

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

33rd Legislative Day

March 26, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Pastor David Davidson of the Faith Temple Assembly of God in Frankfort. Pastor Davidson is the guest of Representative Kosel. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Davidson: "In 1872, there was a grasshopper blight that took the State of Minnesota and each year for the next five years worsened until by 1876 half of the crop of that great state was lost. And John Pillsbury was elected as Governor, and in 1877, in the spring of the year, met with the Legislators and they looked at this issue, and said, how are we going to resolve it. And they felt that the only way to resolve it was with divine providence. And so, the date was set, April 26th, 1877, and the state was asked businesses and schools to all set aside that date, be closed, and to seek God's intervention in this matter. Over the period of the next several months, the farmers noted that the grasshoppers, and there were so many that one farmer said, in one of his fields he had billions of millions. And entomologists said, that the blight was so bad that it would probably leave the ground completely bare as in midwinter. But that did not happen that year. In fact, that year, as they got into about the month of July, the grasshoppers began to rise in clouds, and, literally, covered the sun as they headed south. I know of the story, but I don't know where they went. Perhaps, there's another story in Nebraska or somewhere. But that year, in answer to prayer, the crops almost doubled from the year before. And God answered the prayer and the plea of that group of people. And so, the privilege to join you in prayer this

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morning is, indeed, an honor. And we do have resource. And let's bow and ask the resource of Almighty God as you legislate and work together. Heavenly Father, I thank You for this day, a beautiful day, and I thank You for these who have gathered to serve our great State of Illinois, public servants, and yet, such tremendous pressure on them. We recognize that the gift that they have of service, their being here, has been a providence and guidance on Your behalf. And we thank You for each life. We thank You for the decisions that are being made. And we ask for Your blessing on this process. Reflecting on the words of the Old Testament Prophet who said, 'He hath showed the old man what is good, what doth the Lord require of thee, but to do justly, to love mercy, and to walk humbly with thy God.' I ask, heavenly Father, that You will help each of these servants as they work together, that justice, and what is right, will be lifted up in the decisions that are made. That the many in our state who need mercy, who need an extended hand, either from mental or physical, or emotional challenges, injuries, loss of job, that You would give them wisdom in the appropriation of funds, and the reaching in to the lives of those who need that extended hand of mercy. And I ask, Father, that You'd help each of them to understand that their life, and this role they have, is a gift from You. And to have that humble attitude that would turn their heart to You, and to say, heavenly Father, would You help me to do this job that is so large. And there are decisions that are needing to be made, and those decisions involve so many. Help us to make the decision that honors You, and serves our constituents in the best way possible. Father, I pray this for them. I thank You, that as You ministered and answered the prayer of a state in Minnesota

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years ago, that You answer the prayers of each of us and, corporately, all of us. Even this day in realizing that, give You thanks for Your divine blessing on this day, and these deliberations in Christ's name. Amen."

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

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

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

Currie: "Thank you, Speaker. Please let the record show that Representatives Brosnahan, Bugielski, and Shirley Jones are excused today."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show, all Republicans are here except for Representative Stephens, and he's excused."

Speaker Madigan: "Mr. Clerk, let the record reflect the excused absences, and take the record. There being 112 people responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk. Mr. Poe. Ray Poe, House Bill 36. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 36, a Bill for an Act concerning agricultural development. Third Reading of this House Bill."

Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, Ladies and Gentlemen of the House. This is a... creates an Illinois Infrastructure Development Act. And what this does, it helps protect the businesses that we have in Illinois, now. There's some 1400 businesses operate, which is very heavily in the Northern Illinois."

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And we, as farmers, produce raw products. And this would be a Bill that we can keep business in Illinois, improve the infrastructure, and have more businesses, we hope, locate in Illinois, and protect what we have. I'd be happy to answer any questions."

Speaker Madigan: "Mr. Lawfer."

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

Speaker Madigan: "Sponsor yields."

Lawfer: "Representative, in looking this Bill over, it establishes a lot of new issues and programs for the Department of Agriculture. Is that correct?"

Poe: "Yes, Sir."

Lawfer: "In other words, it will help agriculture, businesses, or farmers that want to evaluate their businesses. There would be assets available... or state assets available to help them through the Department of Agriculture?"

Poe: "Yeah. The Department would administer the program, and a lot of things that we do. There is some money in here that would be for planning money that, as many of you know, the processing in Illinois is down, we're large vegetable producers now. All that kind of business goes to Wisconsin. We have many co-ops that would like to build more processing plants. And, even as you talk about the winery business in Illinois, this is an opportunity for any new businesses plus the old businesses in the State of Illinois to go ahead and to work with the infrastructure of agriculture and, probably one point we ought to make, the Department of Ag, this would be a new concept. They have not had a lot of money available, or no money available, to do these kinds of things in the past and this would help make agriculture viable in this century."

Lawfer: "What type of money are we talking about here? And what

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would the source of that money be?"

Poe: "Well, right now the... it's in the budget. The Governor has \$3 million of infrastructure money in the budget and, what this would do, is the Department of Ag, like I said, would administer it. And there's a lot of value-added programs, programs where co-ops could access this. There's a lot of feasibility study money. So, this is enough to get the program up and running and, of course, down the road, there'll always be that opportunity we'll need more funding."

Lawfer: "Thank you very much. Mr. Speaker, to the Bill. There's been a lot of work went into this, and there is money in the budget currently and hopefully, that will stay in there to really support our number one industry, agriculture. So, I have to commend, not only the Sponsor for putting together a very good Bill here, and working with the Senate, but also, Governor Ryan for including the funds in the budget. And hopefully, as this process moves forward, it will benefit a lot of people in agriculture, and help Illinois farm income. So, I strongly support this Bill. It has the full support of the Agriculture Committee. And so, I'd urge a 'yes' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. This is a Third Reading Roll Call. This is a Third Reading Roll Call. Please record yourselves. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Soto, did you wish to record yourself? Hamos? The Clerk shall take the record. On this question, there are 111 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Fritchey."

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

Speaker Madigan: "State your point."

Fritchey: "I found myself down in the 13th Ward of the City of Chicago yesterday and in my ongoing effort to stimulate the local economy I stopped over at Krispy Kreme. And if anybody is interested, we have several dozen Krispy Kreme donuts over on the House Floor. Colleagues, staff members, everybody feel free to help yourselves. You're on your own for milk."

Speaker Madigan: "Representative Wyvetter Younge, did you wish to call House Bill 2511? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2511, a Bill for an Act to create the Illinois African-American (sic-Africa-America) Peace Brigade. Third Reading of this House Bill."

Speaker Madigan: "Representative Younge."

Younge: "Yes, thank you, Mr. Speaker. House Bill 2511 would create the Illinois African-America (sic-Africa-America) Peace Brigade to provide qualified volunteers with an opportunity to go to Africa to volunteer to help with educational programs and also, to volunteer in urban inner cities. We have a phenomena of very low test scores in urban areas, and this would be a vehicle that would permit people to volunteer their services, particularly retired people, educators, and others in Africa and in urban inner cities. Two years ago I went to Accra, Ghana with a group of Legislators and what the people of Ghana asked for was assistance with their educational institutions, and particularly, vocational institutions. And I have talked with a number of educators who have retired and there is a real interest in helping Africa, and helping urban inner-city schools in reference to this. Any person

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approved for foreign service would have to be approved by the Secretary of State, in this case, it's Colin Powell, or by the director, who would be chosen by the Governor. The director of this project would be chosen by the Governor as would an advisory council of some 15 members. So, I ask for your approval of this Bill."

Speaker Madigan: "The Lady moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Mr. Parke, did you wish to record yourself? The Clerk shall take the record. On this question, there are 110 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Moffitt, did you wish to call House Bill 3557? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3557, a Bill for an Act concerning firefighting. Third Reading of this House Bill."

Speaker Madigan: "Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We amended this last week to take DCCA out from administering it, and putting in the Treasurer's Office, so there are only proponents for this now. The intent is that we would help municipalities, or any fire district... excuse me, any fire district be able to apply for loans. A lot of us have helped fire districts with our Member projects. Talked to State Fire Marshal's Office. Talked to Rural Bond Bank and Rural Bond Bank is a proponent of this. And we've also been in touch with the Governor's Office. And, of course, this would be subject to

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appropriation. The intent is that the loans would be lower than would be available other places. Again, it'd be administered through the State Treasurer's Office. If it passes here, probably would get some more specifics in the Senate, but the idea is lower interest for the older... the fire truck being replaced. Be happy to entertain any questions."

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

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

Speaker Madigan: "The Sponsor yields."

Hartke: "Mr. Moffitt, I stand in support of your legislation, but I do have a couple of questions to ask you. At what rate of interest is suggested at these fire protection districts? What rate would be charged for that loan?"

Moffitt: "It would be below... The intent is that it would be below what the Rural Bond Bank even is charging, and at the present time for a 20-year loan they're at 5.4%. Also, it's the intention that... And we've just been working some figures, administrative details, of course, will... are yet to be finalized. But we're looking at something of the nature that it'd be 10 years old or older, it would probably be 4%; 21 to 25 years, 3%; 26 to 30, 2%; 31 to 34 years old, 1%; over 35 years old, possibly 0%. We're still working on details."

Hartke: "Thirty-five years old. You're talking about a 35-year loan?"

Moffitt: "No, the truck."

Hartke: "The truck?"

Moffitt: "The truck, 20-year loan."

Hartke: "Okay. So, it's limited..."

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Moffitt: "5% of it paid..."

Hartke: "It's limited to a 20-year loan?"

Moffitt: "Limited to a 20-year loan. It's not a giveaway. It's not a grant. It's paid back to the state. And the truck... we figured if a fire district is still running a 35-year-old truck or older, and there are some. I have a number of them, I bet you do, too, Representative..."

Hartke: "Yes, I do."

Moffitt: "... that they're in serious need of help. And we'd like to look at the possibility of that being 0% interest. Have to pay it back, yes; maximum of 20 years. And we're still working on negotiations. But in talking to fire truck suppliers, you get up there 30-35 years old, that's a pretty old truck to be still responding as a first line of defense."

Hartke: "Currently, loans are probably made to fire districts on their ability to repay based upon their equalized assessed valuation in their fire district. Will any loan be made to a district that cannot possibly pay that back in 20 years?"

Moffitt: "No, it'd be administered through the State Treasurer's Office, and the intent would be that these would be good loans. They would be solid loans, still be sound business principles."

Hartke: "All right. Let's say that something happens and a fire district cannot make up through the 5% or the principal and interest every year on the loan. What happens then? If they fail to make payments on the loan? If something happens in their district and they fail to meet that payment or the interest?"

Moffitt: "In that case, because the intent is to help districts that have no other way of getting help, as long as they were still making progress, I would think we would want

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to... and again, the Treasurer's Office, as it's written now, would be administering this. But, we would want to work with them. We want the money back. We want it back in there, so if extending it a year or two is gonna let them see their way clear, I think we should do it. If we need to specify that, that's fine, but I think that's more of an administrative detail than a legislative detail."

Hartke: "Are you setting up a revolving loan?"

Moffitt: "Revolving loan."

Hartke: "Revolving loan program for fire protection districts and municipalities?"

Moffitt: "Right."

Hartke: "Is there any precedent set for this?"

Moffitt: "Not that I'm aware of on fire trucks. The Rural Bond Bank has made a number of loans for fire trucks, but as we said, they're a proponent because number one, they can't keep up... they can't meet the demand. And they indicated that for some of the districts with limited ability to repay even their current 5.4% on 20 years is beyond what they can pay, so we could have a district with old enough equipment could, actually, get on this program. We're cutting the repayment cost in half because if we're out there at 35 years and it's 0% interest, they're only paying 5% on the principal for 20 years, so it would let a lot more districts in. But again, I emphasize, this is not a giveaway, it would be on sound business principles and the intent would only be to make loans that appear to be a good loan."

Hartke: "What about some of those fire protection districts that I know of that went out on a limb and financed a fire protection district equipment, maybe a truck and so forth, could they possibly refinance some of their loans under

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this program?"

Moffitt: "That's not specified here. I think if they're in a financial bind because of that loan, that would be a reasonable thing for them to do. Until we put this in place, we're not sure how much demand there's gonna be. Based on my legislative district, I think it's going to be very large. I'll bet you would agree based upon the need in your district?"

Hartke: "Right. And I'm just curious... The next question, just how many millions of dollars will be put into this revolving program?"

Moffitt: "That's what we're searching for, right now, are funds to put in. I think a reasonable starting point would be a minimum of say 10 million perhaps 20. See where we're at on the demand. But again, the money comes back to the state. This is not a giveaway and once we make some of those loans, there's gonna start to be a pool of money back in there to make new loans."

Hartke: "Now, I'm gonna suspect that the demand will be much greater than the supply of money that will be out there. There are literally thousands of fire protection districts throughout the State of Illinois. And many of the fire protection districts, especially downstate, do have fire trucks that are probably 35,40, 50 years old. Recently, I know of one that traded a truck off that was purchased in 1947. And so, I'm sure that the demand is going to be very great. Is there gonna be a priority list for those to replace the oldest trucks first or... which would mean less interest paid back into..."

Moffitt: "Right."

Hartke: " ... the fund to keep it going?"

Moffitt: "But the intent is that we're trying to help those that

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have the oldest ones first just because if they're running 35, 40, 45... actually I have some fire districts, that I represent, that are still responding to fires with trucks that were made in the 1940s."

Hartke: "Okay. You're talking about fire trucks. Now, there are other things that fire departments use, rural fire districts, including fire equipment, pagers, uniform shields, brush trucks. Will they also qualify under this program, for that type of equipment, or are you aiming this just at firefighting trucks?"

Moffitt: "As it's written now, it would just be trucks. I'm willing to look beyond that, but I think the need is so large just on trucks alone. The other thing about it is, the truck is the big ticket item. Through their district fundraisers and different... and a lot of times... suppose they need a set of turnout gear for 10 firefighters. If they have to, they can buy those one at a time. You can't buy a truck just a portion of it at a time. A new tanker/pumpertruck is easily gonna cost 200 thousand, \$230 thousand. So, we're trying to give some assistance here, where there is not help available, and they have no other place to turn, other than to continue to run that old equipment."

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

Hartke: "It's a great idea. I'm in support of the Bill."

Speaker Madigan: "Mr. Black."

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

Speaker Madigan: "The Sponsor yields."

Black: "Yeah, Representative, just to follow up, something that Representative Hartke was talking about, and that is, the

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Bill is silent as to how these will be prioritized. The rule-making process, I'm sure, will come into play, but since municipal fire departments as well as fire protection districts are eligible, it would not be impossible for a scenario to say that the City of Chicago would need to replace 50 to 100 trucks a year. Obviously, they're on a faster turnover than a fire protection district. But, I mean, so that we can give some comfort to our fire protection district personnel, how would that be handled? Because there are some municipal fire departments who could make a case for upgrading equipment, but they would need so much equipment, my only fear is, I don't want to see fire protection districts so far down the list that it might take years for them to get the loan, and then, of course, these trucks are custom made, and another year or two to get it."

Moffitt: "Representative, be happy to even spell this out further in the legislation, and perhaps, that should be done as this advances. And, initially, had the idea and we wanted to bring it forward. Anything that we would pick to say, well, it's limited to one loan per fire..."

Black: "Sure. I understand."

Moffitt: "... district or certainly... It's an arbitrary figure. So, I'm happy to look at that and work with you and others..."

Black: "Yeah."

Moffitt: "... and would be more than happy to do that. Initially, as we indicated, we want the focus to be on replacing the oldest first because if you're still running a truck out here that's 35, 40, 50 years old, that's an indication you just simply have not..."

Black: "Yeah."

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Moffitt: " ... had the funds. You're in desperate need."

Black: "And I think that would make eminent good sense if you can work that in the Bill in the Senate, or the rule-making process. But, I'm glad to see that you have given that some thought, so that we just don't throw it open to people who have professional grant writers, or people who can get those applications in much quicker than small rural fire districts. And I appreciate the work you've done on it. Thank you."

Moffitt: "And, Representative, I think you, as well as I, would like to see this spread throughout the state."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on March 26th, 2001, reported the same back with the following recommendations: 'to the floor for consideration' Floor Amendment #3 to House Bill 41, Floor Amendment #2 to House Bill 152, Floor Amendment #2 to House Bill 241, Floor Amendment #2 to House Bill 276, Floor Amendment #3 to House Bill 279, Floor Amendment #2 to House Bill 300, Floor Amendment #2 to House Bill 426, Floor Amendment #1 to House Bill 512; 'a Motion to Table' Floor Amendment #1 on House Bill 633, Floor Amendment #2 to House Bill 661, Floor Amendment #2 to House Bill 898, Floor Amendment #2 to House Bill 909, Floor Amendment #1 to House Bill 1000, Floor Amendment #1 to House Bill 1033, Floor

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Amendment #3 to House Bill 1081, Floor Amendment #1 to House Bill 1083, Floor Amendment #1 to House Bill 1848, Floor Amendment #2 to House Bill 2056, Floor Amendment #1 to House Bill 2221, Floor Amendment #1 to House Bill 2244, Floor Amendment #2 to House Bill 2284, Floor Amendment #2 to House Bill 2315, Floor Amendment #1 to House Bill 2384, Floor Amendment #2 to House Bill 2437, Floor Amendment #1 to House Bill 2502, Floor Amendment #2 to House Bill 2540, Floor Amendment #1 to House Bill 3033, Floor Amendment #1 to House Bill 3065, Floor Amendment #1 to House Bill 3137, Floor Amendment #1 to House Bill 3150, Floor Amendment #1 to House Bill 3212, Floor Amendment #1 to House Bill 3238, Floor Amendment #1 to House Bill 3267, Floor Amendment #1 to House Bill 3302, Floor Amendment #1 to House Bill 3346, Floor Amendment #1 to House Bill 3387, and Floor Amendment #1 to House Bill 3395, Floor Amendment #1 to House Resolution 33."

Speaker Madigan: "Mr. Delgado in the chamber? Did you wish to call House Bill 1927? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1927, a Bill for an Act concerning schools. Third Reading of this House Bill."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 1927 is our... came out of work from a subcommittee, Elementary & Secondary Education, which held three public hearings throughout the state to determine the use, or the adequate use, of waivers in regards to physical education. At this point, we've come together and had a cochair with Representative Suzie Bassi and myself and other Members of the House and together we brought forth in trying to bring issues that are affecting our children in the State of Illinois in form of their health care. Finding out that Type II diabetes and obesity is starting to run rampant in

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our children, and it seems to coincide with the reduction of physical education in the State of Illinois. After further reviewing how they handle physical education in the State of Illinois, we realize that the waiver process needed some tweaking, if you will, and we're very concerned. And we were happy to bring it together in understanding that it wasn't just about physical education, if not the well-being and health of our children. At this point, we ran an Amendment last week, and we were able to pass it on the House Floor. And today, I would ask for your 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Pankau, did you wish to call House Bill 921? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 921, a Bill for an Act concerning the regulation of professions. Third Reading of this House Bill."

Speaker Madigan: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Members of the Assembly. House Bill 921 amends the Regulatory Sunset Act, and extends the Interior Design Professional Title Act from the end of this year until January 1st of 2012. The Amendment that we put on this Bill, the other day, also clears up a few technical issues that the architects and the business

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group, particularly the retailers, had concerning the language that is currently in the Bill. And I ask for your favorable approval."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Hoffman. Hoffman."

Hoffman: "Yes. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Hoffman: "Representative, just to clarify for our records, all this would do is extend the sunset?"

Pankau: "Correct."

Hoffman: "In other words, there's an active place..."

Pankau: "For another 10 years."

Hoffman: "So... And then... So, all it does is extend, for another 10 years, the Interior Design Professional Title Act? That's all it does?"

Pankau: "Correct."

Hoffman: "Okay."

Pankau: "And it also makes a few technical wording changes, which was what the Amendment... that we put on, on Friday."

Hoffman: "And they are not substantive in nature?"

Pankau: "They are not."

Hoffman: "Thank you."

Pankau: "And with that, the architects and the retail merchants are neutral on the Bill."

Hoffman: "Thank you."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House

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Bill... Representative Erwin, House Bill 2392. Mr. Clerk, read the Bill. Mr. Clerk."

Clerk Rossi: "House Bill 2392, a Bill for an Act concerning conveyances. Third Reading of this House Bill."

Speaker Madigan: "Representative Erwin."

Erwin: "Thank you, Speaker. House Bill 2392 attempts to correct a particular problem in Cook County where an increasing number of taxpayers are complaining that they're not receiving their property tax bill for their property. With a lot of redevelopment going on, we're finding that where lots are subdivided, where you have one PIN number, property (sic-permanent) index number, and then it's then subdivided into a number, they're discovering that because of a change needed in the law these are not being produced in a timely manner. And House Bill 2392 will help that situation and correct it. And it passed committee unanimously. And I urge your support."

Speaker Madigan: "The Lady moves for the passage of the Bill. Mr. Parke."

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

Speaker Madigan: "The Sponsor yields."

Parke: "Where did this idea come from, Representative?"

Erwin: "It was a brilliant idea of the Cook County Assessor, Jim Houlihan."

Parke: "That, in itself, means it's a brilliant idea?"

Erwin: "Absolutely."

Parke: "I see. Okay. And again, it's to solve a problem that taxpayers have brought to him. And there's a flaw in the system?"

Erwin: "Yes. That's absolutely correct, Representative Parke. An increasing problem given all of the redevelopment that's going on in Cook County."

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Parke: "Have they dropped... Excuse me. Have they bounced this off of the township assessors in suburban Cook County? And if so, do you know what the response has been?"

Erwin: "Representative Parke, I know that all of the assessors' Bills were worked out in a very consensual manner. So, I'm confident... it passed the Revenue Committee, unanimously, and frankly, was on the Agreed Bill list. So..."

Parke: "This was on the Agreed Bill..."

Erwin: "It was last week."

Parke: "Okay. So, by passing this we're not gonna get any negative feedback from constituents of suburban Cook County?"

Erwin: "I think that your constituents will be perfectly delighted with you, Representative Parke."

Parke: "Well, I'm glad to hear that. Okay. Thank you, Representative, for the information."

Speaker Madigan: "Representative Hamos."

Hamos: "Thank you, Ladies and Gentlemen, Mr. Speaker. I rise in strong support of this legislation. Those of you who remember a piece of legislation that we debated and then passed last year, involved a constituent of mine who had not received a tax bill, but in fact, had had her property sold for delinquent taxes. This is one aspect of the problem and in those situations, it is not just a Cook County issue. In those counties that are doing any kind of condominium development, there's a risk that the developer is not properly dividing the individual units and giving them individual property (sic-permanent) index numbers and the next time that the taxpayers learn about this problem is when they have their property sold out from under them. So, this is clearly one aspect of a multi-faceted problem that needs to be corrected and I commend the Sponsor and

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for the Cook County Assessor for bringing it. But, it's not just a Cook County problem. Thank you."

Speaker Madigan: "Mr. Scully."

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

Speaker Madigan: "Sponsor yields."

Scully: "Representative Erwin, is it your understanding that almost all real estate transactions in Cook County already comply with this requirement?"

Erwin: "No. I have no knowledge of that. I mean, if they already complied with it, Representative Scully, we might not need this. The fact is that property, as Representative Hamos just described, is being sold without the proper identification of the property. In other words, you buy a townhouse or a condo, particularly the most common occurrences where you have a lot that was one piece of property, it's now subdivided, let us say, into five townhouses. You buy one of those townhouses only to discover that the description of the property now doesn't match your property tax bill or that, in fact worse, that somehow the bill, the description of the bill, or rather your property tax indexes number is gone off into netherland, and in some instances, the property is being ready to be sold. So, there is a problem which is why the Assessor brought this Bill to us."

Scully: "Mr. Speaker, to the Bill. I do a lot of real estate work in Cook County, and it's my understanding, that most of the transactions are already in compliance, that the tax index number is already reported for most transactions and any transaction where that wouldn't be the case, that transaction should be stopped. And it is important that this type of information be retrieved on every transaction. I think it's an excellent piece of legislation. And I rise

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in strong support. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Turner in the Chair."

Speaker Turner, A.: "On the Order of Third Reading, we have House Bill 854. Representative Beaubien. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 854, a Bill for an Act concerning veterans' homes. Third Reading of this House Bill."

Beaubien: "Thank you, Mr. Speaker. I just wanted to make sure I've got the right Bill number this time. Actually, it's my pleasure to introduce this Bill to the House. What we are doing is going to the second Amendment which becomes the Bill. This Bill amends the Department of Veterans' Affairs Act and expands access to veterans homes. Over the past ten years, and certainly over the lifetime of the National Guardsmen and Reservists, they've played a very active role in the service of our country. As a matter of fact, at this time, we do have Guardsmen and Reservists in Bosnia, Kosovo, and the Gulf Area and this is under a hostile fire. What this does is allow members of the National Guard, men and women, who have played an active role in the defense of their country under hostile environment, what it does is that it allows them to have access to the veterans home, if they have served in a hostile-fire environment and have been awarded a campaign or expeditionary medal signifying his or her service.

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And, as a matter of fact, the government does publish a list of what those various areas are. Some that may be familiar would be: El Salvador, Grenada, Panama, Somalia, Bosnia, and the Persian Gulf and as I said, in the Persian Gulf Area and the Bosnia Area today, we do have Reservists over there that are under hostile fire. And I would strongly urge the passing of this Bill."

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

Bost: "Will the Sponsor yield?"

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

Beaubien: "Yes."

Bost: "It's my understanding, the Amendment that we passed before cleared all of the opposition to this Bill, and everyone is in support of it now?"

Beaubien: "Everybody is in support of the Bill now. The controversial part is out."

Bost: "Thank you."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall House Bill 854 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 will take the record. On this question, there are 112 voting 'aye', 0 'nays', 0 'presents'. And House Bill 854, having received the Constitutional Majority, is hereby declared passed. Representative Julie Curry on House Bill 352. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 352, a Bill for an Act relating to schools. Third Reading of this House Bill."

Speaker Turner, A.: "The Lady from Macon, Representative Curry."

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

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legislation amends the School Code, and allows school districts that one, they have provided at least one clock hour of instruction, but must close due to the hazardous threat to the health and safety of pupils, or two, must delay the start of the school day for the same reason, can count this as a partial day of attendance. This is in response to a problem that we had in my district, Representative Moffitt's district, where some schools had to close other than what is currently allowed in the School Code right now, which is to only count a partial day of attendance due to adverse weather conditions. This just simply allows another reason for school districts to receive school aid from the state for reasons that involve the hazardous threat to the health and safety of pupils. In my district alone, in this last year, we had a situation where a school had been putting down a new gym floor, and the glue from the gym floor had gotten through the entire school and they had to leave before they were even able to complete a few hours of school that day. This would allow those school districts to be able to receive school aid for that day. I'd be happy to answer any questions, Mr. Speaker."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall House Bill 352 pass?' The Clerk shall open the roll. 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 roll. On this question, there are 110 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 House Bill 1851. Representative Myers. Read the Bill, Mr.

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Clerk."

Clerk Bolin: "House Bill 1851, a Bill for an Act regarding higher education student assistance. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from McDonough, Representative Myers."

Myers: "Thank you, Mr. Speaker. House Bill 1851 is an initiative of the Illinois Student Assistance Commission and, as amended by House Amendment #1, amends the Illinois Incentive for Access Grant to increase the award amount from \$500 to \$1,000 for freshmen college students who have no family resources to help them pay for college. The Bill also adds a new level of grant, allowing for \$500 grants to be given to students with the expected family contributions of \$500 or less. In awarding the grants, the Commission shall give first priority to students with no expected family contributions. And there's no stated effective date, and therefore, the Bill would be effective as of January 1, 2002, affecting the Fiscal Year 2003."

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

Erwin: "Thank you, Speaker. I rise in support of House Bill 1851. Just to remind the Members, a number of years ago, Illinois instituted a... this new scholarship program. It is needs-based, and it particularly goes to those individuals who are the most needy. It's a cash grant as the Sponsor represented, and importantly, I think, for those of you who represent an urban area, it can help, or actually, frankly, anywhere. It can help pay for transportation, as well as child care. And, I think, it's exactly along the lines of the type of financial assistance we should be providing in a needs-based basis. And I

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commend the Sponsor for bringing it forward."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall House Bill 1851 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? That the Clerk shall take the record. On this question, there are 110 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is declared passed. Third Reading, we have House Bill 1046. Representative Scully. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1046, a Bill for an Act concerning computers. Third Reading of this House Bill."

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

Scully: "Thank you, Mr. Speaker. House Bill 1046 is labeled 'The Computer Lemon Law'. It's modeled after the auto lemon law, is intended to give buyers of computers direct access to the manufacturer for the purpose of making sure the computer is properly repaired. 'The Computer Lemon Law' requires that certain disclosures be made, by the manufacturer, and gives the manufacturer three opportunities to correct any defects in the computers. We need to give the citizens of the State of Illinois greater access to the Consumer Fraud and Deceptive Business Practice Act to correct the problems that have existed in the computer industry with failure to deliver machines that properly work, to consumers. I'd be happy to answer any questions. And I ask for your support."

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

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

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

Black: "Thank you. Representative, so many computers today are sold without benefit of a retail store. You can buy them on the Internet. You can buy them over an 800 number. Now, in a case like that, the warranty must be backed by the seller, correct, or the manufacturer? I hate to use brand names on the floor, even though we're protected. There are some companies who manufacture their own computer and sell them directly. There are others who may have just a warehouse operation, and sell six or seven manufacturer computers to people over the Internet or over an 800 number. Then who is the responsible party, still the manufacturer, or the seller?"

Scully: "The manufacturer is the responsible party. Now, if the retailer chooses to present their own warranty coverage, all the more power to those retailers, and I certainly, would applaud domestic retailers who would provide that kind of customer service. And I think most Illinois retailers will deliver that kind of customer service. These duties are directly imposed upon the manufacturer."

Black: "Okay. Now, in the Bill, and excuse me, I have not read the Bill. Is there a definition of computer? There is such a wide range of gadgets today, that some people call computers. I mean, like a palm pilot. Is that gonna have a warranty, or is that not included in your definition of a computer?"

Scully: "There is a definition of computer, and it's a relatively short definition that states, 'computer device means a central processing unit or a terminal display screen, including all circuitry and connecting devices; a printer, a modem, a scanner, or any other device used with a computer, or any programming for a computer.' It would

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certainly include an 8 megabyte personal computer, such as this."

Black: "Would the Bill impact a business... a large business buying millions of dollars worth of sophisticated computer equipment? Are they going to have the same... I mean, when I first read the synopsis, Representative, I thought it was pretty much aimed at the retail market, somebody walking in and buying a personal computer for their home use. Now, that's not necessarily the case... Say, if the State of Illinois went out tomorrow to replace all of our laptops and some other hardware, would that same warranty be given to an institutional purchaser, as well as an individual?"

Scully: "Representative, the definition of a purchaser, under the Act, includes 'a business entity that has fewer than 30 personal computers, acting either in concert or in a network.' So, it would protect, certainly, most businesses that have less than 30 computers, but would exempt extremely large businesses that have more than 30 computers."

Black: "Okay. Now, just very briefly then. There is a safeguard, I assume, since the burden, it appears to me, is on the manufacturer. What level of responsibility... If I go to an established retailer, I buy a computer, the thing just doesn't work. I try, I call, I take it back, they make a good-faith effort. The retailer finally says, this thing isn't right. My recourse is not to the retailer, it's to the manufacturer, correct, within the limits spelled out by that manufacturer's warranty?"

Scully: "Within the limits spelled out by the manufacturer's warranty, with a minimum guarantee of at least two years. Now, Representative, if I could, I would like to describe a problem that I had just this past Christmas. I bought a

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machine for my daughter, and one week after it was delivered, it stopped working. When I brought it back to the retailer, who was also the manufacturer's representative, they would not even accept it to look at it unless I was willing to sign a waiver of my rights, including a demand that I had to submit to the laws of the State of South Dakota, for the resolution of any dispute. Now, none of these documents were presented to me before I purchased the computer, only when I tried to get the computer fixed. Now, as an attorney, I was able to access... my rights and had... very easy access to the court system. The average consumer in the State of Illinois doesn't have that access, and needs the protections of this type of a law."

Black: "So, basically, your Bill is providing constructive notice to the purchaser of the computer?"

Scully: "Notice to the purchaser of the computer of their rights. But also, a minimum requirement that the manufacturer has three attempts to fix the computer and if they fail to fix the computer after three attempts, they have to replace it."

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

Scully: "Thank you."

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

Wojcik: "Thank you, Mr. Speaker. This is not to the Bill. This is a point of personal privilege."

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

Wojcik: "I think you all know the 'chicken man' to my right, the Honorable Mr. Raymond Poe. Well, today happens to be his birthday. And I see that his wife has been very busy at home because there's three cakes up front in his honor."

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So, I want to wish Ray a happy birthday, and invite you all to come and have a piece of cake on his behalf."

Speaker Turner, A.: "Your point is well-taken. Congratulations, Representative Poe. Happy birthday. The Gentleman from Cook, Representative DuPa... The Gentleman from DuPage, Representative Johnson. For what reason do you rise?"

Johnson: "Will the Sponsor yield?"

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

Johnson: "Representative Scully, just a couple of questions. Does this also amend the Consumer Fraud Act in the State of Illinois? And if so, what's the Attorney General's position on this, and how is he staffed in order to handle this on behalf of the consumers?"

Scully: "Violation of this Act would be a violation of the Illinois Consumer Fraud and Deceptive Business Practice Act. And certainly, the Attorney General's Office has the ability to enforce this Act, as well as all other aspects of the Consumer Fraud and Deceptive Business Practice Act."

Johnson: "Has his Office taken a..."

Scully: "I'm not aware that they have taken a position. Excuse me. One second. The fiscal note filed on February 23rd by the Attorney General's Office has stated that they would anticipate a \$40 thousand increase in costs for salary and benefits. In addition, this law creates a private cause of action for violation. And I'm hoping that the private cause of action will give consumers the ability to enforce the law themselves, without forcing them to seek recourse through the Attorney General's Office."

Johnson: "Okay. Is there a time parameter around... When I buy my computer, it's not working right, or something malfunctions, I take it back to the store, or I send it back to the manufacturer. Is there a time limitation

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imposed? And if so, how could we supersede individual warranties of these manufacturers across the country and the world?"

Scully: "I'm sorry, Representative, I couldn't hear your question clearly. Could you please repeat it?"

Johnson: "Okay. How long does the manufacturer have to repair a computer?"

Scully: "First of all, the guarantee of repairs lasts for two years. The Bill provides that the manufacturer has a reasonable period of time to make the repairs. There's no specific time requirement within which they have to finish the repairs."

Johnson: "Okay. So conceivably, I can send my computer in and I might get it back in six months, if they can show that that's reasonable?"

Scully: "That's correct, Representative. If the manufacturer could convince a jury, in the State of Illinois, that six months to repair a computer is a reasonable period of time."

Johnson: "Okay. Now, do you see any problems where we are imposing a State Law that, in essence, is going to put higher requirements on manufacturers for product coming into the State of Illinois than what their own warranties provide?"

Scully: "Representative, if there were not a surplus of manufacturers trying to sell their computers in the State of Illinois, certainly any increased responsibilities that we would throw at those manufacturers might discourage them, but I think the problem is quite to the contrary, that we have many manufacturers trying to dump computers into our Illinois market without the proper service to support those machines."

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Johnson: "Okay. But if I buy a computer and I read the warranty or have the warranty explained to me and that warranty says that my product is warranted for 90 days. What you're saying is, is that that doesn't mean anything, under your law?"

Scully: "What we are saying is, that as a matter of State Law, there would be a minimum guarantee of repairs for two years."

Johnson: "Okay. And there was no opposition to this?"

Scully: "The only opposition, Representative, was from the Illinois Retail Merchants, who asked that there be clarification, that the disclosure responsibilities were imposed upon the manufacturer, and not upon the retailer. And in response thereto, we filed Amendment #1 to specifically recite that the disclosure requirement is on the manufacturer."

Johnson: "Thank you."

Speaker Turner, A.: "Seeing no further questions, Representative Scully to close."

Scully: "I'd like to thank each of the Representatives for their very intelligent questions and good responsible debate. And I ask for your support for this Bill, supporting the consumers of the State of Illinois. Thank you."

Speaker Turner, A.: "The Gentleman asks, 'Shall House Bill 1046 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 will take the roll. On this question, there are 110 voting 'aye', 1 'no', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hoffman. Representative Hoffman on House Bill 3395. Read the Bill,

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Mr. Clerk."

Clerk Rossi: "House Bill 3395, a Bill for an Act concerning state services. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Madison, Representative Hoffman, on Amendment #1."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All this Amendment does is it clarifies, for the sake of the Bill, that this does not apply to local government contracts and grants. And it also, further limits the Bill, by indicating that this only applies to the employees engaged in employment that is connected with the state contract or grant. So, in other words, the underlying provisions of the Bill that say that you can't use state money... if you get a state grant or you have a state contract, you can't use that money in order to impede union activity. That would only apply to State Government contracts and grants, not local government. And, only apply with regard to the employees engaged in employment that is connected with the state contract or grant."

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

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

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

Cross: "Representative, there were several... actually, there were quite a few opponents to the underlying Bill. Do you know if... Did this go through committee, Jay?"

Hoffman: "This went through the... the Amendment or the Bill? The Bill went through the Labor Committee. I think the Amendment is simply limiting the Bill, and it came right to the floor."

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Cross: "All right. And I asked you, not to give you a hard time, but I know, during Committee, there were a variety of groups that were opposed to it. And I know there were a variety of groups that were in favor of it. Do you know if the opposition remains with this Amendment?"

Hoffman: "I think that the opposition probably is tempered, but it would remain. Because what we've done is we've severely limited the Bill to only include... or to, first of all, make it very clear that it only includes State Government contracts and grants, and it only pertains to the employees that have anything to do with those particular contracts or grants. So, I don't think this would remove the general opposition of the opponents, but I think it would temper it."

Cross: "All right. I had down earlier in our notes that the General Contractors, the Chamber, the Catholic Conference, and the Illinois Health Care Association, as well as NFIB, were all opposed to it. You're not aware of any of that opposition being removed, you just think they might not be as strongly opposed?"

Hoffman: "No, but the opponents... The opponents probably will not be still for the underlying Bill, but I would assume they would be for limiting, which this Amendment does."

Cross: "Well, maybe we can debate it more fully on Third. But, I just wanted to make... see if there was anything we were missing. Thanks, Representative."

Hoffman: "Thank you."

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

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Clerk Rossi: "No further Amendments. A state mandates note has been requested on the Bill and the note has not been filed."

Speaker Turner, A.: "The Bill will remain on Second. Representative Acevedo, House Bill 448. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 448, a Bill for an Act in relation to assistance for low-income persons. Third Reading of this House Bill."

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

Acevedo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 448 would tie the eligibility for the Energy Assistance Program directly to the maximum eligibility allowed by Federal Law. If the Federal Law eligibility is expanded, the Illinois would automatically be expanded also. House Bill 448 may enlarge the number of people receiving assistance to the Energy Assistance Program. Eligibility level is determined by DCCA, in accordance with available funding. I'll be happy to answer any questions."

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

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

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

Turner, J.: "Representative, I apologize, I couldn't hear your explanation. Could you just, very briefly, go over it again, for me?"

Acevedo: "Basically, it's bringing the eligibility for the State of Illinois according to the federal guidelines, which is 150%. Illinois, currently, is 125%. So, all we want to do is bring the Illinois exactly where the Federal Government

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stands at 150%. And, if at anytime the Federal Government percent rises, the State of Illinois would also rise."

Turner, J.: "So, it changes the guidelines then, is that correct? Or raises the guideline? I'm trying to follow what you're doing here."

Acevedo: "Is that for federal or state you're speaking of?"

Turner, J.: "Federal."

Acevedo: "No, it doesn't change the guidelines. All that's changed is the guidelines for the State of Illinois, it would actually put them in the same category at the same level."

Turner, J.: "All right. Is there opposition to your Bill?"

Acevedo: "Pardon?"

Turner, J.: "Representative, was there any opposition to your Bill when it came through committee?"

Acevedo: "No, there was no opposition."

Turner, J.: "No opposition?"

Acevedo: "None, whatsoever."

Turner, J.: "Is there any fiscal impact in this Bill?"

Acevedo: "No, there wouldn't be no fiscal impact."

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

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall House Bill 448 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. 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 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative McCarthy on House Bill 3136. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3136, a Bill for an Act in relation to

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public employee benefits. Third Reading of this House Bill."

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

McCarthy: "Thank you, Mr. Speaker. House Bill 3136 is a pension improvement Bill that is a initiative of the Cook County Board. It has been improved (sic-approved) by the Pension Laws Commission, the Pension Board of Cook County, and also, the Pension Committee here in the House of Representatives. It has quite a few provisions, the main ones being that the early retirement proposal has been enhanced that people who are 50 years of age, and at least 20 years of service, can receive an additional retirement benefit equal to 10% of their final salary. It does have quite a bit of increased liability to the fund, but this is a fund that is one of the best funded pension systems in our state. And it's entirely Cook County money. There's no state money involved. And I would move for passage of the Bill."

Speaker Turner, A.: "The question is, 'Shall House Bill 3136 pass?' All those in favor should say 'aye'; all those... should vote 'aye'; all those opposed should vote 'no'. 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 Bill, there are 92 voting 'aye', 16 voting 'no', 0 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Bills that came out of Rules this afternoon, we're going to go down that list. These are all Bills that are on Second, and we should be adopting those Amendments. The first Bill on that list is House Bill 41, Representative Meyer. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 41 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Jim Meyer, has been approved for consideration."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 41 deals with the Helping Paws (sic-Service) Dog Program that has been implemented in the Corrections Department, and Amendment #3 merely makes this program a 'may' as opposed to a 'shall' program. And I'd appreciate it if we could pass this Amendment."

Speaker Turner, A.: "The question is, 'Shall Amendment #3 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 #3 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. House Bill 152, Representative Schmitz. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 152, a Bill for an Act amending the Child Passenger Protection Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Schmitz, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Kane, Representative Schmitz."

Schmitz: "Thank you, Mr. Speaker. Amendment #2 is a follow-up to our lengthy debate that we had on the floor to House Bill 152. What this will allow is that you either place your child in a seat belt or in a booster seat in the car. It contains many of the same provisions that we had before,

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but it does allow the parent or the guardian, the babysitter, et cetera, to place 'em in a seat belt as an option. I would ask for passage... or acceptance of the Amendment."

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. Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Holbrook on House Bill 276. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 276, the Bill has been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Holbrook, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from St. Clair, Representative Holbrook."

Holbrook: "Thank you. House Bill... Amendment #2 to House Bill 276 makes a technical change at the request of Representative Ryder, so that his Jersey County would be included in this program. It also would allow Randolph County. And it's just cleanup language. Also, requested by the agency as far as a definition on these grants on Section... on page 4 of Section 5. I know of no opposition to this."

Speaker Turner, A.: "The Gentleman moves for the adoption of House Bill... Amendment #2 to House Bill 276. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

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

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Representative Burke, on House Bill 279. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 279, a Bill for an Act concerning emergency medical dispatches. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Burke, has been approved for consideration."

Speaker Turner, A.: "Representative Burke on Amendment #2."

Burke: "Mr. Speaker, please take the matter out of the record, please."

Speaker Turner, A.: "Take the Bill out of the record? Take the Bill out of the record. Representative Connie Howard on House Bill 300. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 300, a Bill for an Act in relation to the expungement and sealing of arrest and court records. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Howard, has been approved for consideration."

Speaker Turner, A.: "The Lady from Cook, Representative Howard, on Amendment #2."

Howard: "Thank you, Mr. Speaker. Amendment #2 provides that if a conviction or a sentence has been set aside on direct review, or on collateral attack, and the court determines by clear and convincing evidence that the defendant was factually innocent of the charge, the court shall enter an expungement order as provided in subsection (b) of the Unified Code of Corrections."

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

Durkin: "Just a brief question for the Sponsor, Mr. Speaker."

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

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Durkin: "Representative Howard, does the second Amendment, the Floor Amendment, does that become the Bill or does this add to the Bill?"

Howard: "It becomes the Bill."

Durkin: "Okay. I think that there may have been some reservations at one point from the Illinois State's Attorney Association with the concept of your Bill. Do you think that this Amendment's going to cure their objections?"

Howard: "It is my understanding that the State's Attorneys Association worked very closely with my staff in making certain that this, in fact, is the correct language that they would be willing to agree... to go along with."

Durkin: "Great. Thank you very much. No further questions."

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

Winkel: "Mr. Speaker, to the Bill. I wanted to extend my compliments to the Representative. She presented the Bill in committee. We had a very vigorous debate and discussion about it, and the Representative said that she would look at an Amendment to make the Bill better, and I think she has. And so, I extend my congratulations and appreciation to the Representative, and support her effort."

Speaker Turner, A.: "The Lady from Cook, Representative Howard, to close."

Howard: "I would just appreciate 'yes' votes."

Speaker Turner, A.: "The question is, 'Shall Amendment 2 to House Bill 300 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed. Several

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notes have been requested on the Bill, as amended by Amendment #2, and the notes have not been filed."

Speaker Turner, A.: "Hold the Bill on Second Reading. The Gentleman from Madison, Representative Hoffman, on House Bill 426. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 426, a Bill for an Act concerning reckless corporate conduct. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

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

Hoffman: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. All Floor Amendment #2 does is it removes governmental entities from the purview of this Bill."

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

Turner, J.: "Representative, what did you say your Amendment does to the original Bill?"

Hoffman: "The Amendment removes governmental entities from the original Bill."

Turner, J.: "How does that therefore, change the original Bill?"

Hoffman: "The original Bill... There is essentially... I'll go back to the original, original Bill, or the original Bill as amended in committee. Which would you like to discuss?"

Turner, J.: "Well, assuming that you're Amendment is adopted, what would be the law? That's what I want to know."

Hoffman: "Okay. So, you would like to go back, not to the original, original Bill, but to the original Bill as amended in committee. And then, how this Amendment #2 would affect that Bill?"

Turner, J.: "Correct, Representative."

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Hoffman: "Well, I just wanted to clarify what your question was."

Turner, J.: "Well, yeah, because you wouldn't want to waste time answering a question that I didn't even pose to you. You might as well just address a question that I'm asking."

Hoffman: "It would be a waste of the entire Body's time."

Turner, J.: "Absolutely."

Hoffman: "So, the original Bill is amended by Amendment #1, which would be further amended by this Amendment, if we adopted it, would essentially say that... would change the definition of corporation or 'corporate entity' to inclu... to take out 'governmental entity'. So, all we did in this Amendment is change the definition of 'corporate entity' to take out any reference to any governmental entity, so it'd just be a private corporation. Now, the original Bill, as amended, essentially says that... defines the act of reckless corporate conduct. This further limits it by taking out governmental entities. That's what this does."

Turner, J.: "Was there opposition to your Bill prior to the Amendment that you're proposing?"

Hoffman: "Yes, and some of the opposition at that time were... the opposition were many of the business groups were concerned about this. But also, the City of Chicago was concerned, and other governmental entities were concerned. It was never my intent to include governmental entities, so we specifically took 'em out by this Amendment."

Turner, J.: "I would guess then that municipalities, including the City of Chicago, are no longer in opposition to your Bill, if this Amendment passes?"

Hoffman: "That's my understanding. They would not be in opposition. I don't think that they're taking any position on the Bill 'cause it doesn't affect them any longer."

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

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Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment 2 to House Bill 426 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. A judicial note has been requested on the Bill as amended, and that note has not been filed."

Speaker Turner, A.: "The Bill shall remain on Second Reading. The Gentleman from Logan, Representative Turner, on House Bill 512. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 512, a Bill for an Act concerning mineral rights. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative John Turner, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Logan, Representative Turner, on Amendment #1."

Turner, J.: "Thank you, Mr. Speaker. This takes the language of House Bill 511 that came through committee, and puts it onto House Bill 512. The idea behind it was that since we were limited to having only five Bills, and these were similar in subject matter, was to put 511 and 512 together. Thank you."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 512 be adopted?' All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative O'Brien on House Bill 898. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 898 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative O'Brien, has been approved for consideration."

Speaker Turner, A.: "The Lady from Grundy, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 898 would allow for children that suffer from asthma to carry their asthma inhaler in their school. Currently, some schools have a problem thinking that it violates the zero tolerance policy. What Amendment #1, which was adopted in committee, did was to address the concerns of the State Medical Society. Amendment #2 addresses the concerns of the Trial Lawyers' Association. So, Amendment #1 and #2 combine to say that schools will not be liable for instances that occur with the prescription and the carriage of these asthma inhalers by students unless the conduct of someone is willful and wanton. And I'd be happy to answer any questions."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Amendment 2 to House Bill 898 pass?' All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Lady from Cook, Representative Hamos, on House Bill 909. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 909 has been read a second time, previously. Amendment #1 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2, offered by

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Representative Hamos, has been approved for consideration."

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

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Bill that creates the Illinois FIRST Job Opportunities Program. We had an extended discussion about it the other day. And therefore, I would like to withdraw Amendment #1."

Speaker Turner, A.: "The Lady moves to table Amendment 1 to House Bill 909. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is Amendment #1... Representative from Kendall, Representative Cross. For what reason do you rise?"

Cross: "Just a kind of question as to what just happened, Mr. Speaker? We..."

Hamos: "Let me explain, if I can. I would like to call... table Amendment #2. Amendment #2 takes this very worthwhile program out of the Procurement Code. We had an extended discussion the other day. I heard very much the concerns raised by Members on your side. I took another look at this Bill. It didn't fit in the Procurement Code. There was no reason for it to be in the Procurement Code. It had nothing to do with procurement policy. Therefore, Amendment #2... The reason I have tabled Amendment 1 is so that I can call Amendment #2. Amendment #2 creates a new Act, which is, in fact, the Illinois FIRST Job Opportunities Program."

Cross: "I just..."

Speaker Turner, A.: "So, the Lady..."

Cross: "Yeah."

Speaker Turner, A.: "Representative Cross."

Cross: "I just wanna clarify... Amendment #1 has been tabled?"

Speaker Turner, A.: "We are in the process of doing that right

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now."

Cross: "And then you're gonna go from there to Amendment #2?"

Speaker Turner, A.: "That's correct."

Cross: "All right."

Speaker Turner, A.: "So, the Motion is, 'Will Amendment #1 be tabled?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #1 is tabled. Further Amendments?"

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

Speaker Turner, A.: "The Lady wants to take the Bill out of the record. Out of the record. House Bill 1000, Rep... House Bill 1033, Representative Tenhouse. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1033, a Bill for an Act concerning Gulf War Veterans. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Tenhouse, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1033 simply deals and creates a Gulf War Memorial Fund with the eventual intention to be able to build a Gulf War Memorial, out in the cemetery here in Springfield, between the Vietnam and World War II Memorial. But the Amendment #1 simply takes out a income tax checkoff provision that had been included. They really are thinking that they'll be able to raise the funds without the use of this and, as a result, felt like it simply cluttered up the Bill. And we'd ask that that be removed through the actions of Floor Amendment #1."

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

Hoffman: "I would like to just ask that the Sponsor yield for a couple of questions on the Amendment."

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

Hoffman: "Art, I'm sorry. I couldn't hear and I don't have an analysis of the Amendment. Did this take out the automatic checkoff? Is that what you said?"

Tenhouse: "Exactly. That's exactly right, Representative Hoffman. We want to take out the checkoff provision that had been included. It had been brought up in committee. We're dealing... First of all, that we have a provision that deals, as far as the license plate is concerned, we create a fund that allows them to be able to accept dollars in terms of donations. But the third part that we didn't really feel it was necessary... because I think they're going to be able to raise the funds. And as you know, it's kind of difficult to get a checkoff on the State Income Tax form and to mandate that to this Bill, we didn't think was really appropriate."

Hoffman: "So then, in other words, this probably, I would assume, sometimes the Department of Revenue has problems with the additional checkoffs. This will take care of any opposition they may have. And also, that's all it does is removes that, saying you don't need it. Is that right?"

Tenhouse: "Exactly. All it does is take off the checkoff provision."

Hoffman: "Thank you."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. Amendment #1 is adopted."

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Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from Cook, Representative Osterman, on House Bill 982. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 982, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Osterman, has been approved for consideration."

Speaker Turner, A.: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Members of the House. (sic-Floor) Amendment #1 comes as a recommendation from the Transportation Committee. House Bill 982 increases the penalties for those individuals caught driving without a license under three criteria. House Bill (sic-Floor Amendment) #1 would amend one of those criteria from six months to one year for those people that are caught driving without a license, and punishable under the Bill, to a Class B misdemeanor."

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

Cross: "Yeah. Will the Sponsor yield?"

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

Cross: "I apologize, Representative, we don't seem to have Amendment #1 over here. Do you mind reiterating what Amendment #1 does, just so we're clear?"

Osterman: "Currently under law, if someone is found driving without a license, if they have a license that's been expired for over six months, it's a petty offense. And in the committee it was decided the original Bill would make it a Class B misdemeanor for those individuals caught driving without a license if their license had expired for

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over six months. People in the committee felt that it should be one year, and this would change from six months to one year the penalty for... from a petty offense to a Class B misdemeanor for someone driving without a license."

Cross: "What's the rationale for your underlying Bill, as well as the Amendment?"

Osterman: "The underlining (sic-underlying) Bill is to address individuals that are caught in this state driving without a license under three criteria: if they're too young, if they choose not... never been issued a license, or those that have had a license expire... license or permit expire. In the State of Illinois last year, there's been over 11,000 people that've received tickets for that violation; in the City of Chicago, over 35,000. So, the Bill is to try to get individuals... stiffen the penalties for those people that are caught driving without a license in the State of Illinois."

Cross: "All right. So, if you're driving without... If your license is just outright expired, you want to raise the penalty from a petty offense to a Class B misdemeanor?"

Osterman: "If they have not gotten their license after one year."

Cross: "All right. All right. So..."

Osterman: "The original Bill would have had it at six months. This would expand it to one year, to raise the penalty."

Cross: "All right. So, if you get a... If you've had a license expired for ten months, it'll remain a petty offense?"

Osterman: "Yes."

Cross: "All right. Let me ask you this. Oftentimes it's not uncommon for judges and prosecutors to dismiss these cases. I guess the prosecutors, judges can't dismiss cases, if the person complies and goes and gets a drivers license. There's no language... I don't see any language in the

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Bill, or the Amendment, that prohibits that. It's not your goal, is it?"

Osterman: "No. According to the Secretary of State and some clerks, that is very frequent. If someone gets a ticket driving without a license, they go get the license, get it renewed, many times it's thrown out, but this does not deal with that."

Cross: "All right. We don't wanna... I mean, most State's Attorneys' Offices have a policy they maybe want compliance in situations like this, so we could still go that route. Thank you... just wanted to make sure. Thank you, Representative."

Speaker Turner, A: "Seeing no further questions, the question is, 'Shall Amendment #1 be adopted?' All those in favor should say 'aye'; all those opposed vote '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. House Bill 1081, Representative Slone, the Lady from Peoria."

Clerk Rossi: "House Bill 1081, a Bill for an Act concerning open burning. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Slone, has been approved for consideration."

Slone: "Thank you, Mr. Speaker. I would move to table Floor Amendment #2, please."

Speaker Turner, A.: "The Lady moves to withdraw Amendment #2. All those in favor say 'aye'; all those opposed say 'no'. Amendment 2 is withdrawn. Further Amendments?"

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

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Speaker Turner, A.: "Representative Slone on Amendment 3."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. Floor Amendment #3 would address some concerns that were expressed by the Department of Natural Resources and The Nature Conservancy about open burning. And I would appreciate your favorable consideration."

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

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

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

Cross: "Representative, I want to make sure I clear something up. You tabled Amendment #2?"

Slone: "That's correct."

Cross: "And how about... What happened to #1?"

Slone: "This becomes... Amendment #3 becomes the Bill."

Cross: "All right. So, did you table... Was there a need to table Amendment #1, as well?"

Slone: "That's a good question, Mr. Cross. I don't know."

Cross: "Because it looks like #3 becomes the Bill."

Speaker Turner, A.: "If Amendment #3 becomes the Bill, then you don't have to table 1."

Cross: "Okay. All right. So, you're going to leave #1 in there? All right. Let me ask you some questions. Does the county or the local municipality lose jurisdiction with respect to the regulation... regulating of open burning within their own municipality or county? I see where your Amendment provides that that fire district would regulate."

Slone: "The fire district would regulate within its own territory, yes."

Cross: "So, the city would have no jurisdiction, or no authority to regulate where open burn... where the burning goes, it's just up to the fire district?"

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Slone: "I think it is as up to the fire district as it is to municipal fire departments to do that, yes."

Cross: "So, I just want to make... What I'm asking is, a municipality would have nothing to do with the issue of burning, it's purely up to the fire department?"

Slone: "What this Bill is intended to do is to give the fire protection districts the same powers that a municipal fire department already has with respect to open burning."

Cross: "All right. So, you just want it to... Okay. All you want to do is correspond to the municipalities' fire department?"

Slone: "Right."

Cross: "Are you aware of any opposition?"

Slone: "My understanding is that there was some concern about the earlier versions of the Bill that arose from the Department of Natural Resources, and some of the conservation groups that do proscribed burn in wooded areas type of thing, but apparently, this will address their concerns. So, to my knowledge, there's no further opposition."

Cross: "All right. Thank you."

Speaker Turner, A.: "... question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. But several notes have been requested on the Bill, as amended, and those notes have not been filed."

Speaker Turner, A.: "The Bill shall remain on Second Reading. The Lady from Peoria, Representative Slone, on House Bill 1083. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1083, a Bill for an Act concerning ground water. Second Reading of this House Bill. No

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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. The purpose of House Bill 1083, Amendment 1, is to basically shell out the Bill. And this is a response to a commitment that's been made... that I made to the Illinois Energy Association, the Illinois Manufacturers' Association, the Chamber, the Chemical Industry, and the Farm Bureau, all of whom requested that the Bill be shelled out to await the report of the Governor's Advisory Task Force on Water Resources, which has not yet been published. So, awaiting that, this shells the Bill out 'til the Governor's Task Force has made its report. I would appreciate your favorable consideration."

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

Hartke: "I have a question of the Sponsor."

Speaker Turner, A.: "She indicates she'll yield."

Hartke: "So, Representative, this just shells the Bill out completely?"

Slone: "Yes, Sir."

Hartke: "And maybe I misunderstood. What is your hope to do what with this Bill?"

Slone: "When the Governor's Advisory Task Force on Water Resources has completed its report, and everybody's had a chance to look at it, we would probably put the language... the recommended language from that Task Force on the Bill."

Hartke: "And when do you expect this report to come out?"

Slone: "My understanding is that the report is already being circulated, but it hasn't been published yet. So, it should be soon."

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Hartke: "In 2004?"

Slone: "No, it should be in 2001 and before we adjourn."

Hartke: "Ladies and Gentlemen, you know, I don't mind having this shell Bill out there and so forth... Are you going to keep this Bill in the House?"

Slone: "Until we can adopt substantive language on it, certainly. That would be my intent."

Hartke: "Okay. So, it's going to remain in the House then, and you're not gonna try to pass this over to the Senate at all?"

Slone: "Not at this point, Representative Hartke. No."

Hartke: "Okay. Fine. Put it in a tube."

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

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

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

Black: "It's my understanding, under the de facto Rules of the House, an individual Member can't have a shell Bill in their name. Now, if I acquiesce to this Amendment, the Amendment becomes a shell Bill, and the shell Bill will be in Representative Slone's name. Now, I'm under the understanding, since I had to give up like five or six of mine, that... and this is not a rule of law, or by House Rules, it's a rule by de facto that the Speaker said, 'there would be no shell Bills on the floor in an individual Member's name.' Now, if it's her intent to shell the Bill, I would ask if her intention is to assign the Bill to Speaker Madigan?"

Speaker Turner, A.: "Is that a question to the Sponsor?"

Black: "Yes, it is."

Speaker Turner, A.: "Representative Slone."

Slone: "If it's required to meet the operative Rules, I would

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certainly be willing to yield the sponsorship to the Speaker."

Black: "Well, I think that's the de facto Rule, and I would ask that you fill out a Change of Sponsor form before we vote on the Amendment. Because if you're going to shell the Bill, I think, while I'm not in agreement with that ruling, I thought the ruling was made abundantly clear, that we are not to be trusted with any shell Bills. So, I don't want to make an exception in your case. If you're shelling the Bill, I think you need to assign this Bill to Speaker Madigan before we vote on the Amendment."

Slone: "Mr. Speaker, can we take this Bill out of the record while we figure this one out? Thank you."

Speaker Turner, A.: "The Lady requests the Bill to be removed from the record. On the Order of Second Readings, we have House Bill 2056, Representative Winkel. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2056, a Bill for an Act concerning vehicles. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Winkel, has been approved for consideration."

Speaker Turner, A.: "Representative Winkel, the Gentleman from Champaign."

Winkel: "Thank you, Mr. Speaker. Floor Amendment #2 to House Bill 2056, what it does is, it combines several of the bus safety Bills that were pending in the Transportation Committee. For the sake of legislative economy, we've combined these Bills into Floor Amendment #2. The topic is bus safety. And I'd be glad to answer any questions."

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

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Hoffman: "Will the Sponsor yield?"

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

Hoffman: "Yes, Representative, this contains the four or five provisions that were in the subcommittee, the School Bus Safety Subcommittee. Is that correct?"

Winkel: "That's absolutely right."

Hoffman: "And I believe that our side of the aisle and your side of the aisle with Representative Wait, the spokesman of Transportation Committee, agrees with this Amendment. Is that right?"

Winkel: "Yes, that's absolutely correct."

Hoffman: "And that's all contained in here?"

Winkel: "That's contained in Floor Amendment #2."

Hoffman: "Thank you."

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

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Mitchell on House Bill 2221. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2221 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Jerry Mitchell, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Whiteside, Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. House Bill 2221 is a Bill that will allow volunteer firemen to receive a leave of absence for training from their jobs without retribution, and without loss of the job. We've added House Amendment

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#1 to that, at the request of the school alliance, which simply says that if this training is offered during the summer, then the firefighters should take it at that time, and not request leave from their job as teachers. This is the same language that's gone on several other Bills. And I would urge support of this Amendment. Thank you."

Speaker Turner, A.: "The Gentleman moves for the adoption of Amendment #1. 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. Representative Kosel on House Bill 2244. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2244 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Kosel, has been approved for consideration."

Speaker Turner, A.: "The Lady from Will, Representative Kosel."

Kosel: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would ask for your approval of Floor Amendment #1 which would allow owners of antique vehicles to make their automobiles 'period correct' by adding a one inch round blue light that is now forbidden under state statutes."

Speaker Turner, A.: "The question is, 'Shall...' The Gentleman from Madison, Representative Hoffman. For what reason do you rise?"

Hoffman: "Will the Sponsor yield?"

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

Hoffman: "I have Amendment #1, Renee. I just want to know, how does this change the original Bill? I didn't quite get

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it."

Kosel: "It is an addition to the original Bill. It does not change the original Bill at all. It's just an addition to it."

Hoffman: "All right. And how does it... What does it additionally do?"

Kosel: "It would allow owners of antique cars, that have antique license plates, to add a one inch blue circle to their taillight assembly which makes them more 'period correct', and was brought to me by an antique car club in my district."

Hoffman: "So, the original Bill said you could have antique... antique vehicles could have blue taillights. This would say, you can have... Oh, okay..."

Kosel: "No, the original Bill, it's a banner Bill."

Hoffman: "Okay."

Kosel: "2244 is a banner-displaying Bill. What we did was incorporate the two Bills together. They're both from the same Section of the Vehicle Code. And so, in order to comply with the five-Bill limit, we found that these two were compatible since they are not only in the Vehicle Code, but the same Section and we're combining them into one Bill."

Hoffman: "So, even though one has to do with the issue of allowing banners over highways, this has to do with the taillight issue?"

Kosel: "This does. But they are both from the Vehicle Code, Illinois Section 5, so they are both... "

Hoffman: "All right. All right."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #1 pass?' All those in favor... 'be adopted?' All those in favor should say 'aye'; all those

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opposed say 'no'. In the opinion of the Chair, Amendment #1... the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Lady from Cook, Representative Mendoza, on House Bill 2315. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2315 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Mendoza, has been approved for consideration."

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

Mendoza: "Thank you, Mr. Speaker, Members of the House. Amendment #2's a technical Amendment. It changes the word 'fire-stabilized' to 'fin-stabilized' in the Section of the Bill that defines a 'flechette shell'. The word was originally misspelled in the Bill."

Speaker Turner, A.: "Are there any questions..."

Mendoza: "I would ask for your adoption of the Bill."

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

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from Cook, Representative Brosnahan, on House Bill 2437. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2437 has been read... "

Speaker Turner, A.: "Take it out of the record. Out of the record. Representative Steve Davis on House Bill 3033."

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Read the Bill, Mr. Clerk. Out of the record. Out of the record. Representative Crotty on House Bill 3065. Read the Bill... 3065."

Clerk Rossi: "House Bill 3065, a Bill for an Act regarding vehicles. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Crotty, has been approved for consideration."

Speaker Turner, A.: "The Lady from Cook, Representative Crotty, on Amendment #1."

Crotty: "Thank you, Mr. Speaker. Amendment #1 deletes language from the original Bill and replaces the language with the true intent of that Bill. It's allowing procedures and hearings and some testing for telescopic drivers in order for them to have nighttime driving privileges. I'll answer any questions."

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

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative McGuire, the Gentleman from Will, on House Bill 3137. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3137 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Will, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. What this Amendment does... It's Amendment #1 to House Bill 3137, and what I'm doing is

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changing 'require that' to 'encourage that'. In other words, to make it less than mandatory and more encouraging. And that's the sum and substance of the Amendment, Sir. Thank you."

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.: "He indicates he will."

Black: "Representative, in other words, Floor Amendment #1 makes the Bill completely permissive?"

McGuire: "Yes."

Black: "If a district wants to do it, feels they have the resources to do it, the community wants to do it, they can do so?"

McGuire: "That's correct."

Black: "But, you are no... By virtue of this Amendment, you are no longer mandating that it be done in all districts throughout the state, correct?"

McGuire: "That's absolutely right."

Black: "Excellent Amendment. Thank you."

McGuire: "Thank you."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #1 be adopted?' All those in favor will 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 Reading, we have House Bill 2384. Representative Soto. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2384 has been read a second time,

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previously. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

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

Feigenholtz: "Thank you very much, Mr. Speaker. Amendment #1 to House Bill 2384 is a Bill that passed out of committee unanimously, House Bill 270, which encourages the Department of Public Aid to apply for an 1115 waiver to maximize federal dollars to a 90/10 match, instead of the 50/50 match they're getting now. I'd be glad to answer any questions."

Speaker Turner, A.: "Seeing none... 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.: "Yes, she indicates she will."

Black: "Representative, if I'm looking at my file correctly, Floor Amendment #1 to this Bill is identical to your House Bill 270, isn't it?"

Feigenholtz: "That's correct."

Black: "Well, I'm not a conspiracist by nature, but, I mean, why are you attaching this Amendment to a different Bill when the language of the Amendment is identical to a Bill that you have currently on Third Reading?"

Feigenholtz: "I'm glad you asked that, Representative Black."

Black: "You're going to, what?"

Feigenholtz: "I said, I'm glad you asked that question."

Black: "Oh, well, thank you. I'd love to hear the answer."

Feigenholtz: "We have a five-Bill limit in the House as you well know, and we had a lot of activity going on in the Human Services Committee. This was a Bill that I found a home

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for."

Black: "Oh. So, then you would... You're attaching 270 to this Bill and then it would be your intention not to run to House Bill 270? I see. Takes us downstaters awhile, but we usually can muddle through. Thank you very much."

Speaker Turner, A.: "I have a question. Will that be a shell Bill? Seeing no further questions, 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. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from Macoupin, Representative Hannig, on House Bill 3150. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3150, a Bill for an Act in relation to elections. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The underlying Bill has to do with something called 'push polling', and during the committee hearing it was suggested that we should not be trying to penalize some poor person who is simply working for a firm, and who doesn't have any control over the script. And so, this Bill... or this Amendment would provide that any penalties that apply would apply to the firm that actually runs the operation and creates the script. And there'd be no liability to someone who's simply just making the phone calls. I gave a copy of

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the Amendment to Representative Cross. And I'd ask for the adoption of the Amendment at this time."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Amendment #1 be approved?' All those in favor say 'aye'; All... I'm sorry. The Lady from Cook, Representative Mulligan. For what reason do you rise?"

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

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

Mulligan: "Representative, can you get around the law then by having the person that's answering the phone not respond, and then the company says, oh it was the person on the phone, but the person has no liability?"

Hannig: "Well, Representative, the idea is, that when you have this push polling, we're not saying that it's not allowed, but we're saying that certain things have to be done, that you have to disclose certain things, and that's what we can debate on Third Reading. But the idea behind the Amendment was, it was brought up in committee, that someone may be simply hired to make these phone calls. They don't control the script. They don't really do anything other than make the calls to the places they're directed. And let's say that they're given a script that's in violation of this Act, we're not trying to penalize them, we're trying to penalize the firm that actually put this script together and told somebody to make these calls."

Mulligan: "I understand that, and I can certainly see a job is a job. But, not if you put it together, so that there's no teeth in the Bill because you can pass it off on someone that has no consequences for what they say. I think that there should be some regard there as to who has some liability rather than to make sure that the person on the phone has none, and that the company would have none if

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they said it was strictly the person on the phone and not their initial content. So, I think that there's some problem with that."

Hannig: "Yeah. The issue arose in committee. And we do have some provisions and penalties for people who would violate this proposal should it become law, but we don't want to apply those to just some person who is paid, perhaps, a minimum wage to make phone calls. We want to make it... We want the penalties to apply to those people who made the conscious decision that they were going to try to evade or break this proposal, this law."

Mulligan: "Thank you."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #1 be approved?' 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. The Gentleman from Cook, Representative Miller, on House Bill 3267. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3267, a Bill for an Act in relation to health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Miller, has been approved for consideration."

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

Miller: "Thank you, Mr. Speaker and Members of the House. House Bill 3267 implements a hepatitis C awareness program. The Amendment #1 simply deletes the provision of veterans, and also deleting the... a reporting requirement by Veterans' Affairs. I would ask for a favorable vote. Thank you."

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Speaker Turner, A.: "The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye'; all those opposed say 'nay'. The opinion of the Chair is, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Gentleman from Macoupin, Representative Hannig, on House Bill 3387. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3387, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. The underlying Bill would allow regional superintendents to make certain transfers within accounts that they control. This proposal... This Amendment would say that they have to repay any of those loans to different accounts by the end of the fiscal year. So, it's just a clarification that gives them... the underlying Bill gives them flexibility, but we want to make sure that, by the end of the fiscal year, that the books are all back in order. So, I'd ask for your consideration and adoption on this Amendment."

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

Hoffman: "Just a quick question of the Sponsor. Will the Sponsor yield?"

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

Hoffman: "So, the only difference would say that it has to be repaid back in the current fiscal year as opposed to within three years?"

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Hannig: "Yes, Representative. They're getting audit points right now because they don't believe they have any authority at all to transfer. This Amendment would say that they could make the transfers, but they'd have to put the money back within one year."

Hoffman: "Okay. So, any concern... 'cause there was... I think, I heard some concern raised about the problem being that they would have to pay back the fund within three years. That's being removed because now you're saying it has to be within one year..."

Hannig: "Right. So, if they're in a situation where they have some money in hand in a fund, and they have some bills in hand that need to be paid out of another fund, but for some reason say the State Board is slow in paying, they could move the money to that account as long as they move it back by the end of the fiscal year, with the Amendment."

Speaker Turner, A.: "Seeing no further question, 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. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. The Lady from Cook, Representative Lou Jones, on House Bill 30... House Resolution 32. House Resolution 32, Representative Lou Jones. Read the Resolution, Mr. Clerk."

Clerk Rossi: "House Resolution 32, offered by Representative Lou Jones. There were no Committee Amendments. Floor Amendment #1, offered by Representative Lou Jones, has been approved for consideration."

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

Jones, L.: "Thank you, Mr. Speaker."

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Speaker Turner, A.: "Thank you, Madam."

Jones, L.: "Amendment #1 simply changes the effective date from March 1st to June 1st."

Speaker Turner, A.: "Seeing no further question, 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. Amendment #1 is adopted. Further Amendments, Mr. Clerk?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Representative Flowers on House Bill 241. Out of the record. Representative McGuire on House Bill 661. ... the Bill back to Second. I should say, what order is it on, Mr. Clerk?"

Clerk Rossi: "House Bill 661 is on the Order of House Bills-Third Reading."

Speaker Turner, A.: "Move it back to Second."

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

Speaker Turner, A.: "The Gentleman from Will, Representative McGuire, on Floor Amendment #2."

McGuire: "Mr. Speaker, I'd like to hold that Amendment and hold that Bill. Take it out of the record for the time being."

Speaker Turner, A.: "The Gentleman wishes to take the Bill out of the record. Out of the record. House Bill 663, Representative O'Brien. Read the Bill, Mr. Clerk. 660... 633. I'm sorry."

Clerk Rossi: "House Bill 633, a Bill for an Act concerning drug treatment. Second Reading of this House Bill. Amendment #1 was adopted in committee. A Motion to Table Committee Amendment #1 has been approved for consideration."

Speaker Turner, A.: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

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House. I am seeking to table Amendment #1 to House Bill 633 because the Amendment would... What the Bill allows for, as amended, is for the chief judge in every circuit to determine eligibility of a defendant for a Drug Court Diversion Program. And since our state's attorneys in each 102 counties have the ultimate responsibility and authority to determine whether or not to charge, I don't think that this is constitutional. That's why I'm seeking to table it."

Speaker Turner, A.: "The Lady moves to table Amendment #1 to House Bill 633. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is tabled. Further Amendments?"

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

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

Black: "Inquiry of the Chair, Mr. Speaker?"

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

Black: "On a previous Bill, I think it was Representative O'Brien's 633, I believe."

Speaker Turner, A.: "That's correct."

Black: "She tabled Amendment #1, but took no action on Amendment #2. It's my understanding, that that Amendment's out of Rules, I would assume she'd want to move the Amendment?"

Speaker Turner, A.: "I don't think Amendment #2 has been moved from Rules yet, Representative."

Black: "All right."

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

Black: "It's still in Rules? Mr. Speaker?"

Speaker Turner, A.: "Yes."

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Black: "We found the error in our file. Excuse me."

Speaker Turner, A.: "Error?"

Black: "Even the Cubs have an error, or at least one a season."

Speaker Turner, A.: "Thank you, Representative. On the Order of Second Reading, we have House Bill 2492. Representative Coulson. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2492, a Bill for an Act concerning health facilities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Coulson: "Thank you, Mr. Speaker. This Bill amends the hospice..."

Speaker Turner, A.: "Third Reading. We're moving it to Third. On the Order of Second Reading, we have House Bill 2395. Representative Erwin."

Clerk Rossi: "House Bill 2395, a Bill for an Act relating to higher education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Any Member that has a Bill on Third Reading and they'd like to have it moved, if you would come down to the podium we'd appreciate it. And there's a Member that has a Bill on Second Reading and they'd like to have it moved, if you would come to the podium we would appreciate it. And if there's no Members with Bills on Second and Third Reading, we will all be appreciate it. Representative Joffman, I mean, Representative Johnson on House Bill 2026. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2026 has been read a second time, previously. Amendments 1 and 2 have been adopted to the Bill. No Motions have been filed. No further Floor

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Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. Representative Hoffman on House Bill 1. Read the Bill, Mr. Clerk."

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

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

Hoffman: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. All Floor Amendment #1 does is add as a member of this Executive Council, the Inspector General, for the Department of Children and Family Services."

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

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Schoenberg on House Bill 131. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 131, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schoenberg, has been approved for consideration."

Speaker Turner, A.: "Representative Schoenberg on House Bill... on Amendment #1. Out of the record. Representative Flowers on House Bill 246. Read the Bill, Mr. Clerk. Read 241, Mr. Clerk. 241 first."

Clerk Rossi: "House Bill 241 has been read a second time, previously. Amendment #1 was adopted in committee. No

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Motions have been filed. Floor Amendment #2, offered by Representative Flowers, has been approved for consideration."

Speaker Turner, A.: "The Lady from Cook, Representative Flowers, on Amendment #2."

Flowers: "Thank you, Mr. Speaker. Amendment #2 would provide coverage for reimbursement for medically appropriate prescription nutritional supplement when ordered by a physician, and the insured suffered from a condition that prevent him or her from taking sufficient oral nutrition to substain (sic-sustain) life. So, I would move for the adoption of Amendment #2 to House Bill 241."

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

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

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

Parke: "Representative, is this... I don't understand why this is necessary? What is the problem that this Amendment solves?"

Flowers: "Well, Representative Parke, the Department of Insurance, as a result of us creating the consumer office, found out that some insurance companies was not covering the nutritional supplement for patients when ordered by the doctor because they said that it was something that was not needed, but it is needed, in order for that patient to live. For instance, like, if the patient had an operation on his or her stomach, so therefore, they would not be able to eat with their mouth, and so therefore, they must be fed in their stomach, a nutritional supplement in order to live."

Parke: "What committee did you present this Amendment in, or is

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this a Floor Amendment?"

Flowers: "It came before my committee, Sir."

Parke: "Was there any opposition to your Amendment?"

Flowers: "I'm trying to... To the Bill?"

Parke: "To the Amendment."

Flowers: "No. Not that I can recall. I shouldn't say 'no'. I can't remember right now. But, I really don't recall. Do you know of any opposition? I can't remember. So..."

Parke: "No. I'm asking the question."

Flowers: "Well, I mean..."

Parke: "I don't know. I don't know."

Flowers: "... and I'm asking you, you know. Maybe you..."

Parke: "Oh yeah, sure."

Flowers: "... could help me remember."

Parke: "Sure."

Flowers: "I don't recall."

Parke: "Never ask a question with a question. Now, stop."

Flowers: "Sometimes, if that's the way you're gonna get an answer."

Parke: "Nice try."

Flowers: "You know, maybe you could help me..."

Parke: "No."

Flowers: "... answer it. But, as far as I'm concerned, I don't recall any opposition."

Parke: "This is a... This Amendment is put on the underlying Bill and this just... and you don't know... Would you have thought because there's now some problem on whether or not this is medically needed, so do you think there might have been opposition to it? If you're saying that it's being denied, now you're gonna tell the insurance company, who then has to turn to the small business owner and tell them that they have to provide another unfunded mandate. Isn't

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this an unfunded mandate?"

Flowers: "Well, Representative Parke, either we can turn to the small business to tell them to tell the insurance to fund another unfunded mandate, or we can be contributors of a cause of death. Because if the patient is not given the necessary supplement, which is ordered by the doctor, then the insurance company is practicing medicine without a license to do so."

Parke: "Oh, please."

Flowers: "Now, this is a nutritional supplement in which this patient need in order to live. So, there's no point in the insurance company paying a bill if it's not going to save the patient's life. And that is the intent of this legislation. It was discovered by our Department of Insurance, and it was also suggested by our Department of Insurance that we do this. Thank you."

Parke: "Well, I just want to remind you, that again, the insurance companies do not pay the premium on the health insurance, the small business man and woman in the state, and if the insurance company says that this is not necessary, and then..."

Flowers: "But the insurance company is not..."

Parke: "Excuse me..."

Flowers: "... the doctor. The doctor says it is necessary. Now, if the insurance company want to get into the business of playing doctor, they should apply for a license to do so, Sir."

Parke: "Well, they certainly have doctors on staff."

Flowers: "Yes, and the doctor said that this patient is in need of this nutritional supplement in order to live because the patient cannot eat orally, because the patient has been operated on in the stomach."

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Parke: "Now, is that the only situation in which this would apply, is someone who cannot orally eat? How about if they're capable of ingesting this supplement through their mouth because of whatever medical need is there, is that okay? Is that also included, or is it just for this one instance, if they can't orally ingest this but it has to be done other ways? Is that... Is this... You're trying to tell us, this is the... only applies to that one instance you just shared with us?"

Flowers: "I'm going to read to you what it says, and however it may be applicable, so be it. I will never limit it to one thing because it's the intent of the legislation is to allow it to go where it may. And, it says, that it must provide coverage... the insurance company must provide coverage for reimbursement for medically appropriate prescription nutritional supplement when ordered by a physician, and the insured suffers from a condition that prevent him or her from taking sufficient oral nutrition... excuse me, nutrition to sustain life."

Parke: "Okay. You're... It's been pointed out by our... We have some confusion. Are you talking about Amendment #1 or Amendment #2, Representative? Is this Amendment #2, that what you're sharing with us is what's in Amendment 2?"

Flowers: "Yes."

Parke: "Okay. Well, our confusion... We'll have Representative... I guess my questioning is concluded. I will report that, Ladies and Gentlemen, the issue at hand is that we're telling the small business owner and the insurance companies that it doesn't make any difference what they're willing to pay for regardless of what it is, we know better, and therefore, everything that we want should be paid for regardless of whether or not it is

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covered under the insurance policy, doesn't make any difference. According to what the Representative wants, it doesn't make a difference whether the insurance company wants to pay for it or not, we know better in the Legislature, and this is what we have to do. And this is just indicative of the continued erosion of the health care insurance products being sold by the state. Slowly, but surely, we continue to erode and erode and erode, and more and more of our small business community is dropping their health insurance and saying, I cannot afford to continue it. You keep mandating more and more expenses, even though they sound reasonable on the face, and this certainly sounds reasonable on the face of it. But, again, where do we draw the line? Where do we say that the insurance companies ought to be able to say, this is not covered? This is not part of our... the policy that was sold. What my colleague that's presenting this Amendment, if it is the right Amendment, is simply saying is, that it doesn't make any difference whether it's in the makeup on the insurance policy or not, we are going to make them pay for it. And when we increase the cost of payment to that insurance company, they turn around and increase the cost to the small business owner. And we wonder why more and more people every year are being uninsured. This is another prime example of why that's happening. We just keep putting unfunded mandate on unfunded mandate on the small business community, and one day we're gonna turn around and wonder what happened to the small business community. And I can tell you what happened to it. We in our infinite wisdom, in the General Assembly, have eroded the health insurance base of this state."

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

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Black."

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

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

Black: "Representative, I believe when you were talking about the nutritional supplement, the PKU Amendment, that's in Committee Amendment #1, that you have already adopted. I believe the only question before the Body, at this time, is your Floor Amendment #2, and that doesn't have anything to do with any of the nutritional supplements. It deletes a provision in the underlying Bill, if staff is correct and I believe they are, you're deleting the requirement that the Department of Public Aid provide reimbursement for epidural anesthesia. Correct?"

Flowers: "You know what, Representative Black?"

Black: "Yes, Ma'am."

Flowers: "You are absolutely correct."

Black: "Thank you so much."

Flowers: "I can't even argue with you. Oh, Representative Parke, just wait your turn. You are absolutely correct. Would you please forgive me, Representative Black?"

Black: "I will."

Flowers: "And, Representative Parke, please? Okay. Thank you very much. Representative Black, I took the Department of Public Aid out because they already pay for the medically necessary epidural, so therefore, that was not necessary that I put them in."

Black: "All right. So, I would assume then, that Amendment #2, if the Department had any objection, this would probably eliminate any objection that they had to the Bill, since they're not being required to do reimbursement?"

Flowers: "Right."

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Black: "Okay. So, Floor Amendment #2 just clarifies that reimbursement procedure?"

Flowers: "Right."

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

Flowers: "Thank you. Mr. Speaker? Mr. Speaker?"

Speaker Turner, A.: "Yes."

Flowers: "Would you please leave this Bill on Second Reading?"

Speaker Turner, A.: "Do you want to adopt the Amendment?"

Flowers: "Yes, I want to adopt the Amendment, but I don't want you to move it to Third."

Speaker Turner, A.: "The Gentleman from Cook, Representative Miller, had a question. No question. And 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. Amendment #2 is adopted. The Lady requests that the Bill remain on Second. Representative Flowers on House Bill 246. Out of the record. Representative Schoenberg on House Bill 131. Out of the record. Representative Garrett on House Bill 282. Read the Bill, Mr. Clerk. Out of the record. Representative Monique Davis on House Bill 335. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 335, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

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

Hoffman: "I withdraw Amendment #1."

Speaker Turner, A.: "Further Amendments?"

Clerk Bolin: "Floor Amendment #2, offered by Representative Monique Davis, has been approved for consideration."

Speaker Turner, A.: "Representative Davis on Amendment #2."

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Davis, M.: "Mr. Speaker, I'd like to withdraw Amendments 2 and 3."

Speaker Turner, A.: "The Lady requests to withdraw Amendment #2 and Amendment #3. Further Amendments, Mr. Clerk?"

Clerk Bolin: "Floor Amendment #4, offered by Representative Monique Davis, has been approved for consideration."

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

Davis, M.: "I defer questions to Representative Hoffman on Amendment 4."

Speaker Turner, A.: "The Gentleman from Madison, Representative Hoffman, on Amendment #4."

Hoffman: "Yes. Amendment #4, what it does is, it changes the underlying Bill in simply a couple of respects. What it does is put the administration of the provisions of this Act under the Secretary of State's Office that has to do with motor vehicles, number one. And then, number two, it puts in a sunset provision of, essentially, two years, or until December the 31st, 2003, for the collection of data, and changes when the reports, under this Act, would be due to June 1st, 2003 and 2004, respectively."

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

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

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

Black: "Thank you very much. Floor Amendment #4 is not on our system, and we don't have a copy in our floor file. Could we just take it out of the record, at least 'til we get the system updated, or we can get a copy? I'm not doing this in opposition to the Amendment. We don't have it, in either place."

Speaker Turner, A.: "The Lady requests that we take the Bill out

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of the record."

Davis, M.: "Fine. We'll take it out of the record until they get the copy. Thank you."

Speaker Turner, A.: "Representative Black, that Amendment is on your laptop. Representative Wirsing. House Bill 446. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 446, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Turner, A.: "Representative Feigenholtz on Amendment #1. Since the Amendment's (sic-Representative's) not here... Representative, would you care to handle Amendment #1?"

Wirsing: "I thought she was here, but I don't know what... Can I offer this Amendment, or at least explain it, or... "

Speaker Turner, A.: "Yes, you can. She's there. She's yielding to you, Representative."

Wirsing: "Okay. We got the okay, right?"

Speaker Turner, A.: "You got the okay."

Wirsing: "Thank you, Mr. Speaker. Floor Amendment #1 amends the... the Amendment becomes the Bill. The Amendment contains much of the language as in the original Bill, but there are some changes. It requires that the affidavit of a close friend be presented to a representative of the hospital, designated organ procurement agency, or tissue bank. That's a major change. The language in the original Bill required that the affidavit be presented to the attending physician. As to the Illinois Corneal Transplant Act and the Organ Donation Request Act, to make them consistent with the Uniform Anatomical Gift Act, adds any persons authorized or under obligation to dispose of the body as the 11th priority in the list of people able to

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consent to the organ or corneal tissue donation. This just simply makes the changes to the underlying Bill, and this becomes the Bill which has that added... adds to the list of those people when there's a transplant situation available and how that process and procedure would go about. What it really does, it expands the opportunity for an organ to be used and not lost, is what it does."

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, either one of them?"

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

Black: "All right."

Speaker Turner, A.: "She will. They will."

Black: "Representative, let me ask you just a hypothetical? I know you've got a definition of 'close friend' in the Bill. In the recent news article about, you know, there's 75,000 people on the waiting list. This is just a hypothetical: somebody's in the hospital, they hear that a potential donor is there, they quickly find a notary, get an affidavit and run up and said, I knew Dave Wirsing, he's a good friend of mine and he wanted my aunt to have his corneas. I assume that there's something in the Bill that would protect who's, you know, someone who really isn't a close friend, from getting there first. That's my only concern."

Wirsing: "Yes, it does do that. It literally lists in priority of order those who would have the authority to do that. So, the Bill does do that, it makes sure that, as your example, you know, that I don't run in and say, gee, Bill and I were good friends and we worked in the House and, you know, while your wife or your daughter is on the way to do

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that. That couldn't happen. They would be the priority on the list."

Black: "The affidavit would... Normally the hospital would expect that affidavit to have been enforced prior to the person arriving at the hospital. Correct? Okay. Thank you very much."

Wirsing: "Representative, if I could expand upon that a little bit, and I don't want to get into my personal life. But a little over a year ago I had a grandnephew that at age 16 dropped dead, had an aneurysm. And, you know, by the time they got him to the hospital and all that, of course, the heart and those kind of... what we call heart organs weren't really available, weren't good enough. But then, they went to the eye for the cornea transplants and that sort of thing. What happened that day was that my grandnephew's grandmother, my sister, was at the hospital first, and before his parents got there. The hospital people were asking her about that 'cause these are issues that you have to move on pretty rapidly, and so, you know, my sister said, well, that the parents are on the way, et cetera, et cetera. At that point, the hospital ceased to talk to her and ushered her out into the waiting room and they waited for the parents to get there, which would have been the next of kin."

Speaker Turner, A.: "The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

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

Speaker Turner, A.: "The Gentleman from DeKalb, Representative Wirsing."

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Wirsing: "Amendment #2 is simply a technical correction, changing the corrective of a misnumbering is all... is all that does. Nothing of substance, just technical."

Speaker Turner, A.: "The Gentleman moves for the adoption of Amendment #2. All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'aye' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Fowler on House Bill 629. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 629, a Bill for an Act relating to schools. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Fowler, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Saline, Representative Fowler, on Amendment #2."

Fowler: "Thank you, Mr. Speaker. Amendment #2 just added some words to the original Bill. One of them is 'prevention of' by inserting 'Internet.' The other one is 'while on school grounds on the Internet.' And then 'the prevention of' by inserting 'Internet.' And the last one is 'while on school grounds' by inserting 'on the Internet.'"

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

Mulligan: "Will the Sponsor yield?"

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

Mulligan: "Representative Fowler, is this the Amendment that we discussed in committee and that you showed me in the House?"

Fowler: "Yes, Ma'am, that's it verbatim."

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Mulligan: "I appreciate your working with us, and putting that... amending that Bill, so that it's a good Bill and it really... You've worked real hard on this issue, and I appreciate you doing that."

Speaker Turner, A.: "The Gentleman moves that House Amendment #2 to House Bill 629 be adopted. All those in favor say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 to House Bill 629 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Lindner, House Bill 646. Out of the record. Representative Delgado on House Bill 1026. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1026, a Bill for an Act concerning transitional bilingual education teaching certificates. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Delgado, has been approved for consideration."

Speaker Turner, A.: "Representative Delgado, the Gentleman from Cook, on Amendment #2."

Delgado: "Thank you, Mr. Speaker and Members of the House. Amendment #2 basically amends... brings on another Bill that deals with the same issue, Representative Feigenholtz's Bill. And this Amendment, I would just ask for its due consideration."

Speaker Turner, A.: "The Gentleman moves for the adoption of Amendment #2. All those in favor should say 'aye'; all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

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Speaker Turner, A.: "Third Reading. Representative Kurtz, on House Bill 1810. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1810, a Bill for an Act concerning public funds. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Kurtz, has been approved for consideration."

Speaker Turner, A.: "The Lady from McHenry, Representative Kurtz."

Kurtz: "Thank you, Mr. Speaker. This is Amendment #2 to the public funds statement..."

Speaker Turner, A.: "Amendment #1?"

Kurtz: "Pardon me?"

Speaker Turner, A.: "Number one."

Kurtz: "Okay. I am adding an Amendment #2. It was filed, but perhaps you haven't gotten it yet. So procedurally, I should just wait until #2 is actually in your hand."

Speaker Turner, A.: "Mr. Clerk, what's the status of Amendment #1?"

Kurtz: "I would move to table #1."

Speaker Turner, A.: "The Lady moves to table."

Kurtz: "To withdraw #1 because #2 includes #1."

Speaker Turner, A.: "The Lady moves to withdraw Amendment #1 to House Bill 1810. All those in favor say 'aye'; all those opposed say 'nay'. And Amendment #1 is withdrawn. Further Amendments?"

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

Speaker Turner, A.: "The Bill will remain on Second. Representative O'Brien on House Bill 1819. Read the Bill, Mr. Clerk. ... the record. Representative Cross on House Bill 1820. Out of the record. No, read the Bill, Mr. Clerk. Out of the record. He'll make up his mind."

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Representative Hoeft on House Bill 1895. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1895, a Bill for an Act relating to education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hoeft, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Floor Amendment, excuse me, Committee Amendment #1 is a State Board of Education initiative and it helps define who should and should not take the ISAT examination from bilingual students."

Speaker Turner, A.: "The question is, 'Shall Amendment #1 be adopted?' All those in favor say... the Gentleman from Madison, Representative Hoffman. For what reason do you rise?"

Hoffman: "Yes, will the Sponsor yield?"

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

Hoffman: "Representative, how does this affect the underlying Bill?"

Hoeft: "The underlining (sic-underlying) Bill deals with testing and tries to take out the intervening variables that are harming the data that is generated on the school report card. It has the mobility factor taken out and it also requires that students who have been absent from school retake the examination. So it tightens up some of the problem areas of the ISAT exam. The State Board came forth and said that their Title I monies are being jeopardized 'cause this state does not have a policy dealing with bilingual students taking this exam. And this is something that will tighten that up and allow us to define who shall and shall not take the exam."

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Hoffman: "It's my understanding, that part of the underlying Bill also indicated that the State Board of Education should not make significant changes and design a state assessment for a minimum of five years. Has that changed at all by the Amendment?"

Hoelt: "No, it has not."

Hoffman: "So, that's still in the Bill."

Hoelt: "Still in the Bill."

Hoffman: "Thank you."

Speaker Turner, A.: "The question is, 'Shall Amendment #1 to House Bill 1895 pass?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Kurtz on House Bill 2111. Out of the record. Representative Lou Jones on House Bill 2284. Read the Bill, Mr. Clerk. Out of the record. House Bill 2437. Out of the record. Representative Hartke, House Bill 3188. Out of the record. Representative Schoenberg on House Bill 131. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 131, a Bill for an Act concerning local government. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Schoenberg, has been approved for consideration."

Turner, A.: "The Gentleman from Cook, Representative Schoenberg, on Amendment #1."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 incorporates into the Bill all the changes that were recommended by the Treasurer's Office."

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It shifts the original Bill from the debt... Local Government Debt Reform Act to the Public Funds Investment Act. It also clarifies a number of provisions that the Treasurer's Office felt were necessary in order to provide... to strengthen this and to provide further accountability. I urge adoption of Floor Amendment #1. I'd be happy to answer any questions."

Speaker Turner, A.: "The question is, 'Shall Amendment #1 to House Bill 131 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. In the opinion of the Chair is, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Representative Schoenberg, for what reason do you rise?"

Schoenberg: "Mr. Speaker, I was just going to add that there is one outstanding issue. If we could hold the Bill on Second Reading, in the meantime."

Speaker Turner, A.: "The Gentleman requests that we move House Bill 131 back to Second and that there it remains. Leave is granted. Representative Lou Jones on House Bill 3059. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3059, a Bill for an Act in relation to housing. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 1096, Representative Winkel. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1096, a Bill for an Act concerning alternative learning opportunities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 776. Read the

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Bill, Mr. Clerk."

Clerk Bolin: "House Bill 776, a Bill for an Act in relation to gambling. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 3307. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3307, a Bill for an Act in relation to historic preservation. Second Reading of this House Bill. Amendment #1 was adopted in Committee. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 3618. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3618, a Bill for an Act concerning state property. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 2487. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2487, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On the Order of Third Reading. On the Order of Third Reading we have House Bill 3246. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3246, a Bill for an Act concerning vehicles. Third Reading of this House Bill."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. With... Mr. Speaker, I assume I have leave of the Body to present this on behalf of Representative Stephens?"

Speaker Turner, A.: "You do, Representative."

Black: "Thank you very much. House Bill 3246 simply provides

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that a second or subsequent violation of the construction speed zone or school zone speed limit then becomes a petty offense with a minimum \$300 fine. I know that the Teamsters with IDOT are very much in favor of the Bill. I talked with the representative from the Laborers' Union last week, I know they're very much in favor of the Bill. I know of no opposition. Be glad to answer any questions that you have."

Speaker Turner. A.: "Seeing no questions, the question is, 'Shall House Bill 3246 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. And 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 Bill there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Klingler on House Bill 3126. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 3126, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Turner, A.: "The Lady from Sangamon, Representative Klingler."

Klingler: "Thank you, Mr. Speaker. This Bill is an agency Bill of the Department of Public Aid. And it is simply to transfer the running of the HIV Health Insurance Program from Public Aid to Public Health. In fact, the program actually is administered through the Department of Public Health, but the way it was originally set up the Department of Public Aid is to monitor and track the program. There's really no benefit for having any involvement of Public Aid in this program. And so I would ask that the Body would approve this agency Bill."

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

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

Speaker Turner, A.: "Indicates she will."

Klingler: "Yes."

Black: "Representative, does Floor Amendment #1 become the Bill?"

Klingler: "Yes."

Black: "So with Floor Amendment #1, is it still an agency Bill?"

Klingler: "Yes, it is."

Black: "Wouldn't it then be a Department of Public Health agency Bill rather than Public Aid?"

Klingler: "Well, both of those Department of Public Aid and Department of Public Health are proponents of the Bill. It was considered an agency Bill of the Department of Public Aid because it's giving up a program that it now is charged with tracking."

Black: "The budgetary items to cover the insurance for the HIV Program, I assume those are already budgeted funds, this isn't creating a new line item?"

Klingler: "Representative, the funds for this program for the HIV Insurance comes from the Ryan White Fund."

Black: "Okay. So, if I understand you correctly, you're just transferring administrative responsibility from DPA to DPH?"

Klingler: "That's correct."

Black: "Okay. Fine. That clears it up. Thank you."

Klingler: "Thank you very much."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall the House Bill 3126 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

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wish? Have all voted who wish. The Clerk will take the record. On this question there are 112 voting 'aye', 0 'noes', 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 335, Representative Monique Davis. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 335, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. Amendments 1 and 2 have been withdrawn. Floor Amendment #4, offered by Representative Monique Davis, has been approved for consideration."

Speaker Turner, A.: "Representative Davis on Amendment #4."

Davis, M.: "Mr. Speaker, I defer questions to Representative Hoffman."

Speaker Turner, A.: "Representative Hoffman on Amendment #4. The Gentleman from Madison."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #4, really what it does is it incorporates House Amendments #2 and 3 which were withdrawn at the request of the Sponsor and makes it, I think, more clear. All it does to the underlying Bill is it puts under the Secretary of State's Office the ability to enforce this Bill and to make sure that the provisions are being complied with. And secondly, it sunsets the reporting provisions of the Bill to December 31, 2003."

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

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

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

Black: "First of all, thank you very much for your indulgence to let our staff take a look at it. The only question I have

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and it's just simply one of procedure, Representative, and maybe you can answer this. I thought all along this would be under the purview of the Attorney General, the chief law enforcement officer of the state. The Amendment makes it under the purview of the Secretary of State. Is it just because this is a study of Vehicle Code? Well, I don't know if Vehicle Code would be right. I guess... I just... I'm not sure why the Attorney General wouldn't analyze it vis-a-vis the Secretary of State analyzing it."

Hoffman: "Well, it's my understanding that... there's a couple of reasons. First of all, this Bill that passed out of Transportation Committee mirrors the Missouri legislation in a lot of ways. And essentially, what it does is... there was legislation passed in Missouri, I believe last year, and became law similar... very similar to this. The Missouri Secretary of State, essentially, has... is not nearly like our Secretary of State. It is... doesn't have powers, it doesn't have power over the Vehicle Code. What we thought in talking with Representative Davis, who has sponsored this legislation for many years, she has always had it under the Secretary of State's Office and the purview of the Secretary of State's Office. And we believe that since the Secretary of State's Office here in Illinois has the function of monitoring vehicle stops, vehicle arrests, it would be a more proper place here in Illinois. The only reason that my underlying Bill, which was ultimately taken over by Representative Davis, had the Attorney General's Office was because that's what was done in Missouri. But in Missouri, their Secretary of State's Office and the function of the Motor Vehicles is under the Department of Motor Vehicles not under their Secretary of State's Office. So, that's a long answer to..."

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Black: "No, I understand. Then the report, as I understand it from the Amendment, the report is simply presented. The Secretary of State would have no authority under the Bill to act unilaterally on the information compiled, correct?"

Hoffman: "That's my understanding."

Black: "Now, eventually, I assume that this... okay, to the General Assembly as well, so..."

Hoffman: "It'll submit the report to the Governor..."

Black: "Right."

Hoffman: "... the General Assembly and to each law enforcement agency under the Bill. That's what they would..."

Black: "Okay. So, if there was to be substantive action taken, based on whatever was in the report, obviously then the General Assembly would have to take that action, correct?"

Hoffman: "Yes."

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

Speaker Turner, A.: "Being no further questions, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #4 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Steve Davis, on House Bill 3033. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3033, a Bill for an Act concerning compensation. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Steve Davis, has been approved for consideration."

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

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Floor Amendment 1 to House Bill 3033 deals with

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death benefits. And what it does, it increases the death benefit for firefighters and ... just one second, Speaker. Increases the award in addition to any other compensation to which his survivors may be entitled. The Court of Claims is responsible for making the awards under this Act. And the award affects law enforcement officers, firefighters, members of civil defense work force, civil air patrol members, paramedics, chaplains of police and fire departments and state employees. And I believe that what the Amendment does it turns this in... it moves the benefit from \$100 thousand a year to \$118 thousand a year and then it puts a COLA in that is indexed, known as the Employment Cost Index, wages, salaries and by occupation in the industry group, state and local government workers, public administration, as published by the United States Department of Labor, Bureau of Labor Statistics for the 12 months ending with the month of June of that previous calendar year. And I would move for the adoption of the Amendment."

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

Osmond: "Yes, Mr. Speaker. Will the Sponsor yield for a question?"

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

Osmond: "Representative, I asked you last week, in your Bill it mentions paramedics being eligible. Is it the purpose of your legislation that all licensed paramedics, whether they be part of a municipality, if they are volunteer paramedics, are they to be included in this Bill?"

Davis, S.: "To my knowledge, Representative, that is the intention of the Bill as long as they are a licensed paramedics, that's correct."

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Osmond: "So, any licensed paramedic then would be eligible for this death benefit?"

Davis, S.: "That's my understanding, Representative."

Osmond: "Okay. Thank you very much."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #1 to House Bill 3033 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Hassert on House Bill... Representative Hamos on House Bill 3346. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3346, a Bill for an Act concerning insurance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Turner, A.: "The Lady from Cook, Repre... Out of the record. Representative Hassert on House Bill 3196. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3196, a Bill for an Act in relation to education. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hassert, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Cook, Representative Hassert, on Amendment #1."

Hassert: "Thank you, Mr. Speaker. Amendment #1 just makes a change in the School Code. Requires a criminal background check for student teachers. I'd be happy to answer to any questions."

Speaker Turner, A.: "The Gentleman moves for the adoption of

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Amendment #1 to House Bill 3196. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. House Bill 185, Representative Fowler. Representative Fowler on House Bill 185. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 185 has been read a second time, previously. Amendments 1 and 2 were adopted to the Bill. No Motions have been filed. Floor Amendment #3, offered by Representative Hoffman, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Saline, Representative Fowler on Amendment #... I'm sorry. The Representative Hoffman, the Gentleman from Madison, on Amendment #3."

Hoffman: "Yes. Floor Amendment #3 is an initiative of the Illinois Department of Transportation in conjunction with the Metro East Transit District, would allow the Metro East Transit District to expedite their requests for operating funds from IDOT on a monthly, as opposed to a quarterly basis. And provides that any overpayment made by IDOT will be determined by a post payment independent audit. This is... It's my understanding, IDOT is in favor of this and it's their language that we're adopting."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #3 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "House Bill 1... Third Reading."

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Representative Wyvetter Younge on House Bill 2502. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2502, a Bill for an Act concerning an East St. Louis Academy for math, science, and technology. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Wyvetter Younge, has been approved for consideration."

Younge: "Thank you, Mr. Speaker."

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

Younge: "Thank you. The only change that Amendment #1 brings about is it changes the name from the East St. Louis Academy to the Southwestern Illinois Academy. And it makes that change in a number of places, but that is the only change."

Speaker Turner, A.: "The Lady moves for the adoption of Amendment #1 to House Bill 2502. All those in favor say 'aye'; all those opposed say 'nay'. The opinion of the Chair is, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Stroger on House Bill 1848. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1848 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Stroger, has been approved for consideration."

Speaker Turner, A.: "Representative Stroger on Amendment #1. The Gentleman from Cook."

Stroger: "Thank you, Mr. Speaker. Amendment 1 adds to the Bill that public access to the Internet is available at public libraries. It's an Amendment that went on in the Senate

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and we thought it should go on in the House."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 1848 be adopted?' All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is, the 'ayes' have it. And Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. Representative Steve Davis on House Bill 201. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 201, a Bill for an Act concerning the Office of Secretary of State. Third Reading of this House Bill."

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

Davis, S.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 201 is proposed legislation that would require the Secretary of State to appoint an Inspector General with the advice and consent of the Illinois State Senate, who would be charged with investigating fraud, waste, mismanagement and misconduct within the Office of Secretary of State. It would further allow the Secretary of State to designate Members of the Office of Inspector General as peace officers with full police powers. Additionally, the legislation would give the Inspector General direct access to the Secretary of State as well as access to all documents and information necessary to conducting a proper investigation of the office, including the ability to subpoena witnesses and the production of documents. Lastly, the legislation would protect whistleblowers from recriminations for coming forward and reporting issues to the Inspector General. Mr. Speaker, I'd be happy to answer any questions on the Bill."

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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.: "He indicates he will."

Black: "Thank you. Representative, just for clarification, the Secretary of State can appoint an Inspector General now if the elected Secretary of State would want to do so, correct?"

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

Black: "So, is the intent here just to place this in statute so that there is no question and subsequent Secretaries of State... this would then become an actual statute office in the Office of the Secretary of State, correct?"

Davis, S.: "That is correct."

Black: "And any subsequent Secretary of State would then have to ask us to repeal that statutory requirement if he or she did not want this..."

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

Black: "Okay, now is there anything in your Bill that indicates... is the Secretary... other than the advice and consent of the Senate, I assume there is no job description in the statute language. I've read it very quickly. The Secretary of State still has the leeway to appoint whoever he or she wants to fill the position if the Senate concurs, correct?"

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

Black: "All right, fine. Thank you."

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

Speaker Turner, A.: "No further questions. The question is, 'Shall House Bill 201 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? He's gotta sign in. Have all voted who wish? The Clerk shall take the record. On this question there are 109 voting 'aye', 1 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Peoria, Representative Slone, on House Bill 1083. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1083, a Bill for an Act concerning ground water. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Slone, has been approved for consideration."

Slone: "Thank you..."

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

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill was... this Amendment was on the floor earlier and there was some question about the proposal to shell the Bill out and I think that has been resolved. And I would appreciate your support of the Amendment. Thank you."

Speaker Turner, A.: "The Lady moves for the adoption of House Amendment #1 to House Bill 1083. All those in favor shall say 'aye'; all those opposed... the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I appreciate the indulgence of the Sponsor. There are other shell Bills out here, not very many, in the name of the Sponsor. I have no objection, but on a voice vote I would like the record to reflect, just to show my personal displeasure over certain rules that have been imposed, that I would vote 'no', even on a voice vote. But I do appreciate the Lady's indulgence with my earlier question."

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

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Hartke."

Hartke: "May I add my displeasure, too, as a 'no' vote."

Speaker Turner, A.: "Two displeasures. Two displeasures and... you've got a displeasure too? We will so note those displeasures. Representative... the Gentleman from Sangamon, Representative Poe."

Poe: "I'd just like to note my displeasure too and make sure I'm a 'no' vote on that."

Speaker Turner, A.: "The Lady moves for the adoption of Amendment #1 to House Bill 1083. All those in favor should say 'aye'; all those opposed say 'no'. Those displeasures said 'no'. The 'ayes' have it. And Amendment #1 is passed... is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

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

Slone: "Mr. Speaker, could you please leave the Bill on Second Reading?"

Speaker Turner, A.: "The Lady requests that the Bill remain on Second Reading, Mr. Clerk. The Lady requests that the Bill remain on Second. Representative Brosnahan. House Bill 2437. Out of the record. House Bill 243... 518, House Bill 2518. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2518, a Bill for an Act concerning higher education. Third Reading of this House Bill."

Speaker Turner, A.: "The Sponsor asks that we bring that Bill back to Second. House Bill 2519. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2519, a Bill for an Act concerning a performing arts school. Third Reading of this House Bill."

Speaker Turner, A.: "The Sponsor asks that that Bill be brought back to Second. House Bill 770, the Gentleman from

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Vermilion, Representative Black. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 770, a Bill for an Act concerning associate judges. Third Reading of this House Bill."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 770 was requested by the chief judge of my circuit and it's a rather complicated Bill. I appreciate the indulgence of the Democrat staff who's worked very closely with our staff on this Bill. This Bill simply puts in a minimum population trigger for a circuit to maintain five associate judges. I'll be glad to answer any questions you have. Please note that we are not adding any circuit judges and I will resist as long as the Bill is under my control any attempt to amend it, either in the House or in the Senate, adding circuit judges. This only affects the Fifth Judicial Circuit in the State of Illinois. We currently have five associate judges and that's what this Bill will attempt to do is to maintain that level at five."

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

Righter: "Thank you, Mr. Speaker. On House Bill 770 for purposes of potential conflict of interest, I'll be voting 'present'. Thank you."

Speaker Turner: "And is so noted. The Gentleman from DuPage, Representative Johnson. For what reason do you rise?"

Johnson: "Yeah, will the Sponsor yield?"

Speaker Turner: "He indicates he will."

Johnson: "This is such a small circuit, why do you need five judges or six? How many are you adding?"

Black: "None. We currently have five. We hope to keep five."

Johnson: "Why do you need five?"

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Black: "Well..."

Johnson: "You only have 173 thousand people here."

Black: "No, actually we have more than that. This..."

Johnson: "Was that before the census or after the census?"

Black: "Well, if the census is accurate, I don't know how many we'll have, once the figures are released. This goes back to a quirk. Now, I'm quoting from a conversation that staff had with Judge Waller, the Chief Judge of the Fifth Judicial Circuit. It goes back to the reform of the courts in '67, when they were circuit judges who served more than one county. Anyway, to make a long story short, the chief judge of my circuit believes that in 1967 his circuit picked up an additional associate judge through the discretionary power of the Illinois Supreme Court. Now, what happened is a associate judge became a circuit judge. They asked the Supreme Court to appoint another associate judge and they said, no, you really don't need five or shouldn't have five. And so what this does is to put a minimum trigger of 173 thousand to keep five. Now, the reason it was explained to me, and I'll defer to your legal expertise, one of the growth industries, unfortunately in my part of the state, is prisons and we currently have two, and hope to soon have three. And as you know the associate judges have most of the workload in any circuit. So, the chief judge was somewhat disconcerted to think that he might have to roll back to four when he thinks it's a quirk in the law that would have him do that. So..."

Johnson: "So, how many cases are these judges handling?"

Black: "Oh, six or seven a day."

Johnson: "What time do they get out of work..."

Black: "I have no idea."

Johnson: "... in the afternoon?"

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Black: "I daresay the associate judges probably are there longer, at some risk of hearing from my circuit judges, they're probably there longer than some of the circuit judges."

Johnson: "Well, and those prisoners, they don't need judges; they're already locked up. And you guys compete to get more of these prisons."

Black: "Well, if you could get them to stop filing legal writs, I'd probably join you in that."

Johnson: "Well, most of those are federal."

Black: "Not all, unfortunately."

Johnson: "I think your judges have hoodwinked you."

Black: "Unfortunately, many of them are not."

Johnson: "Now, if you add a few judges on for, you know, Kane County and DuPage County, you'd have a better chance, Representative Black."

Black: "Well, I think there's a Bill working its way over in the Senate..."

Johnson: "Oh, okay."

Black: "... that might add some circuit judges. But I promised the Speaker some time ago when he first reviewed this Bill that that was not our intent and that I would resist adding any circuit judges to those more populous counties. Although I have reason to believe that that might be under consideration in the Senate on another Bill."

Johnson: "Well, I just think you're getting way too many judges down there. But more power to ya."

Black: "Well, thank you, I think."

Speaker Turner, A.: "Seeing no further questions, Representative Black to close."

Black: "Thank you very much. I appreciate the indulgence of the Body. Be glad to entertain an 'aye' vote on this. As it has been explained to me several times by the chief judge

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and when I talk to him it makes eminent good sense. After I hang up the phone, I'm still not sure that I understand this, but at some point I have to have some trust and faith in the circuit judge... the chief circuit judge of my circuit. And let me again remind you, we are not adding any judges to this circuit. Thank you."

Speaker Turner, A.: "The question is, 'Shall House Bill 770 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 Bill, there are 113 voting 'aye', 0 'noes', 1 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. In my zeal to get somebody else's button, my button malfunctioned and I meant to vote 'yes'."

Speaker Turner, A.: "The record will so reflect it. Representative Ryan on House Joint Resolution 10."

Ryan: "Thank you, Speaker, Members of the House. I bring to you House (sic-Joint) Resolution #10 what deals with paraprofessionals. This Resolution has passed the House on two other occasions. What it's asking for is for a task force to look into licensing procedures of paraprofessionals and come up with standards and procedures and to improve the quality of education of our children. I would ask for a passage of this Resolution. Thank you."

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

Cross: "Will the Sponsor yield for some questions?"

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

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Cross: "Can you tell us what a paraprofessional is?"

Ryan: "A paraprofessional is a industry defined term. It's pretty broad, but it deals with any person who aids in the instruction of our children. It could be any... teachers' aides, teacher assistants. Again, this is an industry defined term and it's very broad and all encompassing."

Cross: "It says in here that a paraprofessional is someone who delivers... whose position is either instructional in nature or who delivers other direct services to students or their parents. What services do I need as a parent to receive from a paraprofessional? What services are you talking about?"

Ryan: "I'm sorry, I couldn't understand your question."

Cross: "It reads in here that a paraprofessional is someone whose position is either instructional in nature or who delivers other direct services to students or their parents. What services do I need as a parent of a student that I'm gonna receive from a paraprofessional? Can you tell me?"

Ryan: "Counselors. Like I said, any sort of assistant, any instructional aide. Anyone that might be dealing with our children could, on occasion, deal with our parents, also. Advisory capacity or something to that extent."

Cross: "Well, I guess... yeah, this is gonna pass I'm sure, Representative, but I don't think you've made the case for why we need this. I would... we have teachers' aides, we have teachers, we have student teachers, we have principals, we have school board members. Why do I need... Why do we need another level here of now what you're calling a paraprofessional?"

Ryan: "Right. Well, each and every year as Legislators we talk about the quality of education, how important education is, what we have to do. There's a lot of paraprofessionals out

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in the industry. There is no standards, there are no methods, no accountability by which we judge these individuals. With this task force we would hope that we would come up with some sort of procedures, some sort of measuring mechanisms whereby we could say, yes, this person is good or, no, this person is no good and also come up with some standards for training to improve the level of instruction."

Cross: "All right. Thanks."

Speaker Turner, A.: "Seeing no further questions, the question is, 'Shall House Joint Resolution #10 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 114 voting 'aye', 0 'noes', 0 'presents'. This Bill, having received the Constitutional Majority, is declared passed. Representative Fritchey on House Bill 2001. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2001, a Bill for an Act in relation to tobacco. Third Reading of this House Bill."

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

Fritchey: "Thank you, Speaker. House Bill 2001 represents this Session's attempt to have a comprehensive health-based use of the proceeds from the tobacco settlement recovery that Illinois stands to get from the national settlement against the tobacco companies. The Bill is a product of a lot of hard work by a lot of organizations statewide, but that's not what makes it a good Bill. What makes it a good Bill is that it has come up with really a thorough way of improving the health of Illinois citizens, whether they're

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in the city, the suburbs, or rural areas. In essence, the Bill creates five programs. One aimed at giving appropriations to the Department of Public Health to reduce tobacco consumption. Another to reduce tobacco cessation for recipients of public aid. We have a community health center expansion grant program, a local public health priorities program that would provide grants to local health departments, and a biomedical research program. It appoints various councils to oversee these programs. This Bill has numerous proponents. Just to single out a few of them would be the Lung Association, Cancer Society, Academy of Family Physicians, the Daycare Action Council of Illinois, the Illinois State Medical Society, and the Illinois Chapter of the American Academy of Pediatrics. I'd be happy to answer any questions."

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

Cross: "Will the Sponsor yield?"

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

Cross: "Representative, is it your intention on an annual basis to utilize all the proceeds we receive and put them into this program?"

Fritchey: "The Bill would not utilize all of the proceeds. It would set for a certain appropriations to fund these programs and that would be re-reviewed every year by a tobacco settlement recovery fund advisory panel that would report to the Governor and the General Assembly regarding the appropriations that would be required in order to fund the programs. Ultimately, it would still have to come back to us, Representative."

Cross: "So, if there's 350 million next year, it's up to us to allocate what portion of that 350 goes into here?"

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Fritchey: "Well, certain programs would be established on either three-year or five-year programs for continuing programs to either local health departments or community health-based centers for some of the research grants which are actually much more effective on a multi-year strategy than rather than coming back every year. But there are certain amounts of funds that would be up for annual reappropriation."

Cross: "So you will lock us into some obligations on an annual basis?"

Fritchey: "Some, yes."

Cross: "All right. Can we tell from your Bill how much we'll be locking in? I mean, is it gonna be half the amount, will it be a third, will it be two-thirds?"

Fritchey: "In the beginning year, I believe, it's approximately two-thirds, Representative."

Cross: "So, even if... Well, if it's decided down the road that some of these programs aren't worthy of receipt of this money will we still be locked into the two-thirds or will we just allocate a portion of that grant money to the four instead of the five programs you've outlined?"

Fritchey: "No, what we want to be able to do is make sure that we're getting the best bang for our buck, as it were, and be able to put more money or the same amount of money or less money into a program depending on it's efficacy and the results that we're getting. If we're seeing that dollars spent are achieving the results that we want to achieve, then we will keep funding those areas. If not, then we'll reduce those and put it into other areas. Keep in mind, the goal of this Bill and the goal of this fund in the settlement originally, was to deal with the problems created by cigarette- and tobacco-related illnesses. And this Bill is aimed at keeping that goal in mind."

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Cross: "Representative, can you, on a side note, does AARP support this Bill?"

Fritchey: "I don't have on our analysis that they do. I want to say honestly, that I believe they do. I have not seen anybody not support this Bill."

Cross: "All right. Are there any Amendments under this Bill to the Circuit Breaker Program?"

Fritchey: "There is an expansion of circuit breaker under this Bill. It would be for a one person household from 21,218 to \$24 thousand. A two-person would go from 28,480 to 30 thousand and there would be no change for a household with three or more persons."

Cross: "Okay. Can you help us out and tell us where that is in the Bill, we haven't been able to find that, John. And along the same lines, with respect to the expansion, do you provide new coverage or additional coverage for other diseases? There's some discussion about the fact that osteoporosis might be included in your Bill."

Fritchey: "To the best of my recollection there was not an expansion of coverage of criteria. And I'm looking as we speak and I apologize... I'm looking at it on page 20, Section 4, discusses the fees for the increase in circuit breaker. It would be 320ILCS 25/4."

Cross: "You're on page 20 of the Bill, Representative?"

Fritchey: "At least on my computer screen, I am. It'd be..."

Cross: "What Section is that, John? We just haven't been able to find it."

Fritchey: "I'm looking at... it's the bottom and actually the paragraph cuts off at the bottom of 20 going into 21."

Cross: "I will give it..."

Fritchey: "And I apologize, I don't have a hard copy printed out, but the pagination should be..."

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Cross: "All right, we're gettin there. John, let me back up and while we're looking for that. Do you... on the biomedical research, who's gonna make the the determination where that money goes and how it's spent?"

Fritchey: "It will be administered by the state... by the Board of Higher Education and there would be a biomedical research advisory council appointed by the Governor."

Cross: "Why would we have this... you said the Board of Higher Education makes the decision on where the biomedical research money goes?"

Fritchey: "They would distribute the funds. There's a biomedical research advisory council that would help provide guidance over the program, which is in contrast to what we have now where we've expended tens of millions of dollars into this arena from last year with what I would characterize as inappropriate amount of oversight."

Cross: "I guess I'm just concerned about making sure we have the right people making those determinations, at least with... And I agree with the biomedical research wholeheartedly, but I just want to make sure that we have someone in place or a group of people in place that know what they're doing. I know there are other people that want to ask questions, John and I'll defer to them. Thank you."

Fritchey: "Thank you."

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

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

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

Black: "Representative, let me follow up. Just a quick question, and then an observation, if I might. From what Representative Cross was getting at, reading through the

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computer, is it common practice that, in grants awarded like this, there be no judicial review of the grant process?"

Fritchey: "When you say, judicial review, in a technical sense?"

Black: "No. The analysis states that these grants, under the Board of Higher Ed and there was another entity, excuse me, I can't remember now, they would not be subject to the Administrative Review Act. So, if you had a problem with the grant, what would be your right of... not right... What would be your process to appeals? I don't think that's a good use of the money."

Fritchey: "There's an advisory council that would be created which... as I stated, and I don't mean this condescendingly towards what we did with the funding last year, although, I think, my feelings on that have been made known. Oversight is critical to the expenditure of every last dollar of these funds and I've maintained that from day one. We have an advisory council, specifically, for the biomedical research portion. In addition to that, there's another council that's created that oversees the entire program and, as a whole, it would report back to this Body on an annual basis. We want to be able to see what it is we're doing, and what we're getting for the \$10 million spent over here, the 2 million spent over here, the 50 thousand spent down in this community. Let's make sure that we're not wasting money on bureaucracy. Let's make sure that money that's supposed to go toward treatment and smoking prevention is going toward that and not painting new offices somewhere."

Black: "All right."

Fritchey: "And I think the safeguards are in place to do that."

Black: "And I think all of us would be concerned about that if

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the administrative portion of the grant consumes 85 cents of every dollar, then obviously, then there is a process of review of those kinds of things within this legislation. Correct?"

Fritchey: "Correct."

Black: "All right. The only other point that I'd like to make on the record, and I don't know this, Representative, so I'm asking you. You know, everybody assumes that over the next 25 years we will deposit approximately \$9 billion. I've read through that master agreement, and there are more escape clauses in that than I can keep track of: bankruptcy, court decisions, and with a recent court award in Florida, I mean, the tobacco companies may very well be able to invoke that bankruptcy clause, so there's nothing in this legislation that locks us into anything if the master agreement falls apart. In other words, instead of getting 9 billion, let's say after a billion dollars, the whole thing collapses. You're not locking us in to any programs or any spending if that money does not materialize, correct?"

Fritchey: "We're not locking us in it and by contrast, the Governor's proposal provides, among other things, about \$40 million in debt expenses, going forward on an annual basis. And were everything to, unfortunately, fall apart, we will find ourselves trying to figure out how to make up those debt expenses out of GRF to cover the issuances of bonds for his Venture Tech proposal, and I think the Venture Tech proposal is a salutary idea. I do not think it should be coming, certain portions of it, out of the tobacco settlement. But I think that you've raised an excellent point, that there are, already, some long-term indebtedness issues that have been created, that actually we've done a

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good job to try to avoid here. That is not the case in the present budget proposal."

Black: "All right. So, the caveat for all of us would be, there are no guarantees that every last dollar in the master settlement will, in fact, be deposited in the State Treasury of Illinois. Correct?"

Fritchey: "That's correct."

Black: "That's fine. Thank you very much."

Fritchey: "Thank you."

Speaker Turner, A.: "Representative Fritchey to close."

Fritchey: "I request an 'aye' vote. Thank you."

Speaker Turner, A.: "The question is, 'Shall...' The Lady from DuPage, Representative Bellock."

Bellock: "Thank you, Mr. Speaker. Representative Fritchey, I am for health, for this Bill, but I have a question that I was just reading in here. It says, 'Illinois universities and their hospitals will receive 50% of the monies allocated.' It says, 'Illinois universities with medical schools and affiliated hospitals as a group are to be allocated 50% of the total amount appropriated for the program.' Does that mean 50% of the entire Tobacco Settlement Funds for the year? I'm not quite clear."

Fritchey: "Are you looking at 2000, or 2001?"

Bellock: "I thought it was 2001. Yeah, it's 2001."

Fritchey: "I don't have the percentages in front of me, Representative. What I can relay to you is this, the numbers that have been coming up with are across the board, have been the product of the universities working together, the community health-based organizations working together, the public health departments working together, the not-for-profits working together, all of which defined what they thought was an equitable distribution of the Fund to

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reach the greatest common benefit for tobacco cessation reduction and treatment in Illinois."

Bellock: "Well, I'm a big supporter of this. But I'm just concerned, because if 50% is being allocated to the universities with hospitals, that is a..."

Fritchey: "We have a..."

Bellock: "... disproportionate amount, I think, for all the different groups that are asking for this money. That's why I'm saying..."

Fritchey: "Under the Bill, as it stands right now with the appropriation vehicle, going to biomedical research would be 39 million out of 232.5 million. So, that's approximately, off the top of my head, maybe, about 20%."

Bellock: "What's the percent?"

Fritchey: "Figure 39 divided by 232 would put you at some 22%, maybe? That's off the top of my head."

Bellock: "Well, that isn't what the Bill says, though. The Bill specifically states, 50% of the total amount appropriated for the program. And I have a concern about that, especially since I've been trying to get money for mental health for so long. I don't disagree with..."

Fritchey: "No, Repre... it's 50% and I saw where you're looking. It's 50% within that portion of the program..."

Bellock: "Oh, that's what I was asking."

Fritchey: "... not 50% of the overall."

Bellock: "That's what I was asking."

Fritchey: "I apologize for the confusion."

Bellock: "Okay. I don't have a clear breakdown on it. It's hard to hear. I just don't have a clear breakdown of the major programs, like what you said, that's 50% of that portion. Are there five portions or four portions?"

Fritchey: "There are... there's a Tobacco Use Prevention and

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Reduction Program, which goes to the public health..."

Bellock: "And what percentage is that?"

Fritchey: "It's probably easiest if I give you amounts."

Bellock: "Yeah. I don't need an amount, just a percentage."

Fritchey: "I've got it in amounts, which is..."

Bellock: "Oh, all right. That's fine."

Fritchey: "... probably be more productive for you. Under Fiscal Year 2002, out of \$232.5 million, 3 million will go to tobacco cessation programs under the Department of Public Aid, 67 million for tobacco use prevention and reduction, 5 million for free clinic grants, 20 million for community health center expansion, 28 million for local public health priorities, 70 million for an expansion of circuit breaker and pharmaceutical assistance, 39 million for university biomedical research, and 500 thousand for not-for-profit competitive biomedical research grants."

Bellock: "So, there's no money for mental health?"

Fritchey: "That's actually would be... mental health concerns can fall within the community health center expansions, and within the local public health priorities. And the mental health community organizations are onboard with this legislation."

Bellock: "Okay. That community health center. We already passed a Bill for those. Is this just to fund that, because we did have a Bill for community health centers?"

Fritchey: "This would help provide a funding mechanism, which the previous piece of legislation passed, did not have. But this would give us a potential source for that... to fund these local community health centers."

Bellock: "I thought that they received federal funding in that Bill?"

Fritchey: "We can't dictate, by our legislation, whether or not a

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program's going to receive federal funding."

Bellock: "Okay. Does this increase what's already been given out of last year, you know, the set ratio that was given to public health and to education?"

Fritchey: "Dramatically."

Bellock: "Increased?"

Fritchey: "Yes."

Bellock: "And what is the accountability? I've been trying to get at that. Public health has had to make reports. I haven't gotten any explanation of what the accountability is, from the State Board of Education, on the money that was given to it out of tobacco settlement, from this year."

Fritchey: "From this year? I think that the accountability was somewhere between slim and none. If my comments last year, and the comments of my cochair, Representative Feigenholtz, and some other individuals, made very clear that not only did we feel the money was being misappropriated by spending on various items such as the property tax rebate, but also, the money that was purported to go health-related causes, was not having sufficient oversight."

Bellock: "So, what would the accountability be here, now, after this Bill passes?"

Fritchey: "Overall? There's..."

Bellock: "Well, no, from health departments, and from the State Board of Education?"

Fritchey: "To oversee the entire program, and there would be a Tobacco Settlement Recovery Fund Advisory Panel."

Bellock: "Oh, and they would be accountable to them?"

Fritchey: "They would assure... The whole program would fall under that umbrella. That panel would issue reports on an annual basis to the Governor, and to this Body. And then, also, with respect to the portion going to Board of Higher

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Education, there is a Biomedical Research Advisory Council, that would be appointed by the Governor, to work on linkage with nonacademic entities, as well as overseeing the funding process."

Bellock: "Okay. My only concern is, a comprehensive program with accountability. And biomedical research... What I'm concerned about is, is that the State of Illinois have a good program, in the grammar schools, about smoking prevention and cessation. It sounds to me like what you were talking about is about this university... a biomedical research thing. So, those are just my concerns: that it be comprehensive, and that it be accountable, and that we really address the young people in the State of Illinois, and the smoking problem."

Fritchey: "I think I'm joined, not only by yourself, but by a number of our colleagues, in that same concern."

Bellock: "Thank you."

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

Garrett: "Will the Speaker (sic-Sponsor) yield? Will the..."

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

Garrett: "Representative, yield? Representative Fritchey, I also have a concern regarding the dollars allocated for smoking cessation programs in the State of Illinois for our youth. And I want to preface this by saying that I sent on a survey to constituents in my district and 80% of the people who returned that survey said they would like to see over 50% of those funds spent on health care initiatives. Out of that percentage, about 90% said they want to see something set up for smoking cessation programs of our youth. And I know that there's something in here. I just want clarification on how much is going to be allocated,

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and how that's going to be accomplished."

Fritchey: "There are numerous funding sources, out of this Bill, that can provide dollars for youth smoking programs. There is 67 million to the Department of Public Health for tobacco use prevention and reduction, which will include youth smoking reduction programs. The free clinic grants can also be considered to be targeted to that. The community health center expansion can deal with that issue, as well as another \$28 million going to local public health departments, who can then implement programs aimed at reducing youth smoking. When you total those up, you are looking at in excess of a hundred million dollars just in the first fiscal year. Of which, a sliding amount can be used for youth smoking reduction depending on the priorities and the grants that are issued by those entities."

Garrett: "But, shouldn't we establish those priorities, and insure that if people are very concerned about the smoking habits of our youth, and I think that's what this lawsuit is somewhat about. Shouldn't we establish, in this piece of legislation, that we want to emphasize and prioritize the importance of smoking cessation programs? And, I'm just not sure I see that. Maybe it's there, but I don't see it."

Fritchey: "What this legislation recognizes, as a product of a lot of testimony, also, is that especially, with respect to community-based organizations and local health departments, they recognize what's best... ads reducing youth smoking and smoking problems, in their various areas. What works in my district may not be the same as what works in your district. But there's also a strategic plan, which is required in the department. It must set up a strategic

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plan which puts emphasis on the prevention and reduction of tobacco use by minorities, pregnant women, children, and youth and to encourage teenage and adult smoking cessation, as well as distributing information and providing research on these issues. So, it is specifically envisioned that these be encompassed within this strategic plan."

Garrett: "When I testified in front of the Tobacco Settlement Committee, I also testified with the American Lung Association. And basically, what they're saying is that the waiting list for young adults to participate in smoking cessation programs is extremely long. There aren't enough programs to satisfy the need. And while I'm going to support this Bill, I believe that we could do a better job in specifying and emphasizing the smoking cessation programs for young adults. And I don't know if there's a way to do that, if in fact, it passes, if you can add something on. And I hope that my colleagues would agree with me on this because what I keep hearing, no matter where I am, is that people are concerned when they see young adults picking up cigarettes, and continuing on with that, and having no programs in place to prevent that from happening. And so, I would just encourage you, if this Bill passes from the Senate, to focus a little bit more on the smoking cessation programs for our youth."

Fritchey: "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.: "Indicates he will."

Parke: "Representative Fritchey, we've been looking through your... the language of the Bill and nowhere in there do we find that it specifically says that drugs affecting

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osteoporosis are included in your Bill. Is it your intent to have it in there and if so, can you tell us where it's at?"

Fritchey: "No."

Parke: "Why? Under House Bill 5, that Lee Daniels put in, it covered that. Why didn't you want to cover the Bill..."

Fritchey: "I would be happy to support Representative Daniels' Bill. This Bill was not intended to be a 'be all', and I don't mean this facetiously, it was not intended to be a 'be all and end all' to all health problems that we have facing us."

Parke: "All right. I'm curious. How are you gonna allocate this money? Is it to the desire of who? Who decides, if it's \$3 hundred million next year and your Bill becomes law, how do we allocate the money?"

Fritchey: "There's an appropriation Bill that is part and parcel with this. It's House Bill 2000 that would specify the appropriations at least for Fiscal Years 2002, 2003, and 2004."

Parke: "So, it will be a Bill that we vote on in the appropriation process?"

Fritchey: "Yes, Sir."

Parke: "And what does that Bill say? Does it say... a third, a third, or a fifth, 20%, 20%?"

Fritchey: "If you like, I'm happy to read the number again of what it would allocate for each of the various entities."

Parke: "Yeah, I would like to know."

Fritchey: "In Fiscal Year 2002, tobacco cessation would be appropriated \$3 million, which would also be subject to federal matching funds, that goes under the Department of Public Aid. Tobacco use prevention reduction is 67 million; free clinic grants, 5 million; community health

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center expansion, 20 million; local health priorities, 28 million; circuit breaker and pharmaceutical assistance expansion, 70 million..."

Parke: "Okay."

Fritchey: "... biomedical research, 39 million..."

Parke: "Representative?"

Fritchey: "... and biomedical research for competitive not-for-profits, 500 thousand."

Parke: "Okay. I understand how you're doing it. I get the concept now, but is there any concern that this money... It won't be to increase programs, will it? I mean, so that, if in fact, tobacco money were to cease two years from now, we won't have established some kind of a program with personnel that we would have to... if we didn't have the money, then we wouldn't have a obligation to continue. I mean, would there be that understanding?"

Fritchey: "Terry, we've tried to structure this as carefully as possible, so that any grants that will be issued pursuant to this, will be issued with the clear understanding that the spigot, as it were, may be turned off at some point down the road. And that the appropriation process is going to come before this Body, as any other appropriation process. And it will be subject to us receiving funds from the settlement, in any given year."

Parke: "All right. Now, you read to the Body a list of where you thought the monies ought to go this next fiscal year. Would we come back next year and someone, either you or someone else, would put a Bill in and say, okay this next fiscal year we're going to allocate it in these funds. Is that how we're gonna do it here?"

Fritchey: "Well, House Bill 2000 also provides for appropriations for 2003, and 2004, as well as a three-year appropriation

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vehicle, but it is not a binding appropriation legislation. So, if somebody wanted to come back and say, you know what, we want to shift our emphasis from here to here or here to here, or what's more likely, is based upon the reports that we may get from the panel, where we see the money is working better or worse than we expected, we'd have the ability to change the mix, as it were, to get the maximum bang for the dollars."

Parke: "Okay, we could do that. But again, under your legislation, it cannot be used for anything... tobacco settlement money, after your Bill passed, can never be used for road fund, cannot be used in the General Revenue Fund. It has to be allocated, only, for health care-related issues. Is that right... under your Bill?"

Fritchey: "This Bill is 2001 in companionship with 2000, would say, 'Out of the monies appropriated pursuant to House Bill 2000', they would go into these various funds created in 2001. If there's an excess, then they don't necessarily need to be appropriated. Or if the General Assembly were to determine otherwise, they could spend the money however the Body sees fit."

Parke: "Thank you for answering my questions."

Fritchey: "Thank you."

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

Giles: "Mr. Speaker, would the Sponsor yield for a question?"

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

Giles: "Representative Fritchey, I know you've worked very hard on this piece of legislation, and of course, with Sara, as well. I just... You've probably have given this question before. I'm looking and seeing that the community health center expansion grant program. Could you talk a little

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bit about that, and how much resources are appropriated to that program?"

Fritchey: "For community health center expansion, which actually is a critical component to this, we're looking, in just the first year, of putting \$20 million into that program. And what that would do, is help set up new community health center sites to provide primary care services in medically-underserved areas. Now, that may mean medically-underserved rural areas, or medically-underserved urban areas."

Giles: "Okay. And the reason that I'm asking, I've been thinking 20 million. I don't know what the... I haven't looked at the exactly breakdown of how you appropriated all the money. I'm sure it's here. You know, I just wished in this plan, maybe we could appropriate a little bit more dollars to this type of program because I think this is where the rubber really hits the road when it comes to putting dollars into the communities, as far as community-based organizations, to be able to access dollars and get actual grants to address the problem of the health-related issues within the community. But let me just simply say, that I just want to congratulate you, and just be one of the first, because I know you have worked hard on this. And this is a very important piece of legislation. I think this is one of the most comprehensive pieces of legislation, as far as the actual dollars, that has been appropriated by the Federal Government to the state to actually go into health-related. This is the first time I've ever seen language that have truly addressed the issue of health-related issues. And so, I just want to commend you on that, and hope that we can continue to move forward."

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Fritchey: "Thank you very much."

Speaker Turner, A.: "The Gentleman moves for the adoption of House Bill 2001. 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 will take the record. This Bill, having received 113 'yes', 0 'no', 0 'presents' will... having received the Constitutional Majority, will be declared passed. House Bill 2284, Representative Lovana Jones."

Clerk Rossi: "House Bill 2284, a Bill for an Act in relation to health. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Shirley Jones, has been approved for consideration."

Speaker Turner, A.: "Representative Lou Jones on Amendment #2."

Jones, L.: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2284. Sorry about that. House Bill... Amendment #2 makes two changes. It defines a regional epilepsy center as having, among other things, full-time licensed physicians, educators, and nurses, with the experience treating epilepsy. And also requires a primary epilepsy provider to be a full-time licensed physician. And I request adoption."

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

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. House Bill 3089, Representative Schmitz. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 3089, a Bill for an Act in relation to gambling. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman requests to bring the Bill back to Second. Out of the record. House Bill 1000, Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1000 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Turner, A.: "The Gentleman from Cook, Representative Saviano, on Amendment #1."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to House Bill 1000 is an Amendment which was requested by Federal Express on their reporting requirements, which previously was stated in House Bill 1000. This is an initiative of the Wine Institute. With this, the Wine Institute, Federal Express, and the Associated Beer Distributors of Illinois are in support of the Amendment and the Bill. And there's no known opposition."

Speaker Turner, A.: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1000. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. House Bill 2540, Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2540, a Bill for an Act regarding appraisers. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Saviano, has

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been approved for consideration."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Amendment #2 to House Bill 2540, this is an agreed Amendment which was negotiated between the agency, Office of Banks and Real Estate, and the Illinois Real Estate Appraisers Association. It's a technical Amendment, which tightens up some of the language which was in the original Bill. This has been negotiated, and is now an agreed Amendment. And I would ask for your adoption."

Speaker Turner, A.: "The Gentleman moves for the adoption of Amendment #2. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. House Bill 3048, Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3048 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

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

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to House Bill 3048 was a request of the nurses to take their opposition off the Bill. The underlying Bill's an initiative of the Illinois Optometric Association. This addresses all the concerns that previously was on this Bill. What it technically does, is that it... it requires professional judgement, and that is to provide for the following affect of the Bill: no rules

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shall be adopted in this Act that allows a registered nurse, a licensed practical nurse, or an advanced practice nurse, to perform any act, task, or function, that requires professional judgement, and that is primarily performed in the lawful practice of optometry, under the Optometric Practice Act. And I ask for your adoption of Floor Amendment #1 to House Bill 3048. Thank you."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall Amendment #1 to House Bill 3048 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 #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Turner, A.: "Third Reading. House Bill 3212, Representative Scott. Out of the record. House Bill 1709. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1709, a Bill for an Act in relation to highways. Third Reading of this House Bill."

Speaker Turner, A.: "The Lady requests the Bill be brought back to Second. And we will hold the Bill on Second. Mr. Clerk, read House Bill 2382."

Clerk Rossi: "House Bill 2382, a Bill for an Act to create the Illinois Living Wage Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A state mandates note has been requested on the Bill, that has not been filed."

Speaker Turner, A.: "Mr. Clerk, the Bill... House Bill 3395. Mr. Clerk, has the Bill been read a second time?"

Clerk Rossi: "House Bill 3395 has been read a second time, previously."

Speaker Turner, A.: "House Bill 3066. Mr. Clerk, has it been read a second time?"

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Clerk Rossi: "House Bill 3066, a Bill for an Act in relation to labor relations. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. A state mandates note has been requested on the Bill, as amended, the note has not been filed."

Speaker Turner, A.: "Hold that Bill on Second. Mr. Clerk, have announcements?"

Clerk Rossi: "A committee schedule for this afternoon's committees and committees tomorrow morning has been passed out. The following committees will meet immediately after adjournment: the Aging Committee in Room 114, the Cities & Villages Committee in 115, the Computer Technology Committee in 122-B, the Constitutional Officers Committee in C-1, the Executive Committee in Room 118, and the Energy... or the Environment & Energy Committee in Room D-1. One hour after adjournment the following committees will meet: the Commerce & Business Development Committee in Room 115, the Consumer Protection Committee in Room C-1, the Elementary & Secondary Education Committee in Room 118, the Registration & Regulation Committee in Room 114, the Revenue Committee in Room 122-B. The following committees will meet tomorrow morning at 9 a.m.: the Judiciary I-Civil Law Committee in C-1, the Judiciary II-Criminal Law Committee in D-1, the Labor Committee in Room 118, the Prosecutorial Misconduct Committee in Room 115, the Disabled Community Committee in Room 122-B, and the Tobacco Settlement Proceeds Committee in Room 114."

Speaker Madigan: "... Madigan in the Chair. Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. I'd just like to announce that Human Services will not be meeting an hour

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after. I feel the same. I share your pain. Thank you."

Speaker Madigan: "The Chair is prepared to adjourn. Is there anything further to come before the Body? Mr. Clerk, what is the status of House Bill 3280? 3-2-8-0?"

Clerk Rossi: "House Bill 3280, a Bill for an Act in relation to conditions of employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. The notes that were requested on the Bill have been filed."

Speaker Madigan: "Put the Bill on the Order of Third Reading. Again, Ladies and Gentlemen, the Chair is prepared to adjourn. But, I would like your attention for just a few moments, please. We are prepared to adjourn, now, because many people have decided not to call their Bills. And, as we stand today, there are nine days left to consider Bills on Second and Third Reading. So, we simply wish to advise, that if you want your Bills called, you'd better get them shaped up on Second Reading, and get them called, and stand up and call the Bill, because time is running. So, with that in mind, everybody have a good night. See you tomorrow morning at 10 a.m. Representative Currie moves that the House does stand adjourned until 10 a.m. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 10 a.m. tomorrow morning."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 316, offered by Representative Durkin, a Bill for an Act concerning libraries. Senate Bill 360, offered by Representative Johnson, a Bill for an Act concerning townships. Senate Bill 1329, offered by Representative Parke, a Bill for an Act regarding emergency medical

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services. First Reading of these Senate Bills.
Introduction of Resolutions. House Resolution 157, offered
by Representative Berns; House Resolution 158, offered by
Representative Berns; and House Joint Resolution 19,
offered by Representative Hartke are assigned to the Rules
Committee. There being no further business, the House
Perfunctory Session will stand adjourned."