provision was attached and it passed out of here, they said it would cost 50 thousand. Now with that legislation, Representative, there was also training of officers across the state on implementing the Seat Belt Law as a primary stop and there was also provisions for training officers on sensitivity training. None of this Bill requires any training at all, so we really do question why it would cost almost three times as much."

Turner, J.: "It costs... You're estimating then \$50 thousand. Is that for one year or two years, three-year program or what?"

Davis, M.: "Representative, I see very little additional costs and I'll tell you why. Already police officers enter what they do in a data base and this would merely add two topics or fields as they're known in computer language, it would add two fields to what they're recording or data entering. And that would be the race and whether a search was made. So I don't think that would cost 50 thousand."

Turner, J.: "All right. My analysis says it costs \$14 million. I don't know where that came from. I thought it came from a fiscal note, but apparently, there's been some misunderstanding with the costs."

Davis, M.: "Representative... "

Turner, J.: "I wish we could get that clarified before we run this because there is a lot of difference between \$50 thousand and \$14 million. But, in any event, what... "

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Davis, M.: "We have a corrected... They did turn in one for \$16 million but they sent a corrected and final fiscal note which is 160 thousand which is three times what they said it would cost to train and desensitize officers."

Turner, J.: "Once this information is gathered then what are the police officers to do with it? Like if they haven't stopped enough from a certain race, are they suppose to stop more from another? I mean, how are they suppose to use the information? What message, what are they suppose to do with it once the data is gathered?"

Davis, M.: "First, Representative, Highland Park Police are doing this as policy. Urbana Police are doing this as policy."

Turner, J.: "Okay, but my question is, 'What do they do with the data?'"

Davis, M.: "But the data... "

Turner, J.: "Is it a message to them that you must stop more people from one race versus another race or less or I mean, are they supposed to change... "

Davis, M.: "No."

Turner, J.: "... their tactics?"

Davis, M.: "No, Representative."

Turner, J.: "Are they supposed to let people go because they... "

Davis, M.: "Representative, racial... Let me explain this to you, maybe this will help. Racial profiling is the unfair and insidious practice by police agencies or officers of targeting members of a racial group for enforcement of basic laws, such as traffic violations, under the misguided view that that member of these minority groups are much more likely to be involved in criminal activity. Now, your former State Police Director, Mr. Terrance Gainer, confirms that the people of color are not more likely to break traffic laws or drug laws however, they are more frequently

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being stopped."

Turner, J.: "Okay."

Davis, M.: "So this is not saying, this is saying, don't... it isn't saying, 'Don't do anything', it is saying, 'Merely record what you perceive the race to be.'"

Turner, J.: "Okay, Representative, that's not what I asked you. To the Bill. All right. If I keep asking questions, I'm not gonna be able... I'm gonna run out of time."

Speaker Madigan: "Mr. Turner, to the Bill."

Turner, J.: "It might be a good idea, I don't know, I didn't get a response to my question, however. I'm not convinced about what the cost is. I am worried that law enforcement is against this. Law enforcement has indicated they're against this because it's going to take time and cost money and put a responsibility on them that frankly, is not needed. The real problem that I see with it, however, even goes beyond that and I was trying to get to the heart of it by asking the question, 'Okay, we get this data and then what are we to do with it, what message are we then to send once the data has been gathered, to the police officers? Are we going to tell them that they can't stop people, or shouldn't stop people or they stop too many people? If they see a crime are they suppose to let it go to make sure that the numbers are right?' This is not a mechanism which will cause... or have the cause and effect of better law enforcement and for that reason since I'm out of time, I urge a 'no' vote."

Speaker Madigan: "Mr. Stephens, do you stand in response? Mr. Stephens."

Stephens: "I was going to yield my time to Representative Turner if he wanted to get some of those questions answered. Representative Turner? Well, if not, I'll just speak to

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the Bill."

Speaker Madigan: "Mr. Stephens in response for five minutes."

Stephens: "Mr. Speaker, I'm just not sure that the State Police that police the highways and the streets of Illinois and provide so many good services to the citizens of Illinois need to be burdened with a... actually, this is not addressing the issue that you've been talking about, it's not really addressing racial profiling. It's just a little more paperwork. If we want to address racial profiling, bring out a Bill on racial profiling. What this Bill is about is telling the police officers of the State of Illinois, that we want you to fill out some more paperwork. Now, you know what, these guys put in their shift, these gals put in their shift, it's not enough that they go out there and risk their life and do the extra things they have to do, but we want them to fill out some more paperwork. And we're going to take that paperwork and do, god only knows what with, because Representative Turner couldn't get answers to his questions, but we're going to have some data and we're going to do something with it. So at the end of a year or two years, State Police can look back and say, 'Well, instead of finishing my shift, making sure that the people of the neighborhoods were safe, making sure that I followed up on the case that I was working on, making sure that I was fighting crime, for the past two years I'm so proud to say that I finished a little more paperwork.' Now that's just what they need. The men and women wearing the badges of the State of Illinois and protecting our interests, don't need to hear from the Legislature of the State of Illinois, 'We got some more paperwork for you.' If you want to deal with the issue of racial profiling, let's deal with it right up front. I don't think it's

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nearly as serious a problem as you tend to make us believe it is and I think that's why you're bringing us the Bill that you think is innocuous, but it is not innocuous when it eats up the time of the men and women who are fighting crime on behalf of the people of Illinois. I stand in strong opposition to the Bill."

Speaker Madigan: "Representative Silva, we've now had three people speak for the Bill and we're prepared to go to roll call. So those in favor of the Bill will signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? One person has not voted. Mr. Clerk, take the record. On this question, there were 78 'ayes' and 39 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Mathias, House Bill 4181. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4181, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Mathias."

Mathias: "Thank you, Mr. Speaker. House Bill 4181 as amended by Floor Amendment 1 that was passed yesterday, is an antibias education Bill. It is a permissive Bill in that school districts are not mandated to provide antibias education. They are to do so at their own discretion. However, the Bill does indicate that they must, in their report card, indicate for the next school year starting with the 2001 year through the 2003 year whether or not they do incorporate antibias education and intergroup conflict resolution as part of their activities. This Bill really came about to try to be a little proactive instead of reactive to some of the school shootings and the other intergroup conflicts that we see today in our education

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system. And I urge everyone to vote 'yes' on this Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there were 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Brosnahan, House Bill 4693. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 4693 is on the Order of Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Rossi: "House Bill 4693, a Bill for an Act creating the End Stage Renal Disease Facility Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. House Bill 4693 creates the End Stage Renal Disease Facility Act. It provides for the licensure of facilities that provide dialysis treatment or dialysis training to individuals with end stage renal disease. It also provides for the administration and enforcement of the new Act by the Department of Public Health. Ladies and Gentlemen of the House, this Bill affects approximately 70 facilities. These are 70 freestanding facilities that provide kidney dialysis treatment. Right now there really is no state oversight, whatsoever, the only oversight is provided through the Medicaid Program, which right now according to the Department of Public Health, results these facilities being inspected approximately once every six years. So I believe this is a very necessary legislation. There's no opposition to it. The Department of Public Health, they

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drafted the Bill. And I'd be happy to answer any questions. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bellock. Representative Bellock."

Bellock: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

Bellock: "Thank you. I'd like to welcome Girl Scout Troop 533 from Our Lady of Peace School in Darien, Illinois. Thank you."

Speaker Madigan: "Mr. Clerk, House Bill 4697. What is the status of that Bill?"

Clerk Rossi: "House Bill 4697 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Scott, has been approved for consideration."

Speaker Madigan: "Mr. Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that would mandate in certain circumstances, the video taping of interrogations done by police when a suspect is in custody. Floor Amendment #1 is a result of about three weeks of work with law enforcement officials and also with state's attorneys that makes significant changes to the Bill to address a lot of the concerns that were raised in those meetings and I would ask for its adoption."

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Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Fritchey, House Bill 2924. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 2924, a Bill for an Act concerning proceeds from tobacco litigation. Third Reading of this House Bill."

Speaker Madigan: "Mr. Fritchey."

Fritchey: "Thank you, Speaker. House Bill 2924 is a piece of legislation commonly known now as the Health First Act. This Bill is the product of months of hard work on behalf of the Tobacco Settlement Committee. Staff on both sides of the aisle, my cochair, Representative Feigenholtz and myself, our staff, especially Kurt DeWeese, and what we have been able to create here is something very unique and that is a truly fiscally conservative manner in creating a healthier Illinois for generations to come. There have been numerous concerns echoed on what to do with approximately \$9 billion that we are scheduled to receive over the next 25 years. There are those that say that we should start spending this money immediately for health related concerns. There are those that voice a concern that we invest this money. There are those that say we should wait to see what is going to happen with pending litigation and other concerns. And what we've been able to do is incorporate all of those interests and all of those concerns into one piece of legislation and achieve what is really the best of all worlds. It's a lengthy piece of litigation. It's a complicated piece of litigation. What

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I'd like to do is try to distill it down as much as I can and then I'd be happy to answer any questions that there are. What we would do, essentially, with the Health First legislation is as follows: In the first year, 50% of all monies that are received would be invested into a new fund, called the Health First Fund. The other 50% of the monies would be placed into investments by the state's Treasurer. Over each following year, an additional 2% would be spent and 2% less would be invested. So, over 25 years you'd be spending all of the money and then investing none of the money. By having a graduated scale such as we are proposing here, we can dramatically increase the size of our windfall from \$9.1 billion to an excess of \$14 billion over the next 25 years. With respect to the investment component of this legislation, I would like to thank sincerely, Representative Mulligan, who allowed us to take her legislation and incorporate it by Amendment into this legislation and this is something that she had worked on in concert with Treasurer Topinka as a means of providing protection to the state of any downturns in the monies that may be coming to the state over time. And what would happen is we would create a bonding authority. That bonding authority would exist over 20 years and it would bond 20% of the revenues and sell those bonds out. And by selling those bonds to the marketplace, we will be able to protect ourselves from tobacco companies going bankrupt, from any decline in tobacco sales, or any other impact that we may have by reduced tobacco sales. Any proceeds from the bonding authority, any proceeds from the sales of the bonds, would go into the Tobacco Settlement Recovery Fund and those proceeds would then in turn, go into six different health funds which are created under the Act.

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The six health funds created under the Act are as follows: First is Smoking and Tobacco Control and that would be 30% of the distribution provided for under the legislation. The Smoking and Tobacco Control Fund would allocate funds to be used by local not-for-profit agencies, local health departments, and universities, for smoking cessation, addiction and treatment programs in accordance with the Center for Disease Control guidelines. Presently, Illinois spends no money, not a penny, on the ravages that are incurred of on our public as a result of cigarette smoke and cigarette smoking. We would be able in just the first year to put approximately \$61 million into these programs. The second fund that would be created is the Healthy Communities Fund that would be 20% of the monies that are allocated; it's approximately \$41 million a year. This would be for expanded community and family health programs that would be administered through state agencies and community-based organizations. These would be programs such as early childhood education, aid for minority, and urban designated shortage areas. In addition, we've created a Seniors and Disabled Choices Trust Fund, surprisingly, 20% and again another \$41 million for home and community-based long-term care services for our seniors throughout this state. Both sides of the aisle have voiced a strong concern and support for expanded senior services. This would allow those expanded senior services to exist. We have talked about spending 10, 20, \$30 million on various programs. We're talking about spending \$40 million just in year one through this fund on senior services. The next fund is the Healthy Schools Trust Fund which would receive 10% of the distribution, approximately \$20 million a year for primary preventive health care, including mental

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health care programs, including smoking and prevention cessation programs in every school district throughout this state. It's because of this fund, in part, that the Illinois Federation of Teachers has strongly supported this legislation as a means of reversing the trend of declining services towards preventive health care to our students throughout this state. We also provide \$20 million in just the first year for Health and Medicine Endowment Fund which would go to the seven universities throughout this state for research on tobacco-related illnesses such as cancer, cardiovascular disease and pulmonary disease. This fund would also be used to enhance programs administered by schools of public health and to provide funding for graduate health care tuition and scholarship programs. And lastly, it would provide for a Health Infrastructure Fund of approximately \$20 million in just the first year that would provide money for health-related capital financing. This would allow communities to apply for funding for new medical equipment, new medical vehicles, communities that want to get a mobile MRI machine, communities that need a new ambulance. The fund would operate through provision of grants... "

Speaker Madigan: "Mr. Fritchey, could you bring your remarks to a close?"

Fritchey: "I'm sorry, Mr. Speaker. Lastly, there would be an authority that would be created... appointed by the Governor with confirmation by the Senate. I'd be happy to answer any questions."

Speaker Madigan: "Mr. Fritchey has spoken in support of the Bill. The Chair recognizes Representative Feigenholtz in support of the Bill, therefore, there will be one more in support of the Bill. Feigenholtz. Mr. Black."

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Black: "Mr. Speaker, in all due respect, we've all been here a long time and the hour grows late, but there are many Members I think on both sides of the aisle, that want to discuss this. I would make the request that we put this on unlimited debate."

Speaker Madigan: "Right now there is you plus one."

Black: "I know of some lights that aren't on, but will be. I've been asked to ask that question."

Speaker Madigan: "Okay, fair enough. Unlimited debate."

Black: "Thank you."

Speaker Madigan: "And Representative Feigenholtz, waives. Representative Black. In response, Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I was going over the lists and letters and pamphlets and requests I have received in the last three months on this issue last night, trying to add them all up. I gave up in complete frustration when the amount of money requested by various groups, all of them well-intentioned, but I was up to about \$18 billion. So, from that standpoint I don't have any problem with your Bill, but I think some real problems have developed and are developing on this entire issue. Are you aware... What is the current lien amount against the \$9 billion that we're to receive over the next two decades? What's the current amount that is already been litigated and liens placed against it? Do you have any idea how high that is already?"

Fritchey: "There's been no disposition on the liens already, nor obviously as you are aware, has there been any outcome on the litigation. The way this legislation is structured,

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however, the amount that is invested and the amount that is distributed, is percentage allocations not hard dollar allocations. So they are readily adapted to how much money actually comes into this state and how much is available for us to use for investment and distribution. Bill, it's for exactly that reason that we're not saying 15 million goes to this group or to this purpose; 75 million goes to this, because we don't know what those final dollars are going to be."

Black: "Yeah. And I think that's the problem that I have, is just exactly what you said. This windfall has attracted so many plans and so many ideas on how to spend it that perhaps your Bill goes in the right direction but it also cuts off certain items that I would like to see us begin, even in this fiscal year, to advance, i.e. an expansion of the Senior Pharmaceutical Assistance Program, other programs that would benefit our seniors, related to health. And as I understand your Bill, that would close off in this fiscal year some of those options or alternatives that might emerge from budget negotiation. And while I'm not sure that's a bad idea, there are some current needs that could be financed by monies currently available."

Fritchey: "You know, it's interesting that you would say that for a couple of reasons, with all due respect to our Governor, who is very well-intentioned, by allocating some monies in the first year from tobacco funds, what he's really done is locked us in for the future going down the road. If we don't want to allocate those monies in year 2, year 3, year 4, we're then going to have to make up that shortfall from somewhere. That shortfall's going to have to be out of GRF or we're going to have to do that. I don't think that's a path that we want to go down at this point. Additionally,

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with respect to the seniors, there's specific language in here providing that we could use some of these funds for an expansion on eligibility and coverage for the Circuit Breaker and Pharmaceutical Assistance. But what the Governor has proposed... Let me put somebody else's words here better than mine, that would be the American Cancer Society who said... whose response to the Governor's proposal was, 'That it was disappointing and unacceptable'. Now, I think those words are strong for a man that was very well-intentioned, but the problem with the way he has proposed this is that if we have 70, 100, \$150 million allocated in year one, what are we going to do in year four, year five, year six?"

Black: "Yeah. All right. John, are you an attorney? I really don't know, I'm not... "

Fritchey: "There's days I don't know either, but yeah."

Black: "Okay. Is there not... From my standpoint, I'm trying to figure out if this settlement is actually guaranteed. I mean, could not various legal maneuverings, bankruptcies, et cetera, make the whole issue moot at some point?"

Fritchey: "The settlement is guaranteed. What has happened and what I really applaud Treasurer Topinka for coming up with and Rosemary Mulligan's piece of legislation for incorporating, is by bonding 20% of our revenue stream, initially, we insulate ourselves from bankruptcies. The settlement dollars are tied to many things, one which being cigarette sales, if in the best of possible scenario cigarette sales plummet, our proceeds under this settlement plummet along with that, however, by bonding out these revenues early on, that risk is shifted from the state and from these resources to the bondholders, not to us."

Black: "Okay. And I'm glad you mentioned that because that's one

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of the things that bothers me about the sudden desire to get into with plans to spend the settlement money, I think there's a bit of hypocrisy on part of government. Some of it is supposed to go to diminish the demand for smoking, and yet, we increase the demand for spending the dollars that might be generated. And at some point, we have to figure out as a governmental entity, what we want to do here. You know, it's still a legal product. It is still heavily subsidized by the taxpayers of the United States to farmers who grow it. And there was an article in the paper two weeks ago that President Clinton, and I'm not trying to be political, just gave approval for I believe another dozen cigarette shops to be built on Indian reservation land where they can sell tobacco products with no taxes, no federal or state taxes. At some point, that policy just seems to be contradictory to the whole concept of this settlement action. It just doesn't seem that there's any clear cut government plan, you know, here on the one hand we want the cigarette consumption to drop, on the other we just approve a dozen smoke shops, as they're called, on Indian land to promote the selling of tobacco at no tax so the price is much lower than you would find in a community that maybe close to that land. So, this whole issue seems very difficult to me about what the amount will be, what the liens might be, what the spending proposals might be. And it's for that reason I think your willingness to accept Representative Mulligan's Amendment. And by the way, my computer only stays on the analysis about two minutes and then the moon comes up or something. Did the Amendment adopted to the Bill, did that become the Bill, or add to the Bill?"

Fritchey: "The Amendment became the Bill."

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Black: "And was that Amendment, Representative Mulligan's Amendment or a combination?"

Fritchey: "Representative Mulligan's legislation was incorporated in the Amendment and then there was also additional cleanup language from our original proposal."

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

Fritchey: "Thank you."

Speaker Turner, A.: "Representative Turner in the Chair. The Gentleman from Kendall, Representative Cross. For what reason do you rise?"

Cross: "Will the Sponsor yield?"

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

Cross: "Thank you. Representative Fritchey, obviously you spent a lot of time on this and I think people should applaud you for that. I think we just have, as Representative Black highlighted, some concerns about the timing of this. And I understand, and I don't want to be repetitive but I understand we've got the lien issue out there, and I'm not aware of the amount of those liens. What are the amounts of the legal liens right now that have been filed?"

Fritchey: "There's a contingency fund set up within the overall settlement to handle legal fees, so that would not affect our portions."

Cross: "How could it not aff... I thought the legal fees came out of the 9 billion?"

Fritchey: "There are... the lien issues and the fee issues are out of a separate pot of money."

Cross: "It's our understanding, John, that if they're successful with their liens, it will come out of the 9 billion."

Fritchey: "They are seeking money out of the 9 billion because what they are seeking to do is get money in excess of what is provided. There is a recovery fund for legal fees,

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essentially, that is set up pursuant to the settlement. What some of the attorneys are trying to do is seek funds in excess of what was set up for the legal fees. If they were successful in doing that, those funds would then come out of recoveries that are coming to the states. So, in essence, Tom, we're both right."

Cross: "I mean, the odds are... my understanding is there was a contract entered into between the attorneys and the state or the Attorney General's Office. I presume that they're most likely going to be successful on their lien unless there's something that I don't know about."

Fritchey: "I don't know why there's any reason to presume that."

Cross: "Pardon me?"

Fritchey: "I don't know why there's any reason to presume that one way or the other. I mean, again, given that this legislation is based on percentages of monies actually received. Were we to receive less than the 9.1 billion, all that would mean is that the actual hard dollars that we would either invest and/or spend, would be reduced. The percentages, obviously, would remain unchanged."

Cross: "I understand and I guess my concern about that, and I want to talk about the lawsuits in a minute, is how we prioritize or distribute based on your percentages. My concern is that... let's say that Cook County lawsuit's successful to the point they're after, we may want to allocate in a different way based on the actual money that comes in. My next question is, my understanding is that there's a lawsuit that's been filed by the County of Cook... "

Fritchey: "Correct."

Cross: "... and they are asking for an amount up to \$4 billion?"

Fritchey: "Potentially, correct."

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Cross: "Do we know timing wise where that is in the... what's the status of the lawsuit?"

Fritchey: "There have been attempts and the State's Attorneys Office, the Attorney General's Office, lawyers on behalf of Cook County, have all indicated a eagerness to try resolve this. My guess is that this lawsuit as... in excess of 90% of the lawsuits filed, will settle and not go to trial. So, it's a question of what the terms of that settlement will be."

Cross: "Now, is this the suit that the Cook County State's Attorneys Office is handling?"

Fritchey: "Yeah, the Attorney General's Office's been handling this, there's private attorneys handling this on behalf of Cook County. The State's Attorneys Office had been watching this as well and I had discussions with them as well."

Cross: "This is the Phil Corboy suit, I mean, Phil Corboy's, Representative? My understanding is that in addition to Cook, you know, the theory being that they've handled cases and paid out claims over the past number of years, 20, 30, that they should be entitled to this money and that other counties, as well, are in the process or have filed lawsuits. Is that not correct?"

Fritchey: "Could you repeat that last part?"

Cross: "My understanding is that other counties have either filed lawsuits or are in the process of filing lawsuits seeking portions of this tobacco settlement money?"

Fritchey: "I'm not aware of any other county lawsuits that have been filed. I'd had discussions with attorneys that had contemplated filing on behalf of another county and had indicated that they may be holding off doing that."

Cross: "My understanding is that McHenry County has filed a

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lawsuit, for instance, against the state handled by, my understanding, the former president of the ISBA."

Fritchey: "There was a hospital district in McHenry County that has a suit that's still pending, that's not the county itself."

Cross: "That's the lawsuit handled by Representative Franks' father, I understand?"

Fritchey: "That is not correct, as far as I understand."

Cross: "Do you know who the attorneys are representing that hospital suing the state?"

Fritchey: "I don't recall the name, no."

Cross: "All right. You would, John, not disagree that there are potentially other hospitals and nursing homes that at least would have standing to file a lawsuit against the state seeking money from that? I could see your hand, we're talking. You would not argue with the fact that other states or other counties, nursing homes, hospitals, et cetera, would have standing to file lawsuits against the state seeking recovery, would you?"

Fritchey: "My discussions with the Attorney General is that it's somewhat fact specific. Yeah, I think there are a number of situations where they could do that. I've talked to a number of entities within this state and a lot of them have said that they would hold off or be willing to hold off for some time to see what we actually propose to do with the money. However, again, the investment portion that we propose in this legislation, would give us a pot of money that we could use to structure any type of settlement funds. Realize just in the first four years alone, we would have over \$1 billion of savings under this plan."

Cross: "Well, there's nothing that prohibits, you know, if we take a 'wait and see' attitude, given the fact that there

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are 102 counties out there that perhaps could sue and be successful. It's certainly going to put a dent in the \$9 billion. You could certainly... "

Speaker Turner, A.: "Could you bring your remarks to a close?"

Cross: "Thank you, Mr. Speaker. You could certainly take this money, John, put it aside at least for a year or two or a year, and have that same type of investment philosophy and earn money, earn interest on it, however, you want to do it and be successful. My concern is by proceeding in this manner is, I understand, 30% of your money under this plan goes to the Smoking Tobacco Control Fund, so we've obviously prioritized that. We think that's an area where at least 30% of the money should go. If our 9 billion gets cut in half, for instance, are we still going to want to dedicate 30% to that fund, or are we going to want to reallocate or prioritize where we're putting money and I think it's hard to prioritize or allocate until we get... really realize what the bottom line is as to what we're going to receive."

Fritchey: "Well, what we're able to do under this legislation in any given year, even if we get the entire 9 billion, would be reallocate within the funds. If one fund has a greater need than another one or lesser, we can reallocate, switch one from 30% up to 50% or take one from that's receiving 20%, take it down to 17% as the case may be. We have that flexibility in this legislation."

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

Feigenholtz: "Thank you very much, Mr. Speaker. I rise in strong support of House Bill 2924. This is a product, some of the former speakers were talking about some of the fiscal notes and costs of this Bill. The fact of the matter is that we

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all have to remember what the tobacco settlement was all about. It's about bringing money home to the State of Illinois for tobacco-related illnesses. 2924 is a well-thought-out, well-crafted piece of legislation. It focuses on how we should spend tobacco money, the kind of commitment that we should make, the kind of accountability that we should have in government, all of the time. It has audit and performance-based review. Very, very infrequently do we see that kind of accountability in legislation. It makes a strong commitment to keeping this money away from the General Revenue Fund, so that we don't get tempted to use this money for anything else in case there's a downturn in the economy. It's responsible, it's balanced, it's structured on percentages so that if there is diminished money coming into the state every year, we can still afford to make these kinds of commitments. And as far as I'm concerned, it's the best Bill and the best offer on the table right now. I think we have heard from the Senate that they are not interested in spending the money at all. I'm not clear on what the Governor's plan is in the budget. I think the House of Representatives and the Tobacco Settlement Committee spent hours and hours listening to debate and felt that there was a lot of credibility to what people told us. And that is why this Bill got 29 votes, unanimous support coming out of committee, and we should keep this proposal moving through the House and send it to the Senate and say, 'The House of Representatives is at the table on this money.' Vote for this Bill."

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

Mulligan: "I also rise in support of this. Thank you, Mr.

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Speaker. I'd like to make a few comments on the Bill. My original intention with the Bill that I was supporting was to be more fiscally conservative with the money and make sure that at the end of the time, whatever money, whatever percentage of the money that we received here in Illinois, we'd have part of the original money left and be able to have spent some of it along the way. I thought that was a pretty sound policy. I've looked at several different things over the years of trying to save some money. My big concern, particularly, in Human Service Appropriations is that we're spending a lot of money. Times are good right now, what happens when times turn down? How are we going to spend that money? My other concern with this money all along the way was that we sued for a reason, it was to replace money that we felt the state had spent covering health costs related to tobacco abuse and I still feel that way. I think it's a really good idea to put money back into health. Many people came to me, personally, because I'm Human Service Approp person on our side, they came to the committee, more requests than we'll ever have money and one of the things I cautioned in the committee which always is of great concern to me, a lot of people that are... need money in their budgets, providers, other people that would like to see money to help them, we're looking at these sums as a 'be all, end all' to their problems, which is not the case. This is a minimum amount of money each year compared to what the state budget is and those needs that should be adequately addressed by the budget. So, I feel that grants coming out of individual funds that will roll over each year and perhaps help individuals getting a start-up on something, in an area that they need, are appropriate. I personally would have liked to have seen a little more

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money go into the senior area but because I think, that particularly, the Conference of Women Legislators were very interested in increasing Circuit Breaker and other things this year for the seniors, so we were really concerned about that. I don't think it matters what our ultimate ending amount of money is with the suits. I think we're still using percentages and I do think, logically, although sometimes the courts are not logical, that they will spread the total amount of awards given to other counties, by the overall risks incurred by everyone in the original tobacco abuse that each individual county or the state has spent. And we have spent, as a state, significant money in Medicaid. I cannot believe that we will still not get the lion's share of the award. Also, I find it obscene that certain attorneys are requesting such large fees out of that money, and I would hope the courts would knock that down. But the bottom line is, I think this is a compromise, a fiscal conservative way of saving money over the years and also of allocating money to a lot of the different people that have come to us in the form of grants that can be renewed each year, and I think that what it does is it sends a message to the Senate that we would like them to look at a plan. And one more point that I would make is, initially some people are concerned, as I am, about the Governor including tobacco money into this year's appropriation process. I think this Bill, in looking at it when we were presenting it in committee, is unclear as to whether we have to put the 1998 proceeds into the trust funds, and whether we could not use the current money, the 1998 proceeds, as part of the Governor's plan this year, and start with the money that would be coming in for 2000. I know that would be open for discussion, particularly in

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the Senate, but I think it's a point to be made that perhaps we can 'have our cake this year and eat it, too'. We should be able to get some of that money and perhaps use it, and then go on and take a look at dividing up the money as it comes in on a percentage basis. Spend some of it, save some of it, and at the end of 25 years, virtually have the amount that we initially put in. How unique that would be for the State of Illinois to actually do something, save some money, still spend some money and come out ahead, particularly, if there was a downturn in the economy. I think it would be a really good Bill to vote on. I think it's a good message to send to the Senate. And I would urge an 'aye' vote."

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

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

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

Righter: "Representative Fritchey, how much money has the state received so far?"

Fritchey: "By April, we will have \$400 million in the bank."

Righter: "Will that money be totally free and unencumbered with regards to any liens or claims?"

Fritchey: "That money, yes. Because any liens that were to be adjudicated, would then... those liens would be put on proceeds that have yet to be distributed."

Righter: "Can you repeat that? I'm not sure I understood that."

Fritchey: "Liens that were to be adjudicated would be placed upon monies that had yet to be received and distributed."

Righter: "Have the lawyers who handled or did some work on the settlement for the state, placed their lien then on everything else other than the \$400 million we're going to

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get in April?"

Fritchey: "They place it on settlement proceeds. There is no question that regardless of the lien claim, whether they were to recover a hundred cents on the dollar, the lien claims are not going to exceed any diminimous portion of what we are receiving under the settlement. The focus here should be on improving the health of everybody in every district in Illinois, not on focusing on waiting to see when the lawyers can resolve their disputes."

Righter: "Well, I agree with that, Representative, and I think everyone in here agrees that we need to focus on ways to improve the health. But I think that there's important questions with regards to how much monies come and how much we don't know is going to come. Now, the contract that the lawyers signed with the state would have given them 10%. Is that right?"

Fritchey: "You know, Representative, I have to apologize somebody was just asking me another question, I'm sorry."

Righter: "The contract was for 10% with the state?"

Fritchey: "That's my understanding, correct."

Righter: "So, based on that understanding then, the maximum they would be able to receive would be \$910 million, or 10% of the entire settlement, right?"

Fritchey: "Yeah, 10% of what was received."

Righter: "With regards then to the suits that have been brought by Cook County and then the others that are out there which, my understanding, will likely be filed, we don't know how much money from those could eventually be taken away from the settlement as a whole. Is that right?"

Fritchey: "Which is why this legislation talks in terms of percentages and not hard dollars."

Righter: "Now, let's talk about that. This will create six trust

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funds. Is that right?"

Fritchey: "That's correct."

Righter: "Okay. Is there any money out of the settlement going to be appropriated for the setting up of agencies or councils or whatever it may be to administer these trust funds?"

Fritchey: "There would be a authority that would be established that would have five members appointed by the Governor."

Righter: "Now, yeah, but when money goes into say, the Health and Medicine Endowment Fund, once it goes into that fund are those people you just mentioned gonna continue to see how that money is spent in that particular fund?"

Fritchey: "Yes. The authority is required to evaluate both applicants and recipients for dollars within the funds."

Righter: "Can you give me a hypothetical, Representative, of under that endowment fund, who would be a typical grant applicant?"

Fritchey: "For the university fund?"

Righter: "No, for the Health and Medicine Endowment Fund, if that's the university... "

Fritchey: "The Health and Medicine Endowment Fund is actually, probably the most unique fund here. The seven universities with medical schools in this state have formed and reached an agreement amongst themselves on how to distribute the money, so that would be a set allocation. And so whatever money was allocated to that fund in any given year, would be distributed among the seven universities in an agreement that they've already reached. And then whatever programs they are using that money for would still be subject to evaluation and a review by the authority."

Righter: "So, the authority ultimately is going to control where this money is spent?"

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Fritchey: "The authority would ultimately control where the money is spent."

Righter: "Where the money's spent and how much of it?"

Fritchey: "Right. They would have to evaluate it. Now, mind you, within the constraints that we provide here, and those constraints can be changed by the General Assembly. If we feel that, you know, instead of a certain percentage going to the Health and Medicine Endowment Fund one year, we should lower it for a year, or we should raise it for a year. We can do that."

Righter: "Would one of these funds allow money to go to the K-12 schools?"

Fritchey: "Actually, yes, potentially more than one of them. The Healthy Schools Fund provides... Thank you, sorry about that. The Health Schools Fund provides 10% of the distributed money to go for additional school nurses and counselors in every school district in this state for primary and preventive health care, including mental health care and for programs including smoking prevention cessation programs. Again, this is why the Nurses' Association has gotten on board with this Bill, the Illinois Federation of Teachers has gotten on board with this Bill and the school districts because we are taking affirmative steps to improve the health of students. There is no segment of the state that is not going to be significantly impacted in a positive manner by virtue of the spending provisions in this Bill."

Righter: "Now, does this Bill require... "

Speaker Turner: "The Gentleman should bring his remarks to a close. The Gentleman from Madison, Representative Stephens. For what reason do you rise?"

Stephens: "To yield my five minutes to Representative Righter."

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Speaker Turner, A.: "The Gentleman yields his time to Representative Righter. Continue, Representative."

Righter: "Thank you, Representative Stephens. Thank you, Mr. Speaker. Representative, does this Bill require that all of the allocations be made from these trust funds be made pursuant to grant applications or can there be yearly allocations in a budget type form?"

Fritchey: "No, the way it's structured right now is that there would be applications made to the authority. What we want to be able to do is make sure on any given year that our monies are being spent in the most effective manner possible. With all of our state dollars I know you'll agree with me, we don't want to frivolously spend state money, but especially with the money that's being used for health care purposes and ostensibly to save lives. We want to make sure that we're spending this money very effectively. So, this is going to be a yearly basis. What we don't want to see happen would be even at the end of 25 years, and just having had a birthday yesterday, I know that, you know, that much time can sneak up on you in a hurry, is that you'd be funding all these programs and they would expect it to be an annualized appropriation, and all of a sudden it just stops. And all these great programs are up and running and there's no more money to fund it. That was one of my concerns with the Governor's proposal as he starts talking about giving tobacco money in one year that may not be there for them in the next year."

Righter: "So, you don't think that's a concern under this Bill, that after four or five years a school district could get a number of grants to help bring someone in to talk to the kids about the importance of not smoking or, you know, additional half-time school nurse, or something like that?"

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And then after some of these other cases are adjudicated, that they're going to lose that funding and then they're stuck with a nurse or some other program that needs to be funded and it's going to be up to the school district to get it, or they're going to come back to us to get it out of GRF."

Fritchey: "I would hope, first of all, that we would be meeting our obligations anyway. The tobacco funds shouldn't be a sole source of funding for these types of programs anyway. It's somewhat unfortunate that we, as a legislative Body, have not seen it fit to spend money on educating kids to keep them from smoking, or to keep them from learning about the ravages of tobacco, but we haven't done that. We don't spend any money per capita on smoking prevention and treatment. And if we're getting results from the school spending, we're not going to cut that money, the authority's not going to cut that money."

Righter: "Right, but you know as well as I do, that if this money goes out, they're going to create those kind of programs, that's what this money is for. I mean, even if you say that the state's only funding at 70%, or 80%, or 90% of what we should be doing. Even if we were funding at a hundred percent, they're gonna spend this money on those programs and add more. And the question I've got is, after a few years and if the money's not there, are we then... are you anticipating that we're going to pick up the tab through GRF, or are we going to lay this off on the school districts and let 'em handle it themselves?"

Fritchey: "That's really, you know, and I don't mean this pejoratively, but it's so speculative, you know, it's really incapable of being answered. I think that this type... The school's fund is so important, educating our

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kids. Every day three thousand kids start smoking, a third of those kids are going to die of tobacco-related illnesses. When we can start spending money to keep those kids from smoking in the first place, that's a damn good use of this money, and I would hope that we would keep doing that. We shouldn't have to rely on money from a lawsuit settlement to be doing that in the first place. But right now these schools would apply, they'd say, 'You know, we're going to have money to bring somebody in for the following year, let's bring them back in again.' And they'll apply and they'll get that money again and do it again. And if... let's say somehow something happened and the monies weren't there for as many schools as wanted to do it, then somebody's going to introduce legislation here, hopefully in a bipartisan manner, to get more dollars for school counselors."

Righter: "Representative, are you saying, that the fact that, one or more of these programs to be created and the money's not there, is that not a concern to you that that won't happen, or that if it happens, hey we'll, if it's important enough, we'll get the money to it? I mean, I'm not sure where you're at on that."

Fritchey: "I don't really think it's a question that's capable of being answered. I think that right now this sets forth that we have, what will be, a relative guaranteed payment stream over at least 25 years. And we've got the ability to make a significant impact on the health of the people of Illinois for at least the next generation."

Righter: "So, the concerns that I've voiced are not a concern to you?"

Fritchey: "I don't think that's what I said. Actually, I know that's not what I said."

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Righter: "They are a concern to you, but if that happens, someone else is going to pick up the tab?"

Fritchey: "I think your concerns are a mischaracterization of the issue, with all due respect."

Righter: "In that, I'm mischaracterizing the issue of maybe we'll run out of money and then someone else is gonna have to pick up the tab for these programs?"

Fritchey: "I'm saying that we've got the ability to provide money for needed programs, and let's take advantage of that ability right now rather than say, 40 years from now we may not have the ability to do that, so let's never do it."

Righter: "Thank you, Mr. Speaker."

Speaker Turner, A.: "The Lady from Cook, Representative Silva. Representative Silva. The Gentleman from Cook, Representative Fritchey to close."

Fritchey: "Thank you very much. This is, while I think it's a tremendous piece of legislation as a result of all the people that put work into it, it came out of the committee in a bipartisan manner with a unanimous vote. It's going to go over to the Senate. It will not be the final piece of legislation that goes to the Governor's desk. It sends a strong message that the monies that get spent from the tobacco settlement, should be spent on creating a healthier Illinois. This would allow us to spend more money than virtually any state in the country on tobacco-related programs. I think that's a good signal. I think it's the right direction to go. And I request an 'aye' vote."

Speaker Turner, A.: "The question is, 'Shall House Bill 2924 pass?' All those in favor say 'aye'; all those opposed say 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record Representative Tim Johnson as voting 'aye'. Have all voted

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who wish? One Member not voting. Have all voted who wish? The Clerk shall take the record. On this question, there were 99 'ayes', 17 'noes', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Agreed Bill List. To the Members, if you've recorded on the Agreed Bill List, if you voted 'no' on that list, or the roll call will reflect it. So, if you voted 'no' on the yellow sheets, it will be reflected. But everyone votes 'yes' on the Agreed List now. The Clerk shall open the roll. Have all voted who wish? Have all voted who wish? The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, an inquiry of the Chair, a clarification now? We haven't done this in awhile. If you vote 'yes' on the Agreed List, you're going to be recorded as 'yes' on every Bill except those you marked 'no' or 'present', correct?"

Speaker Turner, A.: "That's correct."

Black: "If you vote 'no' on the Agreed List, I assume you will be marked as voting 'no' on every single Bill on the Agreed Bill List?"

Speaker Turner, A.: "You should still vote 'yes'. It's much simpler if everybody just votes... If you decide to vote 'no' now, you can do that, also."

Black: "Perhaps, the Clerk could answer my question. There's 'no' votes up there and that would mean you were voting 'no' on every single Bill on the Agreed Bill List. If you vote 'yes', you will be recorded as voting 'yes' on every Bill except those you marked 'no' or 'present', right?"

Speaker Turner, A.: "That's correct."

Black: "Okay. Thank you."

Speaker Turner, A.: "Have all voted who wish? The Clerk shall

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take the roll. On this question, there were 115 voting 'yes', 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The final passage will be announced later once we do the tabulation."

Speaker Madigan: "Speaker Madigan in the Chair. House Bill 1776, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1776, a Bill for an Act concerning campaign financing. Third Reading of this House Bill."

Speaker Madigan: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. Our electoral system is broken and we need to fix it. We all know campaign financing is complex, and that's why our Election Committee has spent the last year with hearings around the state, and hearing from more than 500 people at these hearings. We now have a well-developed consensus Bill that we are proposing today and presenting to you for your consideration. This Bill is not a panacea, but it begins to address the major problems of our present election funding system in a comprehensive way. The voters want campaign finance reform, voters are hungry for campaign finance reform. Every poll shows this, and Legislatures around the country are responding. This clean election model that we are presenting today has been adopted in recent years in Maine, Massachusetts, Vermont, and even conservative Arizona. This Bill would restore integrity and public confidence in our electoral system. Very briefly, I've had a chance to talk to most of you personally about this Bill. This is for statewide constitutional offices only. It is a voluntary program, because it presents spending limits, as well as contribution limits, as well as matching funds. The

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Amendment that was put on by some of our Republican cosponsors, limits this Bill to just two election cycles, years 2002 and 2006. And I would be open to your questions. Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, has there not been a United States Supreme Court decision that states, 'If you are an individual of unlimited means', i.e. Steve Forbes, 'that you... no one... no legislative Body can place a limit on the amount of your personal fortune that you care to spend?'"

Hamos: "Yes, and that's why this is a voluntary program."

Black: "Voluntary in that, if I were having to run against Steve Forbes in my legislative district, I would not have to agree to spend only, what would my race be here, a hundred thousand or... "

Hamos: "Well, if you were running for Governor, you would... your spending... or your contributions would be a thousand dollars, yes."

Black: "Okay. But, I would not have to agree to that if I'm running against Steve Forbes, who announces that he is going to spend \$20 million on his campaign, of his own money, which the Supreme Court has clearly said, 'We cannot limit your personal resources.'"

Hamos: "That's right."

Black: "All right, so are we setting up two categories of candidates, those who have access to unlimited personal wealth, vis-a-vis those who now will face limited contributions?"

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Hamos: "Representative Black, this is the situation that we have, currently. If you are running against a multimillionaire, you have to figure out a way to access resources well beyond your means, usually, and in many, many, many cases you're not even able to make a competitive race. This Bill, actually, would level the financial playing field much more so than under our current system."

Black: "Well, now wait a moment. How would it level the playing field if I'm running against someone of unlimited personal resources? He or she would have no limits."

Hamos: "Again, Representative Black, this is already a very big problem in Illinois and elsewhere, and we saw that, actually, in the very last election. But, under this Bill, for example, if your running for Governor, then you would have access to matching funds \$4 to every \$1 that you raise. And that would level the financial playing field much more so than under current system."

Black: "Now, what would my maximum amount be, under your Bill, if I were in fact, running for Governor?"

Hamos: "If you were running for Governor in the primary, your maximum amount would be \$2 million and 6 million in the general."

Black: "So, \$8 million in the cycle, correct?"

Hamos: "Yes."

Black: "And let's just say I'm running against a fictitious character who recently made a fortune in the stock market and that individual John Doe announces that he is running for Governor and committing \$35 million of his personal fortune to his run for the Governorship of the State of Illinois. Now, how can I be anywhere near a level playing field with that individual? I'm limited to \$8 million. He's already announced that he's spending \$35 million of

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his personal fortune?"

Hamos: "Well, again, Representative Black, there is nothing we can do about people with personal fortunes. And it is maybe entirely true, that if confronted with that kind of competition, you would not opt to buy into this program. But, I think what you would do as a competitor there, is to play that out in the political arena trying to tell voters that this is not... that buying their vote is not the way to go, and I think voters would respond to that."

Black: "And I don't have any problem with that philosophy if I wasn't at the age I am and I've seen how effective mass television, radio, mass market media ads can be. It's just a fact of life. We are an electronic society and if you have unlimited access to run commercial after commercial after commercial, I admit with some voters, there is a point of diminishing returns, but all the elections that I've looked at with the exception of the one in California, where the family spent almost a hundred million dollars in running for a U.S. Senate seat and lost. Generally speaking, those financial resources, obviously, give a candidate an advantage. Well, let me follow up on something here. Now, and your Bill certainly has merit and I'm not sure that I'm opposed to it. But these limit... well, first of all, I think one of the most important questions I have to get straight in my mind, the access to public money. Is that money come out of General Revenue Funds or a specific checkoff? So we would access public money only in the case that the public said, 'I'm willing to do this.'"

Hamos: "House Bill 1776 asks voters to participate in clean election funding by checking off any amount on their income tax form. The hope here is that, in fact, the voters who

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are crying out for campaign finance reform, in fact, would participate in that system. Under this Bill, the backup is General Revenue Funds, and I want to be honest about that, however, we believe that if every single candidate, who ran the last time, had participated in this program and had spent every single nickel up to the spending limits, only 17% of taxpayers paying \$10 each, would be able to fund the entire program. That's not too much to ask, and it's only for two elections, so it doesn't break the bank."

Black: "But, we still would probably get some criticism from the taxpayers who did not voluntarily check off if they thought their hard-earned tax dollars were being spent to finance a campaign, and the campaign may, you know, I don't think you can channel it to the Republican, Democrat, or other party. I see a scenario where the taxpayers may file a class action suit saying, 'How dare you use my tax money which I expect to go to schools, health, roads, and shovel it or direct it into the campaign of candidate 'A' who I just think is a terrible individual. I want nothing to do with that individual.' So, how do we get around that potential difficulty?"

Hamos: "Well, Representative Black, again, as I walked around and talked to the colleagues, several of them said to me, that with constituents having campaign finance reform on their radar, on their agenda asking for it, a big part of the presidential campaign as we see day after day, we want the voters to put their money where their mouth is. And this particular Bill, presupposes that, in fact, when given a chance, that voters will, in fact, want to participate."

Black: "And I don't think I disagree with you in that philosophical content, but let's focus. You said the federal election, particularly the presidential cycle that

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we're all in now. Here's a matching grant program that can put millions of dollars into the candidates seeking the nomination of their respective party for the presidency, and yet, both parties most recently, an accusation made against one of the people seeking the Democratic nomination, and I believe somebody was sentenced to jail time yesterday for violating this and raising money. In fact, raising money from a group, a religious order who take a vow of poverty. I've never quite understood that, but even in the case where millions of dollars, public dollars are funneled into campaigns, we still have people violating the law, and people as late as yesterday, being sentenced to jail for illegal campaign contributions. So, if the Federal Matching Grant Program, Matching Dollar Program hasn't stopped the abuses, how is this plan going to stop the potential abuses?"

Hamos: "Well, I do recognize, Representative Black, the sad truth is that there is a level of cynicism about any kind of reform in this arena. We feel it; our voters feel it; we hear it everyday; the media feels it. But again, I think that this is a serious comprehensive step at reform. And this does change the system; it does try to take this on. Again, it's not panacea, but it's an important first step. So, I approach things in a positive way, and I don't assume abuses, although some of the penalties are built into this Bill. This is a comprehensive Bill."

Black: "So, if I... Let me make sure I understand this. In my campaign cycle in 2000 if this were law, it won't be that quick we both know that. But if I were to agree to the material and the outline in your Bill, then I know exactly what I'm going to spend in my campaign. Thirty days out I see my opponent has, evidently, decided to accept other

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money and is outbuying my television, he's outspending me on television \$10 thousand to 1. So what happens to me, if at that time I decide, uh oh, even if I'm at my maximum amount, I either have to raise some money, and I think your Bill addresses the fact that if I want to borrow the money, that's okay. Right, to make a television buy?"

Hamos: "Well, I'm sorry, Representative... "

Black: "Yeah. You know, let's say that I agree... "

Hamos: "I heard the scenario. I heard the scenario."

Black: "I'm following the outline of your Bill."

Hamos: "Yes."

Black: "And 30 days from the election, I suddenly discover that my opponent has borrowed \$50 thousand and made this huge television buy. Now, I'm thinking, wow, I have to counter. So, what are my options? I either have to borrow the money or can I go out and have a fundraiser and raise the money, even though I'm at my limit, under your Bill? I think your Bill says, I could go out and borrow it, but I couldn't have a fundraiser, correct?"

Hamos: "Representative Black, if you agree... "

Black: "Yes."

Hamos: "... to be bound by the spending limits under this Bill.. "

Black: "Absolutely, I agree."

Hamos: "... then you have agreed to be bound by the spending limits... "

Black: "No, let's say that I have."

Hamos: "... and I suppose... "

Black: "Thirty days out, I have obligated all the money that I can... "

Hamos: "You cannot go beyond your spending limits under this Bill, unless, I would guess that you would decide that you don't want those public funds that you've been drawing

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down, in which case I would guess that you could return them, and then you wouldn't be part of this program any more."

Black: "No, see, that's the point. I'm saying that I did participate. I absolutely agreed with everything in the Bill and I did participate. And I have 30 days prior to the election, I have obligated all of the money that I am able to do under the Bill. I'm tapped out; I don't have another dollar, because I have to pay for ads in advance, so I'm done. Thirty days from the election, my opponent decides, 'This is silly, I've got to make a hundred thousand dollar television buy. The polls show I'm only a couple of points behind.' Now, here I sit. I've signed on to your Bill and the limits. All of a sudden I see my opponent is running a hundred thousand dollar ad campaign in the last 30 days, what are my choices? I can't afford to give all the money back. I've obligated and spent it. Do I have any ability or capacity to either borrow money, or have a fundraiser, or write a letter to Speaker Madigan seeing if he would contribute? I'm certain I would get a prompt response."

Hamos: "Well... "

Black: "You see what I'm getting at? My opponent didn't sign on, I did."

Hamos: "Taking out a loan and going above the spending limits is not an option if you are part of this program."

Black: "See that... And that's what I wanted you to say, 'cause that's my fear. Here's a candidate who agreed to follow the law, and I think there's some real merit to your proposal. But all of a sudden I'm running against somebody who didn't agree, and now you know how panicky you can get in the last 30 days. I mean, you don't, my gosh, you're a

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landslide victory, you know, time after time, but some of us just barely squeak by. So, in the last 30 days, all of a sudden my opponent unleashes this tremendous television buy. I've spent all the money I'm legally entitled to in that cycle, now I'm panicky. If my wife has independent means, can she pump her personal dollars into the campaign at the last minute?"

Hamos: "No."

Black: "So, I would then be at a disadvantage, right?"

Hamos: "You know, again, Representative Black, this is a whole program to reduce the massive kind of spending that we are now engaged in, in Illinois."

Black: "I understand."

Hamos: "The Governor of the State of Illinois spent \$15 million. This is just going up, up, up."

Black: "Well, that was just in your legislative race, as I recall."

Hamos: "Now, under this Bill, this is a comprehensive program to reduce spending but leveling the playing field. Now, if your opponent, under your scenario, is also part of this program, then you're not going to have that same panic at the end... "

Black: "Right."

Hamos: "... because you both will be under a budget, right?"

Black: "No. And I understand that."

Hamos: "And if your opponent is not part of this program, then we have yet to see in Illinois how effective it would be to engage opponents to participate. That's why this is a trial basis Bill... "

Black: "Okay, so... "

Hamos: "... but a comprehensive one, to see if in fact, the candidates could live under these limits, would welcome the

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opportunity, to in fact, have this level playing field. We don't know enough, yet. And I... "

Black: "All right."

Hamos: "... really understand your questions, but that's where the cynicism sort of creeps in... "

Black: "No, and I understand that... "

Hamos: "... in terms of our ability to do anything."

Black: "But, if I understand your program, it's voluntary... "

Hamos: "Yes."

Black: "And so, some of us would agree to the program. Some of the opponents or some people would not agree to the program, and you're asking some of us to be guinea pigs to see if the public would rally to those of us who agreed to the campaign limit. If I'm hearing you, we should take comfort in the fact that you think the voters will say, 'He is a good person. He has volunteered and agreed to accept spending limits. Because his opponent didn't and is taking all this outside money and outspending William 10 to 1, his opponent, therefore, is a bum and we won't vote for him.' I'm not sure I'm ready to accept that premise."

Hamos: "Well, this is what we are learning about the few other states that already have this now, is that to a candidate it becomes a source of pride to participate in a clean election, and that becomes a political tool, a benefit to his campaign. And therefore, campaign finance reform goes beyond just talking about it... "

Black: "I understand that."

Hamos: "... and actually showing voters that you are part of something new... "

Black: "And I... "

Hamos: "... that they're asking for."

Black: "I think I'm probably going to vote for your Bill. But

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would you be willing to amend it on its face saying, that in the 2002 cycle all Democrat candidates for the General Assembly will abide by the spending limits, and all of the Republican candidates do not have to? Are you willing to take that risk?"

Hamos: "Unilateral disarmament... "

Black: "And perhaps, you should check with the Speaker before you answer."

Hamos: "Is this unilateral disarmament, you mean?"

Black: "Yes. I mean, because your premise is that under that scenario all of the Democrat candidates for the General Assembly would be warmly received by the voters, and all of us terrible Republicans who are out trying to raise money and buying more television, radio, and mass mailing efforts, would be then somehow rejected by the voters. Now, I'm not sure all of my colleagues on the Democrat side of the aisle might buy into that premise. I tend to agree with where you're going and I know sooner or later we're going to have to get there, but I see some problems with public financing. And I see some problems with accepting limits because you know who's going to be under pressure to accept the limits early in a campaign, incumbents. The press will say, 'Representative Hamos, Representative Black, you're incumbents, surely you're going to sign on to this clean election campaign, reduce your spending, and here will be your maximum amount.' Well, we might say, 'yes'. A month later, we find an opponent who files and says clearly, 'I have no intention of following that. I'm not the incumbent so I must spend at least twice the amount of money to get my name out.' Now, you as the candidate, and I as a candidate who've agreed, now, you're going to see where we thought, uh oh. And I agree with you, there

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is some cynicism. The system probably is flawed to some degree, I admit. But every time we try to come up with an idea, some group or individual goes to court and tells the judge, 'You cannot limit my right to give to a candidate of my choice.' And most case law that I've read, the courts have held, 'That's correct. That is a violation of your inherent right of free speech.'"

Hamos: "Well, I think, Representative Black, we have crafted a Bill here that is within the constitutional limits that are placed on us, while taking into consideration that contribution limits have, in fact, been upheld. The spending limits I think are being looked at all over again. And I think that this Bill really takes what we can do and puts it into a framework of a comprehensive Bill."

Black: "Okay. What are the penalty sections in your Bill for those who try to sneak money in from Buddhist monks or... What's going to happen to those people who try to do that at the last minute in violation of their pledge? Are there criminal penalties in your Bill?"

Speaker Madigan: "Mr. Black, would you bring your remarks to a close?"

Black: "Yes, Sir."

Speaker Madigan: "Thank you."

Black: "If she could respond, and I'll finish up."

Speaker Madigan: "Representative Hamos."

Hamos: "Yes, there are several penalties in this Bill. It's unlawful for an individual who receives public matching funds to use it for inappropriate purposes. That's a Class IV felony. It's unlawful for an individual who furnishes fraudulent evidence of how some spending is going on. That's a Class IV felony. It's a Class A misdemeanor to.."

Black: "Well, you've answered the basic question... "

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Hamos: "Yeah."

Black: "... there are some penalties... "

Hamos: "There are penalties built into this."

Black: "... provided for, and rather serious at that. I just have one last question. The Speaker's asked me to bring my remarks to a close and he's right. And he's given me more time than he should've. I just have one last question for my own personal edification. How long did it take you, and how long did you have to plan to get this Bill as 1776?"

Hamos: "Wasn't that great? I had to stand in line."

Black: "Yes, I caught that right away. Kudos to you."

Hamos: "Thank you."

Black: "And thank you for answering the questions."

Hamos: "The all-American number."

Speaker Madigan: "We've now had one person for the Bill, one in response. There shall be two more for the Bill and two in response. The following people are seeking recognition: Mr. Boland, Mr. Giglio, Mr. Skinner, Representative Mulligan, and Mr. Winkel. Mr. Winkel, can I presume you're standing in response? Support? Okay. Mulligan, response or support?"

Mulligan: "Mr. Speaker, I don't think anybody dare vote against a Bill. I think we just wanna ask questions. I mean, last time I voted against cutting off debate on a campaign finance reform Bill it was used against me in a campaign as a 'no' vote."

Speaker Madigan: "All right, let's do this. Mr. Giglio has withdrawn. Let's recognize Mr. Boland. Five minutes."

Boland: "Thank you, Mr. Speaker. I'll be brief. As all of us have probably heard all our lives, the reputation of Illinois politics has not been the greatest. And we generally take it with a sense of humor and a grain of salt

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when we travel to other states and they make fun of us and our supposedly corrupt politics. But can you imagine if we were to pass this Bill, enact it into law, we would be joining states like Maine, and Oregon, and Vermont, and all these reform states? And wouldn't it be wonderful when we travel, and people say, 'Wow, you in Illinois really showed how you can change a system and its bad reputation for politics.' We've been referred to in the news media as the 'wild, wild west' of campaign finances. And here is our chance to really make a difference, to change that system at least for the Constitutional Officers, begin to lay the groundwork for a new and better system. As Representative Black had earlier said in his remarks, that he thought this would someday come to be, that public financing is probably the way we will be someday in the future. I believe that, too. And I believe that this is a good first step and it would put us into the leadership. You know, we're the Land of Lincoln. Let's start leading. You know, we had the greatest President. Let's put forth the greatest campaign financing system. Thank you very much."

Speaker Madigan: "Mr. Winkel."

Winkel: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Winkel: "Representative, I believe that when you presented this Bill in committee last Session, I voted against it and I expressed some concern about the public financing aspect of it. Is this a public financing Bill? And if so, how does it work? And will General Revenue Funds be used? And is there a way to avoid the use of General Revenue Funds?"

Hamos: "Well, Representative Winkel, what the Bill provides is that voters will have an opportunity, voluntarily, to donate any amount into a checkoff. And the checkoff is the

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Clean Election Fund. And that will go as the match for privately raised contributions. That's the public side of it."

Winkel: "Is it your intention, Representative, that those voluntarily contributed funds would be sufficient to fund this program?"

Hamos: "That would be my hope. But I've been honest with everybody on the floor that the way the Bill is written is that the backup is General Revenue Funds. Now, I want to just point out to you that one of the states that is just embarking on this, this election cycle, Maine, began the first year with only about 89 thousand checkoffs and I'm sorry... By the second year, they had multiplied... I thought that the numbers I was giving you were a little bit different. But the point is, that the voters... when we see how this works in other states, the voters want to support something like this, and are in fact, supporting it. In Illinois, the original Bill we introduced had a maximum \$5 checkoff. And then we learned, when we analyzed all the checkoffs in Illinois, that voters were actually giving closer to \$10, between 9 and \$10 in their checkoff. So again, when given the opportunity, we believe that voters will support this. If every single candidate from the last election ran and used up every single penny up to the spending limits in the public matching component of this, it would take only 17% of taxpayers to pay \$10 each for a fully funded system by checkoff. The backup, however, under this Bill is GRF. I've looked at possible ways to change that, but I haven't found a more effective way to maintain reasonable spending limits and contribution limits so people can run competitive elections in Illinois without offering the full component of public match."

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Winkel: "Representative, as I understand what you just said, is that this is a voluntary comprehensive approach that has a mechanism in its provisions for the potential of fully funding it through the voluntary contributions of the voters of the State of Illinois. I would be very concerned about that and the fall back with GRF if this were a program that once enacted were permanent in nature. But you do have a provision in the Bill that makes this a trial... puts this on a trial basis. Isn't that correct?"

Hamos: "Yes."

Winkel: "And how would that work?"

Hamos: "This whole Bill would sunset after the year 2006... after the 2006 election."

Winkel: "And what's the purpose of that date? Does that take us through a couple cycles?"

Hamos: "Two elections, that's all this Bill would really do."

Winkel: "Okay. So after two election cycles then, we would then have a track record, the experience, the data, we could look at it and see if the people are responding and participating in it. We'll have the opportunity for promoting the program and getting greater participation, and thereby, minimizing any potential use of GRF funds. On the other hand, if we after the trial... after the trial period, we discover that people are not participating not voluntarily contributing to the extent necessary to fund the program, then we have an opportunity at the end of the trial period to take a look at it, and quite frankly, pull the plug on it if we don't want to fund it out of GRF. Is that accurate?"

Hamos: "Yes, it is."

Winkel: "Thank you very much."

Speaker Madigan: "Representative Mulligan."

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Mulligan: "Thank you, Mr. Speaker. And some Members, on my side, pointed out that I made a mistake of actually reading part of this. In one point in our analysis, it points out that you cannot commingle your primary election funds and your general election funds. After reading this part over maybe five times it dawned on me that you would need a staff of attorneys and accountants to interpret this that would probably cost you a significant amount of your campaign funds. Could you explain to me what you mean by not commingling? Is that just the state funds you got? And perhaps, if I bought a generic piece to use in the primary, would then I not be able to use it in the general, because I had spent primary funds on general election funds? This seems to be to me quite complex from the one page dot sheet you gave us the other day, and certainly, carries this a lot further as far as actual reporting, even at a statewide level. And god forbid it should ever pass on to a State Representative who just used normal little volunteer treasurers in their campaign. How do you go about doing this? And then you have to have two bank accounts. You're making this into a real work that seems to me to be almost untenable to execute as a candidate."

Hamos: "Well, Representative Mulligan, it is true that campaign financing is complex. We're only talking about statewide races where very serious-minded candidates are running. And the whole goal here is to impose some spending limits for each election. So, the primary has its own spending limit. The general has its own spending limit. And there are matching funds that are for each one. And if you were to commingle them, then those spending limits really would be meaningless. So I think the goal of this, probably modeled after some after states, is in fact, to treat every

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election, separately."

Mulligan: "All right. So, Representative, if I go out and I raise a whole lot of money for my primary, and then my primary opponent drops out, am I then forbidden from spending any of that money on my general election? And what do I do with it? Do I return it to the contributors? Do I just deposit it and keep it? I mean, what is the goal here?"

Hamos: "No, you are able, if for any campaign contribution under a thousand dollars that you receive, you are able to use that and apply it as your private contributions toward the public match. So, in terms of your own contributions that you have received, if they're under a thousand dollars, you can use that, of course, for your general election."

Mulligan: "So, if it's over a thousand dollars, and I received it in the primary, but I didn't spend it, then what would I do with it?"

Hamos: "You would not be able to use any contribution. If you participated in the primary election, this program in the primary election, then you would only have received contributions up to a thousand dollars. And then you would be able to apply those contributions to your general."

Mulligan: "Okay. I'm misinterpreting what you're meaning. You're meaning an aggregate sum of \$1 thousand, not individual contributions of \$1 thousand that may total a larger amount?"

Hamos: "Individual contributions under a thousand dollars, of course, can be used to apply toward the general election."

Mulligan: "So, if I raised a million dollars in a primary election and I had half a million left over, I could not transfer it to my general election account? Only regarding how it was donated in the first place, and then I could

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move it over?"

Hamos: "Well, there's two answers to that. If you're part of this program, Representative Mulligan, and you're running for Governor, you would have raised \$400 thousand in order to match 1.6 million. You would not have raised a million dollars, because you would have voluntarily agreed to spending limits in your campaign. So, you would not have gone out to raise a million dollars; you would not have been hitting up every single PAC for \$25 thousand contributions; you're part of a Clean Election Funding Program. It's a very different paradigm than what we have under current situation."

Mulligan: "You think a Governor will not spend a million dollars, a gubernatorial candidate in a primary, will not... I mean, the 10th Congressional District in Illinois it's probably in the primary, there's going to be five or six candidates that are easy spend a million dollars. How can you think a gubernatorial race in a primary is not going to spend a million dollars?"

Hamos: "The Governor would spend \$2 million under this Bill in the primary. But the Governor would only have had to raise \$400 thousand with contribution limits, and guess what, the Governor candidate would have been able to go out and meet the voters for the rest of his life, wouldn't have been spending all of his time on the phone dialing for dollars, which is our current system."

Mulligan: "I think, Representative, when you talk about a Governor, I don't think you find a Governor doing that as much as his staff does. But my interest here is, I could see if you would say, the public monies at the end of each campaign have to be returned. But I can't see if you've raised money from the private sector, and not taken public

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funds from General Revenue or funds that have been donated in that way, matching funds, that you'd have to return them. But I can't see... First of all, the complexity of the reporting, and the accounting... It seems to me, I don't care at what level you're running, to be way too complex. And secondly, I think it's inappropriate when someone gives you a private donation to not be able to then move it on to the general election without jumping through hoops. I think this Bill is going a little too far. Instead of being campaign finance reform, you're making it so very complex, that very few people are going to want to bother."

Speaker Madigan: "The last speaker will be Mr. Skinner."

Skinner: "Since I'm the only one that dares stand up and say that I'm not in favor of clean elections. This is a Bill intended to keep people like Al Salvi and Peter Fitzgerald from getting elected to statewide office. But worse than that, this is a Bill that cedes more power to the media establishments around our state. If you don't trust your local newspaper and don't just worry about the little editorials that they put where they say they'll miss you if you're not reelected, worry about the front page newspaper articles that they dump on you the week before the election. You're not going to be able to reply to that if this Bill is in effect for your office. There is a way that we might be able to get in the direction that the Representative is searching, and that is to emulate what the Federal Government did in the late 1970s. The Federal Government allowed anyone to make a \$50 contribution and have it subtracted from his or her income tax bill. Now, think about that. If you could go and you could ask your friends to give you \$50... Excuse me. It wasn't a hundred

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percent credit; it was a fifty percent credit. You gave 50 bucks; you got 25 bucks back. So, the Federal Government, in effect, was matching you 1 for 1. That I have had costed out for the State of Illinois. And for the statewide offices, and the State Legislature, that'll cost about \$80 million a year. But I have a feeling that if you brought as Bill to this General Assembly, and said, we shall write checks... or that is, we shall forgive taxes equaling eighty to a hundred million dollars to state legislative candidates, or to statewide candidates, that this General Assembly wouldn't vote 'yes'. We're going to vote 'yes'... Excuse me. Most of you are going to vote 'yes' for this because of the title. It's 'clean elections' and you don't want to be in favor, but don't want to be labeled as being in favor of 'dirty elections'. Perhaps, we ought to talk a little bit about fair campaign labeling because this Bill certainly is not fairly labeled. This is a public financing of elections Bill, and that's what it should be on the Bill. So, I'll be happy to be the only one voting 'no', and I can't wait 'til this fall when my opponent says, I'm in favor of 'dirty elections'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 100 people voting 'yes', 17 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2954, Mr. Woolard. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2954, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Woolard."

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Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Cowlshaw and myself have joined in moving this Bill. In fact, Mr. Speaker, if you'd have the Clerk... I think we agreed to make Representative Cowlshaw the second lead Sponsor on this legislation. We're sending this to the Senate. It's a work in progress, we know that there's much work yet to be done on it. But it's issuing grants to underachieving school districts across the state, something that needs to be perfected even further."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Representative Woolard has represented this exactly as what it is, a work in progress. The concept of achievement improvement grants, certainly makes a great deal of sense, and I believe that we can work this out in such a way that it would be agreeable to every aspect of everybody who would have any view of this kind of thing at all. So, I would urge please, that we all support Representative Woolard's Bill to go to the Senate and so, that he can continue to work on this. The concept is excellent. Please vote 'yes'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? One person has not voted. The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2961, Mr. Smith. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2961, a Bill for an Act amending the School Code. Third Reading of this House Bill."

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Speaker Madigan: "Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This legislation addresses a problem that I think many of our school districts around the state have experienced when we changed our system of education funding and the poverty grant distribution. Many of our school districts, particularly those who are high school districts, are not receiving consideration because of the errors in using the census figures for determining their poverty level. Many of them fall below the 20% threshold on their census figures, but actually have the same amount of children who are, perhaps, at risk that elementary school districts do. So this legislation would simply say, for all school districts who are below the 20% poverty level would be guaranteed a \$500 minimum, essentially, for their poverty grant. This is an initiative of the High School District Association, although its effects would be felt, essentially, by all school districts who are currently below that 20% level. I'd be happy to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 3478. What is the status of that Bill?"

Clerk Rossi: "House Bill 3478 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for

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consideration."

Speaker Madigan: "Mr. Saviano."

Saviano: "Yes, Mr. Speaker. Do we have Floor Amendment #2 out, yet?"

Speaker Madigan: "Yes."

Saviano: "Okay. I would move to withdraw Floor Amendment #1."

Speaker Madigan: "Amendment #1 shall be withdrawn. Are there further Amendments?"

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

Speaker Madigan: "Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #2 replaces Floor Amendment #1. They were identical Amendments except for some cleanup that we needed in Amendment #2. Amendment #1 was approved for consideration last night, but we noticed that Amendment #2 was not posted, so we proceeded with Amendment #1. So, I'm going to address Amendment #2. Amendment #2 becomes the Bill. This is a issue that has lingered over our state for some time. We have had a situation where the City of Chicago, a bunch of our municipalities across the state, our fire departments, private contracting firms, all have been in violation of a law due to an old law which prohibited mobile fueling. What mobile fueling is, in the case of fire departments such as the City of Chicago and some of our local departments, they hire a service to come out and fill their fire equipment at the location of the fire houses. That was in violation of the law. We have situations where we have construction companies who set up portable job sites along interstates to accomplish a construction project, and we would have ten trucks on the side of the road; we have five pieces of heavy machinery. Well, under the current

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law, it's legal to go fill that heavy machinery, but you can't fill those trucks. Those trucks, under the law they say, should go to a gas station, which everyone knows, is pretty much impossible. So, this Bill addresses a situation that has come to light. We've worked with the Attorney General, the State Fire Marshal's Office. We've worked with all of the groups that we can come to a compromise with. The only opponent to the Bill is the Illinois Petroleum Marketers, and their situation is one that I feel that they have to take their position, but it's just impossible for us to bring four thousand fleet vehicles from the City of Chicago into a gas station everyday to fill up with fuel. So based on that, I would ask that we adopt Floor Amendment #2 to House Bill 3478. Thank you."

Speaker Madigan: "Mr. Black."

Black: "Mr. Speaker. An inquiry of the Chair just for housekeeping details. It's my understanding that Amendment #1 was tabled in committee, if the Clerk could so advise; or was withdrawn in committee. Then the other question is, has Amendment #2 been approved for consideration by the Rules Committee? I assume that it has or it wouldn't be out here."

Speaker Madigan: "On question number one, it was just withdrawn on the floor. On question number one, which is Amendment #1... "

Black: "Okay. All right."

Speaker Madigan: "... it was withdrawn on the floor. Now, relative to question number two, has the Rules Committee approved this matter for consideration?"

Clerk Bolin: "Floor Amendment #2 was approved by the Rules Committee today for consideration."

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Black: "Fine. Okay. I just wanted to make sure. The Bill has some very important parts to it, and I wanted to make sure that we weren't going to get ourselves caught in a technicality because there was some question in our file. Thank you."

Speaker Madigan: "Mr. Stephens."

Stephens: "Will the Gentleman yield for a question?"

Speaker Madigan: "Yields."

Stephens: "Representative, you said that the various parties came together toward a compromise: retail merchants, the docs... "

Saviano: "Yeah."

Stephens: "... the nurses, the podiatrists... "

Saviano: "Let's not go there, please?"

Stephens: "Where do you hold these meetings?"

Saviano: "Anywhere we can."

Stephens: "Bear with me, I'm new here. Give me an example of one of those... "

Saviano: "Of where... "

Stephens: "... places for meetings."

Saviano: "Well... "

Stephens: "Where you would hold one of these meetings where the various groups come together?"

Saviano: "Various conference rooms around the third floor."

Stephens: "Here in Springfield?"

Saviano: "Yeah, I guess here in Springfield."

Stephens: "Are the rest of us invited?"

Saviano: "You're always welcome to be there. I don't know if you wanna be, but you're welcome."

Stephens: "I think as each and everyone of us contemplate our careers, one time we'd like to be in one of those meetings where all the people come together and compromise on all

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the issues, and agree to move this Bill to the Senate where we're going to work out just a little more detail. I rise in support of your Bill."

Saviano: "Thank you."

Speaker Madigan: "And Mr. Stephens, if you wish I'll put your name on the list in the Republican Leadership Office."

Stephens: "I've been trying to get off of your list, Mr. Speaker."

Speaker Madigan: "No. The Republican list. Very good. Mr. Saviano moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 992. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 992 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Bolin: "House Bill 992, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Madigan: "Representative Sharp."

Sharp: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 992 gives Corrections the power and the duties to provide information about voter registration upon release of ex-cons from prison. I'll answer any questions. Inmates."

Speaker Madigan: "Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I rise in support of the Lady's Bill. She has worked diligently with the Department of Corrections. She has taken out the onerous

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requirements of the Department of Corrections to become registrars which they did not want to do. Now, all she is asking Corrections to do is to make information available to those inmates upon release where they can go to become registered to vote in the State of Illinois. The Department is in complete support of the Bill, as she has amended it. And I would urge an 'aye' vote."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye'; those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 4699? 4699."

Clerk Bolin: "House Bill 4699, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bradley, has been approved for consideration."

Speaker Madigan: "Mr. Bradley on Amendment #1."

Bradley: "Yes, House Amendment #1 to 4699 provides that the Department of State Police shall conduct parallel diesel emissions study and enforcement. The emission inspection test conducted by the State Police are to be nonscheduled. The State Police has the authority to conduct these inspections on state roadways of any diesel-powered vehicle that is registered for gross weight rating of more than 16 thousand pounds. These inspections may occur at weigh stations, roadside, or at any other safe place. The State Police nonscheduled inspection reveals noncompliance with the diesel admissions standards. The officer may issue a citation and the driver is guilty of a petty offense punishable by a \$400 fine. There exists a 30-day grace

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period after which another citation may not issue. A third or subsequent offense is punishable by a thousand dollar fine. Emission inspections would begin July of 2000."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Bost."

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

Speaker Madigan: "Sponsor yields."

Bost: "In looking at your Amendment... So, what you're doing is... We passed a Bill similar to this that worked only in the nonattainment area. Is that correct, before?"

Bradley: "That's correct."

Bost: "And when that was the case, one reason why we advanced it out and worked on that was, because it was going to remain there. But with this you're changing it to statewide, one year later. Is that correct?"

Bradley: "That's correct."

Bost: "Is there anything that will provide money for training of people on how to... on the State Police, on how to check this with the state?"

Bradley: "The fines will go into a fund and that fund will be used for training."

Bost: "All right. And the fines will go into a fund, and then that fund will be used. So how do we train someone in the first place before that money goes in from those fines?"

Bradley: "Well, I believe those rules will be worked out within the department."

Bost: "You believe they'll be worked out in the department?"

Bradley: "Yes, Sir."

Bost: "Okay. Now, the fine is \$1 thousand. Is that correct?"

Bradley: "Four hundred dollars."

Bost: "Okay. Maybe I'm missing that. Can you show me in your language where that is, because I saw in the analysis it

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was four, but whenever I read it, it said, a thousand."

Bradley: "Sure. The first-time offense is \$400. Upon the third offense, it goes up to a thousand."

Bost: "Okay. First time offense. Can you tell me what line that's on, please?"

Bradley: "Page 5, Section (c-5), Line 3."

Bost: "Okay. Thank you. And that fine would be charged to who?"

Bradley: "The owner-operator."

Bost: "The owner-operator, but the operator is not always the owner. So, how is that going to be handled?"

Bradley: "Excuse me. I've been corrected. It's the operator, I'm sorry."

Bost: "It is charged to the operator? So what we're saying is, is we're going to take an employee who might work for a particular company that might make a mistake here, and we're going to nail them a \$400 fine the first time, a thousand dollar fine the second time. If, for emissions control, that person might not be the mechanic that has the ability to check that, but we're going to nail them with a \$400 fine first out of the box, and a thousand dollar fine on the second time. If they do not... and it's not just in an area where we've decided we want to control this air quality this way, we're going to do this statewide?"

Bradley: "That's correct."

Bost: "Under the original Bill, farm trucks were exempt. Are they exempt under this?"

Bradley: "There is an exemption."

Bost: "There is an exemption?"

Bradley: "Yes, Sir. That's in the Bill that was already passed, and we did not include that in this Amendment."

Bost: "Does this Amendment do it, that's what I'm asking?"

Bradley: "No, it doesn't."

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Bost: "How does it feed back to the original language then? Because from what I can see on this... Maybe I'm missing something here, explain that to me, please."

Bradley: "The wording, once it's included from the Amendment into the Act, will be all inclusive."

Bost: "Please repeat. I'm sorry, I couldn't hear you. Okay, that's been explained to me. I have the answer on that. Now, under Commerce Commission Law, Federal, we aren't going to be able to charge someone that is from out of state, are we?"

Bradley: "It does apply to interstate."

Bost: "It does apply?"

Bradley: "Yes, Sir."

Bost: "I don't see how it can apply. You have to be a business operating in the State of Illinois to fall under these guidelines. You can't stop vehicles coming across state lines and make them comply with this. Am I correct on that? I don't think you can."

Bradley: "That point has not been brought up by the interstate carriers, to us, as a concern."

Bost: "Mr. Speaker, to the Bill. I thank you for the time to speak on. I think this is loaded with a lot of problems. But I am very much opposed to it, but I know the Gentleman's Amendment, and we'll debate it more on Third."

Speaker Madigan: "All right. So, Mr. Bradley moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments. A fiscal note, a state mandates note, and a home rule note, have been requested on the Bill, as amended. And the notes have not been filed."

Speaker Madigan: "Since the request for notes have (sic-not) been

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filed, the Bill shall remain on the Order of Second Reading. Representative O'Brien, House Bill 2965. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2965, the Bill's been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions filed. All note requests have been fulfilled."

Speaker Madigan: "Representative O'Brien."

O'Brien: "Mr. Speaker and Ladies and Gentlemen."

Speaker Madigan: "Representative, one second. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 2965 is on the Order of House Bills-Second Reading."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Bolin: "House Bill 2965, a Bill for an act regarding pharmaceuticals. Third Reading of this House Bill."

Speaker Madigan: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2965 would allow for generic brand drugs to be available for sale and marketing in the State of Illinois upon their approval by the FDA, unless the Technical Advisory Commission of the Illinois Department of Public Health has a problem with one of those drugs and then they could do a review of that drug and withhold its availability for substitution during that time. And I'd be happy to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill, the Chair recognizes Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Will the Lady yield for a question?"

Speaker Madigan: "The Sponsor yields."

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Stephens: "Representative, does this legislation address the department's authority to review pre-1938 drugs?"

O'Brien: "No, it does not."

Stephens: "Why not?"

O'Brien: "As I discussed when we were debating the Amendment, this has been negotiated for more than a year. The original legislation that I introduced and was passed unanimously out of this chamber, and I believe unanimously from the Senate, didn't contain that language. When we entered into negotiations this year, we eventually ended up with Judge Getty and as of yesterday, it was determined that we could agree to everything except for that issue and since it had not been part of my original legislation, it was my decision that we would not go forward with that."

Stephens: "Okay, so there was no agreement. Who was opposed to that agreement?"

O'Brien: "Opposed to the provision."

Stephens: "Who was opposed to the pre-'38 drugs being included in your Bill?"

O'Brien: "I was. Because it's my understanding that there are several pharmaceuticals that have a problem with that, so I chose not to add that provision to my Bill because it would give the Technical Advisory Commission the authority to review drugs that the FDA has never approved."

Stephens: "And why is it that some of those drugs were never approved?"

O'Brien: "You know what, Representative Stephens, I don't know but I think that the FDA..."

Stephens: "Well, these drugs were..."

O'Brien: "... should approve them before the Illinois Department of Public Health does."

Stephens: "They were under production since before 1938."

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O'Brien: "Long, long time before I was ever around, Representative."

Stephens: "And that's why the FDA never got around to approving them. It was just assumed after a long history of their presence that they were indeed efficacious and were allowed to stay on the market. I can tell you, I'm a pharmacist and I do not understand why a product such as Synthroid made by Knoll Pharmaceuticals, which is a pre-'38 drug, I do not understand why when we have various companies that have produced the generic substitute that is absolutely bioequivalent in studies, independent studies by the American Medical Association, various universities and indeed, a study by the company that then owned the name brand Synthroid, have shown to be equivalent. I don't understand why those drugs can't be reviewed by the Advisory Committee here in Illinois, simply because the Federal Government, in a decision about which drugs they should approve, decided that pre-1938 drugs are going to be grandfathered. It's the only reason that they are quote, 'not approved', is because they are really grandfathered in. And so we say to the Technical Advisory Committee Council here in Illinois, you can't review generic drugs for the pre-1938s. Ladies and Gentlemen, I can tell you this week we had an issue where we talked about saving money and pharmaceutical companies making huge profits in the term I heard from the other side of the aisle was 'gouging'. Customers who come into your store and have a prescription written for Synthroid, unless that is written in the generic name, if it's written Synthroid, you cannot substitute because we have a book that we go through that is a formulary that had been approved by the Technical Advisory Council here in Illinois, in Springfield, and they

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can't even address the issue of bioequivalence. They can't review the data, officially. Unofficially, they can and any responsible medical person that looks at the evidence shows that there are absolutely, good generic substitutes for this drug, but we can't get to them. So, your customers, your constituents back in your district, can't avail themselves to that generic substitute. That's because one company has done a very good job of maneuvering and putting off what is the ultimate, and that is going to be that we are going to make sure that the patients in Illinois are allowed the choice of a reasonable and efficacious generic substitute to be used to save them as much as 80% of the cost of their prescription. It's wrong that they're not allowed to do it in this case, it is driven by one company. This Bill is not going to go anywhere in the Senate without addressing that issue because we are right. There are two pharmacists serving in the General Assembly, one in the House and one in the Senate. And I can tell you that the Senate pharmacist is going to be the Senate Sponsor of this legislation. He feels as strongly as I do that we've got to address this issue. So we're not going anywhere down this road without including language that allows us to solve this very simple problem, make a level playing field and keep safe, efficacious products available to the people that you and I represent. Representative, the rest of the language in your Bill is fine, as far as I'm concerned and I understand the kind of pressure that we're under to move legislation. But I can tell you that when this comes back, it's going to be different and I have no problem sending it to the Senate, but we're going to deal with pre-'38s. It's a must, for the health and welfare of the patients that you

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and I represent."

Speaker Madigan: "Mr. Leitch."

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

Speaker Madigan: "Sponsor yields."

Leitch: "Representative, can you tell me how does this differ from the amendatorally vetoed House Bill 2256?"

O'Brien: "One of the primary differences, Representative Leitch, is that in the Amendatory Veto the term 'critical dose drug' was used and that's a new term. There is no term 'critical dose drug'. They were creating a definition that had not previously existed. We took that out and what... "

Leitch: "Mr. Speaker, I can't hear the Lady."

O'Brien: "Representative Leitch, in the Amendatory Veto, a term called 'critical dose drug' was created that had not previously existed and that has been deleted from this. And it also kept the... to review all generic brand drugs. What this Bill does is, it says that once the FDA approves a generic drug for marketing and sale that it has the presumption that it can be substituted and it is available for substitution in Illinois, unless the Technical Advisory Committee decides that they want to pull that drug and review it, which is different from the Amendatory Veto and different from current law, in that right now all drugs have to go through TAC first and through the review process before they can be out in the market. And what we found in our negotiations is that about 80 to 85% of all of the generics, there is no controversy, no question about their therapeutic equivalence. And therefore, we were holding up about... if there were 500 drugs a year, about 480 of them were being unnecessarily held up. So this process says we're going to let those ones that we don't have any problem with just go ahead and go on the market and only

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address those that we have some concerns with."

Leitch: "So would the Technical Advisory Board make that declaration before the drugs were sold or after? Is this a preemptive rule by them or affirmative statement by them or do they have to come along later and say, 'Wait a minute, we need to see these drugs?'"

O'Brien: "As soon as... and I think we need to make... "

Leitch: "How does that work?"

O'Brien: "... the distinction. They're available for sale if the physician knows the term to use to put on the prescription pad. So they're available for sale once the FDA approves them. It's available for substitution and if once the FDA approves the drug, if the Technical Advisory Commission wants to withhold the right of substitution for that drug, then they would take an affirmative step."

Leitch: "I guess my point is, would they already be available for sale before the technical advisory people had a chance to say 'don't' or do they have to say it's okay to release them for sale prior... I'm trying to get that... what is the role of the Technical Advisory Board after the FDA would say a drug is okay, or a generic's okay?"

O'Brien: "After they say it's okay, then they can put a brick on it if they want and say, 'It can't be freely substituted in this state until we take a look at it.'"

Leitch: "Okay. And how would that process actually work? Would they receive a list or how would that review be perfected?"

O'Brien: "They receive a list of all of those drugs and I think it's actually in advance of the FDA approval of those that are likely to be approved within a six-month period of time. They can actually start the process of reviewing that drug even before the FDA would give its final approval. My understanding is, is that within that

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six-month period of time or sometimes it's even a year, or sometimes a little less than six months, that there would be a very clear understanding the FDA is going to approve this drug. So then TAC could come and say, 'Well, we have some concerns about this particular Bill (sic-drug). We're going to start our review process even though it hasn't received FDA approval.' Or they could wait until it was approved and begin that review process. So they're not limited if they miss a deadline or something of that nature."

Leitch: "Thank you very much."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3478. Mr. Clerk, what is the status of that Bill? 3478."

Clerk Bolin: "House Bill 3478 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Bolin: "House Bill 3478, a Bill for an Act to amend the Gasoline Storage Act. Third Reading of this House Bill."

Speaker Madigan: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill was just addressed on the Amendment that approved on the floor a few minutes ago. The legislation allows for the mobile direct fueling of fleets for commercial motor vehicles on private property in Cook County, the collar counties; allows for fueling of police and fire emergency equipment; allows for refueling of

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agricultural vehicles that are not currently covered by the law; allows for refueling at a construction site of construction vehicles that are not currently covered by the law; and allows the State Fire Marshal to adopt rules to ensure that the refueling operation is done in a safe manner; has numerous proponents. And I would ask for an 'aye' vote."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 people voting 'yes', 3 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4116. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "House Bill 4116, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative John Turner, has been approved for consideration."

Speaker Madigan: "Mr. Turner."

Turner, J.: "Thank you, Mr. Speaker. The Amendment changes the language in the Sexually Violent Persons Act. It requires the court to find that as substantially probable the person will not engage in acts of sexual violence, so that the matter can be set for a full hearing. I'd be glad to answer any questions and I'd move for the adoption of the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, House Bill 3177."

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What is the status of that Bill?"

Clerk Bolin: "House Bill 3177, the Bill's been read a second time, previously. And was held on the Order of Second Reading, pending the filing of notes. The note request has been withdrawn."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Bolin: "House Bill 3177, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Stroger."

Stroger: "Thank you, Mr. Speaker. House Bill 3177 would allow municipalities to ask the Illinois Department of Employment Insurance for statistics, business records. And we would like to send this over to the Senate for further negotiations."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Parke. Mr. Parke."

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

Speaker Madigan: "The Sponsor yields."

Parke: "Representative, in committee this was considered somewhat controversial because we were concerned that there was no firewall protection from the accumulation of this information to be shared with other agencies within the City of Chicago. What is your response to that concern?"

Stroger: "This is intended for economic development purposes. This is supposed to be used with the Department of Planning and that is still a concern. We will try to change that in the Senate, write something up that will alleviate that problem."

Parke: "Now, have you made agreement with the business community to try and work with them when this is in the Senate, to

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make this a more acceptable Bill, to figure out a way that there will be firewalls built in so that this information would not be shared with anybody, other than the economic development aspect of it?"

Stroger: "That is correct. Most of the business community has been neutral and we have talked with some of the other groups who said that they would like to work on this Bill in the Senate with us. So, yes."

Parke: "Okay. So again you're making a commitment that you and the Senate Sponsor will work with the business community to find common ground on this. I hope that if you cannot come up with common ground on this that the Bill will not be moved in the Senate and will stay there and you can try and reintroduce it next year. But quite frankly, without the assurances that something's been worked out on this, I would be very much concerned about it moving without those assurances. So I will not oppose your Bill with the assurance that you'll work with the business community, the Senate Sponsor and yourself to find some common ground. Thank you."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Representative, is there any penalty clause in your Bill that says if a municipality misuses this information or makes it available to entities who have no business with it, that they will in fact be penalized?"

Stroger: "No, there is not, but now that you mention that, we could bring that up in the Senate."

Black: "Well, that presents a real concern because this information generally has been regarded as a private matter

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between the business and the Department of Employment Security. Does this affect only the County of Cook or is it statewide?"

Stroger: "Statewide."

Black: "Okay. Mr. Speaker, I rise in opposition to the Bill. This changes access to... this changes access to what historically has been regarded as confidential information between an employer and the Department of Employment Security. Now, I understand why the City of Chicago and the County of Cook may, in fact, want this information. They have an employee head tax. I don't think it's any great revelation to say why they want this information, they want to make sure they are collecting that head tax from every business, on every employee who's working in a business within those corporate confines. And if it was exclusive to them, Cook County, I know the City of Chicago, I might be willing to listen to a reason to vote for that. But now this makes this statewide. I don't know that any business in my district wants the City of Danville or the City of Watseka to be able to go to the IDES office and get confidential information on the employment status of workers who work for a private company. That sets a dangerous precedent. It could get into hands of the wrong hands, there's no penalty if it does. So for that reason, I would urge a 'no' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there were 54 'ayes' and 60 'noes'. The Bill shall be put on the Order of Postponed Consideration. House Bill 3929. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 3929, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Madigan: "Mr. Lyons."

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 3929 amends the Unified Code of Corrections in relation to restitution; provides that the amounts collected from an offender shall be used to satisfy an order of restitution before fines, costs, or other disbursements should be made. 1970 Illinois Constitution was amended in 1992 and it had a whole section on crime victim's rights. This proposed Amendment to the Unified Code would approve the ability of a crime victim to get the needed compensation on a more timely basis. This is already the practice, I believe, in Lake County. Now, in Committee this thing flew out with bipartisan support with 13 votes and no negative votes, no 'no' votes. Late yesterday afternoon on the advice of Representative Tom Ryder, it was brought to our attention that the clerks did have a concern on this Bill that was not addressed in Committee, and asked us if we give... let the thing through this House, take it over to the Senate, hold it on First Reading over there with the agreement that any questions they may have, the Clerk's Association may have, would be addressed on First Reading in the Senate and Representative Ryder may want to address this. But this did have bipartisan support in Committee and I would appreciate a 'yes' vote and be willing to answer any questions."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in support of the Bill. More importantly, I rise in support of the Gentleman, who when he found that the Circuit Clerks had some concerns

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about the Bill, agreed to convey that to the Senate Sponsor to hold it in the Senate until we were able to work something out. I want to congratulate the Gentleman on the honorable way in which he's handling this issue. I believe him when he says what he will do and I would ask folks to join us with the understanding that we'll probably see this come back with some changes coming out of the Senate. And I thank the Gentleman for his consideration. I would ask for an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2932, Mr. Woolard. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "House Bill 2932, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Woolard, has been approved for consideration."

Speaker Madigan: "Mr. Woolard on the Amendment."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment becomes the Bill. And this, in fact, will change the direction very little. What everyone recognizes that the farmers in this state have been in a crisis situation for some time. The Downstate Caucus Members on the Democratic side of the aisle have actively been trying to find some way that we can make a difference. We have joined with Republicans and, in fact, when the Bill comes up for Third Reading, it will change to Woolard-Lawfer on the Bill. And we're trying to

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accomplish... establishing a Farmer Fair Dealing and Disclosure Act and a fund that will accommodate the needs of these farmers. We're making the Farm Development Authority, DCCA, and the Department of Agriculture more responsive in coordinating their efforts. I think that everyone recognizes that we need someone to look into the disparity and the price that we pay at the consumer level in the grocery store, compared to the price that the farmer's receiving in this state. We've asked the Attorney General if he would actively be involved in this. He has some concerns with the way the Bill is written now, the Amendment is written now. We're going to continue to address those as this moves through the Senate. We believe that this can make a difference for the farmers, the farm families of this state. And we would certainly encourage each and everyone of you to support this Amendment to House Bill 2932."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in... I'm sorry. The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, House Bill 3928. What is the status of that Bill? 3928."

Clerk Bolin: "House Bill 3928, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Capparelli, has been approved for consideration."

Speaker Madigan: "Mr. Capparelli on the Amendment."

Capparelli: "Thank you, Mr. Speaker. House Bill 3928, as amended, creates the Manufactured Home Quality Assurance

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Act. It sets up the means of listening to manufacturers and installers of mobile homes with the Illinois Department of Public Health, and also establishes an oversight committee to consult and advise the Department regarding this Act. This board will assist the departments with complaints about quality of manufacture and installation of mobile homes. The board is composed of ten people: the Director of the Public Health or his designee, the three mobile park residents, a representative from the Statewide Mobile Homeowner's Association, one mobile park owner, one licensed dealer, and one licensed installer, and one licensed manufacturer, and one building official. The Illinois Manufactured Housing Association and the Housing Institute support this legislation along with the president of the Mobile Homeowner's Association. There was one question in committee by Representative Rutherford. He had a problem with... and I would like this read into the record, 'that this legislation is not intended to prohibit a nonlicensed individual from installing his own mobile home on his own property, so long as he meets the local zoning and building ordinances.' I also promised him that if he wants the Amendment in the Senate, we'd be more than happy to accommodate him."

Speaker Madigan: "Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker. Representative Capparelli, thank you. This... Obviously, what you're doing here is putting in place a certain type of license or requirement for installers, and I do understand that there have been some concerns throughout the state in that regard. But as we dialogued in the Executive Committee, this does cast the net broad enough that it would include an individual who would like to do this within their own right, and per your

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commitment to go ahead and see that this is changed in the Senate, so that it would take out those types of individuals. I appreciate you keeping to your word, and putting it here on the record today."

Speaker Madigan: "Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Put this Bill on the Order of Third Reading. Mr. Clerk, what is the status of House Bill 3192? 3192."

Clerk Rossi: "House Bill 3192 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Read the Bill for a third time."

Clerk Rossi: "House Bill 3192, a Bill for an Act concerning telecommunications taxes and fees. Third Reading of this House Bill."

Speaker Madigan: "Mr. Turner."

Turner, A.: "Thank you, Mr. Speaker. I just ask the House's indulgence to move this Bill over to the Senate. It's a Bill that currently is being worked out between the telecommunications companies in this state and the Department of Revenue. It involves the collection of the telecommunication tax revenue, and those interested parties are moving forward, but we weren't able to complete it at this time. And I'd ask that we move over this shell to the Senate until an agreement can be reached."

Speaker Madigan: "Gentleman moves for the passage of the Bill. Those in favor of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 88 voting 'aye', 29 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 4279?"

Clerk Rossi: "House Bill 4279 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Mr. Clerk, read the Bill for a third time."

Clerk Rossi: "House Bill 4279, a Bill for an Act amending the Code of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Madigan: "Mr. John Turner. John Turner."

Turner, J.: "Thank you, Mr. Speaker. I had an inquiry. As to Committee Amendment #1, what happened to that, if I may ask from the Clerk?"

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Committee Amendment #1 was adopted to the Bill."

Speaker Madigan: "John."

Turner, J.: "Okay. Thank you, Mr. Speaker. This is a Bill that the House has seen before and, in fact, I think the last time we brought it before the House it passed 112 to 0 with 4 'present'. And what it does is it changes from 120 days to 110 days the time period within which a person must be tried after being taken into custody. In compensation for that, from switching it from 120 to 110 days, after the 110 days if the person hasn't been brought to trial, they will be released from custody, and the state would only have 10 days, thereafter. Similar provisions apply to the 160-day portion of the Act with regard to persons who are not held

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in custody, but have made speedy trial demands. Be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Capparelli, House Bill 3928. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3928, a Bill for an Act concerning factory-built housing. Third Reading of this House Bill."

Speaker Madigan: "Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. I'm really happy about this Bill. This is the first time we've ever got the mobile park owners and the renters together on something. And what it does it creates the Manufactured Home Quality Assurance Act which you heard in the Amendment. And I would ask for a favorable roll call. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Parke."

Parke: "Thank you. Representative Capparelli, how did you come up with this agreement? Did you have a meeting of the Mobile Park Association?"

Capparelli: "Many, many, many meetings."

Parke: "Yes. Now, how about some of the people in my area that are around O'Hare Airport?"

Capparelli: "I beg your pardon?"

Parke: "I'm sorry."

Capparelli: "The president of the association, Mr. Hettinger, was representing them."

Parke: "Okay. Is Mr. Hettinger from Streamwood?"

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Capparelli: "What's that?"

Parke: "Was Mr. Hettinger from Streamwood?"

Capparelli: "I believe he's from Homewood."

Parke: "I'm sorry."

Capparelli: "He's from Homewood or Streamwood."

Parke: "He is?"

Capparelli: "Yeah."

Parke: "Okay. And they have agreed... How about... Did they agree to the Amendment you put on?"

Capparelli: "We just put the Amendment on, which was agreed. Yes."

Parke: "So, as far as you know, you're telling the Body, that the mobile home owner's who own the mobile home parks and the residents who live there, are in agreement with this Bill?"

Capparelli: "I can tell you that the President of the Homeowner's Association, who represents the renters, is in agreement with the Bill. Yes, along with the owners of the parks."

Parke: "Now, is there an overall association for all of Illinois, or are there numerous... "

Capparelli: "Association for what now, the renters or the homeowners?"

Parke: "The renter."

Capparelli: "Yes, Mr. Hettinger is the president of the Homeowner's Association."

Parke: "And how about... Is he president of the Homeowner's Association down in Southern Illinois, with those homeowner groups?"

Capparelli: "I presume that Mr. Hettinger represents them also, because he's voted for that."

Parke: "Okay. Well, I don't know either, so I'm just trying to get a sense of whose... "

Capparelli: "It's not easy to understand when you're dealing with

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all these mobile park individuals. But, they came down, we discussed the Bill, they agreed with the Bill for the first time, and this is what we came up with."

Parke: "Okay. Can you tell me, does this really do what the title says, that there's a complaint review system that's going to go in place now?"

Capparelli: "Yes, there is."

Parke: "Can you just share with us what some of the points are and how the process works, Representative?"

Capparelli: "If you look at the Bill at Section (c), line 15, it'll explain how it is created. Do you want me to read it to you all?"

Parke: "I'm sorry, I don't have a copy of it."

Capparelli: "You want me to send you... It's in your computer, also."

Parke: "Just give me two good points on why this is a good Bill. How the complaint procedure works."

Capparelli: "First of all, it protects the home renters. They also give you a complaint board consistent... which I read before... It also has a complaint board which has ten people on it: the Director of the Health Department, three mobile park residents, a representative from a statewide mobile home association, one mobile park owner, one licensed dealer, one licensed installer, one licensed manufacturer, and one building official."

Parke: "Okay. Thank you, Representative. I have been very concerned. Is there a three-year sunset on this?"

Capparelli: "No, there's not a three-year sunset. No."

Parke: "There's not?"

Capparelli: "No. The old Bill had a sunset. This one has none."

Parke: "Okay. Well, I'm very concerned for the residents in my area. I have two huge mobile home parks. I've heard a lot

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of complaints from those people. They're very concerned that they don't have representation, that their wants and needs are ignored, not always, but too often by the owners of the mobile park associations. One of my high schools, Elk Grove High School, has tried to work with the young people in those mobile home parks, and many times they have not found a receptive area. So, I have confidence in the Sponsor's ability to present this Bill in a way that I hope addresses their concerns. I'm going to have confidence in what he tells me. And therefore, I will look forward to voting for it. But I will wait for the residents in my legislative district to share with me how it works. And I hope that Representative Capparelli will work with me, if we find that there are still flaws or a better way of doing it. Thank you, Representative, for doing this."

Capparelli: "Thank you."

Speaker Madigan: "Mr. Giglio. Giglio."

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

Speaker Madigan: "Sponsor yields."

Giglio: "Representative, I'll try and keep my questions and remarks short."

Capparelli: "The question you asked about the hookup for the plumbers... "

Giglio: "Yes, that's correct."

Capparelli: "There's nothing in this Bill about hookup making by the plumbers. No."

Giglio: "Because current Illinois Law requires a licensed plumber to do the water connections?"

Capparelli: "That's what I understand. Yes."

Giglio: "And is there anything... Is it the intent of this Bill to let anyone other than licensed plumbers do the installation or hookup of the water lines?"

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Capparelli: "No, there's nothing in this Bill that does anything with plumbers. No."

Giglio: "So, is that correct, the intent is not to take that work away from the plumbers?"

Capparelli: "There is nothing in here... It only deals with the actual installer of the mobile park. Nothing to do with plumbing at all, in the Bill."

Giglio: "So, if this becomes law, that would still be... "

Capparelli: "I can't make it any clearer. It has nothing to do with plumbers. Do you understand me? Nothing to do with plumbers, nothing."

Giglio: "So, that when this becomes law, the water hookups will still be required to be done by licensed plumbers, correct?"

Capparelli: "That's what the law states."

Giglio: "Pardon me?"

Capparelli: "That's what the law states now. It has to be a licensed plumber."

Giglio: "Very good. Thank you for your indulgence."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? We need one more. Who is it? Mr. Clerk, take the record. On this question, there are 89 'ayes', 27 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3267, Mr. Davis. 3267."

Clerk Rossi: "House Bill 3267, a Bill for an Act amending the Charitable Games Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Davis."

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the

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House. House Bill 3267 adds wagers on videotaped horseracing, commonly known as 'a night at the races' to the list of games that a charitable licensee may conduct. The current list of games that are allowed under the Charitable Games Act include such games as: roulette, blackjack, poker, pull tabs, craps, bang, beat the dealer, big 6 wheel, gin rummy, five-card stud, keno, and hold 'em poker. And this is just adding another vehicle for our charitable organizations to raise money. And I would be happy to answer any questions on the Bill."

Speaker Madigan: "Mr. Cross."

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

Speaker Madigan: "Sponsor yields."

Cross: "Representative, are there any opponents to this Bill?"

Davis, S.: "The Department of Revenue, I believe, opposed it in committee."

Cross: "Well, I just want to note, if I'm not mistaken, too, the Illinois Church Action on Alcohol Problems, ILCAAP, also, is opposed to it. Is that your understanding?"

Davis, S.: "They did not testify in committee, and I don't have them as opponents on my Bill analysis. But, they may have filed a witness slip that I'm not aware of."

Cross: "So this would allow betting on horse races?"

Davis, S.: "What they are, Tom, they're videotaped horse races. And it's a package that these organizations can rent from a company that does these things. They usually include six races. And they bet play money on them. And at the end of the night, you can cash in your play money. And under the Charitable Games Act, I may point out, they can only hold these charitable games four times per year. So, they can hold four keno nights, or they can hold four poker nights, or they can hold four video game nights per year... "

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Cross: "So, these would... "

Davis, S.: "... and they're limited to betting \$10 per race, under the law. And they're limited to only being able to win up to \$250 per person, per night."

Cross: "Now, are these horse races... "

Davis, S.: "Under current law."

Cross: "... live? You see 'em... You're in the place, you see on screen? The horse race is live, and you bet on 'em?"

Davis, S.: "No, they are not live."

Cross: "They're what?"

Davis, S.: "No, they are not live. What they... They are taped from live races from all over the country."

Cross: "Well, does the guy that run the video machine get to bet? Because it seems like before everybody got there he could turn that video machine on all by himself and find out who's going to win. That doesn't seem fair."

Davis, S.: "You don't know which videotape you're going to play before the betting even occurs. The videotapes are individual per race, and they are picked at random."

Cross: "Well, it just seems like there's a lot of room for abuse here, Representative, with improper videotaping..."

Davis, S.: "Only you would think of that."

Cross: "Can you... Representative, is there any prohibition of using an ATM machine at these videotaped horseracing sites?"

Davis, S.: "I'm sorry, Representative, I didn't hear you."

Cross: "Are you prohibited from using your ATM machine... an ATM machine at a horseracing site?"

Davis, S.: "I don't believe so."

Cross: "Oh, there's not?"

Davis, S.: "A prohibition..."

Cross: "Can you cash a postdated check at a video horseracing

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site?"

Davis, S.: "I do not know the answer to your question, Representative, but I would think that you probably could. These are being run by charities, Representative."

Cross: "All right. So, even though there's the potential there for people to know who's going to win, we still do it. All right. Thanks a lot."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 43 'ayes', and 71 'noes'. The Bill fails. House Bill 3649, Mr. Kenner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3649 has been read a second time, previously. Floor Amendment #2 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "For what purp... Put the Bill on the Order of Third Reading. And read the Bill."

Clerk Rossi: "House Bill 3649, a Bill for an Act in relation to child support. Third Reading of this House Bill."

Speaker Madigan: "For what purpose does Mr. Delgado seek recognition?"

Delgado: "Yes, thank you, Mr. Speaker. On the last Bill, I intended to vote 'present' for the record, please."

Speaker Madigan: "Let the record reflect the Gentleman's request. Mr. Cross."

Cross: "Thank you, Mr. Speaker. I'm sorry, I didn't hear the Sponsor explain the Bill."

Speaker Madigan: "He hasn't, yet."

Cross: "What?"

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Speaker Madigan: "He hasn't, yet. The Gentleman hasn't had a chance to explain it, yet."

Cross: "I was watching..."

Speaker Madigan: "Mr. Kenner on the Bill."

Kenner: "Thank you, Mr. Speaker. House Bill 3649 basically amends the Comptroller Act, and provides that the Comptroller is directed against offsetting reimbursements or other work-related expenses paid by an employer to an employee for child support payments. I would just ask for an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify... Mr. Cross."

Cross: "I'm sorry, Mr. Speaker. I thank you very much. Will the Sponsor yield for just a couple of quick questions?"

Speaker Madigan: "Sponsor yields."

Cross: "Representative, my understanding is that an employer under your Bill, as amended, cannot deduct for child support purposes per diem checks and travel and work related, is that correct? What's the rationale behind that?"

Kenner: "The rationale behind that is, that when you get a support order you're left with an arrearage amount of money that's owed, but it's not delinquent. And many times, employers that are offsetting reimbursements and other related expenses, are making it difficult for the employee to receive... to actually pay off his debt, and maybe, in some situations, would become delinquent at that time."

Cross: "Isn't there... I mean, the bottom line is, doesn't this take money away from child support payments, Representative?"

Kenner: "No, it doesn't."

Cross: "Well, if you allowed for the deduction of per diem, or

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travel, or work-related expenses, and you deducted the 20, or 25, or 28%, and now you can't, logically it seems to say... logic seems to dictate that it does take away from child support payments."

Kenner: "Well, actually the support order itself is being... is taken care of through the actual support payments themselves. This is an additional payment outside of the support payment."

Cross: "And I know everyone wants to get out of here, Representative. I'll quit asking questions, but it seems like there's the potential here for people to abuse the system and have an employer increase their per diem or travel-related expenses to avoid child support. I think that's the potential problem. Thank you very much."

Kenner: "No. This won't do that."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 41 voting 'yes', 74 voting 'no'. The Bill fails. House Bill 3947. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 3947, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Wait."

Wait: "Thank you, Mr. Speaker. 3947... As you know, we have a farm crisis going on out there right now. Farmers pay a disproportional share of taxes, and this would allow them to pay a half percent a month for the delinquent taxes. We did the same thing back in 1980 when we had the farm crisis. Be happy to answer any questions."

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Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker. I stand in support of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2932, Mr. Woolard. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2932, a Bill for an Act in relation to farmer retraining. Third Reading of this House Bill."

Speaker Madigan: "Mr. Woolard."

Woolard: "Thank you, Mr. Speaker. This is the Bill that we amended a few minutes ago. It's exactly as the Amendment was. We'd appreciate your 'aye' vote."

Speaker Madigan: "Mr. Lawfer."

Lawfer: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Lawfer: "Representative, you've got three groups there: the Department of Agriculture, the Department of Commerce and Community Affairs, and the Illinois Farm Development Authority putting together a strategic plan as part of your legislation. Is that correct?"

Woolard: "That's correct."

Lawfer: "You also referred to the Family Farm Aid Program and set up some criteria in that regard. What do you see happening on that particular legislation, that part of it?"

Woolard: "We intend to put in position funds necessary to accommodate through appropriation the needs of the farmers

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and training, et cetera. And in doing so, we'll do this through the appropriations process."

Lawfer: "I'm not sure that this is going to answer all the aspects of improving farm income in the State of Illinois; however, I think it's a step in the right direction. And look forward to working with the Sponsor on this as we move forward in that regard. I think that this Bill may need some revision as it moves through the process, but I'm willing to work with the Sponsor on that. And I would urge a 'yes' vote."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3841, Mr. Durkin. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 3841 has been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No Motions were filed. Floor Amendment #2, offered by Representative Durkin, has been approved for consideration."

Speaker Madigan: "Mr. Durkin on the Amendment."

Durkin: "Thank you, Mr. Speaker. The Amendment, what it does is, just makes this specific to Cook County. The Bill, in itself, just allows for the temporary transfer of a pretrial detainee for an independent investigation through the certification of a letter from the state's attorney or his assistant."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'yes'; those opposed say

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'no'. The 'ayes' have it. The Amendment is adopted. The Bill shall be placed... Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 3535. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 3535 has been read a second time, previously. Amendment #1 has been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3535, a Bill for an Act to create the Municipal Assistance Commission. Third Reading of this House Bill."

Speaker Madigan: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker, Members of the House. 3535 amends the Department of Commerce and Community Affairs law of the Civil Administrative Code of Illinois; creates a Municipal Systems Commission in the Department of Commerce and Community Affairs, provides that the Commission shall make grants to units of local government: one, that are located in areas that are in need of economic development; two, that has specific proposals for economic development; and three, lack of local revenues necessary to carry out the proposal. It sets the criteria for the Commission to consider when making the grants; requires the Commission to monitor projects carried out with grant monies; amends the State Finance Act to create the Municipal Assistance Grant Fund."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Cross."

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

Speaker Madigan: "Sponsor yields."

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Cross: "Representative, this is the Bill, yesterday, where you went ahead and moved it, if I'm not mistaken, and then you had a meeting with DCCA this morning?"

Garrett: "Yes."

Cross: "All right. And my understanding from your meeting with DCCA is that you're going to agree to try to work this out in the Senate, that you're going to change the language from 'must' to 'may'. Is that correct?"

Garrett: "Yes."

Cross: "All right. And you're also going to say, 'subject to appropriation?'"

Garrett: "You're correct, Representative."

Cross: "All right. Who's going to do... So, it'll have to come back here after it leaves the Senate, is that correct?"

Garrett: "Yes."

Cross: "You have that agreement with the Senator who's going to Sponsor it?"

Garrett: "I haven't, obviously, talked to a Senator yet. I'm hoping to be able to pass it first, and then talk to a Senator."

Cross: "We have your commitment that you're going to change it to... "

Garrett: "Yes."

Cross: "... 'may' and that it's going to be subject to appropriation?"

Garrett: "Yes, absolutely. We met with DCCA this morning, they were very amenable to all of these things."

Cross: "All right. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record."

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On this question, there are 116 people voting 'yes', 1 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4263. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 4263, a Bill for an Act amending the Day Labor Services Act. Third Reading of this House Bill."

Speaker Madigan: "Representative Silva."

Silva: "Thank you, Speaker. This is a pretty simple Bill. As we know, over a hundred thousand day laborers wake up every morning at 4 o'clock in the morning to go to potential work sites all over the City of Chicago, as well as the Cook County area. The Bill essentially puts the onus on transportation on the day laborer agencies, themselves. And I would urge an 'aye' vote."

Speaker Madigan: "The Lady has moved for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there were 81 'ayes', 36 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4116, Mr. John Turner. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 4116, a Bill for an Act amending the Sexually Violent Persons Commitment Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. John Turner. Mr. Turner."

Turner, J.: "Thank you, Mr. Speaker. This Bill is cleanup language given us... given to us by the Attorney General on the Sexually Violent Persons Act. I'll be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those

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opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4336. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 4336 has been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4336, a Bill for an Act amending the Children and Family Services Act. Third Reading of this House Bill."

Speaker Madigan: "Representative Howard."

Howard: "Thank you, Mr. Speaker. House Bill 4336 is the result of a multitude of complaints about the considerations governing DCFS's decisions to place children. This Bill creates an Advocacy Office of Children and Families that would receive and respond to complaints by children, parents, caretakers, and relatives of children receiving child welfare services from DCFS. DCFS would promulgate rules related to these complaints, and would make a final report to the complainant. Where such a report is not completed, that agency would make a status report every 30 days. The Advocacy Office would offer and publicize a statewide toll-free number for filing the complaints. This Bill also provides that where a child is placed outside of his or her home and cannot immediately be returned to a parent or a guardian, a comprehensive individualized assessment would be performed, and the child's needs would

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be determined. If race, color, or national origin is identified as a legitimate factor in advancing the child's best interests, it would be considered. In no event would race, color, or national origin be routinely considered in making placements. This Bill also provides that when decisions are made in the development and implementation of a placement plan for a child requiring placement outside the home in the rare instance when a individualized assessment reveals that race, color, or national origin is a factor that should be considered in advancing a child's best interests, it would be considered. At one time there was opposition to this Bill from DCFS, but because of the assistance of that Agency and from the U.S. Department of Health and Human Services, there is no longer any opposition to this Bill."

Speaker Madigan: "Mr. Black."

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

Madigan: "Sponsor yields."

Black: "Representative, with the addition of Floor Amendment #1, it's my understanding that the Department of Children and Family Services are not in opposition to your Bill, correct?"

Howard: "That is correct."

Black: "All right. Because that Amendment keeps the Department in compliance with Federal Law?"

Howard: "Absolutely."

Black: "Okay. Let me get right to the issue at hand, as I asked Representative Flowers yesterday. As amended, this does not say that the Department 'shall' make every conceivable effort to place a Caucasian child with a Caucasian family, an African-American child with an African-American family,

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Hispanic with Hispanic, et cetera. It simply says, 'that those ethnic and racial considerations should be taken into consideration if the IEP, the individualized assessment shows that that might be a factor in that child's development, correct?'

Howard: "That is absolutely correct, as well."

Black: "So it doesn't mandate..."

Howard: "Does not mandate that those factors be considered."

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

Howard: "Thank you."

Speaker Madigan: "Representative Klingler."

Klingler: "Thank you, Mr. Speaker. As Spokesperson for the Children and Youth Committee, I want to commend Representative Howard for working very hard with the people who were initially opponents of the Bill. She was able to come up with a new program within DCFS, and also able to meet the concerns of the Department of Justice. And I hope that we will all support this Bill."

Howard: "Thank you."

Speaker Madigan: "Representative Bellock."

Bellock: "I stand to support this Bill. And I want to thank Representative Howard. I served on the task force with her for DCFS, and she listened closely to the thoughts from everybody that testified before those hearings, and I appreciate the work she did with DCFS in coming to this Amendment. And thank you very much."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4611. Mr.

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Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 4611 has been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4611, a Bill for an Act in relation to support. Third Reading of this House Bill."

Speaker Madigan: "This Bill is sponsored by Representative Shirley Jones who is absent. The Bill will be handled by Representative O'Brien. Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4611 would create a pilot program that would be available in five counties, including the County of Cook. Two in counties... We had put in a population limit of 650 thousand up to 2 million, and we have discovered that that is not going to address the need to get Lake County and DuPage County eligible for this program. So, if the Bill passes, when it goes to the Senate we'll ask that a technical Amendment be added to put it at 600 thousand population. And then for those counties under 600 thousand there would be two counties eligible to participate in a three-year program where a Circuit Clerk voluntarily would enter into this program. And they would require all employers who withhold pursuant to the Income for Withholding Act to supply the Circuit Clerk's Office with the W-2 for the obligor for a period of three years. And they would turn that... the W-2 would go into the court file, and it would also go out to the obligee and the obligor. And the intention is to help streamline the process for which modifications of support orders are done. And I'd be happy to answer any questions."

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Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, the W-2 that you're asking to be sent to the Clerk's Office, does the Clerk then send the W-2 to the State Disbursement Unit?"

O'Brien: "No."

Black: "So, the State Disbursement Unit will never see a copy of this W-2, correct?"

O'Brien: "That's correct."

Black: "So, the Circuit Clerk gets the W-2, sends a copy to the custodial parent and a copy to the noncustodial parent, correct?"

O'Brien: "Correct."

Black: "All right. And this W-2 will be sent without any court order or standing order from a judge, it would just be expected to be sent every income tax filing period?"

O'Brien: "Right, for this three-year period. I believe the Bill sunsets 2004... "

Black: "Okay."

O'Brien: "... because the first W-2 would be 2001."

Black: "All right. Thank you very much, Representative. Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. I normally support practically every Bill that Representative O'Brien carries. I do stand in opposition to this Bill. Even though it's a pilot program and I understand that and understand what she's trying to do. She mentioned yesterday that pay raises, and overtime, and what have you, are often not known by the custodial parent; therefore, cannot seek an adjustment in the child support. A year ago, Representative Winkel passed a Bill that clearly stated that the judge could do this through a court order, and take care of it through the courts. Now, we

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come back and say, that without any action of the court, the custodial parent and noncustodial parent will be sent a copy of the W-2 form by the Circuit Clerk. Now, this is going to put the Circuit Clerk, should the pilot program become statewide, Circuit Clerks in extremely small counties are going to get caught in the middle of something without the benefit of protection from a court order that one of the Circuit Clerks in my district just called and said, 'No thank you, I would prefer not to be involved in this. I don't want to be a party to this. This is what the courts are supposed to do, not the office of the Circuit Clerk.' So, it's for that reason and that reason alone, I stand in opposition to the Bill."

Speaker Madigan: "Representative Eileen Lyons."

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

Speaker Madigan: "Sponsor yields."

Lyons, E.: "Representative O'Brien, at one point the business community was opposed to this, because this would add a burden to them in sending out these W-2s. Is that still the case?"

O'Brien: "I believe in committee it was the... of the Manufacturer's Association that filed a slip in opposition. I haven't heard from them, I assume that they're still opposed."

Lyons, E.: "And they are still opposed to it. Thank you."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 89 people voting 'yes', 26 voting 'no'. This Bill, having received a Constitutional Majority, is hereby

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declared passed. House Bill 3935. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 3935 has been read a second time, previously. Amendments 1 and 3 have been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Read the Bill for a third time."

Clerk Rossi: "House Bill 3935, a Bill for an Act amending certain Acts in relation to parental rights. Third Reading of this House Bill."

Speaker Madigan: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3935 creates a pilot program to be established called the Citizen Review Panel, and it also empowers the court to make specific placements in regards to plans, in regards to children. And also, it would require M1 which is a Section of this Bill. That Section may not be used alone to terminate the parental rights. And I'll be more than happy to answer any questions you may have in regards to House Bill 3935."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. To the Bill. I stand in very strong support of this legislation. And I would urge everyone to vote 'aye'. And I have a lot of unfortunate contact with the Department of Children and Family Services when they come in on a case, or they're seeking to terminate parental rights, or there's an adjudication. And just this week I have two cases. One, in which I had a local school contact me, because they can't even get the DCFS caseworker to come into their meeting about a child,

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number four in her family, where they've had continual problems. The caseworker doesn't even show up. I subpoenaed a caseworker in on a case where I was the guardian for the child, didn't show up, no action could be taken against that caseworker. I have another instance where the McLean County State's Attorney is taking action against a parent; DCFS doesn't think that there should have ever been a case started even though a teacher reported it. There are oftentimes when DCFS sets a reunification plan and a parent follows it to the letter, and they still don't reunify that family because they see it as a financial incentive to divide families in this state because they get federal dollars the more adoptions they have. That's not their mission. Their mission is to take care of the best interests of the child, and make sure that that environment is in that child's best interest, not to make money off of adoption; not to split families apart; or when it's convenient for them not to show up at all. And I think that this is something that the Sponsor's worked very, very hard on. I took a close look at it. And I stand in very strong support of this legislation."

Speaker Madigan: "Mr. John Turner."

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

Speaker Madigan: "Sponsor yields."

Turner, J.: "Representative, I know that you have worked very hard on this. We've discussed it in committee, and I think as I recall, DCFS is not opposed to this, is neutral on it, but not opposed, is that correct?"

Flowers: "I don't know what DCFS's opinion is about this particular Amendment. I know they had a problem with the court having a decision, but..."

Turner, J.: "That's where the..."

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Flowers: "... the review panel... Pardon me?"

Turner, J.: "Okay. Their problem with the court, though, was you had put in some language so that the court could make a finding of 'contempt', and use injunctive relief, though. Correct?"

Flowers: "I took that out."

Turner, J.: "What?"

Flowers: "That language has been eliminated."

Turner, J.: "That is out?"

Flowers: "Yes."

Turner, J.: "And also, a couple of Members on this side of the aisle have asked whether the jury trial provision is out, and that is out, unequivocally, is it not?"

Flowers: "That's gone."

Turner, J.: "Essentially, your Bill creates then the Citizen Review Panel for Cook County, correct?"

Flowers: "Right. Yes, you're correct."

Turner, J.: "Okay. That's all the questions I had. Thank you."

Flowers: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4634. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "House Bill 4634 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Read the Bill for a third time."

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Clerk Rossi: "House Bill 4634, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Representative Garrett."

Garrett: "Thank you, Mr. Speaker and Members of the House. House Bill #4634 appropriates \$200 thousand from the Road Fund to the Department of Transportation for employing additional vehicle weight inspectors so that every vehicle weigh station in the state may be kept open at least five days and 40 hours per week."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor... Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, very quickly. I appreciate the fact that you and I have talked about this Bill, but the dollar amount doesn't seem quite on target to me. If you're asking that every weigh station stay open longer hours, I don't know if \$200 thousand would even be a drop in the bucket, that that would take. Is it your intent to see that all of the weigh stations are open longer hours, or just one in your district on Route... what was it, Route 41 or 24, or 38 hike, I can't remember?"

Garrett: "The answer... Representative, currently there are, I believe, 33 weigh stations in the State of Illinois, and 6 of them are open on a very random basis. So these additional funds would allow for those other 6 weigh stations to be open up to 40 hours a week. And those weigh stations are located in Lake, and Cook, and 2 of them are located downstate. I could give you the exact locations if you'd like."

Black: "Okay. But I heard... In your opening remarks, I thought

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you said that all weigh stations would be open 40 hours a week, and the 200 thousand, obviously... "

Garrett: "Yes."

Black: "... wouldn't allow that."

Garrett: "The way I understand it, these additional dollars will allow the other... there are 33 weigh stations; take 6 of those weigh stations away from the 33; those 6 weigh stations are not open on a regular and frequent... "

Black: "Right."

Garrett: "... basis."

Black: "All right."

Garrett: "This would bring them up to the same standard as the other weigh stations."

Black: "Okay. Does your staffer have a location with him?"

Garrett: "I do."

Black: "See if there's 1 on U.S. Route 24?"

Garrett: "Well, I don't have that kind of... I can give you the 6 weigh stations, if you'd like?"

Black: "Okay. Go ahead."

Garrett: "Okay. Villa Park, Harvard, Rosecrans, Wadsworth, Crossville, and Ware."

Black: "Okay. That answers the question. One of 'em's in my district. Thank you very much."

Garrett: "You're welcome."

Black: "Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. It's my understanding that IDOT is opposed to this, and I can understand their opposition. But it's also my understanding and I may be wrong and if so I'll certainly stand corrected. It's my understanding that the Federal Department of Transportation has indicated to Illinois that if we do not begin to operate our weigh stations in a more... efficiency isn't the right word, but

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longer hours and do a better job, it's my understanding that the Federal Department of Transportation is going to penalize Illinois for failure to keep some of their weigh stations open. I visited this issue six/seven years ago, and quite frankly, got the issue handed to me in a helmet bag, so maybe Representative Garrett will be luckier than I. But I stand in support of her Bill and intend to vote 'aye'."

Speaker Madigan: "All right. We've had two people speak in support of the Bill. That means there shall be one more. The following people are seeking recognition: Mr. Brunsvold, Mr. Hartke, Mr. Osmond, and Mr. John Jones, Mr. Bost. Do any of you stand in response? Mr. John Jones. Mr. John Jones."

Jones, J.: "Thank you, Mr. Speaker. You know, to the Sponsor I would just say that I don't know what the trucking industry's done to you, but it seems like every Bill you've had this Session has been against the trucking industry. But a big concern of mine as the Representative said previously, is one of these weigh stations happens to be in my district. You know, it's not only a hindrance to the trucking industry, but my farmers are penalized quite heavily. The big reason is that there is not a farmer that I am aware of that has a weigh scales out in the fields where he combines his crop and gets ready to haul it off to the grain elevator. By being in that situation, he may be a few hundred pounds overweight purely by accident, not intentionally, but then he has to come to this weigh scales, and then he's fined and detained for several hours. You know, I don't know what you're trying to do in the State of Illinois, but I strongly oppose this Bill. And I would recommend a 'no' vote."

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Speaker Madigan: "All right. We have three people seeking recog... two people seeking recognition. The one is Mr. Brunsvold, who I presume is for the Bill and Mr. Osmond, I presume, you're for the Bill. So, we'll take Mr. Osmond for the Bill. Mr. Osmond."

Osmond: "Thank you, Mr. Speaker. I wanted just to address the Bill itself. Representative Garrett and I have talked on this issue at length. Two of the weigh stations that are being proposed are in my district: Rosecrans and Wadsworth. I agree with the concept of making Route 41 a safer place. I disagree somewhat though, on the need for additional money. I think in a \$3 billion budget for the Department of Transportation... to go ahead and provide safety checks, not only at the fixed weigh station, but the use of portable weighing scales. I've encouraged Representative Garrett to work with the State Police and the IDOT people to use the facilities on more frequent basis, although not necessarily having to staff the building. We've reached an agreement that the facility itself can be used for safety inspections while it does not have to be weighing trucks. And I think that encouragement of more safety inspections would be a more efficient way of making sure that Route 41 is a safer place to travel. Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record Mr. Tim Johnson, 'no'. The Clerk shall take the record. On this question, there are 71 people voting 'yes', 44 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Is Mr. Saviano in the chamber? Mr. Clerk, House Bill 3841 by Mr.

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Durkin. What is the status of that Bill? 3841?"

Clerk Rossi: "House Bill 3841 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Rossi: "House Bill 3841, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Madigan: "Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. I explained the Amendment a little bit earlier. This is just for... allows for the temporary transfer of pretrial detainees with the certified statement from the state's attorney or his assistant. Be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 4409. Mr. Mautino. Mr. Mautino. This Bill was heard, previously. It's currently on the Order of Postponed Consideration. We'll hear from Mr. Mautino and one opponent, and go to a roll call. Mr. Mautino."

Mautino: "Thank you, Speaker Madigan. This is the task force report from the Department of Revenue on charitable gamings. It rewrites the bingo laws, it cuts the taxes on your charitable organizations, and it will make a uniform payout throughout the State of Illinois. In addition to that, it also will regulate what are called 'raffles' now. And I'd appreciate an 'aye' vote."

Speaker Madigan: "Mr. Parke in opposition."

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Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen, we heard the Bill, previously. The Illinois Church Action on Alcohol Problems coordinates a statewide program. They and many other groups like them see this as an expansion of gambling, and in fact, it is. And I would ask that you vote 'no' on this, even though the concept is commendable, we just don't need more gambling in this state."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 51 'ayes', and 63 'noes'. The Bill fails. Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. On that last Bill, I wish to be recorded as a 'no' instead of a 'yes', please."

Speaker Madigan: "Let the record reflect that request. House Bill 3221. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 3221, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Madigan: "Mr. Osterman."

Osterman: "Thank you, Mr. Speaker and Members of the House. House Bill 3221 amends the Criminal Code dealing with criminal defacement of property. The Bill imposes on those individuals who are convicted of criminal defacing of property, in addition to any other sentence that they receive, a \$500 fine plus the actual costs incurred by the property owner or unit of government, for the cleanup. I urge your support."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Black."

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

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yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, there's only one thing I'm not clear about. Who decides what the actual cost will be of putting the property back in its original condition? It appears to me that your Bill leaves that wide open. The judge would not say it may cost a thousand. That it would be the property owner who would say, 'You know, whatever it takes partner, a thousand dollars, two thousand. Go do it.'"

Osterman: "The property owner could... If they do the cleanup work themselves, bring the bills to the state's attorney, present them to the judge. If it's a municipality, they could come up with what the cost would be for the cleanup. In the last year, the City of Chicago spent over \$4 million in the cleaning of graffiti."

Black: "Does this only apply to the City of Chicago?"

Osterman: "The State of Illinois. No."

Black: "I'm concerned that you're taking the... Maybe you can explain to me the due process. I'm not sure that I'm going to have full due process, if this Bill become law."

Osterman: "If someone were to be found guilty of committing crime, or committed a crime of criminal defacement, and they were... the cost of the work was say \$200, they'd be charged \$500 fee... a fine plus the \$200 that it would take to cleanup... the costs."

Black: "Who will determine the restitution payment?"

Osterman: "The court."

Black: "All right. And they 'may' order that. It's not mandatory, correct?"

Osterman: "The fine of \$500 would be mandatory."

Black: "The fine will be, but what about restitution that 'may' be ordered, correct?"

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Osterman: "If the cost is presented by the property owner or municipality to clean it up, that would also be incurred. So, \$500 plus the costs."

Black: "And this is primarily aimed at tagging which has plagued the City of Chicago for many, many years, correct?"

Osterman: "It's plagued the City of Chicago, but I would think that there's graffiti problems throughout the state, in cities."

Black: "Well, I will admit that it's... Yeah, you're right, on that case. Okay. The hour grows late. I had a really brilliant thought on my mind, but it's gone somewhere so thank you very much."

Osterman: "Thank you, Representative."

Speaker Madigan: "Mr. Tom Johnson."

Johnson, Tom: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Johnson, Tom: "Well, Representative, as I understand this Bill, if someone is convicted, and usually these are juveniles or whatever that are out defacing this property, they are now going to hit with a mandatory \$500 fine, and then, if they should have any extra money, they can turn around and repay the property owner. So, what we're saying here, if I understand it correctly, and I don't want to take too much time on this, is that we're taking care of the \$500 fine before the poor property owner who might have expended money to clean it up, gets a nickel."

Osterman: "The Bill does not clarify which comes first, so it would be... both of those costs would be incurred. So, the property owner... "

Johnson, Tom: "Well, if it's a mandatory \$500 fine, obviously, they're going to get hit with that, and that has to be satisfied. Right?"

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Osterman: "Yes."

Johnson, Tom: "Okay. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 6 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair has received a Motion from Representative Andrea Moore. Pursuant to House Rule 60(b), I move to table Senate Bill 1046. Representative Moore is the principal Sponsor of the Bill. Is there leave? Leave is granted. The Bill is tabled. Mr. Clerk, do you have an announcement concerning the suspension of posting requirements? Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move to suspend the posting requirements, so that Senate Bill 1298 may be heard next week in the Committee on Transportation; Senate Bill 1281 and House Resolution 639 in the Committee on Agriculture; Senate Bill 1206 in the Committee on Executive; Senate Bills 1425 and 1442 in Local Government; Senate Bills 1659 and 1841 in State Government; and Senate Bill 1288 in the Committee on Environment and Energy. We have cleared this Motion with the Leadership of the Minority Party. And I'd appreciate your support for the Motion."

Speaker Madigan: "We've all heard the Motion. Is there leave? Leave is granted. And the posting requirement is suspended. The Chair would read into the record the following certification statement with regards to the Agreed List #1, the Clerk has certified that all Bills have

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received a sufficient number of votes. And therefore, the Bills, contained on Agreed List #1, have received the required Constitutional Majority, and are hereby declared passed. Mr. Clerk, the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #60, offered by Representative Currie, be it resolved by the Senate of the 91st General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the Senate adjourns on Wednesday, March 1st, 2000, it stands adjourned until Monday, March 6, 2000, in Perfunctory Session; and when it adjourns on that day, it stands adjourned until Tuesday, March 7th, 2000 at 12:00 noon, and when the House of Representatives adjourns on Friday, March 3rd, 2000, it stands adjourned until Tuesday, March 7th, 2000 at 1:00 p.m."

Speaker Madigan: "Ladies and Gentlemen, we're not prepared to leave. But on the Adjournment Resolution, those in favor of the Adjournment Resolution say 'aye'; those opposed say 'no'. The 'ayes' have it. The Adjournment Resolution is adopted. Mr. Clerk, House Bill 4020. What is the status of that Bill?"

Clerk Rossi: "House Bill 4020, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Madigan: "Read the Bill. Mr. Hoeft."

Hoeft: "Thank you, Mr. Speaker. This was the vehicle Bill that we talked about yesterday that would allow taxing bodies to represent themselves when they were at tax objection hearings."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Biggins. Mr. Biggins."

Biggins: "Yeah, Mr. Speaker. The Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Biggins: "As I recall yesterday, Representative, this Bill was still subject to some pending agreement, hopefully, between some of the interested parties."

Hoeft: "They need more time to get these agreements done. We would like to have this Bill totally agreed upon before we vote on it. That's what we will try and work out over in the Senate."

Biggins: "So, what's in the Bill right now?"

Hoeft: "It is a vehicle, nothing."

Biggins: "Oh, thank you."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 1 person voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair is prepared to adjourn. Mr. Brunsvold. Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Just an announcement to the Members. The Sportsman's Caucus is next Wednesday. If you have an auction item for the caucus for next week, please bring it next Tuesday when you come to Springfield. And if you need an extra invitation to the event, I've got 'em here at my desk. Thank you."

Speaker Madigan: "Representative Howard."

Howard: "Yes, thank you, Mr. Speaker. Another announcement. The hearing that was to be held for DCFS Reform on Monday, the 6th, has been cancelled. It will be rescheduled for the future. Thank you."

Speaker Madigan: "Is there anything further? There being nothing further, Representative Currie moves that the House does stand adjourned until Tuesday, March 7 at 1 p.m., providing

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perfunctory time for the Clerk. Those in favor say 'aye'; those opposed say 'no'. The House does stand adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 1273, offered by Representative McGuire, a Bill for an Act amending the Harassing and Obscene Communications Act. First Reading of this Senate Bill. Introduction and First Reading of House Bills. House Bill 4708, offered by Representative John Turner, a Bill for an Act making an appropriation. First Reading of this House Bill. There being no further business, the House Perfunctory Session stands adjourned."