

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

113th Legislative Day

March 29, 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 Frank Zimmerman of the Zion Lutheran Church in Danvers. Pastor Zimmerman is the guest of Representative Brady. The guests in the gallery may wish to rise and join us in the invocation and the Pledge of Allegiance."

Pastor Zimmerman: "Let us pray. Almighty God, You have given us this good land as our heritage, and through our citizenship in these United States, we have received many blessings from Your hand. Grant that we may remember Your generosity and constantly do Your will. Bless this land with honest industry, truthful education, and an honorable way of life. When times are prosperous, let our hearts be thankful. And in troubled times do not let our trust in You fail. Merciful Father, grant those whom we have entrusted with the authority of government the President of the United States, our Governor, our judges and courts, and the Legislators here, assembled, wisdom and understanding. May they be guided by Your spirit, be high in purpose, wise in counsel, firm in good resolution, and unwavering in duty. We humbly beseech You. Graciously regard these Your servants. Enlighten and defend them by Your name, Oh God. That under their peaceable governing, Your people may be guarded and directed in righteousness, quietness, and unity. Protect and prolong their lives, Oh God of our salvation, that we with them may show forth the praise of Your name through Jesus Christ, Your Son, our Lord, Amen."

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

O'Brien - 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

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for all."

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. I'm happy to report that we have no excused absences on the House Democratic side today."

Speaker Madigan: "Mr. Poe."

Poe: "Speaker, let the record show that there's no Republicans absent today."

Speaker Madigan: "Mr. Clerk, take the record. There being 118 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

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: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on a matter of personal privilege. I am pleased to announce that we have as an Honorary Page today, a young man who is a student at Benet Academy, whose name is Flynn Murphy. What is particularly notable, I think, Mr. Speaker and my colleagues, is that today is his 17th birthday. I think he ought to have a round of applause for his birthday. Thank you."

Speaker Madigan: "Representative Julie Curry."

Curry: "Thank you Mr. Speaker, Members of the Body. I rise on a point of personal privilege and would like to remind the Members today that the Route 51 Coalition is here to serve us lunch, chili from Decatur, Illinois, and hot dogs and all kinds of other goodies. Just wanted to remind everyone it's on this side of the chambers and to go when you have a chance. Thank you."

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Speaker Madigan: "Mr. Clerk."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following legislative measures were referred, action taken on March 29, 2000, reported the same back with the following recommendations: 'direct floor consideration' for House Amendment #2 to Senate Bill 1655, House Amendment #2 to Senate Bill 1659."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I will again announce to the Members that we're going to have softball practice tonight. The game is next week. I would like to start about 4 o'clock, and we'll go to 5:30. So, this will be over at the little field on the north side of Springfield High School, which is just 2 blocks, just west and a little north of us right here. So again, practice tonight from approximately 4 o'clock 'till 5:30 and we'll be done at 5:30 so people can attend other events. So thank you very much. And if you have any questions, please talk to me. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Black."

Black: "Yes, Mr. Speaker, I rise to a point of personal privilege, if I could. Following up on Representative Brunsvold's remarks, spring is in the air, Mr. Speaker. I got up at 4:45 this morning, tuned in the Chicago Cubs from Tokyo. And I'm very happy to announce that the Chicago Cubs are in first place, having defeated the Mets 5 to 3. And I know that brings a warm spot to your heart, Mr. Speaker."

Speaker Madigan: "Enjoy the day."

Black: "Thank you."

Speaker Madigan: "On the Order of Senate Bills - Second Reading, there appears Senate Bill 1288, Mr. Reitz. Mr. Reitz. Did

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you wish to move Senate Bill 1288? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1288, a Bill for an Act concerning liquefied petroleum gas. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Garrett. Representative Garrett. Do you wish to move Senate Bill 1291? 1291. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1291, a Bill for an Act to amend the Department of Transportation Law of the Civil Administrative Code of Illinois. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Bradley, on Senate Bill 1323. Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1323, a Bill for an Act to amend the Illinois Dental Practice Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Silva. Representative Silva. Senate Bill 1329. Do you wish to move the Bill? Mr. Clerk, take this Bill out of the record. Mr. Morrow. Is Mr. Morrow in the chamber? Senate Bill 1651. Do you wish to move the Bill? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1651, a Bill for an Act in relation to the finances of the Capital Development Board. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Mautino, on Senate Bill

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1674. Mr. Mautino. Is Mr. Joe Lyons in the chamber? Did you wish to call Senate Bill 1284, on Third Reading? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1284, a Bill for an Act to amend the Voluntary Payroll Deductions Act of 1983. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Lyons."

Lyons, J.: "Thank you, Speaker Madigan, Ladies and Gentlemen of the General Assembly. I bring before you Senate Bill 1284. It deals with the voluntary payroll deductions for contractual employees and retirees. The original underlying Bill just allowed for the people who are on contract to participate in the charitable organizations, the voluntary deductions that most of us do make off of our state payrolls to various charities that are approved by the state, which we choose. There's also an Amendment added by the Comptroller's Office in full support of the Sponsor that addressed the issue of the technical... the Voluntary Payroll Deduction Act with the technical changes that the Comptroller's Office had to make. So, it's just a technical point that was agreed to that allows the new process that the Comptroller's Office has to implement the entire system statewide, both us as current employees and to those who are retirees, as well as the people who are on contract. So, I'd be happy to answer any questions. It's a good government Bill for charitable organizations across the state. And I would ask for your favorable support."

Speaker Madigan: "Mr. Cross."

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

Speaker Madigan: "Sponsor yields."

Cross: "Thank you. Representative, I just want to make sure we have some clarification here. It's my understanding that

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one of the proponents of this piece of legislation is
United Way, is that correct?"

Lyons, J.: "Yes, Sir. That's one of the approved charitable
organizations in the State of Illinois."

Cross: "I understand. Are you aware of any opposition to this
Bill?"

Lyons, J.: "None at all, Representative."

Cross: "All right. And also it's supported as well, by the
Comptroller's Office, is that correct?"

Lyons, J.: "Tom, what about the Comptroller's Office?"

Cross: "It is supported by the Comptroller's Office, is..."

Lyons, J.: "Yes Sir. Yes it is, completely."

Cross: "All right. Thanks a lot, Joe."

Speaker Madigan: "Representative Lyons."

Lyons, J.: "Speaker, I'd ask for 'yes' votes on this Bill."

Speaker Madigan: "Mr. Black. Mr. Lyons 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? Have all voted who wish? Two people have
not voted. Mr. Clerk, take the record. On this question,
there are 118 people voting 'yes', 0 voting 'no'. This
Bill, having received a Constitutional Majority, is hereby
declared passed. Mr. McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. Today is my office mate,
Representative Bill Mitchell's 40th birthday and there's
cake down there for everyone to enjoy, 40th birthday."

Speaker Madigan: "Mr. Brunsvold. Mr. Brunsvold, do you wish to
call Senate Bill 1294? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1294, a Bill for an Act to amend the
Forest Preserve Zoological Parks Act. Third Reading of
this Senate Bill."

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Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a very, very narrow Bill, only addresses a zoo in my district. We have fallen below the required numbers for the provisions in the law and this simply would grandfather this single zoo in, and that's basically all the Bill does. And would ask for your support."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, you said you'd fallen below the required numbers. The numbers of animals, the number of cages, the number..."

Brunsvold: "The number of residents in the county that this Bill says needs to be there... 150,000, we've fallen below that number. And the Bill was written so that it only pertained to this particular zoo."

Black: "Are you able to access certain dollars from any fund by being a zoo under the underlying Act?"

Brunsvold: "There are a very small amount of tax dollars that are used in the zoo and a lot of personal donations from area groups that do support... yeah but there is Mr. Black, a small, small amount of tax money collected on this."

Black: "To that issue Representative, these tax dollars are they local or do they come from a statewide constituency?"

Brunsvold: "There's a local tax dollars involved here."

Black: "All right. So, there would be no opposition as far as you know from any other zoos, Lincoln Park, Brookfield..."

Brunsvold: "No..."

Black: "Because you're not competing for any kinds of dollars that they access, correct?"

Brunsvold: "No. There's no opposition, was no opposition in the

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Senate, no opposition in the House Committees at all."

Black: "Okay, Representative I... do you have room for an exhibit or two? I've got a couple of people I'd like to perhaps send you, if you have room."

Brunsvold: "We'll make a cage for them."

Black: "Thank you very much, I appreciate that. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Brunsvold 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? Mr. Clerk, take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kosel."

Kosel: "Thank you, Mr. Speaker. I rise on a point of personal privilege to announce that in the gallery, on that side of the chamber over here, we have Rotary exchange students, both inbound and outbound from Rotary District 6420, that encompasses the Northern part of Illinois. A fine group of young people from all over the world and young people from our state that will be going all over the world. And I'd like the chamber to please greet them."

Speaker Madigan: "Mr. O'Connor."

O'Connor: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Madigan: "State your point."

O'Connor: "Once again this year our chamber is graced with BZ Bear. BZ Bear is the mascot of our world class institution... zoo institution from the Brookfield Zoo. Please welcome BZ Bear and the members of the Brookfield staff. Thank you."

Speaker Madigan: "Mr. Mautino, did you wish to move Senate Bill

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1674, which is on the Order of Second Reading? Mr. Clerk, what is the status of 1674?"

Clerk Bolin: "Senate Bill 1674, a Bill for an Act concerning prepaid telephone calling arrangements. Second reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Silva, did you wish to move your Bill? Senate Bill 1329. 1329. The Lady indicates she does not wish to move her Bill. Mr. Clerk, on the Order of Senate Bills - Second Reading, there appears Senate Bill 1332. Mr. Bugielski. What is the status of the Bill?"

Clerk Bolin: "Senate Bill 1332, a Bill for an Act to amend the Rights of Crime Victims and Witnesses Act. Second Reading of this Senate Bill. Amendments #1 and 2 were adopted in committee. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Mautino, did you wish to call Senate Bill 1326, on Third Reading? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1326, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of this Senate Bill."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1326 takes and removes the sunset date from a provision that we had passed a few years back. And it arose because the Supreme Court had struck down our Premium Tax Law. I believe Representative Brady and Parke and a number of Members worked on the original legislation. The idea was to put a temporary fix in place until we could determine what was the best way to fill the hole left in the budget by the Premium Tax, which had been taken out through the court ruling. After spending a year looking

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for the best way to do this they found eight separate ideas, but none better than what we are currently doing to collect this tax. And with that, 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? Three people have not voted. Two people have not voted. One person has not voted. Mr. Clerk, take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Capparelli, did you wish to move Senate Bill 1241? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1241, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Lopez, did you wish to move Senate Bill 1555? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1555, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Brosnahan, did you wish to move Senate Bill 1638? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1638, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No

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Motions filed."

Speaker Madigan: "Third Reading. Representative Flowers, did you wish to move Senate Bill 1642? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "Senate Bill 1642, a Bill for an Act in relation to arthritis. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. McGuire, did you wish to call Senate Bill 1297? Mr. Clerk, Senate Bill 1297, read the Bill."

Clerk Bolin: "Senate Bill 1297, a Bill for an Act to amend the Illinois Notary Public Act. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. I would ask for your favorable consideration for this Bill. This Bill only effects those people who are living near the state border such as in the Rock Island, the Quad City area, Representative Joel Brunsvold's area. This Bill comes to us from the Senate from Representative Jacobs, Hawkinson, and Mitchell. And I would appreciate your favorable vote. Thank you."

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

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

Speaker Madigan: "Sponsor yields."

Black: "Representative I... we discussed this Bill Monday night. And I thought it was a reciprocity issue. As I look at the analysis on the computer it seems to be a little more than that. I thought it was just... we would... for example I live on the Indiana border and I thought that an Indiana notary under this law would be able to notarize a document

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that would be used in Indiana, but it seems to me... if I'm reading the analysis correct that the Secretary of State in fact, would be able to, what's the word I'm looking for, not appoint, but recognize an Indiana notary to conduct or transact business in the State of Illinois. And that doesn't seem like reciprocity in the historical definition of the word. Maybe you could enlighten me as to what we're doing here."

McGuire: "Very good question, Representative Black."

Black: "Yeah."

McGuire: "I'd like to defer to Representative Brunsvold, who brought this Bill to me, and see if we can answer your question."

Black: "Okay. What he'd rather carry that zoo Bill rather than this Notary Bill. I understand, but I'm sure he can enlighten me."

McGuire: "Representative Brunsvold."

Black: "Representative Brunsvold, do you need me to repeat the question? I thought this was a matter of reciprocity, and I want to make sure that that's what it is and nothing more."

Brunsvold: "Actually, Representative Black, this Bill was generated from individuals in my district because they live and work on both sides of river, Iowa and Illinois. And this Bill was put forth so they could have a back and forth situation with Iowa, as far as notaries were concerned. And, basically, Iowa does that, we don't. As from what I understand from the individual that talked to me about the Bill."

Black: "Okay. Would it al..."

Brunsvold: "It's an engineering company."

Black: "Would it also... I live on the Indiana border. Would it

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also impact a situation... I have many people who live in Illinois, work in Indiana and vice versa. Would this Bill then encompass those people on my side of the state, as well or does that need separate language?"

Brunsvold: "I think the Bill said that if the neighboring states do that then we will honor that, and we'll do it."

Black: "Okay, so... so..."

Brunsvold: "Yeah. So, they have to have a like situation."

Black: "Okay."

Brunsvold: "And do it and then we will do it."

Black: "So, if Indiana would recognize an Illinois notary..."

Brunsvold: "Exactly."

Black: "...for example, I have a large Eli Lilly plant not far from where I live, many Illinois residents work there. So, if an Illinois resident is a notary and Indiana will recognize his or her ability to notarize documents at the Clinton, Indiana plant, then we would also be willing to do that to an Indiana notary who might be working in Illinois, correct?"

Brunsvold: "Absolutely, absolutely."

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

Speaker Madigan: "Mr. McGuire 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? Mr. Clerk, take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Joe Lyons, did you wish to call Senate Bill 1398? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1398, a Bill for an Act to amend the Animal Welfare Act. Third Reading of this Senate Bill."

Lyons, J.: "Thank you Speaker, Ladies and Gentlemen of the

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Illinois House. Senate Bill 1398 is a Bill that amends the Animal Welfare Act. It provides that a pet shop owner shall not sell a reptile or offer reptile for sell, unless consideration is made regarding a safe handling practices information sheet that would be given to everybody who will be purchasing such an animal, as well as it requires that the pet shop owner does have posted within the area where reptiles are often for sale, the proper handling techniques for the safety of members of a family who may have decided to have a reptile as a pet. Basically, what this is, this is a public health issue, Ladies and Gentlemen. It came to me originally from the Cook County Department of Public Health, the DuPage County of Public Health... with the rises of the salmonella cases on... mostly children... in cases of children who are coming down with salmonella-related diseases from the handling of pets that are reptiles. So, it's a a public health issue that does deal with reptiles and I would ask for your favorable support on this... 'yes' vote on this. I'd be happy to answer any questions if there are any."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, I voted against this Bill in committee. And there are some reasons that I'd like go into with you. If, in fact, the Department of Public Health feels that reptiles are a potential health hazard, why don't the move to abolish the sale of said reptiles? Rather than just post sign saying that it might be harmful to your health... remember how effective that was on cigarette packages. If, in fact, it is a matter of public health, then why doesn't the Department start the process to say, 'we don't think

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such reptiles should in fact be sold to the general public.'?"

Lyons, J.: "Representative, that sounds like a idea that I would certainly be in favor of if there were such a Bill that was introduced. I picked this up from the Senate. It was an issue brought to me by the Cook County Department of Public Health. They'd like me to go along with what Senator Radogno brought over. If somebody had a Bill that allowed dangerous reptiles from becoming pets, I'd be glad to Sponsor it, cosponsor it, advocate for it, whatever the case may be. This is, basically, addressing the issue of the salmonella that results form the mishandling of reptiles who... I guess, it's an issue particularly with children, people don't wash their hands, they touch something that kids later on touch. And there's been an increase in the numbers of salmonella cases amongst children in homes where these pets (sic-reptiles) are kept as pets. Representative, I can't account for why people want to have a large snake or a snake or an iguana for pets, but that's not the issue before us today. It may well be at some point in time and I would be glad to be part of that initiative, but right now we're dealing the health care concern as a result of people that do have the pets."

Black: "And I can understand that. In the underlying legislation is there a clear definition of what a reptile is? I mean does a turtle, does a turtle qualify?"

Lyons, J.: "Well, actually, Representative, I think that the little turtles that all of us grew up with, that used to be in the dime stories, I mean everybody had a little two, three inch diameter turtle, I think those have been outlawed from even being brought into the United States

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several years ago. It's part of my recollection from reading the background on this. I don't think you can buy a little turtle anymore for the very reason of the salmonella cases from about 10 or 12 years ago. So, I think a reptile, by definition, I don't believe it's designed in here..."

Black: "Okay. So, it would be what most of us have come to recognize... snakes, Gila monsters, iguanas, sort of exotic pets, right?"

Lyons, J.: "I've been informed by staff, Representative Black, that it is defined in the Animal Welfare Act itself."

Black: "Okay. And I guess that the problem I have with these kinds of notice Bills, what reasonable assurance will the Department of Public Health have that the person staffing the pet store has any more idea of the safe handling of a reptile than I do? I mean, I go into a pet store at home to buy my dog, dog treats or dog food, and inevitably it's some high school student working there part-time, particularly on weekends. And I don't have a lot of faith that this Bill is going to anything but take up space in the statute books, because I don't think this high school student, while there certainly would be exceptions, would have anymore of an idea on how to safely handle a reptile than I do."

Lyons, J.: "Representative, I would agree with you if you're talking about some high school or college student working part-time or even some individual just working part-time evenings or something would have a particular deep knowledge on the pets that are being sold in a pet store. They may be able to help you with a can dog food or cat food or something like that. But, I think the owner of a pet store had better have some kind of an idea on the safe

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handling of a reptile or he's going to be a victim of either a case of salmonella, if not worse. I think reptiles are not in the same category as a kitty cat or a puppy or a dog. I think you'd better have a better... a pretty good handle on how you appropriately handle, the safe handling of a reptile."

Black: "Right. Well, I read in the newspapers, what, just a week or two ago, where there was a trial, I think the parents were acquitted, and I don't know the particulars of the case or the trial. But the case was a large snake had gotten out and had killed their young child. So, I guess I don't understand. I mean if that kind of thing can happen and obviously, it did here in Illinois, just a few weeks ago. I'm not sure that the Department of Public Health is aiming their resources in the right direction on this issue. But I... and I think you've already addressed that perhaps you feel the same way. I guess I'm getting somewhat cynical. I've been around here long enough to know that we have passed so many laws that put up signs that when you go into certain places there are so many warning signs, I think we just automatically cut them off. I don't think we pay any attention to them. There are just so many warning signs and cautionary signs and this seems to be just another one of those. I... I'm not sure it's going to do what the Department of Public Health thinks it will do."

Lyons, J.: "Representative, I tend to agree with you in theory that unfortunately as we both no, common sense is not always common practice on a lot of things. And we do initiate things like this to try to... you know, if there was 80 cases in the State of Illinois from reptile-related salmonella..."

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Black: "Okay."

Lyons, J.: "...if these cases could be dropped down because there is on their effort on the right type of a notice given to somebody who's buying this, so their kids don't catch this, you know this horrible disease or somebody who buys one doesn't realize, 'Hey after I handle this thing, I'd better wash my hands before I do anything around a food area or something, so I don't get sick myself.' If it helps prevents disease control, I still think it has worthiness as a Bill."

Black: "So, I would would tend to think then we also should tell them that they shouldn't sit at the table and eat, but that goes without saying. Let me ask you a question. Would a pet shop owner be liable if, in fact, he or she did not give the warning, I mean under current law, wouldn't there be a question of liability? If a family member becomes ill, they trace it back to the reptile that they purchased, they go into court and say, 'Nobody told us this reptile carried salmonella, or there was any problem.' Wouldn't existing liability laws already protect the public in a case like that?"

Lyons, J.: "Representative, I, as far as... I think what we're saying is the reptile sellers should have the sign posted..."

Black: "Okay."

Lyons, J.: "...should give the letter of proper handling to the new owner on this. I don't know if there's any punitive actions to be recommended here."

Black: "Okay. Yeah, and I understand. Thank you very much, Representative and Mr. Speaker, to the Bill. I understand the Sponsor, the Senate Sponsor and what they're attempting to do. And I have no doubt that this Bill will pass,

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overwhelmingly. But at some point... I'm no longer convinced that all of these signs that we require are going to have the desired effect. I mean what next? Are we going to legislate that they post a sign that said, 'Warning: dogs may bite! Notice: Kitty cat litter boxes may not smell very good. I mean this could go on and on and on ad infinitum. And pretty soon you go on a pet store and there are so many signs, cautionary as well meaning as this, I think they tend to lose their effectiveness. So I just have a problem with these kinds of Bills. But I think the Sponsor brings it forth and certainly in good faith and has carefully explained why the department wants it. I just don't happen to agree."

Speaker Madigan: "Mr. Lawfer."

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

Speaker Madigan: "Sponsor yields."

Lawfer: "Representative, this amends the Animal Welfare Act, is that correct?"

Lyons, J.: "Yes, Sir."

Lawfer: "The Animal Welfare Act then is enforced by the Department of Agriculture, is that correct?"

Lyons, J.: "To the best of my knowledge, Representative, yes."

Lawfer: "I'm sorry, I don't know as I heard all of that answer, Representative."

Lyons, J.: "Yes, the short answer, Representative Lawfer, is yes."

Lawfer: "In that regards then, where does the Department of Agriculture stand on this Bill?"

Lyons, J.: "I think they were neutral the Bill in committee, Representative."

Lawfer: "Well, I think Representative Black, you know, made some good comments and so on. I would hope that you as a

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Representative, if this Bill passes, would ensure that we get the proper rules and regulations, so that there is enforcement of this, if you feel so strongly on this and... as well as the Department of Public Health. I intend on voting on your Bill. You had a presentation in front of the Agriculture committee and it passed 14 to 1. But I appreciate your answers and would hope that you as Sponsor would continue to work with the rules and regulations as they're formulated. Thank you."

Speaker Madigan: "Mr. Joe Lyons to close."

Lyons, J.: "I respectfully ask for your 'aye' votes."

Speaker Madigan: "Mr. Lyons 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 108 people voting 'yes', 10 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, if we could have your attention for the purpose of announcements. First, Mr. Daniels. Mr. Daniels. Please."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As you know every year, my daughter, Lori Daniels, visits the General Assembly and she's with us again. Lori is a resident in C.I.L.A, in Orland Park and lives with three other adult women in a wonderful home that this General Assembly helped fund for opportunities for people with disabilities. She's joined today by residents of Sunflower C.I.L.A, which is also one that you helped fund in Orland Park, five wonderful young women who live independent and with assistance in this Sunflower C.I.L.A, which is sponsored by Bethshan, run by Joe Lanenga. Joe

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will you wave and say hello to everybody. And of course, it's my pleasure, always, to introduce John Hynes, who is personal friend of the Governor's, from Kankakee. John Hynes is back here. John, you want to say hello? And they are here to thank you for all of your efforts that you put forth for the disabled and for what you're doing in the budget. And Mr. Speaker, with your permission Sir, Lori would like to say a couple words if that's all right, Sir?"

Daniels, Lori: "I really thank you for everything you've done for us, for the houses, for our groups homes, and really thank you for your kind help. And I hope you have a good day, and a good year, and thank you very much for helping the handicap people."

Speaker Madigan: "Representative Connie Howard."

Howard: "Thank you, Mr. Speaker. I rise on a point of personal privilege."

Speaker Madigan: "State your point."

Howard: "Most of you know that State Representative Wyvetter Younge and I are members of Alpha Kappa Alpha Sorority and today we're joined again by members of the sorority who are in chapters across the State of Illinois. Please help me to welcome the pink and green ladies."

Speaker Madigan: "Representative Arthur Turner for the purpose of an announcement."

Turner, A.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the Assembly. I'd like at this time to bring special recognition to our guests visiting here today. He has happened to have been mentioned and this recent addition of Ebony Magazine. He's known as Mr. President. He's the President of the Cook County Board. Mr. Commissioner, Mr. President, John Stroger. President Stroger. President of the Cook County Board, welcome to the Assembly."

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Speaker Madigan: "Mr. Jerry Mitchell. Senate Bill 1498. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1498, a Bill for an Act in relation to fines for driving under the influence of alcohol or drugs. Third Reading of this Senate Bill"

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I bring you Senate Bill 1498, which actually is a technical change to a Bill that was passed in the last General Assembly. This basically provides that DUI offenders will be fined an additional \$100. And that money will be put in a special account with the State Police in order to purchase those items of a enforcement nature such as radar units, cameras, breathalyzers, and even life support items, such as a defibrillator would be placed in the State Police squad cars. When this Bill was passed, and it passed by a large margin, there were a couple of things technically that were wrong with the Bill. And this Bill simply changes those and allows that those offenders that had been found guilty or are on court supervision or that plead guilty, all pay the \$100 fine. I'd be happy to answer any questions."

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

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, a couple of things I don't understand about this Bill and I want to make sure that I'm on target here. There is nothing in this Bill that says if I'm 'charged with DUI', I pay the money, right?"

Mitchell, J.: "That's correct."

Black: "It's only... well, the analysis says that you're

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correcting... the Senate Sponsor is correcting what happened last year where it said 'If you were found guilty'. And now he's correcting that. What is the correction? I mean found guilty means..."

Mitchell, J.: "Basically, Representative Black, the way the Bill read before it was only those that were found guilty and so the interpretation is that if you plead guilty, or if you accept court supervision, you are exempted from paying the \$100 fine. This includes all categories of those that are guilty of DUI, to pay the \$100 fine."

Black: "All right. So, if you plead guilty, and even if you are given court supervision, that still means you have been adjudicated..."

Mitchell, J.: "That's correct."

Black: "...guilty, then you pay the fine. It has nothing to do with the charge..."

Mitchell, J.: "No, absolutely not."

Black: "...of the the DUI. So, it isn't going to be be... well, I guess it is though. Is it rolled into court costs? Is that the way it's collected and then redistributed, or how is this done, an additional \$100? How is that handled?"

Mitchell, J.: "It's automatically put as a fine on each defendant. Right now, there's no mechanism for the State Police to have that money put into any kind of a special account and used. It just goes into General Revenue Funds at this point. This Bill sets up a fund for the State Police to have the ability to use the money for those items that I mentioned earlier."

Black: "But the Bill doesn't specify what items, correct?"

Mitchell, J.: "That's correct."

Black: "It still gives the State Police wide leeway."

Mitchell, J.: "That's correct."

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Black: "And I thought last year the intent was that they could only buy equipment to help them enforce DUI laws on our state's highways. Now, is there anything in the Bill that prevents them from buying items for their SWAT team or a coffee machine?"

Mitchell, J.: "No, Representative, we have not changed anything in the underlying Bill. And you are correct, it is items of enforcement of DUI."

Black: "Okay."

Mitchell, J.: "We have not changed that with this language."

Black: "So it would... and is it put into a special fund, Jerry, or does it just go back to the State Police as... I mean what I'm after is... can we track this fund, easily?"

Mitchell, J.: "We can now, easily, track the fund because it will be set aside in a special fund..."

Black: "Okay."

Mitchell, J.: "...to make sure that it's not being utilized for salaries or other items within the State Police force itself."

Black: "So, it's a specified fine on a DUI, excuse me, an additional fine for DUI, the proceeds will then be used to purchase equipment to further enhance the ability to fight the drunk driving problem that exists, correct?"

Mitchell, J.: "You're absolutely correct. Before we've doing this... we have a gentleman in DeKalb County that has worked very, very hard, that lost his daughter to a drunk driving accident, that has been raising money to put cameras in the cars. This Bill Senator Burzynski ran two years ago in order to help to make sure every squad car has those items needed that will make our roads safer by being able to identify and prosecute driving under the influence."

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Black: "All right. And I'm glad you said that because now I do remember the issue of video cameras, but it isn't necessarily limited to that. They could also, I assume, use the money for intoxillators, you know, the portable breath analyzers et cetera, as long as it was related to enforcement of the DUI laws?"

Mitchell, J.: "That's correct."

Black: "Oh, okay."

Mitchell, J.: "And in fact, right now the the State Police are piloting and looking at a new piece of equipment that, basically, it's just called binoculars, that actually you look through and because of eye movement they can determine the amount of alcohol or drugs in the blood system."

Black: "Yes, I'm very familiar with that Bill, Captain Video lives. Yes, how well I know."

Mitchell, J.: "New kind of video game..."

Black: "I appreciate your forthright answers, thank you."

Mitchell, J.: "You're welcome."

Speaker Madigan: "Mr. Black. Mr. Mitchell to close. Excuse me, Mr. Mitchell. Mr. Hartke. Mr. Hartke."

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

Speaker Madigan: "Sponsor yields."

Hartke: "Representative Mitchell, we talked in committee just a little bit, and I questioned about the number of DUIs and there was some uncertainty that would fall under this provision. Those individuals who are not only convicted, but pleaded guilty or put on supervision. Would you by chance have those numbers on what that will mean for the State Police?"

Mitchell, J.: "Representative, I was not able to acquire the numbers. However, in talking with the State police, and in really in a side conversation that we had, I have..."

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assured you that if, in fact, the amount of money in this fund becomes a great deal and the items that have helped to eliminate or at least do a better job of catching and prosecuting DUI cases, if, in fact, there is such a windfall that the State Police are tempted to use this for other areas, I would be more than happy to come back with legislation that would move that money either to the General Revenue Fund or find another use for it, so that it doesn't become a generalized State Police Slush Fund."

Hartke: "Well, that was one of my concerns. You know, I think in committee the either the State Police or the Secretary of State Police had indicated that there were approximately 8,000 convictions in the State of Illinois for DUI in past records. Now, if we're expanding that not only with conviction but those individuals who were placed on supervision, plus those that plead guilty that we could see possibly eleven, twelve thousand DUI cases. So, what we're doing is creating a fund of maybe \$1,000,000 a year. And since we've limited this to just those instruments that are used to continue to clamp down on driving under the influence, we could, in effect, in a couple of years... I foresee attempts being made to lower the legal limit for blood alcohol to where we could have a possibly \$2,000,000 fund before long, just to enforce the law. And it seems like we will probably have more, more convictions as time comes along. And we've opened up a whole can of worms here where they will say, 'Well, you know we've got more video cameras than we have squad cars, if we had more squad cars we could put video cameras in and use that for further detection of DUIs.' But that may be another point. But I'm really concerned about this. I was happy to share like Representative Black said, that we would keep an eye on

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this in a designated fund, so that it does not become a cash cow for the State Police. Now, what about local units of Government who also arrest people for DUI? Does this apply to them as well?"

Mitchell, J.: "Let me backtrack a little bit, Chuck, and read you, or explain a part of the Bill that simply says that the \$100 fine will be paid to the Circuit Clerk and that will be then reimbursed to a special fund to the enforcement agency that made the arrest. So, this could not only help State Police, but it could help county officers as well, to buy this same equipment. So not all of the money is going to go into the State Police fund. Some of this may go to the county level, as well. So, we're talking about the enforcement agencies at both the county and the state level, or quite possibly the city, I guess."

Hartke: "Okay. In that situation then, you may have a county organization, county sheriff's department who may have, especially downstate, maybe five or six squad cars in the entire county who may now be equipped with video cameras and breathalyzer instruments and so forth. In that situation, if the county continued to make arrests, where would that money go?"

Mitchell, J.: "The money still goes into that special fund but it's allotted to the county rather than the State Police."

Hartke: "Okay. But you just said that it would go back to the county of the arrest. If all the county..."

Mitchell, J.: "Well, it comes back to the county, but it comes through that special fund."

Hartke: "So, if that county had enough equipment then it would go to the local city police who maybe never had made an arrest. And they would getting one of these..."

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Mitchell, J.: "There's no mechanism to do that. You couldn't simply just say, 'Okay the State Police made the arrest, but we're going to give the money to the city.'"

Hartke: "Okay. So, what you're saying then, the answer I got from the... either the State Police or Secretary of State, I'm not sure, in committee that day when we talked about 8,000 arrests, that may be just their figures, correct?"

Mitchell, J.: "I believe that was arrests statewide, is what was stated to me."

Hartke: "Are you sure? Are you sure?"

Mitchell, J.: "No."

Hartke: "No. Well, that opens up another scenario, then. It may not be 8,000, it may be 16,000 already."

Mitchell, J.: "How many of them there are, if they were found guilty, it needed to be done. In fact, we need more arrests than we have now, and I think that this Bill will help to save lives in the future. I hope the fund dwindles down to nothing. Because if that's the fact, then we have gotten the drunk drivers of the road. If it does continue to increase, then I'd be more than happy to join with you to look for a good use for that money, if in fact, we have outfitted our enforcement agencies with the amount of material they need to enforce the law."

Hartke: "Well, I'm sure you're aware of the piece of legislation out there to provide every squad car with a pupilometer, right? Do you recall in committee what that instrument was going to cost per squad car?"

Mitchell, J.: "I can't remember, but I know that when I talked to the State Police, they informed me that as the Bill was written, they assumed that they would be able to buy two pieces of equipment for each squad car and have every squad car in the state outfitted with those. But they still

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didn't have enough money for every... I guess all of this equipment's very technical and very expensive."

Hartke: "Well, I understand that and it's very difficult to vote against this piece of legislation to make our streets safer. My concern is that we're developing a fund here that seems just totally open-ended and I can see possible abuse in the future. I think it behooves the Members of the General Assembly to keep an eye on this piece of legislation, because it in fact, is an increase because we continue to lower the blood alcohol. We continue to... number of convictions and I just think it could be open-ended. I intend to vote for the piece of legislation, but it bears watching very closely. Thank you very much, Mr. Speaker."

Mitchell, J.: "Representative, that piece of equipment was \$7,500 each that you asked about. Of course that legislation hasn't passed yet, and I hope it does."

Hartke: "So how many squad cars do we have in the State of Illinois?"

Mitchell, J.: "I counted seven on the way down here last trip, but I'm not sure how many we've got in the entire state."

Hartke: "Okay. Thank you, Jerry."

Speaker Hartke: "Mr. Wirsing."

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

Speaker Madigan: "Sponsor yields."

Wirsing: "Representative, as you know, I'm heavily and actively involved in the underlying, what is now an Act... and I just wanted to help clarify some issues, some of the questions that have been raised. The \$100 that is collected, is designated to go to those pieces of equipment that in effect will support law enforcement and the judicial system in arrest and conviction of DUI, is

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that..."

Mitchell, J.: "That's correct."

Wirsing: "Also then, any law enforcement agency in the state the has made the initial arrest and upon the conviction and or... as the amendment deals with, that \$100 then goes back to what ever law enforcement agency that is, whether it's a village, a city, a town, a county or a state?"

Mitchell, J.: "Yes, and the problem we've got now is that there was no way to identify the amount of arrests made, so that money could not easily be accessed to do what it was supposed to do. And this Bill just technically puts it in a fund that we can track very well, but also State Police can track and make sure that it's used for the purposes that are outlined in the underlying Bill which you carried last year."

Wirsing: "Well, in my understanding of the underlying Bill, that there were definitive as far as safeguards as to how those dollars would be spent. And I know that as we ran that underlying Bill last year that the questions about when there was too much money. And I think the bottom line out of that was the fact contrary to what we see on television we don't have every squad car, whatever law enforcement entity throughout the state running around with video cams, running around with the technical equipment for dealing with DUI. That's my understanding."

Mitchell, J.: "Well, and you're absolutely right. Not only that, but as technology improves and we get more and more sophisticated equipment, the price tag on that equipment goes up as well. If we're to do the job that we need to do, to keep our highways safe for the regular driver and not have to worry about being totally defensive at all times because there are a number of drunk drivers out

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there, this fund should go down. An indication that the fund's going down is probably an indication that as our law enforcement agencies get more sophisticated, they are starting to slow down and possibly eliminate the problem that we all have to deal with when we get behind the wheel."

Wirsing.: "Well I remember... in working this for a couple of years prior to actually running the Bill last year, you know there was the public sentiment that, well, a police department as a fact could own one camera as an example, and just transfer it from car to car. And those departments that had done that they found out, first of all, the camera generally was broke, because it was always being shifted from one squad to the other. And ultimately, when someone had stopped someone for a DUI, they didn't have the camera in their car. And that's why the need for creating the fund, you know, for that purpose, as well. I know that as we worked through this a year ago, that there were several issues that we wanted to make sure we were concerned about. And the fact that this Amendment deals with some of those issues that were raised last year, which I think is a positive on the fact that we are making sure this legislation doesn't (sic-does) do what it's intended to do. And I also want to, I guess it would be a miss if I did not state the fact that it was that Richard Meadows family from Rochelle, in Ogle County, who really implemented and put all the energy and continues to do that, to expand it in the whole area. One of the neat things about this program is the fact that it's just putting the video cams in squad cars, there's been already evidence that it doesn't only deal with the DUI issues, but it makes everybody a little more honest when that traffic

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stop is made, from the offender to the law enforcement person. And I think that was looked at as a real positive from based onto the information and research, or practical research, we thought we had a year ago."

Mitchell, J.: "Well, one of things that we've had in common, Dave, is that you and myself, Senator Burzynski, Senator Seiben have had the opportunity to see the passion that Richard Meadows has for eliminating the drunk driver from the highway. Instead of turning negative after the loss of his beautiful daughter and other family members, he turned that passion toward helping law enforcement. He puts on clinics across our part of the state. And that very passion is embodied and the underlying Bill, and the Bill this year. I think it's an excellent program. I think it's one that, that if we could do more in the areas of law enforcement like this of a positive nature, it would help to correct problems without draining the taxpayers of money, and this certainly will do that."

Wirsing: "Thank you and I concur with what you're saying and full support ask for... hope that we... everybody votes for it. Thank you."

Mitchell, J.: "Thank you."

Speaker Madigan: "Mr. Mitchell, to close."

Mitchell, J.: "Thank you, Mr. Speaker. Ladies and Gentlemen, this is a very important Bill. This is a very important area. We are all concerned about the drunk driver on the highway, not only removing them from it but making the highway safer for ourselves, our families, our loved ones. And I think this Bill does it in such a way that it gives our law enforcement agencies another handle to help with this problem without putting it all back on the taxpayers. I urge your 'aye' vote. I think this is a very important

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piece of legislation. Thank you, Mr. Speaker."

Speaker Madigan: "The Gentleman 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 are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Clerk for an announcement."

Clerk Rossi: "The House 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. John Jones. Mr. John Jones. Senate Bill 1630. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1630, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

Jones, J.: "Thank you, Mr. Speaker. Senate Bill 1338, this legislation is an initiative of the State Treasurer, Judy Baar Topinka. Provides that the State Treasurer may permit the deduction of fees by third-party unclaimed property examiners from the property covered by the examiners for the State of Illinois. During examination of holders located outside the State of Illinois, under the Office of the Treasurer, has agreed to pay for examinations based upon a percentage set by the rule of the State Treasurer in accordance with the Illinois Administrative Procurement Act of the property recovered during the examination."

Speaker Madigan: "The Gentleman 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? One

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person has not voted. The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Jones. John Jones. Senate Bill 1338. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1338, a Bill for an Act in relation to state finance. Third Reading of this Senate Bill."

Jones, J.: "Thank you, Mr. Speaker. This Bill is an initiative of the State Treasurer, Judy Baar Topinka, and it just sets a deduction of fees by a third party on unclaimed property of out-of-state property."

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? Mr. Clerk, take the record. On this question, there are 118 people voting 'yes', 0 voting 'no' This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Krause, do you wish to call Senate Bill 1657? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1657, a Bill for an Act amending the Illinois Health Finance Reform Act. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Krause."

Krause: "Thank you. Thank you, Mr. Speaker. Senate Bill 1657 amends the Illinois Health Finance Reform Act. It is the agency Bill for the Illinois Health Care Cost Containment Council. And what it does provide, is for the council to collect utilization outpatient... outpatient surgical data from the freestanding ambulatory surgical treatment centers. In the Senate there was an Amendment, which does provide that five members to the council are to include one

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member from at least a small rural hospital, as well as a member to represent ambulatory surgical treatment centers. And the date for actual collection was changed from July 1, 2001 to January 1, 2002. The underlining purpose of this legislation is because there has been extensive shift from inpatient to outpatient canters that this data collection will assist providers, consumers, as to what has occurred as far as outpatient centers and the data will be available on that basis."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, anytime we have a Bill that collects data there's an underlying reason as to what the data will be used for, why we want it. Can you enlighten me as to why does the Health Care Cost Containment Council want this data and what do they plan to do with it?"

Krause: "Okay. And that's a legitimate question. 'Cause I think whenever we have data, how is it going to be used? The council was set up in 1984 and has collected data from hospitals throughout all these years. They take the billings and off of that collect the data. It's used for a number of purposes. One of the things that I can remember is for the hospitals, when we looked at the legislation as to what we call 'drive by delivery' as to the need for legislation, to expand it to at last 48 hours and then 96 for cesarean, we turned to the council for their data. Now, turning to the surgery care, what has occurred is a large shift from inpatient service to outpatient. Because of that, it really gets into, Representative, the area of competition, for a lot of people to look at the outpatient as to what type of surgeries do they have there? What is

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the cost? What is the availability? And it is opened up to public health agencies, consumers, private industry, to look at this data as to what has occurred with outpatient services."

Black: "And I can understand that because in a rural district like mine the way things are going, I'll have more freestanding surgery centers in my legislative district than I have hospitals. I only have three hospitals, and two are relatively small. I think I have at least... well I know there's one freestanding surgery center, completed and operating, one under construction and I think one applying for a license. And I just want to make sure that the data, that the council is not predisposed to say, 'Oh this is the way to go.' Because in rural Illinois, we're still going to have a need for hospitals."

Krause: "And I don't think there's any doubt of it but as I look throughout the statistics, it's true throughout the state that there were 800,000 surgeries at outpatient, 460,000 inpatient. That change, Sir, is occurring and it is really the underlining basis is to open it all up, disclose it. There are confidentiality requirements, nevertheless. But it is because of this change that the council now feels that they should disclose the information as well as the hospitals, that have through the years."

Black: "Will the data include things like infection rates... the need to go back to a hospital? I'm interested in not only the number of surgeries and the cost but in the patient protocol. I mean of all the surgeries done in outpatient centers... have any of them had... is there a trend that many of them should not, perhaps have been performed there, and that they in fact, end up back in the hospital, or that there may be some problems with the freestanding centers?"

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Krause: "I do not believe it goes that far. Is is laid out in the proposed Bill as to the data that they will collect off the billing information. And they do describe it."

Black: "Okay. I think at some point the containment council may want to develop a protocol to study that very issue..."

Krause: "That's just it, I don't..."

Black: "... about infection rates. Whether or not because of the, you know the in and out process... whether they end up back in the hospital. We need a longitudinal study to see some of those things that are going on. I appreciate your answers."

Krause: "I can see what your saying. And I hope that they take a look at it."

Black: "Okay, thank you."

Krause: "Thank you."

Speaker Madigan: "Mr. Hartke."

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

Speaker Madigan: "Sponsor yields."

Hartke: "Representative Krause, at one time I do believe there was some major opposition to this Bill. Have you addressed their concerns in the legislation?"

Krause: "There was in opposition. There was a slip filed by the Ambulatory Surgery Association. We addressed some of their concerns. I would have to tell you, though, that a remaining concern was that physician I.D. number is to be turned in. And the council has said that that is confidential and is not disclosed, but their opposition continued on that. And they did not become neutral."

Hartke: "So, your saying that although you've tried to address some of their concerns, there a little happier than they were, but they're really not in support of the Bill..."

Krause: "That is correct."

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Hartke: "...at this time?"

Krause: "They were added to the council as a member, so they could serve. But they did not withdraw their opposition."

Hartke: "Okay, thank you very much."

Speaker Madigan: "Representative Hamos."

Hamos: "Thank you. I stand in support of this legislation. For the past few years, for the past two years since I have been here, I have taken a close look at the function of the Health Care Cost Containment Council. And the problem with this council really has been that it was created in 1984 or so, at a time when health delivery system was in a totally different place and time and shape. And since then, 80% of procedures are really handled on an outpatient basis. So, we have an agency of government that is collecting data in order, hopefully, to reduce health care costs. But is only really collecting data for 20%. That's why this Bill will finally give us the complete picture that we need to really be able to look at health care costs and the whole health care delivery system. I urge an 'aye' vote."

Speaker Madigan: "Representative Krause, to close."

Krause: "Okay. Thank you. I would ask for a 'yes' vote on Senate Bill 1657."

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? Have all voted who wish? The Clerk shall take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. McGuire, are you seeking recognition?"

McGuire: "No."

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Speaker Madigan: "Mr. Clerk, there is a Senate Bill, 1339, what is the status of that Bill? 1339."

Clerk Rossi: "Senate Bill 1339, a Bill for an Act amending the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Mr. Tom Johnson. Representative Pankau. Senate Bill 810. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 810, a Bill for an Act amending the Illinois Income Tax Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Mr. Wirsing. Senate Bill 1589. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1589, a Bill for an Act amending the Board of Higher Education Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 1862. Mr. Wirsing. 1862. What is the status of the Bill?"

Clerk Rossi: "Senate Bill 1862, a Bill for an Act amending the State Treasurer Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Representative Moore. Andrea Moore. Senate Bill 1627. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 1627, a Bill for an Act concerning local government debt. Second Reading of this Senate Bill. Amendments 1 and 2 were adopted in committee. No

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Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Mr. Tom Johnson. Mr. Clerk, what is the status of Senate Bill 730?"

Clerk Rossi: "Senate Bill 730, a Bill for an Act amending the Juvenile Court Act of 1987. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. A Motion has been filed to table Amendment #1 by Representative Hoffman."

Speaker Madigan: "Mr. Hoffman, on a Motion."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to table Amendment #1. It's some of the people who worked in law enforcement and law enforcement's belief that Amendment #1 is unnecessary. We believe that a person who is 16 or 15 years old who commits an adult crime and is questioned and refuses to have a lawyer, that that questioning should still be relevant and should still be admissible."

Speaker Madigan: "Mr. Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I object to Mr. Hoffman's Motion. For a few reasons that I'll state very briefly. One is the... the high susceptibility to false confessions of juveniles. There's a tremendous body of evidence on this particular subject. Many studies that talk about how the vast, vast majority of juveniles do not understand the rights that given to them under the Miranda warnings, thus, making the false confessions more susceptible. We saw a tape when we did a committee hearing on this in Chicago that showed a confession from a case in San Diego, where a young man had confessed to murdering his sister. The only problem was, he hadn't done it. He confessed to it after a long period

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of time in a confession, where he was being interrogated, and he confessed after being told finally that he could go home if he did that. And that's a frequent thing that we see in many of these false confession cases involving juveniles. We all know of very high-profile cases here in Illinois, and I'm not going to recite the litany of those that are absolutely false confessions that are made by juveniles. And again, we go back to the high susceptibility of that during custodial interrogations. Other states have done something either similar to this or in many cases more restrictive to this. In Colorado, for example, no statement of a juvenile under 18 is sufficient to find a child guilty of an act, you need corroborating evidence to do that. In Connecticut for a child who's 16 or under, a statement from a custodial interrogation is inadmissible unless both the child and parent are advised before hand of the child's rights. In Montana, a child under 18 is questioned in custody and parent guardian must be notified, a relative, or close friend must be notified. There are other states, including Oklahoma and West Virginia, that make special compensation for juveniles who are the subject of custodial interrogations. And it make sense... and it makes sense for a couple reasons. The one that I talked about earlier, the high susceptibility of juvenile false confessions. But recognize what we've done in the last couple years. We've made many, many juvenile court cases that used to be under the Juvenile Act now transferable to adult court. And what were saying now, is that a lot of these cases, a juvenile who confesses to these crimes may end up going to prison for the rest of his or her life. But think about that in contrast to other law. We let juveniles who are under 18 years old get out of a contract.

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If they've purchased a toaster they can go back and undo it the next day because the contracts are presumptively void as a matter of law. Now, we won't let a juvenile buy a toaster on his own, unless he has some other backup from his parents, but we'll let him confess to a crime that'll put him in prison for the rest of his life without having a full understanding of the Miranda rights. The Cook County Board, within the last two weeks, has passed a resolution that was sponsored and my good friends from Cook County can help me... I don't know how many commissioners there are... but 17 different commissioners of Cook County, including the honorable John Stroger, who's the President of the Cook County Board, filed a resolution and passed it, which is asking us to have legal counsel prior to interrogation and confessions for juveniles in anything of a Class I felony and above. This isn't as restrictive as that. But the reason they took on for doing that was because they've had to pay money for damages and monetary awards for false confessions of juvenile cases. And so they're saying from a liability standpoint, that this is necessary to do. Well, I'll tell ya I think it's necessary from the administration of justice perspective, as well. For all the reasons that I've just stated, I would ask that you vote 'no' on the Gentleman's Motion. Thank you."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. Would it be in order for me to ask that we have a record vote on the Gentleman's Motion to Table?"

Speaker Madigan: "That's the plan."

Black: "Then I would do so, and just simply stand in favor of Representative Hoffman's Motion to... did he say table the Amendment?"

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Speaker Madigan: "Yes."

Black: "Quite Frankly, the Amendment, while certainly worthy of more debate, obviously has considerable opposition. And it may endanger the underlying Bill, which does in fact, many people say the underlying Bill is shell Bill, and I don't believe that's the case. The underlying Bill should be allowed a hearing on its own merits. And I think if the Amendment is not tabled the underlying Bill may very well suffer a defeat. I don't know that that'll happen, and obviously, Representative Scott feels very strongly about the Amendment. But I simply rise to support Representative Hoffman's Motion to Table Amendment #1 and you've already indicated that we will have a record roll call on that, and I thank you."

Speaker Madigan: "Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise in strong opposition to the Representative's Motion to Table Amendment 1, because based upon recent occurrences, we are well aware of the need of young people to have legal representation that any adult accused of the same crime would automatically just about be provided. You know, I was speaking to one of my colleagues this morning, and I said to them, 'This is the 91st General Assembly, it is not the Third Reich.' I believe young people who find themselves in jeopardy of spending many years in incarceration are entitled to legal representation to make sure that all of their rights are adhered to and also that children do not falsely confess to crimes because they are fearful of what that adult holds for them because of threats that may be made to that young person. It is imperative that young people be given similar rights when they will be charged with similar crimes. What is it we want to do? What is it we're trying

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to do, when we want to deny them the legal representation that any adult in this room would be guaranteed to have? What do we want to do? It is imperative that we strike down this particular Motion. We should vote 'no' on this Motion, if we care about the children in the State of Illinois, if we care about their rights being adhered to. You don't know what may happen in your own district, where a child is falsely accused, falsely accused. And because of threats, because of fear, because of only the police officer being in on the interrogation this child falsely admits something he didn't do. He needs to have legal representation. There's absolutely no reason we should not provide it. Please strike down this Motion with a 'no' vote."

Speaker Madigan: "Mr. McKeon."

McKeon: "Thank you, Mr. Speaker. To the Bill."

Speaker Madigan: "Mr. McKeon."

McKeon: "I also rise and join my colleagues in opposition to the Motion to table Amendment #1. I authored a Bill which was introduced this year that goes a little bit further than Senate Bill 730. And quite frankly I think it's a better Bill. But I support this Bill, based on my experience as a police officer for well over a decade and for well over a decade experience in working to reform the juvenile justice system. We have seen in the last ten years an increasing amount of mandatory waivers of children to the adult court. Yet nowhere, in that legislation do we afford the legal protections entitled to adults who would be tried for similar offenses in similar circumstances. I urge you to defeat this Amendment. If these children are going to be at place at risk of imprisonment and penalties, as if they were adults, they are certainly entitled to the same basic

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constitutional rights to legal representation as an adult would. I urge you to defeat the Motion to table on Amendment #1."

Speaker Madigan: "Ladies and Gentlemen, for your understanding, Representative Hoffman has filed a Motion to Table the Amendment. If you support the Amendment you vote 'no'; if you're against the Amendment, you vote 'yes'. Those in favor of the Gentleman's Motion vote 'yes'; those opposed vote '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 are 78 'ayes', and 40 'noes'; the Motion is adopted. Mr. Hannig in the Chair."

Clerk Rossi: "No further Motions. No Floor Amendments have been approved for consideration."

Speaker Hannig: "Representative McKeon, are you ready on House Bill 1510? Mr. Clerk, read the Bill. I'm sorry, Senate Bill 1510."

Clerk Rossi: "Senate Bill 1510, a Bill for an Act concerning Lyme disease. Third Reading of this Senate Bill."

Speaker Hannig: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker. Senate Bill 1510 amends the Department of Health powers and duties in the Civil Administrative Code, relating to Lyme disease. Many of you are probably aware Lyme disease is a bacterial infection spread by infected deer ticks. It's the most common deer tick born disease representing 90% of such cases. What we have found is that Illinois substantially under reports... the prevalence of this disease and many doctors, particularly doctors in both rural and metropolitan areas are unfamiliar with its diagnosis. Part of this is the result of a very restrictive definition by the CDC. This

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Bill will require the Department of Public Health to establish policies, procedures, and standards, and criteria for the collection, maintenance, and exchange of medical information necessary for the identification and evaluation of Lyme disease. This disease is spreading from Wisconsin throughout the midwest, and currently is, probably the most rapidly growing disease in this country, next to HIV and AIDS. And I urge your support."

Speaker Hannig: "Is there any discussion? There being none then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who with? Mr. Clerk, take the record. On this question, there are 117 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Cross, for what reason do you rise?"

Cross: "Thank you, Mr. Speaker. I rise on a point of order. I filed previously, I guess within the last hour, a Motion pursuant to Rule 18G to discharge the Rules Committee from further consideration of House Bill 2963, to advance that measure of the Order of Second Reading. Mr. Speaker, we went over this issue last week, and it deals with the issue of police pensions. And it deals with the concept of fairness, with parity, and with the equality for police pensions throughout the State of Illinois, at least with respect to downstate police officers. At that time, we requested that this Bill be discharged from Rules. A letter was sent from Leader Daniels to Speaker Madigan. There was a Motion made in the Rules Committee and there was a Motion made on the House Floor and at that time, nothing was done from the Speaker's Office to bring parity

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or to bring fairness to the downstate police officers' pension program. I think it's time we recognize that the police officers in this state should be treated fairly. We take care of judges. We take care of state's attorneys. We take care of firemen. We take care of sheriffs. But we continue, Mr. Speaker, day in and day out to neglect the police officers of this state. We ask them on a daily basis to take care of us. I think it's only fair that we take care of the police officers of the State of Illinois. Now, Mr. Speaker, I'm sure you're going to go through the charade this afternoon of ignoring us or having one Member of your side of the aisle stand up and say I object to this Motion. Well, I think it's time we stopped objecting to this Motion and say, let's take care of the police officers of the State of Illinois. We ask them to protect our schools. We ask them to protect our children. We ask them to protect our grandparents. We ask them to stop drunk drivers. We ask them to stop gang bangers from furthering crimes in this state. We ask them to stop people from dealing drugs. And we can't even have the simple decency to take care of their pension program. Day in and day out they risk their lives for the people of the State of Illinois. And I would suggest that no one in this chamber would want to go through what they do 24 hours a day, knowing that at any moment someone could harm them, someone, in fact, could kill them. Even a simple traffic stop, the simple traffic stop, can turn into a life or death situation for a police officer. Now, Mr. Speaker, I challenge you. We, day in and day out in this chamber, pass tough criminal law Bills. And we claim day in and day out in this chamber that we're all tough on crime, we care about protecting the people of this State of Illinois.

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But yet, you as the Speaker and you as the Majority of party don't even want to take care of the police officers in the State of Illinois. We can take care of everybody else, but we can't take care of police officers. And I would, respectfully, once again ask that my Motion be granted and we actually do something for the police officers of the State of Illinois. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Black."

Black: "Yes thank you very much, Mr. Speaker. I simply join to support Representative Cross's Motion. I would submit to you that we did this last year and rather late in the Session, to the credit of the Speaker and the Majority Party, we finally did move the Firefighters' Pension Bill. And granted, as someone pointed out on your side of the aisle, there were negotiations that had taken place between the Municipal League and the firefighters. And I understand that. Our difficulty, Mr. Speaker, if you do not, if would not, if you won't give this Bill an opportunity to come out of Rules there is no incentive for the Municipal League and the police officials to sit down and negotiate. The Municipal League has indicated that the Bill is dead, and that there is no reason to negotiate. Now, that flies in the face of some of the very fundamental precepts that your party supposedly holds dear. And that is the right of people to come together and bargain collectively for benefits and working conditions. I mean that's one of the corner stones of your party. And all were asking is that you join with us in letting the Bill come out of Rules, which will then, obviously, necessitate the parties to the police downstate police Pension Bill to negotiate in good faith in what little time we have left.

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If the Bill, however, remains in the Rules Committee, there is no incentive for all parties to come to the table and negotiate what is, in fact, a simple Bill of fairness and equity. Now, we moved the Firefighter's Pension Bill last year. And I think all parties agree that is was a reasonable and rational thing to do. Where we are stymied and I am appealing to your sense of fairness, where we're stymied is when these Bills are arbitrarily locked in House Rules then there becomes no reason for any party to come to the table and negotiate. I tend to believe if you would advance this Bill from Rules that this entire issue could be settled well within the time frames that we have left before our scheduled Adjournment date, because it is a matter of importance. I don't think the Municipal League stands in abject opposition to the issue. I don't think your party stands in opposition of the issue. We certainly don't. And that's why we go through this exercise, even though you continually smack us on top of the head with a rather heavy hammer at times. The issue is simply one of fairness. And we can't move toward that resolution if you consistently hide the Bill behind the Rules Committee. Let the Bill come out, let negotiations begin. If the negotiations don't go well, Mr. Speaker, your party's still in the Majority in the chamber. You know, if you all decide that it isn't a good idea or a good Bill or that police, downstate police officers do not deserve a pension at this time, fine vote against it. You hold the Majority vote. We're not trying to put anybody in a untenable situation. All we're asking for is that you let the process work. And I think, and I'd say this regardless of what side of the aisle I sat on, I think when we went to a unanimous vote, to discharge Rules, we did disservice to

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every Member in this chamber, regardless of what party affiliation. Because it's the easiest thing in the world to do have somebody stand up, verbally, and say they object to the discharge Motion. There's no record. Nobody can go campaign for or against an issue and in the meantime what were saying to downstate police officers is that we don't deem your situation worthy of even debating the issue. So, we're just going to keep it locked in Rules, and you go out and do your job, and if you're lucky enough to live to retirement take your pension, you knew what it was, the heck with ya. We're not going even discuss it. That's not right. That is not the right thing to do. And without discharge of this Bill from Rules there will be no negotiations, there will most likely be no resolution of the problem, and we'll be back here next year debating the same issue and sooner or later a Bill must be released from Rules so that the parties will negotiate. And that's all we're asking. We're not asking you to cast a vote willy-nilly, yeah or nay. Let the parties come together and negotiate in good faith. Don't stand on the Rule. I mean you have the most important Rule of all, Mr. Speaker, you've got the Rule of 60. So, on some occasion why don't you surprise, not only us but why don't you surprise yourselves by letting a Bill come out of Rules, advance through the progress (sic-process) and let's see what happens when people of goodwill sit around a table and negotiate a very important issue. We just joined in a bipartisan way, I mean there was opposition, but the vote was overwhelming on a Bill that police officers from the top of the state to the bottom of the state favored. And that was the juvenile Bill requiring an attorney to be present. So, if you voted pro-law enforcement on that

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Bill, then it stands to reason that you could vote for a Motion to Discharge, to give these same law enforcement officers, who are out there day after day putting their lives on the line, no matter what they do, they're criticized. If they do their job, they're criticized. If they don't do their job, they're criticized. If they're too aggressive, they're criticized. And if they get careless, they can be killed in the line of duty. And over 100 of them were killed in the line of duty last year. It's not fair to turn back on these public servants and say, 'Your pension Bill can just sit and wait.' That's not right, it's not fair, and it's hypocritical to vote five minutes ago on a Bill that law enforcement said please vote 'yes', but when it comes time to bring a vote on a pension matter or least to begin negotiations, ya hide behind a Rule and say 'No, we won't even discuss it.' That's not right, it's not fair. And, Mr. Speaker, if you persist in saying 'No, one person objects.' Then I would ask that under the applicable rule, joined by the right number of people on my side of the aisle that we move to overrule the Chair and you give us a record vote on that issue. Join with us for once and let's do the right thing and let negotiations commence. You can't on one hand say I support law enforcement, and then on the other say but you're not worthy of a pension that gives you some dignity in later years. That's not right. Shame on you."

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With due respect to my good friend on the other side of the aisle, I rise in opposition. They are negotiating. In fact, I met with the parties this week. They met again Monday. They are making substantial

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progress in the meetings. They are bargaining in good faith. They are confident that they were going to continue these negotiations over the course of the summer and we will have a Bill, an Agreed Bill in the Veto Session. Now, they did that with the downstate fire, they will do this with the downstate police. Hopefully, the package will be in it's entirety, close in proximity to downstate fire. But they need the change because it doesn't apply the same way, to downstate fire as downstate police. It's very simple. Now, if they don't negotiate in good faith, then I agree we should pass the Bill in it's entirety. But you have to give the parities that opportunity. They are meeting as we talk. We have to give them the opportunity to negotiate, to continue that bargaining process. It is the right thing to do. And if they don't continue with their bargaining, if neither party negotiates in good faith, we should come back here and pass the Bill, the way it is. But you have to give them that opportunity. They are making progress. And I would simply say we treat this matter the way we treat other pension matters. Let the parties come to an agreement. That is the fair way to do it. And I've heard many of my friends on that side of the aisle say, we should not ever interfere in the collective bargaining process. Well, that's what you are doing with this proposal. We can grandstand and talk about the police and that's what we want, we want to help them. But we should them do it at the table first and if we can't, then we should come back and pass the Bill and then, it would be the right thing to do."

Speaker Hannig: "Representative Daniels."

Daniels: "Okay. Now, we're being told that they are negotiating, which is not what we understand to be the case. I'm not challenging the Gentleman's word, but I am telling you that

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we are told as of recently as yesterday that the negotiations are not progressing. Then we're being told to wait until the Veto Session, so this Bill can be combined with a billion dollar pension increase Bill with all other people. Now, let's examine what we did last year. We increased and rightfully so, the pension benefits for downstate firemen. The biggest difference was we increased the pension formula from 2% to 2.5% for the 21st through the 30th year of service. That is major increase for them. I voted for that, as did almost ever other Member of the House vote for that and was glad to support it. But now were being told, that our police people that are in harms way day in and day out to protect our very safety are not in the same category and don't deserve the same attention. They have to negotiate, because the other side of the aisle made some kind of deal with the Municipal League to wait until next Veto Session before they can agree upon a pension change. Well, I say, ridiculous. I say it's time to move now. There's no question about what we need to do. What we need to do for our police officers, the people that protect our safety. Representative Black was absolutely right in what he said. This is ridiculous and it's a sham to hold on this. And we're not going to stand here and watch this ridiculous excuse that would turn their back on every police officer outside the City of Chicago. So, let me tell ya, everybody, Republican or Democrat, that's outside the City of Chicago, if you vote against this Motion to have this heard immediately, you are voting against every law enforcement official in the State of Illinois, people that stand up for your safety and your freedom and your protection, every single day. And the Republican side of the aisle is not going to do that. Now

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the answer for that is for you to join us, quite simple, join us and discharge in the Rules Committee, bring it to the floor, pass this benefit for the police right now. Don't delay anymore. Let's get it done today."

Speaker Hannig: "Representative Murphy."

Murphy: "Thank you. Thank you, Mr. Speaker. Let's sort of set the record straight a little bit here. And that is on this pension Bill, first of all, the Sponsor of this Bill is my colleague, Representative Smith. And now in my district, I've been getting a number of calls from police officers saying that I'm blocking the Bill, which is not true. However, I did have an opportunity to vote on this Pension Bill, and I voted to get it out of the Pension Laws Commission. Once this hits the floor I don't know what's going to happen and who's going to vote how. But I'm in opposition of suspending the Rules to take it from the Rules Committee to floor, that's why we have a committee. I think the fair thing to do is to have a fair hearing in the Pension Committee. Now, I represent none of Chicago, so all of my police officers would considered downstate. After saying that, as I told them when they called my office, that I had an opportunity to vote on the Bill and I voted 'yes' to pass it to the House. It's non Rules. When it comes out of Rules, I'll still be voting 'yes'. And in my committee, and when it hits the floor I'll vote 'yes'. But I stand on opposition to move it from Rules at this point in time. Thank you."

Speaker Hannig: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. And I think Leader Daniels put it very well in terms of this issue and explaining it very very simply and I rise in support of this Motion to discharge of with

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Representative Cross. And I can't help but think that it just seems a little bit ironic that some of the people are standing up talking about this issue, happen to be from the city where they already have the plan. You already have the program. And all were saying is, for our downstate policemen, who serve us everyday, policemen and women that are at risk everyday, all we're saying is, fair is fair. Let them be under the same plan that you offer your policemen in the City of Chicago and that we offered for our firefighters statewide. That's all we're saying. Ladies and Gentlemen of the House, let's just be fair. Do what needs to be done to see that these people are rewarded for the risk that they take everyday."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I rise in support, the Motion to discharge from committee, the Police Pension Bill. Now I think all of us, probably in the last week, have gotten phone calls from police officers and law enforcement people asking for the opportunity to publicly discuss a pension increase. I, also, have received from my municipal people a request not to vote for it. And I am trying to weigh the two requests. But I can't do that if a Bill is not out to be discussed where I have an opportunity as all of you will, to vote on it. I just can't do that. Now, one of the previous speakers a few minutes ago said, you know we should have some kind of a discussion this fall and that negotiations are ongoing. But we can never really call the Bill in the next three weeks if it's not out on the floor for discussion. This does not make sense. In other words, what we're saying, 'well, we can't vote on it because it's not out. But we're not going to let it out, so that we can discuss it and vote on it.' And it just doesn't make

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sense. We ought to call this out. You know we got three weeks to negotiate. We have always found as that we get to the end of Session that the pressure builds on opposite parties because they know by the end of Session, the we're going to do something. Well, you're taking all that away. You're saying, 'Oh we're just going to wait until the fall.' Well, you know what I'm afraid of, just like you, I'm afraid that raw politics are getting involved, that we're going to ask for somebody in the police departments to get involved in campaigns to say, 'Well, if you don't get involved in campaigns, we're going to hold it until the Fall Veto Session', which we may not call the Bill at that time. This ought not to be the way this ought to be approached. This is a legitimate issue. This is a matter of fairness. Police officers deserve the right to have the issue discussed publicly. Not behind closed doors, but publicly by all Members, to discuss it, to listen to the debate, to discuss it. I mean the media ought to be saying, this is only a matter of fairness, that we ought to take this out of the smoked-filled room and put in out in front of the people of Illinois. I think that's fair. That's what we ought to do. I support it. As we know, this is a downstate police issue. The City of Chicago already has an enhanced pension system. You know it's easy for people from Cook County... from the City of Chicago to say, don't worry about this. We're talking about our downstate police officers who deserve to have the opportunity to hold everyone of us accountable before the general election in the fall, to determine whether or not they want to support us based on this legislation. This is a matter of fairness. I support the Motion. And Mr. Speaker, as has been requested we want a verified roll call

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on the Motion to Override the Chair."

Speaker Hannig: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker, Members of this chamber. I'm the House Republican Chairman of Pensions. And I sit there with one other House Republican and two Democrats in the Pension Laws Commission. When we passed this unanimously out it was a done deed. It was something that had been negotiated and the negotiations were completed. I don't understand your statement that the negotiations are ongoing, because it was a completed package. If the negotiations are ongoing then that conclusion is going to have to be brought back to the Pension Laws Commission and we're going to have to start the whole process over. We passed a Bill. It was complete. It was agreed upon by both sides of the aisle. The question that they had was not the Bill, but how do we make it retroactive? The question was, how do we create a Bill that was fair and get the firemen caught up to the police? The longer that this Bill lingers, the more difficult it is going to be administratively to catch up the individuals who retired a year ago, retired a year and a half ago. This thing needs to get passed now because it is going to be more and more complex as this thing lingers. It was passed as a concept. It is a completed Bill. There are no negotiations on the Bill we passed. I think that we we ought to get to this vote and we ought to create a unified policy, once again, between the benefits for the firefighters and the police. I support the Motion to Discharge."

Speaker Hannig: "Representative Smith."

Smith: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in opposition to this Motion. And I would like to set the record straight for the Members of the

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House. This is not the real police pension Bill. House Bill 3006 is the Bill that I have sponsored. I have sponsored all the initiatives in the police pension package before the Pension Laws Commission. I'm glad to see so much support for this issue from the Members on the other side of the aisle who have risen on this Motion. I want to clarify a couple of issues, though. And with all due respect to the previous speaker, the Bill that we passed out of the Pension Laws Commission was not agreed to by the Municipal League. We had to pass it out with a Super Majority. And we indicated then that we would continue discussions with the Municipal League. I've sat in on some of those meetings. I haven't seen any of the Members who have risen for this Motion in on those meetings in the negotiations. And they are ongoing. They occurred just within the last week. If you really want to move the police pension package forward, then I would encourage you to call your mayor's and tell them to support the package and then join with me in going over to the Municipal League and we'll have the negotiations. And what a show of support that would be to have several Members of the House join with me and with the organizations representing the downstate police and then we can really get something accomplished for the police officers of the state. I urge a 'no' vote on this Motion."

Speaker Hannig: "So, Representative Cross, on your Motion to Discharge the Rules Committee, the Rules specifically requires unanimous consent. We've had at least three Members, Representative Granberg, Murphy, and Smith object and so the request is denied and the Motion fails. Representative Cross."

Cross: "Well, seems like a real... an unbelievable tragedy that

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you guys are against police officers in the State of Illinois. I move to override the Chair. I'd like a record roll call and I think everyone needs to be very clear, you're either with the police, or you're with the criminals. And so, I would encourage the appropriate vote."

Speaker Hannig: "Representative Lang."

Lang: "Point of order, Mr. Speaker."

Speaker Hannig: "Yes, state your point, Representative Lang."

Lang: "The Rules of the House state that if one Member objects, then the Discharge Motion cannot prevail. I don't understand how a Member can make a Motion to Overrule the Chair when the Chair is simply abiding by the Rule of the House. This cannot be debated nor can he appropriately make a Motion to Overrule you. The plain Rule is, if any Member objects, the Motion must not prevail."

Speaker Hannig: "Representative Black."

Black: "Mr. Speaker, in all due respect to the Gentleman who was quoting plank number three of his platform to run for Governor, I wish him well. I really do, I wish him very well. I'm looking forward to introducing him in my district to police officers. Mr. Speaker, there was a precedent set, if you want to call it that. Now, we went through this exercise last week with the real Speaker, in the Chair, and I read the same Motion that I did ten minutes ago and asked for a roll call and Speaker Madigan gave us the roll call. I'll repeat what I asked him a week ago, since you've denied our Motions that are in full accordance with House Rules. We respectfully, and I underline that, we respectfully ask for a record vote on a Motion to Appeal the Ruling of the Chair pursuant to House 57(a) and we ask for a record vote are under our right to

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do so as embodied in Rule 49. Now on, it was on almost an identical situation last week, Speaker Madigan granted our request for a record Roll Call vote on a Motion to overrule the Chair. I don't know of any major changes that have occurred between this week and last week. And I'm not at all sure that in all due respect to the previous Speaker, that the Rules are very clear that this is not an appealable Motion. I don't think it so states, but..."

Speaker Hannig: "Representative Black..."

Black: "...you know if you granted us that precedent last week let's just do it this week."

Speaker Hannig: "Yes, Representative Black, the question to overrule the Chair is on order."

Black: "Yeah, yeah."

Speaker Hannig: "And that's what we're debating."

Black: "I thought so. That's you know we're just... we're just doing... and if you would correct, at the appropriate time, if you'd correct the Gentleman on the other side of the aisle who hasn't read the Rule book lately then he should stand properly chastised and I look forward to the roll call."

Speaker Hannig: "Representative Skinner."

Skinner: "You know the problem here is the Rules. There used to be a time when 60 Members of this General Assembly could advance any Bill anytime. But we're now far into the... we've advanced too far into the 'Punch and Judy Show'. We are all puppets, but two. Now eventually, a Majority of this General Assembly may decide to change the Rules. And when that day happens we can dispense with meaningless debates like this and actually do something."

Speaker Hannig: "So, Representative Cross has moved that the Chair be overruled. And so the question is, 'Shall the

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Chair be sustained?' All those in favor vote 'aye'; opposed 'nay'. And the voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 61 voting 'yes', and 56 voting 'no'. And the Motion fails and the Chair is sustained. The Motion is adopted and the Chair is sustained. Representative Acevedo."

Acevedo: "Yeah, Mr. Speaker. Let the record reflect that my buttons weren't working and I'd like to vote 'present' on the last vote."

Speaker Hannig: "Yes. And Representative Acevedo, the record will reflect that. Representative Davis, are you prepared on Senate Bill 1617? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1617, a Bill for an Act concerning automobile insurance coverage. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Davis. Representative Steve Davis."

Davis, S.: "Yes. Thank you, Speaker, Ladies and Gentlemen of the House. Senate Bill 1617 requires automobile insurance policies, issued or renewed after the effective date of this Act, to include coverage for the replacement of a child restraint system that was used by a child during an accident to which the coverage is applicable. And I would be happy to answer any questions on the Bill."

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

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

Speaker Hannig: "He indicates he will."

Black: "Representative, it's obviously a good Bill and probably pass unanimously. I just have one question. Has there been any verified cases in which an insurance company doing business in Illinois, after a serious automobile wreck, has

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told an insured that, whose God forbid, whose child safety seat was severely damaged or destroyed in the accident, that they wouldn't pay to replace it? I mean, it's part of the personal property in the car. I thought it was covered under the policy."

Davis, S.: "I can't answer that, Representative Black. I'm not aware of any."

Black: "Did the insurance company show up at any of the committee meetings to indicate that they either did not or would not cover this piece of life-saving property, in the car? I mean, I can't imagine any insurance company saying to you after a wreck, 'We're not gonna pay for that.' I don't know how they could get out of it."

Davis, S.: "Well, Representative, the insurance companies were in committee and they were in support of the Bill."

Black: "Yeah, I would think so. I mean, and I don't mean to raise any red herring on your Bill. If there's an insurance company out there who says they would not replace it, when it's mandated by law and they, in fact, I'm sure, are saving millions of dollars by not having children bouncing all over the inside of a vehicle in case of a tragic accident, I would be flabbergasted. That was the only question I had when I saw this Bill, is I couldn't believe that any insurance company would hassle a policy owner about replacing a child safety seat, that most all of them endorse, and I'm sure has reduced injuries, which certainly has saved them money."

Davis, S.: "Well, I agree with you, Representative. I would hope that no insurance company..."

Black: "Yeah, all right. Well..."

Davis, S.: "...would ever oppose replacing a child safety restraint device. However, we know that the insurance

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companies have... the heart of the consumer is #1 in their mind and not profits. Right."

Black: "And I suppose it could happen, saying it wasn't an appurtenance of the car and so forth and so on. So, I guess we'll make it crystal clear. But maybe somebody can contact us later on and say, 'Well, we didn't cover it because...' and then we can always say, 'Well, you'll cover it from now on.' Thank you very much, but..."

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

Black: "All right. Thank you."

Speaker Hannig: "Representative Davis, to close."

Davis, S.: "I would just ask for a favorable vote on the passage of Senate Bill 1617."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. The Chair is preparing to adjourn. Are there any announcements? Are there any announcements? Representative Giles."

Giles: "Thank you, Mr. Speaker. The Local Government Committee will meet at 9:00 a.m. tomorrow instead of 8:30, due to a conflict in the Chairman's schedule. We will meet at 9:00 a.m. instead of 8:30 a.m. Thank you."

Speaker Hannig: "Representative Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen, inquiry of the Chair and an announcement. Our Energy and Environment Committee was supposed to meet at 4:00 or immediately after Session. So, since it's 1:30, I would suggest that the Energy and Environment Committee should convene at 2:00

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p.m., at 2:00 p.m., for subject matter hearing on the implementation of the Vehicle Emissions Testing Act for diesel trucks. That'll be in Room 114 of the Capitol, 2:00 p.m., Energy and Environment. Thank you."

Speaker Hannig: "Representative Brunsvold."

Brunsvold: "Thank you, just a reminder, Members, softball practice this afternoon at Springfield High School, just on the north side of the high school over here about 2 blocks, 4 o'clock to approximately 5:30 or 5:15, in that neighborhood. And it'll give everybody a chance to go their receptions this evening. So again, softball practice tonight at 4 o'clock at the field just north of Springfield High School."

Speaker Hannig: "Representative Burke."

Burke: "Yes, thank you, Speaker. For the Members of the Executive Committee, be advised that the committee will meet at 9 o'clock, rather than 8:30 tomorrow, Executive Committee."

Speaker Hannig: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I'd like to alert the Members of the Appropriations Committee for General Services and Government Oversight, that we will meet at 9 a.m. tomorrow, instead of 8:30. That's 9 a.m."

Speaker Hannig: "And now Representative Currie moves that allowing perfunctory time for the Clerk, that the House stand adjourned until tomorrow at the hour of 11:00 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it; and the House stands adjourned."