

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

117th Legislative Day

April 6, 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 Wesley Ooms of the Community Bible Fellowship of El Paso in El Paso, Illinois. Pastor Ooms is the guest of Representative Brady. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Ooms: "Thank you, Mr. Speaker. Let's go to our Heavenly Father in prayer. Let's pray. Our gracious Father, we do thank You for the privilege that we have of gathering together this afternoon, Lord, for these men and women who represent our communities and our state, for the diligence and the fervor by which they apply themselves to the work they have at hand. Father, we would lift them up to You and ask that You would bless them with wisdom that truly comes from above as they deal with issues that are complex and pray that You will elevate them beyond the smear of politics to the area of statesmanship. Father, I pray they will vote with conviction and integrity and not merely for convenience. And Father we recognize that their responsibility is truly awesome. And we had asked that You would bless them, encourage them, strengthen them and help them to do the jobs that not only the people have called them to, but Father You as well. Thank You for the privilege of living in a free country and being able to exercise this Democratic process, as we do, even this afternoon. So Father, we thank You for Your presence and we thank You for Your blessing on all that are here today. And we thank You in Jesus' name."

Speaker Madigan: "We will be led in the Pledge of Allegiance by Representative Dan Reitz."

Reitz - et al: "I pledge allegiance to the flag of the United

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States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

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

Currie: "Thank you, Speaker. Because of the enthusiastic activity of last evening, the win by the House of the House-Senate baseball game, all House Democrats are here to savor the victory and the installation of the trophy."

Speaker Madigan: "Mr. Poe."

Poe: "Yeah, Mr. Speaker. Let the record reflect that all Republicans are present 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 Rossi: "Committee Reports."

Speaker Madigan: "Mr. Turner in the Chair."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on March 6, 2000, reported the same back with the following recommendation: 'to the floor for consideration' Senate Bill 1007 recommends 'be adopted' Floor Amendment #2 to Senate Bill 1249. Floor Amendment #2 to Senate Bill 1281. Floor Amendment #3 to Senate Bill 1425. Floor Amendment #2 to Senate Bill 1451. Floor Amendment #3 to Senate Bill 1660. Floor Amendment #1 to Senate Bill 1307. Floor Amendment #3 to Senate Bill 1444. Floor Amendment #3 to Senate Bill 1541. 'To the Order of Concurrence' Motions approved for consideration to concur with Senate Amendment #1 to House Bill 3256 and a Motion to Concur with Senate Amendment #1 to House Bill 4097. Introduction of Resolutions. House

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Resolution 719, offered by Representative Franks; House Resolution 723, offered by Representative Parke; House Resolution 728, offered by Representative Younge; House Resolution 732, offered by Representative Lopez; House Resolution 735, offered by Representative Flowers; House Joint Resolution 59, offered by Representative Burke; House Joint Resolution 60, offered by Representative Andrea Moore; and House Joint Resolution 61, offered by Representative Crotty are assigned to the Rules Committee."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentlemen, if we could have your attention. Concerning the plan for the weekend, it is the intent of the Chair to adjourn tomorrow afternoon and return some time on Monday, at a convenient time on Monday. Does that make you happy, Mr. Hoffman? Mr. Turner in the Chair."

Speaker Turner, A.: "The Gentleman from Rock Island, Representative Brunsvold, for what reason do you rise?"

Brunsvold: "To talk a little bit about the defeat of the Senate last night on the softball park."

Speaker Turner, A.: "Proceed."

Brunsvold: "I've been involved in the softball game since 1983 and last night was probably one of the best softball games that I can remember. The House was ahead in the second inning 10-3, got behind in the sixth inning 11-10 and in the last inning we needed two runs to win the game. And there were two outs and Mr. Rich Bradley was at the plate with the bases loaded and hit a base hit into left field, I believe, scoring two runs and beating the Senate 14-13. Mr. Bradley is our most valuable player last night. Let's give another round of applause. If everyone's real quiet, you can hear a whining coming from the Senate. Right now, the team would like to present the trophy to the Speaker

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and if the team members would assemble down in front of the podium, we'll take a picture and present the trophy to the Speaker."

Speaker Turner, A.: "As the team members are coming up, the Gentleman from Madison, Representative Stephens, for what reason do you rise? I understand you're the..."

Stephens: "Well, Mr. Speaker, we are obviously joyed on this side of the aisle, also. This was, indeed, a team victory, but I will tell you, everyone who was there, as well as each of the individual players played and as well as they played as a team, without the coach, Joel Brunsvold, it would have been for nought."

Speaker Turner, A.: "Thank you. Let's hear it for the coach. And Representative Stephens, it's my understanding that, I think, you're the only member of the team who still has a, well not the only member, but one of a few members who still the won/loss ratio is still greater. And so that this is extremely important for you last night."

Stephens: "Obviously."

Speaker Turner, A.: "So if the team members would come down front for a photo, we'd appreciate it. The House will stand at ease for two minutes. On the Order of Second Readings we have Senate Bill 730. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 730 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Scott, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Winnebago, Representative Scott."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an issue that we saw before. It was on a Motion to Table. It involves the requirement that a minor

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have counsel with him before giving any kind of custodial interrogation can take place. The Amendment that we had before would have made that requirement for minors who are charged with sexual assaults or are being investigated for sexual assaults or homicides 17 and under. That Amendment was tabled, as you recall, last week. What Floor Amendment #2 does is that it makes that requirement for minors who are 12 and under would have to have counsel present during a custodial interrogation, again, for the same crimes. It passed the Attendance Roll Call, out of Judiciary II, recommending it be approved yesterday. I'd be glad to take any questions."

Speaker Turner, A.: "The Gentleman from Cook, Representative Durkin, for what reason do you rise?"

Durkin: "Will the Sponsor yield?"

Speaker Turner, A.: "He indicates he will."

Durkin: "Thank you. Representative Scott, could you just go over briefly the enumerated offenses which you have included in this Amendment that we're talking about when an attorney must be present for the interrogation?"

Scott: "Jim, it's any crime that would, if committed as an adult, would be classified as a sexual assault or a homicide so that would include reckless homicide, aggravated criminal sexual assault, any crime that would be either a sexual assault or a homicide."

Durkin: "Okay. Just one brief question and one last one. The scenario is where the juvenile, someone under the age of 13, is brought in for questioning, the interrogation begins, no attorney is present. He gives a statement in which the police officers are able to go out and find evidence based on that statement. You go into court, a Motion is prepared to suppress the statement because the

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attorney wasn't present. Do you believe that that would, any fruits of that statement, would be suppressed under that doctrine of 'fruit of the poisonous tree' based on the Amendment and also the appropriation against any interrogation?"

Scott: "No and I'm glad you asked that. But that's the same question that came up in the videotaping Bill. Under the case that established the 'fruit-of-the-poisonous-tree' doctrine, that's a constitutional protection. We've got a statutory one, here. I don't believe that that would have the same implication. So any of that other information that they found as a result of the initial talk, I believe, would be admissible. Also, the statement still could be. We're not sayin' that it's absolutely inadmissible. That would still be up to the judge to decide."

Durkin: "Okay. All right, I just want to make it perfectly clear that, you know, and that has been a concern about the statement is a very detailed statement and they find evidence which corroborates and implicates that person which, some people are concerned, it could get thrown out. It would destroy the whole case and it's cheap, Doug. Thank you very much."

Scott: "Thank you, Jim."

Speaker Turner, A.: "The Gentleman from Winnebago, Representative Scott, to close."

Scott: "I just ask for support in adding this Amendment on."

Speaker Turner, A.: "The question is, 'Shall Amendment 2 pass?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And #2 is adopted."

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second

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Readings, we have Senate Bill 1295. Read the Bill, Mr. Clerk. Out of the record. On the Order of Second Readings, we have Senate Bill 1303. Out of the record. On the Order of Second Readings, we have Senate Bill 1645. Representative Biggins. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1645 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "The Gentleman from DuPage, Representative Biggins."

Biggins: "Thank you, Mr. Speaker. A request, please, to hold this Bill on Second. There is an Amendment that's been drafted, but I'm not able to file it just yet and I need to have concurrence. I appreciate that."

Speaker Turner, A.: "Out of the record. The Bill will remain on Second. The Lady from Lake, Representative Garrett, for what reason do you rise?"

Garrett: "I rise on a point of personal privilege. I would like to welcome the hundreds of people here from the North Suburban Library System and I would like to point to some of the members in my district over there in the gallery and welcome them to Springfield. Thank you for coming."

Speaker Turner, A.: "Welcome to Springfield. The Gentleman from Cook, Representative Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker. I'm told there is a momentous occasion on the floor of the Illinois House. Tomorrow is the birthday of Edgar Lopez. And we all wish him well and he spent all evening baking a cake which is in the front of the Democratic side and I'm sure those of you that partake will enjoy it. Happy Birthday, Edgar."

Speaker Turner, A.: "Happy Birthday, Representative. On Third

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Readings, we have Senate Bill 1353. Representative Giglio.
Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1353, a Bill for an Act amending the
Illinois Identification Card Act. Third Reading of this
Senate Bill."

Giglio: "Thank you, Mr. Speaker and Members of the House. Senate
Bill 1353 is an initiative brought forth by Secretary of
State Jesse White which would amend current law so that
senior citizens would not need to renew their
identification card. It's a Bill that I don't believe has
any opposition at all. It passed out unanimously out of
the Senate and the proponents include the Secretary of
State's Office and AARP. And I would ask for your
favorable support."

Speaker Turner, A.: "Are there any questions? Seeing none, the
question is, 'Shall Senate Bill 1353 pass?' All those in
favor should vote 'aye'; all those opposed vote 'no'. The
voting is now open. Have all voted who wish? Have all
voted who wish? Have all voted who wish? Representative
Morrow's switch. Have all voted who wish? The Clerk shall
take the roll. On this question, there are 118 voting
'aye', 0 'noes', 0 'presents'. And this Bill, having
received a Constitutional Majority, is hereby declared
passed. On the Order of Resolutions, we have House
Resolution 93. Representative McKeon."

McKeon: "Thank you, Mr. Speaker. House Resolution 93 is a carry
over from last year. Actually, we thought was on the
Agreed Bill list and fell through. It recognizes Horizons
Community Services for its 25th anniversary which was,
actually, last year. I have with me Roger Dowdy who is the
executive director of Horizons. Horizons is the largest
social service agency in the Midwest providing services to

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the gay and lesbian community in the greater metropolitan Chicago. And I ask for your favorable support."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall House Resolution 93 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And House Resolution 93 is adopted. On the Order of Second Readings, we have Senate Bill 1426. Representative Myers (sic-Meyer). Read the Bill, Mr. Clerk. 1426."

Clerk Rossi: "Senate Bill 1426, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Jim Meyer, has been approved for consideration."

Speaker Turner, A.: "Third Reading. I'm sorry. Representative Myers (sic-Meyer) on Amendment #1. Yes, Sir. The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, in all due respect to your Leadership, since when do we offer Floor Amendments for consideration and just say Third Reading?"

Speaker Turner, A.: "Representative, that was a mistake. The Gentleman's about to explain that Amendment, now."

Black: "You're a man of integrity and honor, Sir, in a world devoid of much of that and I applaud you for that."

Speaker Turner, A.: "Thank you, Representative. The Gentleman from Will, Representative Meyer on Amendment #1."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 was actually heard in committee yesterday and passed with no dissenting votes. It really is an Amendment that Representative Mitchell came to me and asked me to sponsor for him and add it to this Bill and he should be up there as the third hyphenated Sponsor. I would ask that he could go through and explain the

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Amendment."

Speaker Turner, A.: "Leave can be granted. He'll just sign the slip. It's no problem. The Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 simply goes back to a Bill that passed this chamber with a hundred votes. In order to make our schools safer, we have modified that with some more work, after discussing with several Representatives, to make it permissive for school districts. Basically, what it says now is that, if a student is expelled for any reason, the district may adopt a Resolution or may adopt a policy, I should say, to its policy book to allow them to honor the expulsion of another district. If they choose not to do this, then the law stays the same. The underlying law, as you remember, says that a district can only keep a student out if the offenses of carrying a weapon, battery of a teacher or drugs were involved. This happened with a district in my district and began the legislation. With work with the alliance and the Illinois Principals' Association, I think, we've finally crafted an Amendment that, with the help of Representative Myers (sic-Meyer), should pass both chambers and be signed by the Governor. And clear up a problem and some confusion that's in the School Code at this time. I would appreciate your 'aye' vote on Senate Bill 1426. Thank you."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment 1 to Senate Bill 1426 pass?' All those in favor say 'aye'... 'be adopted'. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, we have Senate Bill 1871. Representative Kenner. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1871 has been read a second time, previously. Amendment #1 was adopted in Committee. No Motions have been filed. Floor Amendment #2, offered by Representative Kenner, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Cook, Representative Kenner, on Amendment #2."

Kenner: "Thank you, Mr. Speaker. The underlying Bill provides that state agencies file with the Comptroller any grants exceeding \$10,000. And Amendment #2 simply defines a grant according to accounting standards established by the Comptroller's Office. I would move on this Amendment. Thank you."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Amendment #2 to Senate Bill 1871 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments? Representative Kenner. Is it true you had a Motion to table Amendment #1 on this?"

Kenner: "Yeah. I would move to table Amendment #1."

Speaker Turner, A.: "All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 has been tabled. Further Amendments, Mr. Clerk?"

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

Speaker Turner, A.: "Third Reading. On the Order of Second Readings, we have Senate Bill 649. Representative

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Stephens. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 649 has been read a second time, previously. Amendment #1 was adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by Representative Stephens, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Madison, Representative Stephens."

Stephens: "If you can bear with me just a minute, Mr. Speaker. Thank you. Senate (sic-Floor) Amendment 2 to Senate Bill 649 was just a technical change replacing the term 'womb', changing the term 'womb' to 'person' and adds 'or attempt' to the term 'create'. The purpose of this Amendment is to insert legally recognized term 'person' as opposed to the clinical term of 'womb'. In addition, the term 'attempt to create' broadens the restrictions. It was an Illinois Medical Society and the Pharmaceutical Research and Manufacturers of America are in support of this Amendment. I would move its adoption."

Speaker Turner, A.: "Are there any questions? Seeing none, 'Shall Floor Amendment #2 to Senate Bill 649 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second Readings, we have Senate Bill 1693, page 8 of the Calendar. Representative Hamos. Representative Hamos. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1693 has been read a second time, previously. Amendment #1 was adopted in Committee. Floor

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Amendment #2, offered by Representative Hamos, has been approved for consideration."

Speaker Turner, A.: "The Lady from Cook, Representative Hamos."

Hamos: "And, Mr. Speaker, I believe Floor Amendment 4 has been approved for consideration."

Speaker Turner, A.: "We'll do them one at a time."

Hamos: "You're doing that next? Okay. I would like to, at this time, table Amendment #1 to Senate Bill 1693."

Speaker Turner, A.: "The Lady moves... Any discussion? The Gentleman from Kane, Representative Hoeft. The Lady moves to table Amendment #1 to Senate Bill 1693. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is tabled."

Hamos: "Thank you, Mr. Speaker. Floor Amendment #2 adopts essentially parts of Amendment #1 that was just tabled at the request of the Chicago Bar Association. And then adds another provision that is very important to one of the constituents in my district and I believe to many constituents of all of ours. The part that the Chicago Bar Association has asked for is actually a clarification from language that was passed last year that created an indemnity fund, or a scavenger fund from a new fee that we charged last year for sale tax purchasers. But at that time, we didn't clarify correctly how much would have to be paid by the purchaser to... in that indemnity fund and that's all the Chicago Bar Association portion of this Amendment does. In addition to that, Floor Amendment #2 deals with a problem that I believe again, many constituents have. I have named this the Willy Weeks Amendment. It is being clarified by Floor Amendment #4 and I'd like to explain it as Floor Amendment #4, if I can. So,

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I'm asking for approval of Floor Amendment #2."

Speaker Turner, A.: "Are there any questions on Amendment #2? Seeing none, the question is 'Shall Floor Amendment #2 to Senate Bill 1693 be adopted?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #4, offered by Representative Hamos, has been approved for consideration."

Speaker Turner, A.: "The Lady from Cook, Representative Hamos, on Floor Amendment #4."

Hamos: "Thank you, Ladies and Gentlemen and Mr. Speaker. Floor Amendment #4 addresses what I believe to be a real injustice that happened to one of my constituents. I hope to have an opportunity to explain this on Third Reading. But what this has to do with are homeowners who paid their property taxes in good faith, based on the property tax bill that they received. Only to find out, sometimes years later, that the property taxes were applied to the wrong index number. And Floor Amendment #4 tries to rectify this situation and corrects, and I've been working with the Cook County States Attorney, the Cook County Treasurer and the Tax Buyers Association to get it into the form that is now in Floor Amendment #4. And I ask for its approval."

Speaker Turner, A.: "The Gentleman from Vermilion. Are there any questions? Seeing none, the Lady moves that Floor Amendment #4 to Senate Bill 1693 be adopted. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #4 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from Kane,

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Representative Hoeft, for what reason do you rise?"

Hoeft: "A matter of personal privilege. My seatmate here, Anne Zickus, is celebrating a birthday today. We will be diligent in not asking which one, but if you want to do that individually. There's a cake up here. Anne has asked that all the starting members of the victorious House baseball team be given three pieces and everyone else if you'd like to come up and share with the cake. I'd like a hand for Anne Zickus."

Speaker Turner, A.: "Happy Birthday, Representative. On the Order of Third Readings, we have Senate Bill 1391. Representative Lyons. That's page 3. Out of the record. On the Order of Third Readings, we have Senate Bill 1397. Representative Lawfer. Out of the record. On the Order of Third Readings, we have Senate Bill 1735. Representative Zickus. Page 4 of the Calendar. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1735, a Bill for an Act concerning the regulation of professions. Third Reading of this Senate Bill."

Zickus: "Thank you, Mr. Speaker and Members of the House. This is a Department of Professional Regulation Agency Bill. It eliminates certain requirements for annual reports from various boards to the department director. It eliminates the requirement that the department submit a report to the General Assembly concerning cosmetology trade schools. Currently, these boards submit monthly reports so the annual reports are just repetitive and when, you know, they've not been doing them, but because they are in the statute when the Legislative Audit Commission does their audit they're found in violation. So this is just to clear up something that's repetitive. Would appreciate your

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support."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 1735 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have Senate Bill 1428. Representative Silva. Out of the record. On the Order of Third Reading, we have Senate Bill 1690. Representative Feigenholtz. Out of the record. Members attention. We're going to go to those Bills that were referred from committees directly to the floor, Amendments that were directed to the floor. That's the Order of Business we're headed to. And on that, we will start with House Bill 3435. Representative Moffitt. Out of the record. On the Order of Second Reading, we have Senate Bill 1249. Representative Boland. On Amendment #... Representative Boland. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1249 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Boland, has been approved for consideration."

Boland: "Mr. Speaker, I'm gonna move to table Floor Amendment #1, but I have Floor Amendment #2 is in Rules. And so after we table this then I'd like it to stay on Second Reading 'til we get that second Amendment."

Speaker Turner, A.: "The Sponsor requests to withdraw Amendment #1 and the Amendment is withdrawn. All those in favor say 'aye'; those opposed say... the Amendment is withdrawn."

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Further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Boland, has been approved for consideration."

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

Boland: "Thank you, Mr. Speaker. Floor Amendment #2 clarifies the language of the Bill and sets a 30 day time portion onto it. And basically, this Amendment was worked out between Randy Witter of the Mortgage Bankers and the Senate Sponsor and myself. So I ask for the adoption of Floor Amendment #2."

Speaker Turner, A.: "The question is, 'Shall Floor Amendment #2 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Senate Bills... I should say, Second Reading, we have Senate Bill 1281. Representative Black. Representative Black."

Clerk Rossi: "Senate Bill 1281 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Barbara Currie, has been approved for consideration."

Speaker Turner, A.: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker, Members of the House. This Amendment came to me from the University of Illinois Agriculture Extension Program. They sponsor and work with kids in the Chicago Public Schools who do 4-H programs and those children often win awards. But there is an awkwardness about carrying cash even in small amounts from one city school to another. Their practice has been to

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award something of comparable monetary value to the \$7.50 or \$9.00 award that the young person won, but that is not actually contemplated under the existing law. This Amendment merely says that the award shall be in cash or an item of comparable monetary value. I know of no opposition. And I appreciate your support for the Amendment."

Speaker Turner, A.: "The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. There's a request the Bill remain on Second. On the Order of Second Reading, we have Senate Bill 1451. Representative Sommer. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1451 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Sommer, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Tazewell, Representative Sommer."

Sommer: "Thank you, Mr. Speaker. This is a very technical Amendment. All it does is change one word in the Bill. It changes it from 'contents' to 'standards'."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Floor Amendment #2 to Senate Bill 1451 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second

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Readings, we have Senate Bill 1307. Representative O'Connor. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1307 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative O'Connor, has been approved for consideration."

O'Connor: "Thank you, Mr. Speaker. Floor Amendment #1 is a technical Amendment changing the effective date from the year 2000 to the year 2001 of this legislation which amends the Senior Citizens Assessment Freeze Homestead Exemption. Be happy to answer any questions."

Speaker Turner, A.: "The question is, 'Shall Floor Amendment #1 to Senate Bill 1307 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second Readings, we have Senate Bill 1444. Representative Connie Howard. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1444 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Wyvetter Younge, has been approved for consideration."

Speaker Turner, A.: "The Lady from St. Clair, Representative Younge."

Younge: "I thank you, Mr. Speaker. Amendment #3 would establish the Southwestern Illinois Teachers Academy of Math and Science and Technology. This academy would be located in Southwestern Illinois at Parks Aeronautical Engineering campus site. It would, basically, train teachers in math and science. The great need in Southwestern Illinois and

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Southern Illinois is to improve the math and science scores. We have the second lowest scores in the state. And the building of a math and science academy is supported by the regional superintendents of schools and also, the superintendent of the school district where this will be located. And I move that this be adopted."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Floor Amendment #3 to Senate Bill 1444 pass?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #3 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from McDonough, Representative Myers, for what reason do you rise?"

Myers: "Thank you, Mr. Speaker. I rise on a matter of personal privilege."

Speaker Turner, A.: "Yes, state..."

Myers: "Representative Art Tenhouse and I would like to call the chamber's attention to the gallery where we have two students from just about every high school in our district as well as parents and advisors accompanying those students in town today as part of their first meeting as our student advisory council. Earlier this morning, these students were sworn in to the student advisory council, administered an oath by a justice of the Appellate Court in the Supreme Court chambers of the State of Illinois. Let's give those students and parents and advisors a big hand."

Speaker Turner, A.: "Welcome to Springfield. Mr. Speaker (sic-Clerk), what's the status of Senate Bill 1444?"

Clerk Rossi: "Senate Bill 1444 is on the Order of Senate Bills-Third Reading."

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Speaker Turner, A.: "The Sponsor requested it be brought back to Second. On the Order of Second Readings, we have Senate Bill 1541. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1541 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Rutherford, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. I'd like to withdraw Amendment #2."

Speaker Turner, A.: "The Gentleman requests to withdraw Amendment #2."

Clerk Rossi: "Amendment #3, offered by Representative Rutherford, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Livingston, Representative Rutherford on #3?"

Rutherford: "Yes. Thank you, Mr. Speaker. Floor Amendment #3 has two minor changes in what the underlying Committee Amendment did. It goes to page 2, line 15. Changes as to clarify that we're talkin' about Subsection A as opposed to the entire Section. And it, also, adds in two words talking about the Illinois Commerce Commission's ability to promulgate rules. That's the only difference to it and I'd be glad to explain the entire Bill when we get to the amended stage."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Floor Amendment #3 to Senate Bill 1541 pass?' All those in favor say 'aye'; all those... 'be adopted'. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the

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Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second Readings, we have Senate Bill 1377. Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1377, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Slone, has been approved for consideration."

Speaker Turner, A.: "The Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a technical Amendment to deal with the concern of the Illinois Municipal League on a Bill having to do with fire protection districts. It is an Agreed Amendment with the fire protection districts and the Municipal League. And I would appreciate your favorable consideration."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Floor Amendment #1 to Senate Bill 1377 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second Readings, we have Senate Bill 1851. Read the Bill, Mr. Clerk. Representative Hannig."

Clerk Rossi: "Senate Bill 1851 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On the Order of Second Readings, we have Senate Bill 1660. Representative Leitch. Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 1660 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Leitch, has been approved for consideration."

Speaker Turner, A.: "Repre..."

Leitch: "Thank you very much, Mr. Speaker. Floor Amendment #1 is, actually, a Lang Amendment. And it addresses a situation with the Gulfview Developmentally Disabled... I'm sorry. Is Committee Amendment #1 on the Bill? What are the Amendments, if any, on?"

Speaker Turner, A.: "Mr. Clerk?"

Clerk Rossi: "This is Amendment #1."

Leitch: "Okay. Thank you. And this involves changing the capital reimbursement structure in order to keep this home for the developmentally disabled in a position to survive. They're undergoing great financial stress and there's a long story to do it, but it's very important that this facility stay alive. And I ask for your support for this Amendment."

Speaker Turner, A.: "The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. This simply is the technical Amendment that, in committee, we promised the committee we would put on the Bill and I would ask for its adoption."

Speaker Turner, A.: "The question is, 'Shall Floor Amendment #2

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to Senate Bill 1660 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "Floor Amendment #3, offered by Representative Leitch, has been approved for consideration."

Speaker Turner, A.: "Representative Leitch."

Leitch: "Might ask to withdraw Floor Amendment or table Floor Amendment #3."

Speaker Turner, A.: "The Gentleman from Rock Island, Representative Brunsvold, while we're standing at ease. For what reason do you rise?"

Brunsvold: "A question of the Members of the House. Just like to ask you if anybody has a progress report on Judy Erwin and whether she has arrived at second base yet or not."

Speaker Turner, A.: "Representative, the last I heard, she was... Representative Brunsvold, the last we heard, she was standing at a red light. The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Could you take this Bill out of the record for a moment or two while your Majority Leader makes some phone calls? Thank you."

Speaker Turner, A.: "The Gentleman requests we take the Bill out of the record. On the Order of Third Readings, we have Senate Bill 1268. Representative Mathias."

Clerk Rossi: "Senate Bill 1268, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Senate Bill 1268 creates a felony offense of criminal trespass to residence. At the present time, it's a misdemeanor. If you enter a residence

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knowing that someone is present in the residence or remaining on the residence after you know that someone is present. This was supported by the Illinois Association of Chiefs of Police and was an initiative from the Henry County State's Attorneys Office. At the present time, it is a felony offense if you enter someone's home to commit another felony. This would expand that. And I would ask and urge an 'aye' vote. Thank you."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black."

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

Mathias: "Yes."

Speaker Turner, A.: "He indicates he will."

Black: "Representative, what constitutes entering the residence knowing or should have known that somebody is there? Do I have to break in or can I come in through an unlocked door and say, 'Hi, how are you?'"

Mathias: "Yes. The way the Bill states if you unlawfully come into someone's home..."

Black: "All right. What constitutes unlawfully entering a home? I mean, if I'm a burglar and I know somebody's home, most reasonable burglars are gonna go somewhere else. So now, what constitutes entering this home and then I'm charged with a crime. Do I have to enter the home illegally through a break-in? What if I walk in the front door? The door's unlocked and I walk in."

Mathias: "Well, if you walk into someone's home, that actually is unlawful because without permission you can't just walk into someone's residence. That would be considered unlawful without getting permission to enter it."

Black: "So if I walk into my estranged wife's house, she's in a bad mood and says, 'I didn't invite you. You're now guilty

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of a felony. I'm gonna charge you with a felony. You knew I was here and you came in.' I said, 'Gee, I've come in this place 40 times; you've never said anything. I mean, we have joint custody arrangements. We have joint financial arrangements.' What's the problem?"

Mathias: "Well, the problem is you can't enter someone's home or abode without permission. Now, if you have permission and that may be a mitigating circumstance. If you've done it all this time and there was implied consent, you may be able to use that."

Black: "If I have a key, that would be implied consent, right?"

Mathias: "I would think so."

Black: "Okay."

Mathias: "Yes, until it's revoked."

Black: "Okay. What if I knock on the door, somebody invites me in and I say, 'You know, now that I'm here I'm gonna steal your television set.'"

Mathias: "Well, if someone invites you in, then you aren't entering unlawful. Obviously, if you take their tv set, that's an unlawful act in itself and you could be charged with that already."

Black: "The reason I brought that up, I had a case in my district not long ago where a repossession individual was invited into the home on the pretense of seeing if the tv set they purchased from him was working. He was invited in. He said, 'Can I come in and see if your tv set is working?' When he got in there, he repossessed the tv set. And seriously, I'm just curious now, could he then, under your law, be charged with a felony for entering the house to repossess what is technically his property?"

Mathias: "If you allow him into your house, then I would think it's a legal entry and then it's not a unlawful entry."

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Black: "Yeah, but I didn't invite him in to repossess the tv set. I'm just curious as to whether or not in some kind of domestic dispute or retail dispute whether or not there's a potential... abuse is not the right word. I'm trying... And again, I know what we always say here. Well, the judge will use common sense. Give me a break. That doesn't often work or always work, I should say. You don't anticipate and it's certainly not your intent where the homeowner can use this against someone who may have been invited into the house or who for years, a neighbor that had implied consent, 'Hey, come on over any time you need sugar, flour, whatever, you know. Whether I'm home or not, that's okay.' Then they get into a neighborhood dispute. The person goes in and he's done so a hundred times because now the neighborhood spat the neighbor calls up and says, 'Hey, I want this person charged with a felony.'"

Mathias: "Well, of course, right now it is a misdemeanor... "

Black: "All right."

Mathias: "As you know, we've been in other avenues here and other laws tried to enhance misdemeanor penalties into felonies. But in this case, as in any other criminal action, generally the state's attorney is the one that really.."

Black: "Okay."

Mathias: "... has to approve felony charges and I'm sure they would look at the whole scope of the situation before making a determination whether this is a actual crime."

Black: "So the defense because I know I'm gonna get a phone call from the owner of the tv store. I just have a hunch. So the defense would be that before the grand jury they may choose not to indict someone for a felony if the facts of the entering the home are brought forth in a reasonable manner, right?"

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Mathias: "Well, of course. If there's consent and now there's a dispute over it, I'm sure those circumstances would be taken in consideration."

Black: "Okay. All right. Is this the last misdemeanor offense we have left in the statutes? I think it was Tim Johnson that said at the rate we're going, there will be no misdemeanors. Surely, we've cut that number down quite a bit, haven't we?"

Mathias: "Well, I think there's still a few left."

Black: "Okay. Thank you."

Speaker Turner, A.: "Are there any further questions? Seeing none, Representative Mathias to close."

Mathias: "I urge a 'yes' vote on Senate Bill 1268."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 1268 pass?' All those in favor will vote 'aye'; all those opposed will vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye', 1 'present', 1 not voting. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings, we have Senate Bill 1397. Representative Lawfer. Out of the record. On the Order of Third Reading, we have Senate Bill 1537. Representative Righter. Out of the record. The Gentleman from Coles, Representative Righter."

Righter: "Thank you, Mr. Speaker. Ask the Speaker to move this Bill back to Seconds for purposes of an Amendment."

Speaker Turner, A.: "The Gentleman requests the Bill be brought back to Second. Place the Bill on the Order of Second Reading, Mr. Clerk. Representative Brunsvold, is it true we have someone over from the Senate here in this chamber, today? Could you imagine what the motivation to have a

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Senator here today? Representative Rickey Hendon, I should say Senator Rickey Hendon is here, on the floor, with his lovely bride. Senator Rickey Hendon. Welcome to the winning chamber, Senator. We appreciate seeing you and your lovely bride, today. We understand his desire to win, but I don't think there's any room in this chamber, Senator. We don't have any vacancies, right now. On the Order of Third Readings, we have Senate Bill 1447. Representative Crotty. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1447, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Lady from Cook, Representative Crotty."

Crotty: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1447 makes two changes to the School Code. First, it makes the change relating to the designation of a child's surrogate parent and the representative of that child's interest in the development of an individual education program for special education services. This one point, in the Bill, is bringing the Illinois State Code to what it is on the federal level. The second part of Senate Bill 1447 includes a reference to foster parents and that a foster parent would be appointed as that parent at such meetings. If there's any questions, I'd be happy to entertain those."

Speaker Turner, A.: "Seeing none, the question is, 'Shall Senate Bill 1447 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. 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 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Is

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Representative Shirley Jones in the chamber? Senate Bill 1453. What's the status of that Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1453, a Bill for an Act concerning taxation. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Beaubien, has been approved for consideration."

Beaubien: "Yes. Thank you, Ladies and Gentlemen. Thank you, Mr. Speaker. This is an initiative of the Illinois Chamber of Commerce and it's an agreed language with the Department of Revenue that allows Revenue to form a committee to study simplifying the sales tax reporting. There are five other provisions in the Bill that have already been passed in House Bill 4431 and they are technical changes by the Department of Revenue. I ask that the Amendment be adopted."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Floor Amendment #1 to Senate Bill 1453 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Floor Amendment #1 is adopted. Further Amendments, Mr. Clerk?"

Clerk Bolin: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from Macon, Representative Mitchell, for what reason do you rise?"

Mitchell, B.: "Thank you, Mr. Speaker. Pursuant to House Rule 61, I move that Senate Bill 1046 be taken from the table and be placed on the daily Calendar on the Order which it appeared immediately before it was tabled."

Speaker Turner, A.: "You've heard the Gentleman's Motion. The Motion requires 71 votes. All those in favor of the Motion will say 'aye'; all those opposed say 'no'. In the opinion

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of the Chair, the 'ayes' have it. And the Motion is adopted. Mr. Clerk, what's the status of House Bill 298."

Clerk Bolin: "House Bill 298 is on the Order of House Bills-Second Reading."

Speaker Turner, A.: "Are there any Amendments?"

Clerk Bolin: "House Bill 298, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Amendment #3 was adopted on the floor. No further Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. The Lady from Cook, Representative Feigenholtz. Mr. Clerk, could you read House Bill 298, please?"

Clerk Bolin: "House Bill 298, a Bill for an Act to amend the Hypodermic, Syringes and Needles Act. Third Reading of this House Bill."

Speaker Turner, A.: "The Lady from Cook, Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. House Bill 298 will allow adults over the age of 18 to purchase 10 sterile syringes at a pharmacy without the need for a prescription. Currently, Illinois is one of only eight states that requires the need for a prescription to purchase ten sterile syringes. Forty-two other states in this country have either never had a need for a prescription and all states that surround Illinois do not require the need to have it. Other provisions of the Bill include the Illinois Department of Public Health providing pharmacists with educational materials for individuals purchasing syringes on HIV AIDS and other infectious diseases, safe injection practices and syringe disposal methods. The department will create and release guidelines that local health departments, community clinics, pharmacies and local

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service organizations can use to create disposal pilot projects. All syringes will be kept in a secure area of the pharmacy. During the first half of 1997, Ladies and Gentlemen, new research was released by a number of government and academic institutions that provide strong evidence of the scientific soundness and efficacy of programs to expand access to sterile syringes in preventing the transmission of HIV and hepatitis, which is bypassing HIV transmission at lightning speed among injection drug users without adversely impacting communities. These studies are exceptional in their exhaustiveness and conclude that access to sterile syringes does not increase drug use among current drug users, does not increase the number of new users, and does not increase the number of publicly discarded used syringes. Research has demonstrated that the cost effectiveness of making sterile syringes available on a national level significantly exceeds the cost effectiveness of providing treatment for persons living with HIV and hepatitis. I would be glad to answer any questions."

Speaker Turner, A.: "We ask the Members to give their attention to this Bill. This is a pretty important piece of legislation. The first speaker is Representative... the Gentleman from Madison, Representative Stephens. For what reason do you rise?"

Stephens: "Thank you, Mr. Speaker. To the Bill. I don't think that there's anything that a family can go through that is more harsh, more real, and more testing of the fiber of a family than to find out that one of your family members is, indeed, addicted to drugs. And one of the worst things that our family has ever experienced was to know that a member of our family was a heroin addict. And I can tell

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you in the most personal way and I am a pharmacist and I will tell you that someone addicted to heroin that comes to you in any way that asks for your support, you certainly want to give your love and support to that person. But there's a concept known as enabling, when someone is addicted to heroin, you want to give them money that you think is gonna go for food that they wind up using to buy drugs, it's enabling. Even if you give them a place to sleep at night at no charge and they're taking the money that they would have used otherwise, they'll use it to buy drugs and it's very troubling. If this Bill passes, I can tell you as a pharmacist if someone comes into my pharmacy, I'm not going to sell them a needle if I know that it is going to be used for them to inject drugs into their system. And I can tell you... I know that the Sponsor feels so strongly about this Bill. We've met privately and talked about this and we both feel heartfelt feelings about this and, Representative, I have all the respect for you in the world. I want the Members of this Body to understand that my opinion is that intervention and treatment are available and intervention and treatment works. I believe, in my heart, that this Bill allowing an addict to have access to needles is just enabling them to further their problem and their addiction that they suffer. And I know that each one of you have to make up your own minds. I just want to tell you from my heart, from my family, why I'm voting 'no'. I believe that this is enabling and I pray that we do the right thing, today. Thank you."

Speaker Turner, A.: "The Lady from Cook, Representative Davis. For what reason do you rise?"

Davis, M.: "Will the Sponsor yield?"

Speaker Turner, A.: "She indicates she will."

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Davis, M.: "Representative, what is the method of disposal of these used hypodermic needles?"

Feigenholtz: "Representative, currently, the Federal EPA has set guidelines that all states adhere to and follow about the disposal of sterile syringes."

Davis, M.: "And what are those guidelines from the EPA located in Washington or Illinois? I don't know. Where are they?"

Feigenholtz: "They're in Washington... "

Davis, M.: "Okay. What are their guidelines?"

Feigenholtz: "I have a copy of disposal care about syringes, right here, in my hand, Representative Davis, that talks about safe practices, about syringe disposal for the home, where to place syringes in hard plastic or metal containers, in a bleach bottle or a nonpuncturable bottle, that is nonrecyclable."

Davis, M.: "So, Representative, do you believe that a drug addicted individual will dispose of these needles in the kind of disposal bottle you're talking about? Are they going to seek that kind of disposal equipment?"

Feigenholtz: "I'm not sure I understand the question you're asking."

Davis, M.: "Well, I'll speak to the Bill."

Speaker Turner, A.: "To the Bill."

Davis, M.: "To the Bill. In the early '60s, the United States of America suffered from a plague of heroin addiction. One of the major tools used for that addiction is hypodermic needles. We passed, in this Body, about ten years ago legislation that prohibits drug paraphernalia, the sale of, the display of drug paraphernalia. And our purpose was to decrease the use of drug substances and to decrease the addiction to drugs. It is on the decline. In the State of Illinois, drug abuse is on the decline. Those people who

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are pushing heroin addiction are having difficulty pushing the use of heroin because they have no needles. Now, in my opinion, Representative, this Bill will serve to allow increased heroin use with the ten needles that are supplied by a pharmist (sic-pharmacist) with absolutely no sensible way of disposal. It talks about the purpose being to decrease HIV. Now, what we're doing, Ladies and Gentlemen, if we pass this Bill, is attempting to protect a small group of society who choose to behave in a very risky fashion and putting the larger society at risk. A little puppy who doesn't know that a used heroin needle also contains the blood with HIV in it, so this little puppy picks his paw. This little puppy goes home to his master who is seven and the seven-year-old master attempts to fix the puppy's bleeding paw and the little child who is also scratched up from baseball or soccer, he gets transferred of this fluid which creates HIV in a very innocent child and a very innocent puppy. We should not, in an attempt to do so called 'good', put all of society at risk. The disposal of those needles is not even taken care of. The Bill talks about some kind of educational pamphlet that'll be provided to the pharmist (sic-pharmacist). An educational pamphlet that we expect a drug addicted person to read and to follow its orders. I spoke to Father George Clemmons. I think many of you know Father George Clemmons. He has done intensive work on the attempt to decrease drug use and the desire to use drugs. When I ask him his opinion of this Bill, he said, 'Oh, no. They've given up.' What do you mean Father Clemmons they've given up? 'They now want to provide the needle for the drug user instead of giving him counseling and treatment and halting his drug use.' Father Clemmons was called to Washington, with the

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one church, one addict, and many types of programs similar to this, in an attempt to decrease the addict's desire to use drugs. Now, if he can walk up to any drug store and buy ten needles at a time, perhaps go and sell most of them, we are not reducing the risk of HIV, we are increasing it to the greater society who does not have risky behavior. What is the real intent and purpose of allowing someone to buy ten needles at a time with no sincere, dedicated, thought out, carefully throwing away of those needles? It is a very dangerous precedent and the State of Illinois should certainly not be at the forefront of doing this awful thing to the rest of society. I don't want my children to see needles thrown in the street the way I saw when I grew up. When I walked to school, about four blocks from my school, it was the drug place where they waited for the delivery and they threw away the needles, I guess, that they could no longer use, right in the street. I don't want to see that again. We don't have to go through that anymore. There are too many people who realize that HIV is important, it is serious, it is dangerous, but if you really want to curb it, put money forth for research. Don't give people ten needles, in other words, kill yourself and take some more people with you. Your children should not have an opportunity to see needles thrown about the streets in the State of Illinois that are possibly filled with the HIV virus. With all the good intentions that our Representative has, with all of those do-good feelings, I'm sure, that went into this legislation, it is not the solution to the problem. It's a very dangerous proposal. It's a very dangerous proposal and it'll put us back here in a year or two talking about this massive heroin problem we've got in the State of

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Illinois. No. No. No. Please vote 'no'."

Speaker Turner, A.: "The Lady from Cook, Representative Sharp."

Sharp: "To the Bill."

Speaker Turner, A.: "To the Bill."

Sharp: "In all due respect to the Representative that just spoke, my God, AIDS... Reelected or not, AIDS, drugs, all the above, do we just overlook it? Do we overlook that our children whether they be black, white, green or yellow are dying daily from this virus? Do we overlook the fact that these needles are being put back and forth into the arms of our children and of our family members and they're infected and infected other people? We have to stop overlooking these things and even though I hate what's going on, with a passion, with the drugs, and with the HIV, we have to make a stand somewhere in Illinois. We have to show our children that there's hope somewhere. AIDS is the #1 killer for African-Americans, right now. Not just African-Americans, AIDS is the #1 killer for our children. Not just African-Americans, but all of us. There's 42 other states, we're not the first, we won't be the last, that have already done this. If you're gonna buy a needle if you're on drugs, if you're gonna buy a needle to use drugs with, you're gonna buy it no matter what you can do or how you can do it. We hate that it's out there, but it's out there so we have to face responsibility. We can't just keep letting people die from dirty needles, but this is just one step, one step that may help in saving lives of our children, of our family members. Dirty needles are killing people. It's not gonna increase it and it ain't gonna decrease it. It's here. When the Legislators in this Assembly have adequate funds for drug treatment that's available at demand, maybe we can look at something else.

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When people in our community have the adequate education that can help us prevent these things, maybe we wouldn't have to do that. But until this Assembly comes together and puts more money into these things, we have to take a stand and do something. This is just one small step that will help prevent our children from being given this dreadful disease. I hate it with a passion and I hate that something like this even has to be addressed. Our police are doing all they can, maybe they can do more. Our communities are out there trying to keep drugs off the street, but they're still bringing them in, it's not stopping. So we have to help in any way we can. This is the beginning. I hope it's the end. But we have to stop letting these dirty needles affect our children, our family members and our love members. This is just one step. By God, let's do something to help our children. Vote 'yes'."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

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

Speaker Turner, A.: "She indicates she will."

Black: "Representative, let me follow up on something that Representative Davis, a point that she made that I think is very, very, a very cogent point. And you didn't answer the question, you said you didn't understand it. Let me go back to it. This Bill has absolutely no penalties for someone who irresponsibly disposes of a needle and a syringe, correct? Throw it on the ground, throw it on the sidewalk, throw it in a storefront; there's no penalty in your Bill for someone who takes these needles and syringes and just simply throws 'em away? There's no penalty, correct?"

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Feigenholtz: "That is correct."

Black: "I think that's an inherent weakness of the Bill. Why didn't you amend the Bill to say we'll do a needle exchange? Bring in ten dirty needles, we'll give you ten clean ones."

Feigenholtz: "Representative Black, there's no penalty in the law, right now, for discarding sterile syringes... used syringes anywhere. And perhaps..."

Black: "Oh, really, anywhere?"

Feigenholtz: "Perhaps, that is something that needs to be addressed in the Criminal Code."

Black: "Do you mean my hospital is not supposed to follow any prescribed disposal policy on needles?"

Feigenholtz: "That's different than an individual. There are EPA guide..."

Black: "Well, I'll grant you that's different."

Feigenholtz: "There are EPA guidelines that hospitals and institutions, public health entities utilize and follow. And I'm sure you've been in many hospitals where there are sharp containers in bathrooms that are being..."

Black: "Know them intimately, yes."

Feigenholtz: "...used by diabetics."

Black: "Had a grandfather that suffered from diabetes until the day he died. My point is, you could have amended this Bill to do a needle exchange. I think Representative Davis made a very valid point. Some people will use this advantageously and unfortunately, some people whose irresponsible behavior and conduct puts all of us at risk, will treat these needles just as irresponsibly as they treat their own life. They will just simply toss them in the back of their car, in the back seat of their car, out the window. I see them, on occasion, in my community by

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the curb or the gutter. You could have put a simple Amendment on this Bill that said if you want to bring in ten dirty needles, we'll give you ten clean ones. That may have accomplished more of what you wanted to do. Did you consider such an Amendment?"

Feigenholtz: "Representative, I'd really be glad to answer that and please, do not think, for one minute, that the issue of disposal is taken lightly by any of the proponents of the Bill. You have been around here a very long time and I feel like I have, too. I have seen the debate about access to sterile syringes evolve over the last ten or fifteen years and I think, as time has gone on, the issue of disposal has weighed very heavily on the Illinois State Medical Society, the Illinois Nurses Association, the Illinois Pharmacists Association and many, many other groups. I think that... sitting on my desk, right here, Representative Black, and I would be glad to share all 52 of these reports to you, that the issue of disposal weighed against the issue of HIV transmission through needle sharing and the data that's come forth from the studies has unequivocally proven that there has been no marked increase in the issue of disposal. When Connecticut repealed its law in the early 1990s, that issue was looked upon very, very carefully, as well as transmission rate drops, needle sharing drops, et cetera. It was not until these 52 reports said that there was no increase in drug use, no increase in new user use and no increase of syringes on the ground or in public places that all of those organizations were able to weigh the merits of this legislation, before they could, emphatically, support it and weigh it against the benefits. In the Bill, there is a provision and I'm sure if you look on your computer you will see it, that

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asked the Department of Public Health to establish guidelines. Those guidelines would be given to local health departments, local community organizations who would determine any kind of disposal rules that they want to, way beyond what is asked to be done in the EPA guidelines. So I feel that the issue of disposal and what you are talking about has been considered, over the years, over and over and over again. I cannot believe that the American Pharmacists' Association, the American Medical Association, C. Everett Koop under the Reagan administration, David Thatcher would support this measure if it wasn't sound and it hasn't proven its efficacy in other states in this country in reducing the transmission of HIV."

Black: "Was that a 'yes' or a 'no' answer? All I asked you about was disposal and I got a blueprint on how to rebuild the Bill. You know, Representative, let me ask you another question. Have you heard from General Barry McCaffery the drug czar in Washington? Has General McCaffery taken a position on this Bill?"

Feigenholtz: "No."

Black: "That's strange. Has the Drug Enforcement Agency, the DEA, have they taken a position on the Bill?"

Feigenholtz: "They haven't called me."

Black: "That's strange. How about the Illinois State Police? Have they taken a position on the Bill?"

Feigenholtz: "Representative, they never showed up in committee, never filed a witness slip, never called me, so as far as I know, they're neutral on the Bill."

Black: "Did the Missouri State Police show up and say anything about the Bill?"

Feigenholtz: "No, they did not."

Black: "Did the Illinois Drug Education Alliance, IDEA, did they

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take a position on the Bill?"

Feigenholtz: "No, they did not."

Black: "Well, thank you very much, Representative. Mr. Speaker, to the Bill. All of the names that I just read off have been quoted, ad infinitum, in weighing in opposition to Ron Lawfer's industrial hemp Bill. From General McCaffery to the DEA to a Missouri State Trooper in full uniform who showed up at committee and said this industrial hemp study, a study for God's sake, was going to endanger the entire State of Illinois. What a bunch of baloney. What a bunch of baloney. All of these people weighed in, in opposition, to a study, a study of industrial hemp and not one of them testified on a needle Bill. Don't you find that somewhat incredulous? Industrial hemp may ravage our young people in this state, but a needle, that must be okay. I mean, that's just the kind of example that just drives me to distraction at this place anymore. A highway patrolman, in full uniform, shows up at a committee to warn us about the inherent evils of industrial hemp, but some 18-year-old junkie can walk into a drugstore and get ten needles, no questions asked, that's okay. He's obviously gonna use 'em in some legal, lawful fashion and is certainly going to dispose of them properly, isn't he? But industrial hemp, oh, my God. Why can you imagine what would happen if an industrial hemp house caught on fire? Why those firefighters would be at risk. They'd be high for a week. Boy, I'm tellin' ya. I just find it absolutely fascinating that my office has been full of people with hysteria on a two-year controlled study of the potential value of a crop, but on handing an 18-year-old kid ten needles and syringes, what's the problem? If that isn't the kind of convoluted thinking that just drives me to distraction in society

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today, I don't know what is. So debate the Bill. Vote however you want. But there's something wrong here, folks and if I ever get it figured out, you'll be the first to know. I intend to vote 'no'."

Speaker Turner, A.: "The Gentleman from Champaign, Representative Johnson. For what reason do you rise?"

Johnson, Tim: "Mr. Speaker, Members of the House. I am a 24-year Member of this chamber. I consider myself a mainstream, downstate Republican and I'm gonna vote for this Bill. Drug use and the scourge of HIV are at the top, near the top, if not at the top of our society's problems. I think everybody in here agrees that we need to engage every mechanism, every resource we have from a criminal standpoint, from a social services standpoint, intervention and otherwise, to deal with what has become an overwhelming social, economic and people problem. But this Bill does nothing to encourage drug use. It does nothing to encourage the spread of HIV, it's not even an HIV issue. It's not even a drug-use issue in some ways. Illinois is now one of only eight states to have the law that we have that we're trying to change. Forty-two states, all around us, have laws that we're trying to enact now with the enactment of House Bill 298. In Saint Louis, the incidence, in a state that has House Bill 298 in effect, there's a 3% or rate of HIV compared to ten times that rate in Chicago in this state where we have this law. There's a lot of aspects that you can look at this Bill in regard to. This is really, in some ways, an issue with respect to AIDS and HIV, hepatitis C, which are endemic in our society. But more than that or equal to that and I have to look at this from a personal standpoint, it also deals with a variety of other special needs. My father was a diabetic, juvenile

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diabetic and twice a day, through my whole lifetime and through his whole lifetime, from the time he was eight years old he required an injection in the morning and an injection in the evening. If he had been in a stage of his disease where he had to take one extra injection in the course of a day for his diabetes, which was quite frequent in our household, and quite frequent I would suggest in the households of many juvenile diabetic homes. Then at the end of the month, being a realtor and being active politically and around the state, if he happened to be in Southern Illinois or somewhere else and he ran out of syringes that he was prescribed, then he'd be in a situation of either, (a) having to desperately call a doctor in Cairo that he didn't know, calling and trying to get a prescription from a doctor in Champaign-Urbana to call a doctor in Cairo that he didn't know or reusing a syringe and endangering his health and his life. And so those of us who are concerned, as we all are, about the spread of AIDS, about HIV, let's don't narrow our scope. Let's don't forget about diabetics, those who take infertility medication, those who are subject to special medical needs who are dramatically affected by this Bill. This Bill would save the lives of men, women and children. Contained in the Bill and I've not heard any discussion about this so far and this has been a very instructive and I suggest, emotional, but instructive debate is provisions that would require pharmacists and others, in addition to a variety of other things, to inform those who purchase these devices about the dangers of drug use and about the various aspects, the social aspects of drug use, HIV and otherwise that we want them to know. This Bill is supported by the pharmacists, by the doctors, by the nurses, by the retail merchants, by

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public health groups all over the state, by consumers and by ordinary citizens whose lives or whose family's lives might be affected. The estimated cost of one case of HIV is \$750 thousand. If you multiply that times the hundred individuals who it's estimated would be saved the scourge, you're talking about \$75 million in economic and social savings to the State of Illinois. But mostly, we're talking about people and their lives and sound public policy that's been adopted in 42 other states. And to isolate the debate on AIDS or HIV or drug use ignores the greater issue of saving lives and dealing with human medical problems in a constructive, realistic, socially responsible way. I realize this is a controversial and emotional subject matter and I respect people, Representative Black, Representative Stephens, Representative Feigenholtz and others who've spoken emotionally on this subject matter and rationally on this subject matter. But I believe, on balance, that it makes sense, that it's good public policy and I, for one, intend to vote 'yes' on House Bill 298."

Speaker Turner, A.: "The Lady from Cook, Representative Flowers. For what reason do you rise?"

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen. To the Bill. Will the Sponsor yield, please?"

Speaker Turner, A.: "She indicates she will."

Flowers: "Representative, you and I have had quite a few discussions on this Bill. And I want, once again, clarity for the record, please. Because initially, I thought this was a needle exchange Bill, but that sign up there, it's not true. This is not a needle exchange Bill nor are we giving away free needles. Am I correct?"

Feigenholtz: "That is correct."

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Flowers: "Now, Representative, what does the Bill do, specifically, please?"

Feigenholtz: "The Bill removes the need to have a prescription to purchase ten sterile syringes from behind the counter at a pharmacy."

Flowers: "Okay. So..."

Feigenholtz: "Like 42 other states..."

Flowers: "Okay. Wait a..."

Feigenholtz: "...in the... in the United States."

Flowers: "Again, I just want to be straight on what the Bill does. It takes away..."

Feigenholtz: "The need."

Flowers: "...the need to have a prescription to purchase these needles."

Feigenholtz: "Correct."

Flowers: "So that means anyone, for any reason, can purchase these needles. Am I right?"

Feigenholtz: "Correct."

Flowers: "Is there an age limitation, in the Bill, as to how old one must be to purchase a needle?"

Feigenholtz: "Eighteen years old."

Flowers: "You must be 18 years old. Representative, there has been a lot of talk in regards to HIV because supposedly, what this Bill, your intent for this legislation, is supposedly to cut down the HIV and specifically, in the Black community and Hispanic community where supposedly HIV is on a rise."

Feigenholtz: "Through injection drug use."

Flowers: "Through injection drug use. But now, Representative, I have a few problems and I need your help. Now, Father Mike Flager, you all may have heard of him, he's in my district. Now, Father Mike went around to the stores in my district

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and he pulled all the pipes that you use to smoke your crack cocaine and any other drug phernalia (sic-paraphernalia), he had that pulled from the counters because these were illegal items that was being sold as if, as if, crack cocaine was legal in this state. Now, I don't know about nobody else's district, but I know what the population and who's in my district. So Father Mike said that this was wrong and we should not be doing this. And then last week Father Mike also had a plan that he was going to give prostitutes the money so he could talk to them about the right way to go and one of them said, 'Wait a minute. Wait, wait, I don't want your money, what I want is your help. Will you give me some help?' And Representative, I think what we need to be doin' here is giving these people some help because you are asking some irresponsible people and I'm not God, I'm not passin' judgement on anybody, but you're asking some irresponsible people to do some very responsible things with a dangerous weapon. See, we had a debate here. We were all called in, back in December, for the Safe Neighborhoods Act to remove weapons out of our community. The weapons in which we were referring to then, Representative, was guns. Guns were killing our children, everyday, everyday there was a drive-by shooting. Guns is killing our kids in the community, but now, we have some tougher gun laws on the books. Now, we want to use another weapon, another weapon, we're gonna use needles. Needles, Representative, those are gonna be the weapon of choice. At least, Representative, when we had the gun laws, the police officers could track the bullet. They could track the gun, they could even shoot another bullet out of a gun to see what type of gun it was shot out of. But here's a needle

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that's layin' on the ground and you know what I did this weekend? A couple weekends, because I was really curious because I haven't seen any needles in my community, but I did take a walk because I got on my block, I live on 77th and Paulina, and on the 7700 side there's some guys on the corner that sell drugs there. And then on the 78th side around the corner by the alley when I have to come out that one-way alley, there's some guys standing on the corner there. Now, I walked that corner and you know what I found? I found some little teeny bags of, I guess, crack was in those little plastic bags. Now, I saw lots of those bags and I can imagine and my daughter Mekeda, she rides her bike and she runs up and down the street. Mekeda runs over those bags, she rides over those bags. Now, here, you want needles. If this was a needle exchange, Representative, I could agree with you 100%. But now, here people are gonna pick... kids are gonna pick up needles off the street, they're gonna say, 'I wanna play doctor. I'm the doctor and I'm gonna shoot you with the needle.' Or other kids who wanna do harm to other children and they wanna put something... put some bleach in the needle just to see how it would act, 'cause, you know, kids play very silly games because children do childlike things. But we need to be a little bit more responsible, here. If we're gonna have this legislation, Representative, let's make the board correct. Let this be a needle exchange. And one other question for you, Representative. Are these the retractable needles, that we're talkin' about?"

Feigenholtz: "No, they're not."

Flowers: "But, see..."

Feigenholtz: "But pharmacies, Representative Flowers, can I please answer this question?"

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Flowers: "Yes."

Feigenholtz: "Some pharmacies do sell single-use syringes and so it is, basically, up to the 18 or over person going to the pharmacy and purchasing them."

Flowers: "Representative, again, you're asking irresponsible people to do something very responsible. You want them to go to the pharmacist and you want them to say, 'Would you please give me a retractable needle?' If you had it in your legislation, Representative, that they could use retractable needles, I think that would be apropos. But right now, Representative, you are putting me and the people in my community at risk of further catching AIDS and other type of danger that could be used with a needle because we're not mandating... Because you're talking about transferring the AIDS from one person through another with a needle, but what about sex..."

Feigenholtz: "We're saying..."

Flowers: "What about sex?"

Feigenholtz: "...we've discovered..."

Flowers: "We're not mandating that they use condom along with the needles. So if they don't get it one way, they can get it another way. Am I wrong, Representative? Representative, am I wrong? I need you to help me with this."

Feigenholtz: "I wanna help you with this. Representative Flowers, right now without this Bill, let me tell you what's happening in your community. People are using syringes and they are sharing syringes that are infected with HIV. And you know that. When the Center for Disease Control and the National Institutes of Health have looked at data that say, that access to sterile syringes reduces the risk of HIV among injection drug users and does not increase drug use."

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Flowers: "But I agree..."

Feigenholtz: "It has no affect, Mary."

Flowers: "No. No. No. No."

Feigenholtz: "It doesn't go up; it doesn't go down."

Flowers: "I didn't say that. See, you're missin' the point. You're missin' the point. I agree with everything that report says. But there's another problem in which they did not address. What happens to those extra needles? See, I don't even have to be a drug user. See, I can shoot up my heroin, I can shoot my PCP and I think you can even... I can shoot speed and I think there may be someway you can even shoot cocaine, I'm not sure. But all these things that you're gonna make it convenient, after Father Mike Flager went to the stores in my community and pulled all the pipes. Now, are we sayin' that's it's okay for the heroin users, but the crack users..."

Feigenholtz: "I think what we're saying, Representative, is that your concerns have been taken into consideration over..."

Flowers: "But I don't have the answer, Representative..."

Feigenholtz: "...over..."

Flowers: "...what happens to the needles that's gonna be left on the ground? And then tell me, Representative, why do we have two sets of rules, one for the crackheads, one for the heroin users? Why? Because the heroin users have to have a needle, so we want to cut down on them with transmitting the HIV virus, but the crackheads I'm not gonna make them... it's not against the law for them not to use condoms and they, too, can spread the AIDS virus. Oh, you don't think so? You don't... they can't spread AIDS virus by having unsafe sex?"

Feigenholtz: "Yes, they can."

Flowers: "That's my point, Representative. That's my entire

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point. So you tell me, if they don't get it one way, they can get it another. How is this addressing the situation? What it's doing, Representative, with all due respect, is causing more problems in our community. There is not a penalty in this Bill that says if you, 18 and older, who purchase these ten needles do not dispose of them properly, there's a \$5 fine, a \$15 fine or a \$25 fine, some type of fine? You're talkin' about what the EPA. That's the laws for the entire state in regards to waste. I'm asking you, Representative, would you please amend this Bill to have this to be a needle exchange, so I can support it, please? Because right now, this Bill is... if you're not taking care of the crackheads, you can't take care of the heroins."

Feigenholtz: "The beauty of this Bill, Representative, is..."

Flowers: "There is no beauty in this Bill."

Feigenholtz: "...is that it does not involve government intervention."

Flowers: "Oh, but it should, Representative, because I'm a taxpayer of the State of Illinois and I pay my taxes in the City of Chicago and I don't want this mess in my community. That's the problem."

Feigenholtz: "Right now, Mary, one case of HIV, if you want to talk about taxes..."

Flowers: "Representative..."

Feigenholtz: "...it's 750,000 per case..."

Flowers: "HIV, if there was a way that I could make it go away, I would gladly do so. This Bill does not address that issue. This Bill will further perpetuate. This Bill would cause an increase. You are putting more children in danger with this legislation. You are making more people, who probably wouldn't even have thought about using a needle, making it

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more accessible just to see if they can do so. Now, I need to ask you another question. Because they don't have to have a syringe. They don't have to have a prescription in order to get the needle, but they should have to have a prescription for the medicine that goes in the needle. Now, we should still make it against the law that heroin users not be able to get it, not unless they come from some form of treatment. At least, let us try to pretend like we want to offer them some help. Would you agree, Representative?"

Feigenholtz: "Would I agree that we should be helping people who are struggling with substance abuse, Mary Flowers? You better believe it. Are we doing a good job? We can do a lot better. The fact of the matter is, is that we are talking about twin epidemics, here, substance abuse and HIV transmission."

Flowers: "But with those twin epidemics that we're talkin' about, we are not having a cure for neither one. We're not stopping the spread of HIV. Now, you have to admit, Representative, you can give them all the needles..."

Feigenholtz: "This is a step in the right direction, Mary."

Flowers: "Oh, it's not. No."

Feigenholtz: "Yes, it is, Mary."

Flowers: "A step in the right direction is a step..."

Feigenholtz: "The Black Caucus..."

Flowers: "Don't tell me nothin' about a Black Caucus..."

Feigenholtz: "...the Congressional Black Caucus..."

Flowers: "I am me, Representative. I'm Mary Flowers, first. Don't tell me about a Black Caucus. I make no apologies for who I am, but I have my own opinion and nobody thinks for me, Representative. My opinion is that this is gonna cause more harm to our children in this state. Now, I'm

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sure if I were to ask the Black Caucus, the White Caucus, the Hispanic Caucus and any other caucus that's out there, I'm sure they would agree."

Speaker Turner, A.: "The Lady will bring her remarks to a close."

Flowers: "Representative, would you please take this Bill out of the record and amend it for a needle exchange? You won't? Thank you, Representative."

Speaker Turner, A.: "The Lady from Lake, Representative Moore. For what reason do you rise?"

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

Speaker Turner, A.: "To the Bill."

Moore: "First of all, I have no trouble, for a moment, understanding why the various agencies that were mentioned earlier in debate, law enforcement agencies, drug agencies, et cetera, did not sign in against this Bill. This is not just simply an illegal drug Bill. This is a public health issue. And it's not to be confused. Is it going to help people who use illegal drugs? I certainly hope so, because 50% of all new HIV infections in Illinois are linked to syringe sharing. Ninety-six percent of AIDS cases among Illinois children resulted from syringe sharing by one or both parents. So yes, we hope that this Bill will do something to improve that situation. But also, this benefit will benefit diabetics, women on fertility treatments and individuals with special needs who need syringes immediately but are delayed waiting for a prescription to be filled. Now, who is for this Bill? This... what is supposed to be, according to some debates, such a controversial Bill, going to be bad for people. The American Medical Association, the American Academy of Pediatrics, the American Public Health Association, the Pharmaceutical Association, the Congressional Black Caucus

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to answer a previous question, the National Black Caucus of State Legislators, the U.S. Conference of Mayors. Now, you get to Illinois. We have the Illinois Nurses Association, the Chapter of American Pediatrics. It goes on and on. Many people are for this Bill because simply put, it is a public health initiative. We are one of eight states left in this country that has not taken care of this issue. Let's do the right thing here. Vote 'aye'."

Speaker Turner, A.: "The Gentleman from Cook, Representative Saviano. For what reason do you rise?"

Saviano: "Thank you, Mr. Speaker, Members of the House. I rise in strong support of this proposal. I've heard a lot of arguments, so far, back and forth. But the one thing that I've concluded out of most of this is that the people are against this are promoting holding up the status quo. Well, the status quo is not working. It's not working. We're not the first state to propose this, we're the 43rd state. I think it's time our state has the courage to step up to the plate and pass this proposal and give it a chance to work. These organizations that have been read off in support of this, these are all health care people that they stood up to the plate and had the courage to be proponents on this Bill. You know why? Because they're the ones that see it everyday in the hospitals and the clinics. They know where the root of the problem is. That's why they've had the courage to allow their organizations' names be used in this debate. Plain and simple, the status quo is not working. A 'yes' vote on this Bill shows courage and shows progressive thinking on how to address a problem that's out of control. I would urge your strong vote 'yes'. Thank you."

Speaker Turner, A.: "The Gentleman from Coles, Representative

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Righter. For what reason do you rise?"

Righter: "Will the Sponsor yield, please, Mr. Speaker?"

Speaker Turner, A.: "She indicates she will."

Righter: "Representative, earlier in your opening statement, you said that the studies have demonstrated, unequivocally I think, is the term that you used, that these kinds of programs are highly effective in reducing HIV infection rate. Was that right?"

Feigenholtz: "Yes, I did."

Righter: "Can you describe how you're using the term, unequivocally. I mean, what kind of studies are we talkin' about? How do they do these studies? How do they come up with these statistics?"

Feigenholtz: "Dale, the interesting thing about this debate is that 39 states in the country have never, ever required the need for a prescription to purchase ten sterile syringes. For whatever reason, they just never elected to employ that kind of public policy. Three states, very recently, in the last ten years have repealed or they have done what we're attempting to do here in House Bill 298. The State of Connecticut is one of those three states that has come out with a report. That report has indicated the following: it has indicated that there was no increase in drug use, no increase in new drug users and no increase of syringes on the ground. It did indicate that with the availability of sterile syringes, that you could purchase at a pharmacy without prescriptions, that sterile syringe purchase went up 23% and that needle sharing dropped by 40% which would have a direct affect on HIV transmission numbers. The AIDS Foundation of Chicago estimates that a measure like this can reduce HIV infection, in one year, by 100 cases. That is \$750 thousand per case."

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Righter: "Representative, the question was, how did they come up with these statistics? Not how many states... the issue, the fact that there may be 40 or so states who don't require prescription for syringes is fine, but I think that both you and I, while not on the same issue probably, have both found ourselves in the 15 or 20% minority, when it comes to voting on the board, of a losing issue. That didn't mean that you and I were wrong. So I don't know that that number by itself tells us anything about the efficacy of this policy, especially when all the 50 states are different. So the question, Representative, is how do they do these statistical studies? How do they judge that there's been a 25 or 30 or 40% reduction in the HIV infection rate that is directly attributable to this kind of program? How do they do that?"

Feigenholtz: "I have not read all of them, but at this point, I have to say that I've read a lot of them. Many of their departments of public health have been monitoring this. I know that the towns of New Haven, Connecticut and Hartford, Connecticut were looking very closely at this and within this huge pile there are a lot of studies that have attested to that."

Righter: "Representative, I've got here an article from the American Journal of Public Health, an article from November 1995, written by a gentleman by the name of Roel Coutinho, who is a member of the Department of Public Health and Environment, Municipal Public Health Service, Amsterdam, the Netherlands. He was an integral part of starting the needle exchange program in the Amsterdams, back in the middle '80s. He was asked to review the written studies that have been done here in the United States about the effectiveness of the programs like what you're proposing

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have been here. His comment was that the studies had many methodological shortcomings. None of the studies were randomized, self-purported behavior, which is subject to response bias was often used as the outcome, follow up was poor and risk behavior was often only roughly measured. In other words, the gentleman who supported a needle exchange program said studies that have been done here in this country are full of holes. So how much are we supposed to trust the statistics, some of which have been cited here on the floor?"

Feigenholtz: "Is your concern, Representative Righter, the disposal issue?"

Righter: "The what issue?"

Feigenholtz: "The disposal issue. I mean..."

Righter: "No. No."

Feigenholtz: "You're citing the..."

Righter: "Representative Feigenholtz, the question I just asked was, when we're here debating what would be a significant change in public policy that change should be based on facts and if we've got good surveys or statistics to evidence those, we should bring those out. And a lot of groups have thrown out a lot of numbers in support of this legislation and here this gentleman, who strongly supports a needle exchange program and has been active in it for over 15 years, says the studies that have been done here are full of holes. And so the question is, are we wise to implement this kind of change in public policy when a gentleman who advocates this himself says, 'Hey, the numbers are not reliable here.' The question is, is it wise for us to go ahead and do that when we don't have reliable numbers here?"

Feigenholtz: "Representative, I have not seen the document that

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you are referring to and I would love to see it if you'd like to share it with me. I know that in many European countries access to sterile syringes is much more liberal. Many countries sell sterile syringes out of vending machines, so perhaps, that might be what you're talking about. But I have not seen this Amsterdam study on syringe availability. I don't know... is he talking about needle exchange or is he talking about limiting barriers to sterile syringes by removing prescriptive power?"

Righter: "Both kinds of programs. Removing the prescription requirement for needles, but that's all right. Representative, explain to me how, if we remove the prescription requirement for syringes, therefore allowing people who do not have a legitimate medical need for the syringes to access them, how the number of needles out there is not gonna go up?"

Feigenholtz: "Well, actually, the people who, I think, you're talking about normally are since heroin and drugs are illegal, are not going to be using sterile syringes in public places."

Righter: "Can you repeat that? I'm sorry. I couldn't hear you, Representative."

Feigenholtz: "Typically, people who are using sterile syringes with illegal drugs are not going to be using them in public places. Many of them will dispose of them in liter bottles, in Sharp's containers, in bleach bottles. That is how they dispose of them."

Righter: "So you're confident that the person who then, if this becomes law, goes to the WAL-MART pharmacy and buys himself or herself ten clean syringes and uses them at home and throws them away in his kitchen garbage can, then takes out the trash in a plastic bag that that needle won't poke

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through that bag and stick that garbage man or someone at the landfill or something like that?"

Feigenholtz: "I believe that should your local county health department, once it receives guidelines from the Illinois Department of Public Health, determine whether or not they would like to design and draft their own rules around disposal and public policy around disposal... I believe... you live in Vermilion County? I'm sure that that's what they would elect to employ. And that is exactly what the disposal language, that we've put in the Bill, was agreed to by the Illinois Public Health Association, the Illinois Public Health Administrator's Association, the Illinois State Medical Society and all of the Responsible Coalition for Syringe Policy members."

Righter: "Okay. Representative, do you think it's fair to say that there is going to be some increased risk of more dirty needles in dangerous places where children can get a hold of them or adults could actually have been stuck, could be stuck?"

Feigenholtz: "No, I don't. I truly believe the answer is absolutely not."

Righter: "Okay. So you trust that the intravenous drug users who will utilize this program then will dispose of them in accordance with federal EPA, Illinois Department of Public Health or County Health Department regulations? You're confident about that?"

Feigenholtz: "Yes, I am."

Righter: "Okay. How many... you know, I don't even know all the regulations from my county public health department, Representative. Do you know all the regulations for yours?"

Feigenholtz: "I don't know all of them. No, I don't. But I have

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spoken to Karen Scott from the Cook County Department of Public Health. I've spoken to John Lumpkin the Director of Public Health here in the State of Illinois, Sister Sheila Lynn from the City of Chicago, Georgeen Polyak from IPHA. Representative Righter, like I said, this is not an issue that people were taking lightly. The issue of disposal was definitely of great concern to them, but all... "

Speaker Turner, A.: "Could the Gentleman bring his remarks to a close. Representative Righter to conclude."

Righter: "Mr. Speaker, I think that Representative Meyer is prepared to yield his five minutes to me."

Speaker Turner, A.: "You've had ten minutes, but we'll let him yield his time. Representative Meyer. Representative Meyer yields his time to Representative Righter. Go ahead."

Righter: "Thank you, Mr. Speaker, for your indulgence. Representative, there's no requirement in this Bill that a person show, when they show up at the pharmacy, that they demonstrate that they are involved in any kind of drug rehabilitation program is there?"

Feigenholtz: "No."

Righter: "Why not? Why not make these people demonstrate that they are at least trying to help themselves a little bit when they're doing this?"

Feigenholtz: "If you read the Bill carefully, Representative Righter, you see that there is an effort to... when whoever's purchasing syringes is educated by the pharmacist with information about disposal, recovery and drug treatment."

Righter: "Okay. That's great. But why not take that next step and make those people demonstrate that they are actually enrolled in a program? If you think that this is gonna help them, why not help them in a second way? You referred

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to earlier, Representative, as a twin epidemic. Well, why not go after both sides of it then?"

Feigenholtz: "Representative Righter, I've spent the last six years here trying to increase funding for substance abuse programs. There is no greater believer in that, than I."

Righter: "So why don't we do it then? If you're a great believer..."

Feigenholtz: "We are doing it."

Righter: "...and I am, too, I was a drug prosecutor for five years. I saw a lot of young people..."

Feigenholtz: "I'm with ya."

Righter: "...and their lives ruined."

Feigenholtz: "Let's go."

Righter: "Why not put it on there then."

Feigenholtz: "Instead of doing a tax increase, this year, let's put it all toward substance abuse. What do ya say?"

Righter: "Hey, Representative, I'm asking you a simple question. You're in control of this Bill. Pull it out and put an Amendment on there that makes these people demonstrate that they're enrolled in a drug treatment program before they get the needles. That would help them. Why don't we do that?"

Feigenholtz: "What if they're diabetics?"

Righter: "Then they can show a note from their doctor. I'm happy to talk to you about that."

Feigenholtz: "We can talk about that another day, Representative."

Righter: "So you're not willing to..."

Feigenholtz: "I'm not, no."

Righter: "...require these people..."

Feigenholtz: "No."

Righter: "You don't... you're not interested in making these

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people show that they're trying to help themselves on this issue."

Feigenholtz: "Representative, in the State of Illinois, right now there is one spot for every three people that are ready to recover. Amending this Bill, the way you want it, is not gonna change that. I am in support of the Governor's \$10 million increase in substance abuse treatment. I think he should add a few zeroes. But that does not have anything to do with what we are trying to do with House Bill 298."

Righter: "Okay. Thank you, Representative. To the Bill, Mr. Speaker. To the Bill, Mr. Speaker."

Speaker Turner, A.: "To the Bill. Go ahead."

Righter: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, we have before us a piece of legislation that is a very, very substantial departure from public policy in the State of Illinois. It flatly contradicts this state's actions in making drug paraphernalia illegal. If we're going to make that kind of change, shouldn't we at least know about the facts that we are basing this decision on? In this case, we don't know that and we don't know that because the advocate of a needle exchange program and these kinds of programs in Amsterdam, which is one of the most liberal countries in the world when it comes to these projects, says that the United States hasn't done its job in reviewing these kinds of statistics. The idea that more people are gonna be able to walk in and buy syringes without a prescription and that somehow there's not gonna be more dirty needles laying around, is ridiculous. The drug users who are gonna take advantage of this program are probably not gonna have a copy of their local county or the state's or the federal's needle disposable guidelines with them and they're gonna throw 'em in the trash, they're

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gonna throw 'em in the alley, they're gonna throw 'em in the garbage disposal. They're gonna do somethin' with 'em that sooner or later is gonna endanger someone's life. This is not good public policy. This is not in the best interest of anyone in this state, whether it's someone who's using drugs or not. And I would urge a 'no' vote. Thank you, Mr. Speaker."

Speaker Turner, A.: "The Gentleman from Winnebago, Representative Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I've heard a lot of arguments here today and I believe in the sincerity of the people who are making 'em on the other side of this. I, however, rise in strong support of this particular measure for a lot of reasons. And I want to go through some of the arguments that we've heard here. First of all, you know, I think that part of this is due to the fact that people have a kind of a... and you just heard it a little bit with the last speaker, a significant departure from policy as it relates to paraphernalia as it relates to drug use. Well, this isn't softening our stance toward paraphernalia or drug use. This isn't about the drugs; it's about the needle. And it's about what dirty needles do in terms of public health issues for people who are totally unrelated to the person who's making the irresponsible choices that everybody seemed to want to talk about before. We're talking about the woman who doesn't know that her husband or her partner is using some kind of dirty needle and therefore, spreads the HIV virus to her or to her children. We're talking about trying to protect those people. You know, the groups that are in favor of this, you know, a couple of 'em, as was pointed out to me, may have a monetary interest in

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wanting to do this, but most of 'em don't. This isn't a bunch of wild-eyed, whacked out, left-leaning people who are trying to come to us to pass some major departure from public policy as it relates to drug use. These are public health officials and if they truly believed that the disposal issue would result in more problems than there is in passing this Bill, then they wouldn't all be in support of it, but they're all in support of it. Doctors, nurses, public health agencies are all in support of this particular Bill and why, because they believe and I agree with them, that it's going to substantially reduce public health risk as associated with HIV and with the AIDS virus. This disposal issue's interesting. It's a very interesting issue. But you know what? Nobody who's talked about this issue so far has put in a Bill that, in my knowledge, that's gonna right now make it criminal to illegally dispose of these. I haven't seen one of those Bills. You got that problem now. You got it in my district and anywhere where you've got a lot of drug use, you've got that problem, right now. This, actually, at least imposes the requirement that guidelines be drawn up through public health departments; that's better than we've got right now. Right now, you're just left with an EPA violation with a statewide one, yeah, and that doesn't get prosecuted for most intravenous drug users very often. That's all you've got, right now. This is at least going to ask public health departments to install some other requirements in this particular Bill. That's better than we've got, right now. You know, again, I've heard some things about condoning drug use and we're not condoning drug use. But what we're saying is while we talk tough and we try to be tough on drug use and a lot of issues, we also have to be smart.

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And we have to be smart about the public health effects of this. We all probably got this, but the Association of Public Health Administrators, the people that are on the frontlines in your community and in mine, tryin' to make sure that diseases do not spread, whether it's an HIV or other diseases say IHPA (sic-IPHA) is keenly aware of the impact of communicable diseases within our communities. Sound public health policies supports access to sterile syringes to reduce the transmission of communicable disease among high-risk populations. Transmission can also occur among partners and newborn infants within the high-risk population groups. That's what we're talkin' about here. We're talking about trying to reduce the effects of people using dirty needles and the effect that they have on totally innocent parties, as well. The Illinois State Medical Society tells us that according to the Illinois Department of Public Health, 95%, 95% of all pediatric AIDS cases are associated with syringe sharing. Now, for those of you that talked about the irresponsible user, I don't think you're talking about the pediatric AIDS patient. Those are not people that you're talkin' about here, but they're directly affected by having dirty needles here. Seventy percent of AIDS cases among women are likewise associated with the use of dirty syringes often used by their heterosexual partner. Again, that's not something that we're talking about trying to be weak on drugs or anything else. We're talking about the public health concern, as well. We're concerned about the disposal issue, but again, for those of you who are talking about this, the disposal issue is better addressed by this particular Bill than anything that we've got right now. And I'll tell you what, to the last speaker who talked

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about drug treatment center, I happen to have in my community a wonderful drug treatment provider and they would be glad to have the \$10 million that's proposed in the budget this year or a share of that proportion that would go to them to provide more beds, but we're woefully inadequate in terms of the waiting list and people trying to get into treatment. And so if you put a requirement on there that people can't do this unless they're actively involved in treatment, you're totally missin' the point. The treatment's not there always for the people who actively want to get into treatment. And \$10 million simply isn't gonna get it done for all the need that's out there. This is a public health issue. It's all about increasing safety for people and totally innocent people that are involved in the public health aspects of this particular Bill. If the disposal issue, which has been raised, were that critical in terms of this and I happen to agree with Representative Feigenholtz and with her assessment of that, if that issue were that critical, then the departments' of public health wouldn't be supportive of this Bill. But they are supportive of it because this Bill also addresses that issue in a better fashion. So for the people who are innocent, that are involved in this, for the people who are ended up getting AIDS in our communities and are infected with HIV because of shared needles, for the people who get hepatitis because of shared needles or who may be also totally innocent, for also the people that are affected that are diabetics, that are taking for fertility reasons and other reasons, this is a good Bill. It's necessary and makes sense from a public health aspect. And I strongly urge an 'aye' vote."

Speaker Turner, A.: "The Gentleman from Cook or the Lady from

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Cook, Representative Coulson. For what reason do you rise?"

Coulson: "Hello. Thank you, Mr. Chairman. I'd like to speak to the Bill. I'm very glad to hear some of the things that Representative Scott just said because I think what we really need to think about here is this is not a drug paraphernalia Bill. This is not a issue about people who are using drugs, but it's an issue of public health. It is an issue of making sure that innocent people don't have dirty needles available. It is an issue that I think I would like to congratulate and thank the Sponsor of the Bill, Sara Feigenholtz, for addressing many of the concerns that we've had over the last year or two by adding a very good clause on disposal, which allows for local control. So that in the City of Chicago, where there may be issues, the city public health department can make different rules than someone in a downstate community can make. So we're allowing for the local control of disposal. As a health care provider, I'm also want to remind you that this is not just HIV/AIDS. It's for diabetics, it's for people who have infertility treatments, it's also an issue for health care providers. Hepatitis C is one of the most common viruses that are passed on to health care providers and this Bill, I believe, can greatly decrease the incidence of that virus. So we want to remind everyone that this is a public health Bill. The people behind this Bill feel that will help decrease the incidence of many viruses and I encourage your 'yes' vote."

Speaker Turner, A.: "The Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House of Representatives. I stand in strong support of House Bill

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298 and let's put some things to rest here. The fear mongering, totally baseless and borders on sensationalism. Every officer that's out there on the street, a police officer, coming from the criminal justice system, we know who the junkies are out there. We know the good guys; we know the bad guys. And let me talk to you about what's goin' on out there. When we paint a picture, we paint a picture of why other states, we could become the 43rd state, yeah, we're going outside the policy of Illinois because we are finally going into the new millennium. We're leaving the Flintstone era and we are going into the Jetsons. We have to be leaders in terms of making sure we know how to support our families and you know how I feel about families. I want to keep 'em alive. We have heroin addiction in this country and let's not talk about intravenous, for heaven's sake, you can snort heroin. It goes in the membrane. So you don't necessarily have to have a needle. This isn't about heroin use, specifically and exclusively, this is about saving lives. Let me paint a small picture. We have gone from heroin addiction and from heroin addiction it is creating HIV. This cancer is growing. It then goes into hepatitis C. Now, this problem has gotten larger. Exchanging... the use of needles on the street, I've had three of my good buddies die with ODs because they shared a needle. The average junkie's not walking into Walgreens looking to purchase a needle. A lot of 'em are tied to court-ordered programs, for heaven's sake, that many of the prosecutors here have gotten them into. This is about a health concern. This is about public policy. And I can speak for the Latino community when we say, HIV is at a height, not only here, but also in my native land. And it is sad that all I can continue to

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do is Band-Aid this shotgun wound. This Bill gives us an opportunity to address and be tough and lead and go back to our communities and say, 'We want to help you live a little longer, but if you contract HIV and if it is going to end your life eventually, we cannot help you.' But if we have a shot to at least join the other states that have not had any major tragedies in dealing with this problem, we would be able to move forward. So again, today, we ask that we move forward because I would argue that the basic police officer on the street know what time it is out there and understand who is the user, who isn't and what programs are working and which ones aren't. This is a very important Bill, Ladies and Gentlemen. Please, don't vote your next campaign. Vote because this is important on its merit. We have debated it for a couple of hours here and let's move it on. And Mr. Speaker, I would say let's move this question and let's get it on. This is about saving our families and our children and drug-induced babies that do not have a voice because..."

Speaker Turner, A.: "Bring your remarks to a close, Representative."

Delgado: "Let me close my comments, please. And babies, we must make sure that their parents have the opportunity not to share those needles. Thank you, Mr. Speaker."

Speaker Turner, A.: "The Gentleman from Kendall, Representative Cross. For what reason do you rise?"

Cross: "I just have a couple questions. No comments. But a few questions of the Sponsor."

Speaker Turner, A.: "State your question."

Cross: "Thank you, Mr. Speaker. And before I ask my questions, I want to thank Representative Coulson and Lindner and everyone who have answered some questions for me on this."

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I have some selfish questions in the area of juvenile diabetes, Sara. As you know, my daughter has it, so I just want it from a legislative intent standpoint, ask some questions, and I don't ask them in an argumentative way. I just want to clear some questions up. In your Bill on page 2, Sara, it says, 'a person who is at least 18 years of age may purchase from a pharmacy and have in his or her possession up to ten sterile hypodermic syringes regardless of whether he or she has a prescription for the syringes.' I'm assuming that you don't intend and when it talks about possession, certainly someone that has diabetes can have in their possession more than ten syringes. Is that correct?"

Feigenholtz: "That is correct, however, you need a prescription for over ten."

Cross: "Fine. I just... and I want to get to that in a second. I just want to make sure that you can possess more than ten and not have any problems for medical reasons."

Feigenholtz: "Correct."

Cross: "And I'm not asking you to pull it out of the record. If it moves around over in the Senate and comes back, you might want to have some of the language, perhaps it says, 'except for medical reasons'. And I don't want to get into that. I know you want to move your Bill. It also says, 'a person who is at least 18 years of age may purchase from a pharmacy and have... ', it's the same language. Can a parent purchase for a child, someone under age 18 who's diabetic, these needles or these syringes without a prescription for the child?"

Feigenholtz: "Yes."

Cross: "That's certainly your intent. Okay. A couple questions along the insurance line, Sara. Right now because a prescription is needed for the needles our insurance and

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insurance for, I suspect, most diabetics that use needles cover these, the cost of these needles and syringes. It is certainly not your intent to move away from insurance coverage. You still have the belief and the intent, under this Bill, and I have the Legislative Research Unit language, but it's certainly your intent that insurance coverage continue to be provided for people who purchase needles and syringes for diabetic reasons and other medical reasons?"

Feigenholtz: "Yes, it is."

Cross: "Okay. All right, I have no other questions. Thank you."

Speaker Turner, A.: "The Gentleman from Cook, Representative Parke. For what reason do you rise?"

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

Speaker Turner, A.: "She indicates she will."

Parke: "Representative, I am torn on how to vote on this Bill. And it's actually refreshing to see the Body and so many of my colleagues debate an issue that has very little to do with politics, but to do with the merit of the issue. So to help me try and formulate how I'm gonna vote on this, I'd like to tell me and the Body, how do drug users get their needles now?"

Feigenholtz: "Well, actually, I think that's a good question, Representative Parke. I think they get them anyway they can and if they can't get them, they make them. Sometimes they buy them in the black market. I saw once a young woman show me a... she took the cartridge of a pen, pulled the cartridge out, hot glued a needle to the bottom..."

Parke: "I appreciate that, but I'm just... do they buy... black market, they buy it."

Feigenholtz: "Right."

Parke: "Can they mail order? Can they put an order in and order

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a thousand of 'em and have 'em shipped to 'em from..."

Feigenholtz: "I... no, they cannot."

Parke: "I thought you said that well over 40 other states allow this."

Feigenholtz: "That's a very good question and I don't know the answer to it."

Parke: "Can they go to the state next door... it is my..."

Feigenholtz: "I would imagine that the state that is selling those needles depends on the law in that state at what the limitation is without a prescription or if there is a limitation, with a prescription."

Parke: "Can they go to Indiana and buy a box of syringe needles?"

Feigenholtz: "Yes."

Parke: "Can they go to Wisconsin and buy a box of syringe needles?"

Feigenholtz: "Yes."

Parke: "Is there really a shortage then of needles? The argument is that there's not enough needles, so they gotta share 'em. But can't they just buy 'em anywhere they want and not necessarily just in... they can't do it in Illinois, but they can do it in any surrounding states?"

Feigenholtz: "Every state around Illinois, Representative Parke, does not require prescription for sterile syringes. I think..."

Parke: "So we're the only state they can go and buy 'em wherever they want, but they can't buy 'em here. So it's inconvenient. So if you have mobility, you have a car, you're not livin' in the inner city where you may not have cars, you're limited on where you can go get 'em. But anybody else can go to buy 'em in any other state. Am I correct?"

Feigenholtz: "Correct. When they can't get clean... if they

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can't get sterile syringes, which they would prefer, they get them on the street and many of those syringes are infected."

Parke: "Let me ask you this question. How do you answer the question that this is going to encourage drug use? Do you believe that this encourages drug use?"

Feigenholtz: "I, personally, do not believe it does and what has led... because Representative, let me clarify something. I would never be sponsoring a Bill in the Illinois General Assembly, nor would the proponents who are supporting this Bill, support a Bill in the Illinois General Assembly, that encourages drug use."

Parke: "Well, I..."

Feigenholtz: "And it's 15 years of studies that have led them to the conclusion that removing barriers to sterile syringes does not increase injection drug use, does not create new users, but does diminish HIV transmission. The data is clear."

Parke: "I'm not saying nor would I... I'm just talking about the unintended consequences. Do you believe the opposite then? Do you believe by virtue of us allowing this Bill to pass that we will, in fact, have a deterrent in HIV increase? I mean and that's the intent of the Bill, isn't it?"

Feigenholtz: "Yes, I do. I believe when you consider the amount of money that this state incurs, both government and societal money, for every HIV transmitted case reported, which is about \$750 thousand per case, when you consider that this, Terry, does not cost government a dime. This is not a state-administered program. It's a very simple removal of the need for a prescription that can have an incredible impact on diminishing... The AIDS Foundation estimates in next year, perhaps, a hundred cases in

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Illinois."

Parke: "Thank you. I appreciate the feedback. I'm still con.."

Speaker Turner, A.: "Bring your remarks to a close, Representative."

Parke: "Thank you, Mr. Speaker. I'm still confused, but if this Bill goes to the Senate and if I vote for it, would you... and it has to come back, would you consider the idea of needle exchange in an Amendment form, if it comes back, if it's amended over there?"

Feigenholtz: "I look forward to the evolution of this public policy as it rolls through this laboratory. I think that there are a lot of Senate Members who are anxious to begin talking about this issue. They're very cognizant, conservative and thoughtful Senators who really want to address this issue and I would be glad to take a look at numbers with you, Representative Parke, and work on it with you when it comes back to this chamber."

Parke: "Thank you very much."

Speaker Turner, A.: "The Lady from Cook, Representative Mulligan. For what reason do you rise?"

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

Speaker Turner, A.: "She indicates she will."

Mulligan: "Representative, I think we've had some very thoughtful debate and as you know, in the beginning, although I've supported needle exchange Bills in the past, I was reluctant to support this. But in the discussions with you, I have made up my mind that it was reasons other than the quality of the Bill that were keeping me from supporting it and that the logic dictated that we should try something like this. But could you answer me why, perhaps, you did not have a needle exchange Bill, although we've had several before that have passed, did you have a

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particular decision that kept you from making it an exchange?"

Feigenholtz: "I believe that the cost of needle exchange is quite large, Representative Mulligan, and I believe it's something that we should most definitely continue to consider as another step. However, House Bill 298, as I said earlier, is a Bill that will have the similar impact of what needle exchange programs have demonstrated nationally and in Illinois, by the way, and I think that they would work very well together and do work very well together, but I really do believe that right now it's an administrative cost issue."

Mulligan: "Mr. Speaker, I'm having a hard time hearing her responses. If we could be just a little more quiet. Representative, is it not true that syringes are directly related, as we've asked before, to the spread of hepatitis as well as AIDS?"

Feigenholtz: "Very much, more than AIDS."

Mulligan: "Aside from what you would think are just the common drug users, people in my community who can afford to buy drugs, some young people which seems to be a spreading growth of injections of heroin, sometimes in their midtwenties decide to get off drugs and clean up. The problem is if they'd been really addicted they then sometimes, is it not true, find themselves with AIDS or hepatitis which will ruin their life anyway, even though they've made the choice to eliminate drugs from their life?"

Feigenholtz: "I'm sorry, Rosemary. There's..."

Mulligan: "Isn't it the case that many young people who become addicted to drugs but then later clear up their act often find that it's too late because they find themselves with

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AIDS or hepatitis?"

Feigenholtz: "I think that... I couldn't agree with you more. For people in this room who have had family members and I've listened to a couple of speakers and had private conversations with them about the issue of substance abuse. I think that one of the... we always hope that our families will make decisions to recover from substance abuse and that when they're ready to do it that there's a spot in a recovery program for them in the State of Illinois. But I perish the thought of the very young person that you're talking about not being there, not having the spot for substance abuse treatment, and in the interim transmitting HIV through injection drug use and then never having the chance to recover from substance abuse. It is fatal."

Mulligan: "Isn't it also true that in some places that would be called drug safe houses where people who are on drugs go, they often leave the needles sitting in that room so that the next person that can come along can just pick up that needle, a dirty needle, often not knowing who used it before and use it to inject drugs and this is how this is spread?"

Feigenholtz: "Yes."

Mulligan: "To the Bill."

Speaker Turner, A.: "To the Bill."

Mulligan: "I think I was quite reluctant, in the beginning, to support this Bill, but when I realized that the reason I was reluctant were more political than logic and good health reasons, I decided to take a good look at the packet. The number of people that support this Bill, as has been pointed out by many other Representatives, Representative Coulson, Representative Scott who made very valid arguments are not lightweight people. They are

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people that are concerned with the spread of disease, the protection of unborn babies, different issues here that are very paramount. People in my own community, I get these calls in my district office about from parents whose children are on drugs, we're preventing them long-term from, perhaps, kicking a habit without having a much serious, more serious disease. I think we should kill the stereotypes and actually vote for something different because we're not succeeding. Could I finish?"

Speaker Turner, A.: "The Gentleman from Cook, Representative Durkin. I'm sorry. Representative Mulligan, bring your remarks..."

Mulligan: "Several years ago, I visited with Congressman Henry Hyde in Washington and I asked him, particularly from the aspect of why we cannot stem the drug tide which is the single largest reason for foster care in Illinois, the single largest thing that causes money to be spent in Human Services, and he said there isn't enough money in Congress or in a state to cut drug use and to stem it. I think we need to look to more innovative ways of trying to stem disease. We have tried with the Conference of Women Legislators to put forth a new program for African-American woman in AIDS. I'm surprised that some of the Representatives who are not supporting this Bill, I think this is a very good way of doing that. I think we need to look at all these public health issues. I think we need to vote wisely, not politically and try something new. I think this is a good Bill to support. I would urge an 'aye' vote."

Speaker Turner, A.: "The Gentleman from Cook, Representative Durkin. For what reason do you rise?"

Durkin: "Will the Sponsor yield for a brief question?"

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Speaker Turner, A.: "He (sic-she) indicates she will. Brief."

Durkin: "Representative, in your legislation is there anything which places a time frame in which a person is allowed to go back and repurchase up to ten needles?"

Feigenholtz: "No, it does not."

Durkin: "Why not? So you can go and you can purchase up to ten needles, you can walk out, throw 'em in someone's car, then you can walk back in, under this legislation, correct, and purchase up to another ten at that time, correct? Do you think that's a good... Do you think that's wise? Do you think that's good public policy cause we're opening a door for that?"

Feigenholtz: "Representative Durkin, I think that a lot of the concerns that you raise are legitimate. I think that within the Coalition For Responsible Syringe Policy, that question did come up. We investigated how other states were dealing with that and it was not an issue."

Durkin: "Well, in my prior history, I have involvement and very familiar with the way that drug offenses occur in the City of Chicago and the suburbs and there are what they call 'shooting galleries' all over the city, in the north side, the west side, the south side and out in the suburbs. And sometimes we gotta be careful about the unintended consequences of legislation 'cause no one in this chamber... we all feel the same about, we need to do what we can to, you know, stop the spread of this terrible disease. However, we have to be mindful of the unintended consequences. And my concern is that, specifically, is that, you know, as long as these type of establishments who are run by our street gangs are gonna be existing, in which they profit from this type of illegal trade, what we're doing is that in a sense I think what we're still promoting

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something to them which I don't think that anybody intended, but is a reality which we'll see out in the street. I intend to vote 'no'."

Speaker Turner, A.: "The Gentleman from Cook, Representative S... I mean, the Gentleman from Madison, Representative Stephens."

Stephens: "Mr. Speaker, should this Bill gain the requisite number of votes, I would seek a verification."

Speaker Turner, A.: "The Gentleman has requested a verification. Representative... the Lady from Cook, Representative Feigenholtz, to close."

Feigenholtz: "Thank you very much, Mr. Speaker and Members of the Assembly. I think of all the pieces of legislation that's come before us this year, this one and the debate about the... meaningful. One of the things that I want people in this room to consider are the mothers and the children who are infected by HIV because their partner is an injection drug user and doesn't know it. A lot of the innocent lives can be saved. We have heard some very spirited debate here today. The national organizations that are supporting this Bill have been mentioned earlier by a previous Sponsor, Representative Moore, but the Illinois organizations who have taken this issue very seriously and weighed all of your concerns, have made a determination that this is not junk science. This is hard, hard data, collected from around the country... "

Speaker Turner, A.: "Want to bring your remarks to a close."

Feigenholtz: "I urge an 'aye' vote. Thank you."

Speaker Turner, A.: "Thank you. We request that every Member vote his own switch. There has been a request for a verification, so each Member is asked to vote his own switch. The question is, 'Shall House Bill 298 pass?' All

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those in favor should vote 'aye'; all those opposed vote 'no'. The voting is open. 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 65 'yes', 45 'no', 4 voting 'present'. And the Gentleman has requested a verification. Representative Stephens. The Gentleman from Kendall, Representative Cross. For what reason do you rise?"

Cross: "Thank you, Mr. Speaker. If I could immediately after this Bill's verification is handled, be heard on a Motion. I presented a written Motion. I don't know if it's appropriate to do it right now, though. If you could recognize me immediately after this, I'd appreciate it."

Speaker Turner, A.: "After we conclude this Bill, we will recognize you."

Cross: "Thank you."

Speaker Turner, A.: "The Gentleman from Stevens... I mean the Gentleman from Madison, Representative Stephens, on the verification."

Stephens: "I want the Clerk to give me just a moment, here."

Speaker Turner, A.: "Mr. Clerk, poll the absentees."

Clerk Rossi: "There are no Members not voting. A poll of those voting in the affirmative. Representatives Acevedo. Beaubien. Boland. Bradley. Brunsvold. Bugielski. Burke. Coulson. Cross. Currie. Curry. Davis, S. Delgado. Erwin. Feigenholtz. Fritchey. Garrett. Gash. Giles. Hamos. Hannig. Hassert. Hoeft. Hoffman. Holbrook. Howard. Johnson, Tim. Jones, L. Jones, S. Kenner. Klingler. Krause. Lang. Leitch. Lindner. Lopez. Lyons, E. Lyons, J. Mathias. McGuire. McKeon. Moore, A. Morrow. Mulligan. Novak. O'Brien. Osmond. Osterman. Parke. Persico. Rutherford. Saviano. Schoenberg. Scott.

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Sharp. Slone. Smith. Stroger. Turner, A. Turner, J.
Winters. Wirsing. Woolard. Younge. Mr. Speaker."

Speaker Turner, A.: "Representative Smith asks leave to be
verified. Is that okay? Representative Saviano asks leave
to be verified. Representative Mautino asks leave to be
verified. Representative Wyvetter Younge asks leave to be
verified. Proceed, Representative Stephens."

Stephens: "Certainly. Representative Fritchey?"

Speaker Turner, A.: "He's in his seat."

Stephens: "Gloating about the baseball game. Representative
Hamos?"

Speaker Turner, A.: "Lady's down front. She's in her chair."

Stephens: "I'm sorry. Thank you. It's so difficult. You know,
there's so many Democrat staffers. I didn't realize you
had that much staff."

Speaker Turner, A.: "Could we ask all the staffers to please
retreat to the rear of the chamber."

Stephens: "Well, I didn't want 'em to retreat. I just was
admiring the numbers that you have."

Speaker Turner, A.: "We wanna make this easy for you,
Representative. We've been debating this one for a while."

Stephens: "Representative Hannig?"

Speaker Turner, A.: "The Gentleman's in his chair."

Stephens: "On a side note. Representative, did you get my
Sponsor change request? Representative Hannig. He's
ignoring me. I don't blame him. Representative Garrett?"

Speaker Turner, A.: "The Lady is in her seat."

Stephens: "Thank you, Representative. I didn't see her."

Speaker Turner, A.: "Representative Lang requests leave to be
verified."

Stephens: "Certainly. Representative Slone?"

Speaker Turner, A.: "The Lady is in her chair, Representative."

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Stephens: "We need to flag that chair."

Speaker Turner, A.: "Easy, easy, Representative. She's in her chair, literally."

Stephens: "Nothing further."

Speaker Turner, A.: "Nothing further. On this question, there are 65 'yes', 45 'no', 4 voting 'present'. And this Bill... 49 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Kendall, Representative Cross, for what reason do you raise... rise?"

Cross: "Thank you, Mr... yes, what? Thank you, Mr. Speaker. I filed a little while ago, prior to that last debate and that last Bill we just debated, a Motion and I'd like to be heard on that Motion. Pursuant to Rule 18(g), I move that the Rules Committee be discharged from further consideration of House Bill 2963, and that measure be advanced to the Order of Second Reading. Mr. Speaker, I am not sure and unless you put that Bill number up on the map or up on the scoreboard, I'm not sure that people know what this Motion deals with. But, House Bill 2963 deals with the Downstate Police Pension Enhancement Package. We have repeatedly, Mr. Speaker, over the last two weeks, pleaded with the Speaker, you weren't in the Chair at the time, but with the real Speaker, that he please call and please move along House Bill 2963. As you know a year ago, Mr. Speaker, we dealt with the issue of firefighter pensions for downstate firefighters. It's the belief of the Republican Members of this House that we ought to treat police officers in the same manner that we've treated firemen in this state. We asked police officers throughout this state, incidentally, we're not talking about Cook County or the City of Chicago, Mr. Speaker, they're

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already taken care of. We're talking about collar county and downstate police chiefs and downstate police officers, the same men and women who protect us on a daily basis. They protect our children, they protect our schools, they protect our grandparents, they protect our houses. And all we want Mr. Speaker, is the opportunity to vote on a Bill that provides parity and provides some enhancement to their pension. We as a General Assembly on a daily basis, Mr. Speaker, on a daily basis, pass tougher and tougher anticrime Bills. We ask our police officers to do more and more on a daily basis. We ask them to pursue drunk drivers. We ask them to pursue gang-bangers. We ask them to pursue sex offenders. We ask them to pursue drug dealers. The list goes on and on. But, yet we don't have the decency, we don't have the understanding, we don't have the respect for the job they do, because we're not willing to give them a fair pension plan, Mr. Speaker. Now, if we really respect what they do, and really want to acknowledge what they do, and really want to help the police officers in the State of Illinois, at least the downstate police officers, the least we can do, the least you could do, Mr. Speaker, is allow this Motion to be heard, and thank you for finally putting it up there, the least you can do is say, 'Police officers in the State of Illinois we understand what you're going through. We respect what you're going through. We understand that at any given moment while you're on duty, in fact, even when you're not on duty there's the chance that you could be hurt, seriously hurt, or even killed.' And, unfortunately, Mr. Speaker, for some reason your side of the aisle has absolutely no respect for the police officers. Now, I challenged you, Mr. Speaker, at least the real Speaker a

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week ago, and if you're for this Bill, you're for the police officer. If you're not for this Bill, then it certainly looks like you might be for the criminal. So, I think there's some people over there that support us, Mr. Speaker, and I appreciate the yelling and the encouragement of this Motion. So, Mr. Speaker, I ask that you grant our Motion. In the event you don't, I know there is that possibility, I'd be shocked and appalled if that occurs but I know there's that possibility. I certainly would move to overrule the Chair. I would request a Roll Call Vote. And, once again, let's find out who supports the police officer in the State of Illinois and who supports the criminal."

Speaker Turner, A.: "The Gentleman from Adams, Representative Tenhouse, for what reason do you rise?"

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Cross's Motion to Discharge. And again, we've been over this ground before but... been over this before but let's go back and revisit what we're talking about. We're talking about downstate police officers. We're saying all, what we're saying is, let's treat them the same as we treat Chicago police officers and all of our firefighters statewide. Pretty simple request. How can anyone look at this and say, '... Oh yeah, we're going to go into the process.' We're saying, 'Look we've done the same thing for Chicago police. We've done the same thing for all of the firefighters in this state. Let's do it for our policemen as well, for all the state's policemen, those downstate, besides those in the City of Chicago.' Again, Mr. Speaker, I urge the Members of both sides of the aisle to support this Discharge Motion and advance this Bill to the floor, so we can talk about it and debate it here on this House

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Floor where it should be debated."

Speaker Turner, A: "The Gentleman from Kane, Representative Hoeft, for what reason do you rise?"

Hoeft: "Thank you, Mr. Speaker. I rise to support the Motion to Discharge. As the House Republican Pension Leader a lot of people come to me, and someone on a personal note this weekend, a police officer came to me who said, he's been postponing his retirement for two years because he knows eventually this is going to get through but he is not, he does not have the same zeal for his job as he once was because he knows he's leaving. The longer we have this Bill languish, the more complicated it becomes in terms of people's lives. These are the people that have protected us, I think it is only fair for us to release this and give them the equality that we have for our firefighters and also for our other police officers in the state. So, on a personal note, these people are supporting us, why can't we support them? I would ask for a Discharge Motion, please."

Speaker Turner, A.: "The Gentleman from DuPage, Representative Biggins, for what reason do you rise?"

Biggins: "Well, Mr. Speaker and Ladies and Gentlemen of the House. I also rise in support of Representative Cross's Motion. I know the Illinois Municipal League is not fond of this particular idea. But strangely enough, yesterday there were a number of mayors and managers from surrounding counties of... County of Cook all of which would qualify under... their departments would qualify under this proposal and to treat them the same as we do their firemen, in the same towns with the same pensions benefits. They did not indicate opposition to this idea. In fact, maybe they... Municipal League, if they're listening, maybe they ought to go ask some of those mayors, when they were down

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here yesterday where they were with this measure, because they were in support of our police. These are police that protect and serve us all. These are the ones that are gonna probably end up helping some of those people or arresting some of those people that just got to get their needles on the previous Bill we debated on. But we think that the work that they do is very important. They're entitled to a pension that they've spent years earning. It's not a gift, it's been earned. And I would urge that the Gentleman's Motion, Representative Cross's Motion, be approved."

Speaker Turner, A.: "The Gentleman from Cook, Representative Murphy, for what reason do you rise?"

Murphy: "Thank you, Mr. Speaker. I rise in opposition to the Gentleman's Motion for several reasons. The first reason is we have a lot of police departments been calling me... at my house, including to be my office, and down in Springfield, my district office, Springfield, and my house. And they know I've always supported the police department, as well as the fire department. And so while we have people on the other side of the aisle using this for a political football, it's unfair, they know well that this matter's been negotiated at this point in time in good faith. And so, I guess, they want to make a hundred Motions and said we did it for a hundred times, which is unfair. I would like to point out, Mr. Speaker, that I'm one of the few people who voted on that Bill already. So, it's pretty clear as to where I stand. And so, I would object that not coming through my committee in which I'm the Chairman of. Otherwise, to me it makes no sense to have committees, if it's gonna leave one Body, come to another Body and to the floor. That's not the procedures. So, anything varying from that, Sir, I would object to. Thanks."

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Speaker Turner, A.: "The Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. I rise in support of Representative Cross's initiative. Too often we allow politics to get involved in these kinds of decisions. And it seems, it's very obvious to all of us that politics is playing a role in this to claim that backroom deals are being cut on this and not being able to figure out how they're going to present it, I think is... begs the issue. I think the Bill is pretty clear. I don't think we need to negotiate any further with the Municipal League, they have their position. I don't think we have to negotiate more with the police, they have their position. I think we ought to allow the Body to vote on it now. We have a lot of police officers that are very concerned about it, like all of us. We received a lot of phone calls from the rank and file of police officers in our districts. And I think they deserve, before the election, to judge us on how we're going to vote. And we also have to take into mind the concern that our municipal governments have who represent the taxpayers, and they have made their position clear, I'm sure, to all of us. And let's be judged on election day on how we deal with this most important issue and not let the politics play the role that currently, the Democratic Leadership on the other side has decided to take this Bill. Police officers in this state deserve to hear from us now. And, I rise in support of Representative Cross' for Motion to Discharge."

Speaker Turner, A.: "The Gentleman from Madison, Representative Hoffman, for what reason do you rise?"

Hoffman: "Thank you, Mr. Speaker, just to address the Gentleman's Motion. The previous speaker talked about not playing

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politics, not making this political. We, for years here, have had an Agreed Bill process and a negotiated process when it comes to pensions. Statements such as: if we do not support this Motion, we do not respect police officers; statements such as: if we do not support this Motion we're voting with criminals; that's not political, those aren't political statements? Statements such as: well if we don't support this now and this Motion now, we don't care about police officers families; that's not political statement? We respect police officers on this side of the aisle. We're going to give them their pension. We're going to make sure they get what they're due and we're going to do it through the right process. We're not going to stand here and grandstand, make ridiculous statements about how we don't, how we or your side of the aisle wants to be with criminals and against police officers. We respect police officers, hopefully, someday you'll gain your self-respect back."

Speaker Turner, A.: "The Gentleman from Clinton, Representative Granberg, for what reason do you rise?"

Granberg: "Thank you, Mr. Speaker. I, too, rise in opposition. Let's cut through the rhetoric, Ladies and Gentlemen. We are doing what the police want. Ladies and Gentlemen, I have a signed agreement by the largest groups representing all the police downstate and the Municipal League. They have told us in this statement they are negotiating in good faith. They are asking us not to do anything until they successfully conclude those negotiations. They have agreed to come up with an Agreed Bill in the Fall Veto Session. That is the Bill they want us to pass. So, let's cut out the rhetoric. Let's do what the police want. Let's do what the Representatives want. Let's not do this, let's

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not hurt the collective bargaining process. Let's help the police and their families. Let them successfully conclude this negotiation and then we are going to help them. And if they don't negotiate in good faith, we'll pass that Bill. We're going to make sure the police and their families are taken care of in the State of Illinois. That's what we should be here for and that's what we're going to do, not political rhetoric."

Speaker Turner, A.: "The Motion to Discharge requires unanimous consent. More than one person has objected to that Motion at this time, and so the Motion fails. The Gentleman from Kendall, Representative Cross."

Cross: "Well, in spite of all the talk, Mr. Speaker, and I hate to do this, with all respect to you, I'm going to move to override the Chair. There's, obviously, been a... this Bill's been passed out of the Pension Law Committee. It's a bi-partisan committee and we've created that to move these Bills along and now all of a sudden, we say, 'let's stop. We don't care about the police officers.' We either have a process where we utilize the Pension Laws Committee or we don't. I don't know about this agreement. No one on our side of the aisle knows about this agreement. It's an agreement, last week you were negotiating, now there's an agreement. I don't think that anyone on your side of the aisle really knows what's going on. So, we do have a Bill that's passed out of the Pension Laws Committee, let's move it forward. Let's respect the police officers of the State of Illinois and actually show that we care about what they do on a day in and day out and a night time basis and I once again ask that you be overruled, Mr. Speaker."

Speaker Turner, A.: "The question is, 'Shall the Chair be overruled?' 'Shall the Chair be sustained?' If you agree

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with the Chair's ruling you should vote 'aye'; if you disagree with the Chair's ruling you should vote 'no'. Anybody need any reminders? The voting is open. 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 is 61 voting 'aye', 56 voting 'no'. And the Chair is sustained. The Gentleman from Madison, Representative Steve Davis, for what reason do you rise?"

Davis, S.: "Yes. Thank you, Speaker, Ladies and Gentlemen of the House. I have a very, very important announcement to make. The Cardinals beat the Cubs today 13-3 which completed a three game sweep and we have the broom here. Sweep, sweep, sweep."

Speaker Turner, A.: "Thank you for the information, Representative. The Gentleman from Cook, Representative Harris, for what reason do you rise?"

Harris: "I'd just like to let the Representative know that we have some brooms on back order. We be waitin' on him."

Speaker Turner, A.: "The Gentleman from Kankakee, Representative Novak, for what reason do you rise?"

Novak: "Yes, Mr. Speaker. You know, I'm a loyal Cub fan and I'm really sorry that they lost. But that person that raised that broom, has his name been changed? Is his name still the same on the scoreboard up there? It sounded like a guy by the name of Jack Daniels talkin' over there. Thank you."

Speaker Turner, A.: "Yeah. Okay. Let's go to work. On the Order of Second Reading, we have Senate Bill 1660. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1660, the Bill has been read a second time, previously. Floor Amendments 1 and 2 have been adopted to the Bill. No Motions have been filed. Floor

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Amendment #3, offered by Representative Leitch, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Peoria, Representative Leitch."

Leitch: "I'd like to move to table Amendment #3."

Speaker Turner, A.: "The Gentleman moves to withdraw Amendment #3. All those in favor say 'aye'; all those opposed say 'no'. The Amendment's withdrawn. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, we have Senate Bill 1707. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1707, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. On the Order of Second Reading, we have Senate Bill 1404. Representative Burbec (sic-Burke). Read the Bill, Mr. Clerk. Representative Burke. I'm sorry."

Clerk Rossi: "Senate Bill 1404 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

Speaker Turner, A.: "Representative Burke on Amendment #1."

Burke: "Thank you, Mr. Speaker. Amendment #1 deals with the audiologist regulatory action. This Amendment would allow a person who is obtaining his or her nine months supervised professional experience needed for licensure as an audiologist to obtain a one year hearing aid dispenser license from Public Health for a fee of \$60 rather than a

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two year license for a fee of \$115. I'd be happy to answer any questions."

Speaker Turner, A.: "Seeing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted to Senate Bill 1404. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. In case I missed anybody, I do have extra copies of a Memorial Day speech. If anybody would like to get one, come and see me. Thank you, Mr. Speaker."

Speaker Turner, A.: "We won't be around, Representative? On the Order of Second Reading, we have Senate Bill 747. Representative Currie. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 747 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. The notes that have been requested on the Bill have been filed."

Speaker Turner, A.: "Third Reading. Senate Bill 1537. Representative Hultgren Read the Bill, Mr. Clerk. What's the status of the Bill?"

Clerk Rossi: "Senate Bill 1537 is on the Order of Senate Bills-Second Reading."

Speaker Turner, A.: "It's on Second, the Bill shall remain there. Agreed Resolutions, Mr. Clerk."

Clerk Rossi: "House Resolution 709, offered by Representative McGuire; House Resolution 710, offered by Representative Art Turner; House Resolution 711, offered by Leader

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Daniels; House Resolution 712, offered by Representative Currie; House Resolution 713, offered by Representative Andrea Moore; House Resolution 714, offered by Representative Andrea Moore; House Resolution 715, offered by Representative McCarthy; House Resolution 716, offered by Representative Barbara Currie; House Resolution 717, offered by Representative Schmitz."

Speaker Turner, A.: "Representative Brunsvold move for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Agreed Resolutions are adopted. The Gentleman from Livingston, Representative Rutherford, for what reason do you rise?"

Rutherford: "I rise for an inquiry of either the Clerk or the Speaker. I want to explain something that happened yesterday. I think we would need to have some clarification. And I intentionally hel..."

Speaker Turner, A.: "State your inquiry."

Rutherford: "Thank you. I held off to ask this now to wait for the appropriate Chief of Staff to be here. When we adjourn our Session at each day, the doors are secured so that there can be no access from the public. That's a rule that we have out there. I think it's an excellent idea. It allows us the opportunity to tidy up our desk and pack our bags before we leave. But I would like to have it clarified so we can all be working off of the same agenda. If we have guests that are here, that the rule be, I understand, we have 15 minutes before they can come onto the floor. I think that's an excellent idea. Do we have that in place and do the doormen know what time we adjourn? Because when one is sitting here believing it is past the 15 minutes and other Members are bringing their guests on

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the floor, it's somewhat embarrassing when one has, particularly physicians from ones hometown who would like to come on the floor and see how it's operated and not having the doorman know what time we adjourn, but yet not recognizing if we have exceeded that 15 minute limit yet or not."

Speaker Turner, A.: "Representative, the intent is that Members or guests are not permitted on the floor 15 minutes before or 15 minutes after the House has adjourned."

Rutherford: "I concur with that. I agree with that and that is the rule that we are to follow. Who then will determine the time that we adjourned and be sure the doormen know what time it is such that when 15 minutes have passed that all Members are allowed to have their guests on as opposed to certain Members are allowed to have their guests on?"

Speaker Turner, A.: "Representative, at the end of the day, we all vote to adjourn the House and so we all know what time the House adjourns. We can make a note to the doormen to double check, but I think we all know when the House adjourn. Fifteen minutes after that Members are entitled to..."

Rutherford: "And I think, Representative... or Mr. Speaker, that's my point. If your doorman would know what time we adjourn so we don't have this consternation again, it would be appreciated."

Speaker Turner, A.: "Oh, I think that's something that can be worked out, Representative. I don't believe that that's a very difficult problem and I think that that's one that will be so duly noted and the doorman and the Members here will respect that 15 minute provision."

Rutherford: "Thank you."

Speaker Turner, A.: "Representative Brunsvold in the Chair."

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Speaker Brunsvold: "Mr. Clerk, what's the status of Senate Bill 1707?"

Clerk Bolin: "Senate Bill 1707 is on the Order of Senate Bills-Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Senate Bill 1425. Mr. Clerk, what's the status of that Bill?"

Clerk Bolin: "Senate Bill 1425, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Art Turner, has been approved for consideration."

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

Turner, A.: "Thank you, Mr. Speaker. Amendment #2 is an Amendment that was brought to my attention by Senator Shaw. It involves some 15 to 20 different municipalities in the south suburbs which would create a museum district in southern Cook County. And I move for the adoption of Floor Amendment #2."

Speaker Brunsvold: "Is there any discussion on that Amendment? Seeing none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed say 'no'. The 'ayes' have it. And the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #3 offered by Representative Slone."

Speaker Brunsvold: "Representative Slone on Floor Amendment #3."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #3 incorporates legislation that we have previously passed this House. It is an Agreed Amendment with Representative Turner and the other parties. And I would appreciate your adoption of the Amendment."

Speaker Brunsvold: "Is there any discussion on the Amendment?"

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Seeing none, the question is, 'Shall the Amendment #3 be adopted?' All in favor 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment's been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, committee announcements."

Clerk Bolin: "The following committees will meet today immediately after Session. The Elections and Campaign Reform Committee will meet in Room 118. The Electric Utility Deregulation Committee will meet in Room C-1. The Executive Committee will meet in Room 114. The Human Services Committee will meet in Room D-1. And the Urban Revitalization Committee will meet in Room 122-B. These committees will all meet immediately after Session."

Speaker Brunsvold: "Rules announcement."

Clerk Bolin: "Attention Members. The Rules Committee will meet at 3:45 p.m. in the Speaker's Conference Room."

Speaker Brunsvold: "Allowing perfunctory time for the Clerk, Representative Woolard now moves that the House stand adjourned until Friday, April the 7th at 10 a.m. That's 10 a.m., Ladies and Gentlemen. Once again, Mr. Woolard moves the House stand adjourned until Friday, April the 7th at the hour of 10 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the House does stand adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Committee Reports. Representative Boland, Chairperson from the Committee on Elections and Campaign Reform, to which the following measure/s was/were referred, action taken on April 6, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to Senate Bill 1514. Representative Novak, Chairperson from the

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Committee on Electric Utility Deregulation, to which the following measure/s was/were referred, action taken on April 6, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #4 to Senate Bill 23. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on April 6, 2000, reported the same back with the following recommendation/s: 'be approved for consideration' Motion to Concur with Senate Amendment #1 to House Bill 3073; 'recommends be adopted' Floor Amendments 1 and 2 to Senate Bill 1881 and Floor Amendments 6 and 7 to Senate Bill 1647; 'be adopted' House Resolution 638. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on April 6, 2000, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #9 to Senate Bill 807. Representative Scott, Chairperson from the Committee on Urban Revitalization, to which the following measure/s was/were referred, action taken on April 6, 2000, reported the same back with the following recommendation/s: 'be approved for consideration' Motion to Concur with Senate Amendment #1 to House Bill 3188. Being no further business the House Perfunctory Session stands adjourned."