

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

41st Legislative Day

April 5, 2001

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. ... be led in prayer today by Lee Crawford, the Assistant Pastor of the Victory Temple Church in Springfield. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Pastor Crawford: "May we lift up our heads and our hearts before the most sovereign God. Father, we come humbly before You as Your most chosen people, for we realize that You give power to the faint. You give might to them who are weak. For those who are restless and weary, we know that Your Word said that if they would wait upon You, that You would renew their strength, that You would mount them up as wings as of an eagle. They shall run, they shall not faint. They shall walk and they shall not be weary. You told us to be not weary in our well doings, for in due season we shall reap harvest of blessings. We reap because You are the source of our strength. We reap because You're the source of our wisdom. We reap because You are the source of our inspiration. So inspire us, encourage us, and strengthen us this day, we pray. Amen."

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

Morrow - 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 reflect that both Representatives Forby and Yarbrough are excused today."

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Speaker Madigan: "Mr. Poe."

Poe: "Mr. Speaker, let the record show that Representative Stephens is the only excused absence."

Speaker Madigan: "Mr. Clerk, take the record. There are 115 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Introduction of Resolutions. House Resolution 194, offered by Representative Jones, L.; House Resolution 196, offered by Representative Burke; House Resolution 200, offered by Representative May; House Joint Resolution 23, offered by Representative Howard; House Joint Resolution #24, offered by Representative May; and House Resolution (sic-House Joint Resolution) 25, offered by Representative Osterman are assigned to the Rules Committee. Committee Reports. Representative Steve Davis, Chairperson from the Committee on Constitutional Officers, to which the following measure/s was/were referred, action taken on Thursday, April 5, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1728, Floor Amendment #3 to House Bill 2283. Representative Erwin, Chairperson from the Committee on Higher Education, to which the following measure/s was/were referred, action taken on Thursday, April 5, 2001, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 3123. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on Thursday, April 5, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendments 3, 4, and 5 to House Bill 63, Floor Amendment #2 to House Bill 1887, and Floor Amendment #3 to House Bill 2576. Representative Murphy, Chairperson

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from the Committee on Personnel & Pensions, to which the following measure/s was/were referred, action taken on Thursday, April 5, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #4 to House Bill 2662. Representative Boland, Chairperson from the Committee on Elections & Campaign Reform, to which the following measure/s was/were referred, action taken on Thursday, April 5, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 1330, Floor Amendment #2 to House Bill 3579, Floor Amendment #2 to House Bill 3581, Floor Amendment #2 to House Bill 3583. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Thursday, April 5, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 3538. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1356, Floor Amendment #1 to House Bill 1954, Floor Amendment #1 to House Bill 2271, and Floor Amendment #1 to House Bill 2595. Representative O'Brien, Chairperson from the Committee on Judiciary II-Criminal Law, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'recommends be adopted' Floor Amendment #1 to House Bill 2087, Floor Amendment #1 to House Bill 2740, Floor Amendment #1 to House Bill 2847. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were

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referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #6 to House Bill 640, Floor Amendment #1 to House Bill 1492, Floor Amendments 5 and 6 to House Bill 3188; 'do pass Short Debate' House Bill 705. Representative Lyons, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #5 to House Bill 914. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 2834 and Floor Amendment #2 to House Bill 2835. Representative Hoffman, Chairperson from the Committee on Transportation & Motor Vehicles, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2259, Floor Amendment #1 to House Bill 2263, and Floor Amendment #1 to House Bill 2603. Representative Dart, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 774. Representative Bugielski, Chairperson from the Committee on Financial Institutions, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor

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Amendment #1 to House Bill 2207 and Floor Amendment #1 and 2 to House Bill 2282. Representative Collins, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Wednesday, April 4, 2001, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1630 and House Resolution 187."

Speaker Madigan: "Representative Kurtz."

Clerk Rossi: "House Bill 3037, a Bill for an Act concerning state moneys. Third Reading of this House Bill."

Kurtz: "The Bill... 3037 deals with mental health. The description of the Bill, it has to do with establishing a fund to be administered by the Department of Human Resources to the tune... excuse me, Human Services to the tune of \$5 million. This would be 10% of those mental health units throughout our state. There are a hundred and seven such units. They are called 708 boards, they are called 35... 377 boards which deal with developmentally disabled and there are also municipal boards for substance abuse services. In total we encompass the services of mental health and prevention, encompass about a hundred and seven units in the state. The purpose of my Bill is because there is a cut in important projects like Project Success, \$3.2 million was cut from, it was a line item last year in the Governor's budget. It's no longer there. This is one of the things that 708 boards have been so good at using those funds to prevent violent behavior, bringing children and families and the schools together. There's been a reduction in crime among dysfunctional families, et cetera. This was brought to my attention by Madison County and St. Clair County, both of whom had 708 board. My county, in McHenry, was very insistent that I get on this."

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And it was, originally, the Bill of Representative Hoffman. I have been chosen to present it and I'm very happy to do that because my constituents are so gung ho on mental health and established their 708 board in 1978 and chose to tax themselves to prevent mental illness and to provide help to those that already suffer from such problems. I'd be very happy to answer any questions."

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'. This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Have all voted who wish? Three people have not voted. The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Smith, did you wish to call House Bill 953? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 953, a Bill for an Act concerning seeds. Third Reading of this House Bill."

Speaker Madigan: "Mr. Smith."

Smith: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of the Illinois corn growers. And all this Bill does at this point is require that a toll-free number be placed on the label that is already required on all seed corn bags. I know of no opposition. We're hoping to continue discussions on some of the other issues regarding GMOs and other issues of the corn growers, hope to do that in the Senate. I know of no opposition to this Bill. And I'd ask for a favorable Roll Call."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall

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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? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Coulson, did you wish to call House Bill 632? Mr. Clerk, read the Bill. 632."

Clerk Bolin: "House Bill 632, a Bill for an Act in relation to children. Third Reading of this House Bill."

Speaker Madigan: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. Illinois recognizes that newborn infants have been abandoned to the environment and to other circumstances that may be unsafe. These circumstances have in some cases caused injury and death to newborn infants. This Act is intended to provide a mechanism for a newborn infant to be relinquished to a safe environment, and for the parents of the infant to remain anonymous, if they so choose. It is recognized that establishing an adoption plan is preferable to relinquishing this child, and using the procedures outlined in this Act. But to reduce the chance of injury to a newborn infant, this Act provides a safe alternative. A public information campaign on this delicate issue shall be implemented to encourage parents considering abandonment of their newborn child to relinquish the child under the procedures outlined in the Act, or to choose a traditional adoption plan which is preferable. I can answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. This Bill is on the Order of Standard Debate. The Chair

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recognizes Representative Feigenholtz."

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

Speaker Madigan: "Sponsor yields."

Feigenholtz: "Representative Coulson, last night I attempted to ask you a couple of questions for legislative intent. Doesn't Representative Hoffman's hair look wonderful today?"

Coulson: "Yes, it does."

Feigenholtz: "Representative Coulson, I know you've worked long and hard on this, and you have made this Bill the tightest Bill probably in the country, because you've created... tried to create a subset (sic-sunset) to really focus on and address the problem of these particular women, who are not wanting their identity to be... they're actually looking for anonymity. And I really appreciate that. That's a difficult issue for me, being an adopted person. Because, you know, that when adult adoptees grow up very often, they wanna have some clue of their identity, and their medical information. But you've done a great job by putting the Adoption Registry in this Bill. Tell me, some of the other concerns were about expanding the places where these babies can be dropped off. Is it your intent, or the intent of the advocates of this Bill, to expand that any further?"

Coulson: "No, no, we would not want to expand from hospitals and fire stations, because we want to make sure that these babies are safe. There needs to be an appropriate mechanism to get the baby to a hospital as soon as possible. And we're not intending to expand that."

Feigenholtz: "And so... And also, the portion of the Bill that addresses adoption, there's no intent in this Bill to create a new form of an adoption procedure, or a

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nonbureaucratic adoption procedure, as we know it in the State Code, right now. Is that correct?"

Coulson: "That's correct. As you know, we worked very hard to make sure that this Bill was consistent with the current adoption law in the State of Illinois. And I believe we've been able to do that."

Feigenholtz: "Also, there were a couple of issues that were brought up in committee by the Hospital Association, and the State's Attorneys Office, semantics really, to clarify what each of the entities wanted, and the responsibility of a hospital in, I think the word was 'determination', that was in question. Are you prepared to continue to work on this, in conference, if necessary so that we can make... really kind of go through some of the final issues that people have with this Bill, so that it's the best Bill in the country?"

Coulson: "As I've mentioned before, we're happy to work with everyone. And I believe we have pretty much agreement, except on that one small section. The word 'determine'; I think the words that they wanted to use were 'to assess, treat, and report'. And, we will be happy to work on that, either in the Senate, or in a Conference Committee."

Feigenholtz: "Great. Representative Mary Flowers brought up a couple of problems last night. One, that I'm not sure we've even been able to completely address, which has to do with a Putative Father Registry. And I think that in order to achieve the goal that you're trying to achieve here, Representative Coulson, which is to save a baby, that sometimes we just let... have to let our laws play themselves out and see how they work. And I really appreciate all of the hard work and listening you and the advocates have done on this. But for those reasons that

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Representative Flowers brought up, all the more reason that I think we keep this sunset clause in this Bill. Because, I think what we need to do, is evaluate how this Bill actually is going to work. You know, the State of Virginia struck this law as unconstitutional, because it did... the court said that this might encourage more abandonment, and I know that that is not what you or the advocates of this Bill want to do. So, I encourage you to keep that sunset in this Bill, so that we can take a look at the evaluation after... I believe we have until 2007 to do that, which will allow us to have five years worth of evaluations and data. And then see, if we really, really need to have this in law."

Coulson: "I thank you for those comments. I, too, think that we need to keep a constant vigilance on this issue. I would never want to encourage more abandonment, or more babies to not be delivered in a safe place. And I will try to continue with the sunset. I think we've negotiated it to a good five-year period of data collection. And I appreciate your work on that."

Feigenholtz: "Ladies and Gentlemen, to the Bill. Representative Coulson has done yeoman's work in making the abandoned baby Bill, what will hopefully be, one of the best Bills in the country. People have brought up questions about medical information for these babies when they become adults, issues of identity, and also has told the Department of Children and Family Services that they really need to work hard to prevent this kind of abandonment in the State of Illinois, and reach out to them before... because ultimately what we want to do, is we want to try and keep these babies with their birth mothers. Julie Tye, from the Cradle, wrote Members of the committee a letter stating

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that when these women in crisis... when these women are in crisis, most of them if dealt with appropriately, leave with their children. But I support this Bill and recommend an 'aye' vote. It's a good Bill."

Speaker Madigan: "Again, this Bill is on the Order of Standard Debate. Two people have stood in support of the Bill. The Chair recognizes Representative Kurtz."

Kurtz: "Mr. Speaker, I rise in support of the Bill. From the rural area of my district, my county, comes petitions from Sacred Heart Church. There are about 400 petitions in this. This is just something that is supported from the grassroots, I'm sure all over the state. And I believe that it promotes our common ground concept of adoption. 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? Two people have not voted. Have all voted who wish? The Clerk shall take the record. On this question, there are 114 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Morrow."

Morrow: "Thank you, Mr. Speaker."

Speaker Madigan: "Will the Members please just give their attention to Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise on a point of personal privilege. Standing next to me I have Lance Gough, the executive director of the Chicago Board of Elections. Let's welcome him down to Springfield."

Speaker Madigan: "Mr. Hartke. Mr. Hartke."

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

Speaker Madigan: "State your point."

Hartke: "Today, in the gallery, we're honored to have about 20 kids from Clay County, a part in my district. They're from Flora and Clay City and Louisville. And they're here promoting antitobacco use among youth. They've done a fantastic job in their community. And the American Lung Association is their sponsor here today, Miss Kathy Drake. Please welcome them to the General Assembly."

Speaker Madigan: "Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker. I have about 52 eighth graders from DeKalb County along with teachers. And this is... They're here today to spend some time in Springfield in the Illinois Legislature. This is a program that's sponsored by DeKalb County Farm Bureau. So, if we can give them a welcome. That's all of them up there on the side, in the gallery."

Speaker Madigan: "Mr. Burke, did you wish to call House Bill 280? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 280, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Burke: "Thank you, Mr. Speaker. House Bill 280 is the initiative that would allow religious-based tax-exempt entities the opportunity of not having to file annually their tax-exempt status affidavit. It makes perfect sense that we should not burden these institutions, these organizations from this annual, repetitive paper shuffling. It simply says, that when a entity is qualified under the United States' tax-exempt qualification, that our local governments should not burden them with the annual refiling. In Cook County, actually, there have been three churches that indeed lost

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their status as a result of some secretarial snafu. It just makes perfect sense that we would permit these religious-based tax-exempt entities from this repetitive, annual filing. I have, in fact, sent questionnaires to every tax authority in the State of Illinois and the support for this initiative has been overwhelming. And I would certainly be available to answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Bill is on the Order of Standard Debate. The Chair recognizes Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in very strong support of House Bill 280. And I want to commend Representative Burke for bringing this Bill to light. This issue or with passage of House Bill 280 this will eliminate the need for a lot of churches to file paperwork each year, as Representative Burke just said. He had a meeting in my district with about 30 bishops, not ministers, bishops who represent about a hundred different churches. They're all in support of this Bill. And I urge my colleagues to vote on House Bill 280. Thank you."

Speaker Madigan: "This Bill is on the Order of Standard Debate. Two people have spoken in support of the Bill. The Chair recognizes Representative Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, what mechanism is in this Bill if the property should be sold to a nonreligious or other entity where it should go back on the rolls?"

Burke: "I believe you're speaking of the issue of the property being used for another purpose not included under the umbrella of tax-exempt status that the church would have

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qualified for. There is language in the legislation that would require that tax-exempt entity to advise the local tax authority if a change were to occur in the use of the prop..."

Mulligan: "So, would the change of title trigger that?"

Burke: "That would be required to be advising the local tax authority in that county."

Mulligan: "Thank you."

Burke: "They're commanded in this legislation to make notice to that tax authority when any change were to occur."

Mulligan: "All right. Thank you."

Burke: "That would also include the dissolution of the church or the religious entity."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of this Bill. Representative Burke has really worked hard to put a good piece of legislation together. I attended the meeting that Representative Morrow referred to. It was a wonderful meeting of bishops, all of whom have churches that stand to benefit by taking out some bureaucratic paperwork nightmares away from them. This is absolutely the right thing for us to do, would allow churches to do what they do best which is tend to their parishioners."

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? Representative Crotty. The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Zickus, House Bill 2566. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2566, a Bill for an Act concerning the regulation of professions. Third Reading of this House Bill."

Speaker Madigan: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker and Members of the House. This Bill is an initiative of the Illinois Association of Realtors and the Office of Banks and Real Estate. It provides that real estate brokers' escrow account audits resulting from a complaint involving the misappropriation of escrow account moneys would be conducted by an independent licensed CPA rather than the Office of Banks and Real Estate's regular in-house enforcement personnel. It would establish a Real Estate Audit Fund in the treasury to fund the program and it provides for the transfer of \$200 thousand from the Real Estate License Administration for start-up costs. If the audit finds that funds were misappropriated and the licensee is disciplined by Banks and Real Estate for the misappropriation, the licensee would reimburse the fund for the cost of the audit. And I want to repeat, this proposal is limited to an audit that would result from a complaint alleging misappropriations of funds. I know of no opposition."

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? The Clerk shall take the record. On this question, there are 115 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hartke in the Chair."

Speaker Hartke: "House Bill 2437, Representative Brosnahan. Mr.

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Clerk, read the Bill."

Clerk Rossi: "House Bill 2437, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hartke: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker. House Bill 2437 creates the Developmental Disability Services Act of 2001. It requires the Governor, with the assistance of the Department of Human Services, to appoint an advisory committee to develop the Developmental Disabilities Services Implementation Plan that will ensure compliance by the State of Illinois with the federal ADA as well as the Olmstead Supreme Court Decision. It also specifies items that must be included in the Implementation Plan and specifies services that may be provided under the Implementation Plan. Persons with developmental disabilities may be provided the following services under this Implementation Plan after it's developed are: comprehensive evaluation and diagnosis, individual program plan, nondiscriminatory access to services, family or individual support, residential choices and options, education, vocational training, employment, case coordination services. It also provides for due process of an individual with developmental disabilities or any type of disability is denied or feels aggrieved by a decision, they'll have the right to a due process hearing being held by an impartial hearing officer. It also requires the Governor, with the assistance of DHS, to complete this Implementation Plan in a report to the General Assembly with this plan by July 1st, 2002. This issue, I believe, is critical to the State of Illinois. I think it's a major step in the right direction to insure that the State of Illinois is complying with the Olmstead Decision. I've had numerous meetings on this Bill with the

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Department of Human Services and they are in support of this Bill. A lot of this language was provided by the Department of Human Services. It also has the support of many disability groups, advocates for the disabled. I know of no opposition and I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 2437? Seeing that no one's seeking recognition, the question is, 'Shall the House pass House Bill 2437?' All those in favor signify by saying 'aye'; opposed 'no'. In the opin... All those who in... vote 'aye'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk, take the record. On House Bill 2437, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 30... 2276, Representative Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2276, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hartke: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Amen... this Bill has now been amended with agreed language. The purpose is to require the Department of Public Health to create a uniform do-not-resuscitate form that can be used by families, professionals, health care professionals and others to avoid any inconsistencies and also to avoid any concerns about the intent of the person who signed the DNR. I appreciate the work that's gone to make it in its current status. And I'd be glad to answer questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2276?' All those in favor will signify by

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voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2276, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2807, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2807, a Bill for an Act in relation to courts. Third Reading of this House Bill."

Speaker Hartke: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. House Bill 2807 is the Court of Claims Bill. The Bill allows for the advancement of funds from the General Revenue Fund to pay lapsed appropriation of claims. The Bill also provides for the reimbursement to the General Revenue Fund. The Court of Claims awards these claims because there are... some of the claimants have to wait one year before they get their awards. This Amendment would give them their ma... claimants the awards immediately and it'd reimburse the General Fund after they get their funds. There is no opposition to the Bill. I ask for a Roll Call."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2807?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2807, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk."

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Clerk Rossi: "Introduction of Resolutions. House Joint Resolution 27, offered by Representative Mitchell, is assigned to the Rules Committee."

Speaker Hartke: "House Bill 3576, Representative Ryder. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3576, a Bill for an Act concerning clerks of courts. Third Reading of this House Bill."

Speaker Hartke: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Currently, clerks of courts in counties of 180,000 or more can charge \$25 for the return of a check. This would allow those clerks of courts in counties under 180,000 to be able to charge the same. The population doesn't mean that the cost is any different for those clerks. And I would appreciate your assistance."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3576?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? ... all voted who wish? Mr. Clerk, take the record. On House Bill 3576, there are 89 Members voting 'yes', 27 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2548, Representative McGuire. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2548, a Bill for an Act amending the Clean Indoor Air Act. Third Reading of this House Bill."

Speaker Hartke: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. House Bill 2548 amends the Illinois Clean Indoor Air Act and it permits home rule and nonhome rule communities to regulate smoking in public places. This Bill was heard in committee a week or two ago

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or maybe a month ago. And I'd be happy to answer any questions, if there are any. If there are not, I'd appreciate your 'aye' vote. Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "The Bill clearly preempts home rule. I believe it preempts home rule in the Section that would require an extraordinary vote. Could the parliamentarian answer my inquiry?"

Speaker Hartke: "... take that under advisement."

Black: "Thank you."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Mautino."

Mautino: "Thank you, Mr. Speaker. This is a question of the Sponsor. Jack, has... as looking through the analysis, has the opposition been removed within this Bill? Is it an Agreed Bill now or... What's the status? Who's for it and against it?"

McGuire: "Well, according to what I have, Representative, the opponents are still there."

Mautino: "Who are they?"

McGuire: "They are Restaurant Association, Philip Morris and Illinois Tobacco Association and I believe, IRMA."

Mautino: "Okay. And what is it that they're opposed to within the Bill?"

McGuire: "I think they're opposed to allowing local cities and municipalities to further the Illinois Clean Air... Clean Indoor Air Act."

Mautino: "Is this the... So, this would allow for municipalities

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to create ordinances different or stronger than..."

McGuire: "Yes."

Mautino: " ... what's currently in place?"

McGuire: "Yes."

Mautino: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition..."

Parliamentarian Uhe: " ... tative Black, on behalf of the Speaker, in response to your inquiry, the Illinois Clean Air... Clean Air...The Illinois Clean Indoor Air Act regulates smoking in public places, but permits, under this Bill, concurrent regulation by home rule units. Therefore, it requires 60 votes for passage."

Black: "All right. Mr. Speaker, I was waiting for that ruling, a little disappointed by it, but in that case, would the Speaker yie... or the Sponsor yield?"

Speaker Hartke: "Yes, he will."

Black: "All right. Representative, if I understand this Bill, this would grant extraordinary powers to local units of government. And normally, normally I wouldn't have any difficulty with that because the local officials will be held accountable for their actions if they exceed what the people of their municipality would want. But it's my understanding that this would grant a local unit of government the authority to regulate smoking far, far beyond what the Clean Air Indoor Act (sic-Clean Indoor Air Act) intended. For example, would it be possible for a unit of local government to ban smoking in a bowling alley?"

McGuire: "I believe bowling alleys were one of the exemptions, Representative. In the original Bill."

Black: "Oh, they are one of the exemptions, aren't they?"

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McGuire: "I believe so, yes."

Black: "Well..."

McGuire: "Under the original Act."

Black: "But my... And that's why I asked you the question. It would seem to me that this Bill would allow units of government to exceed the exemptions in the Clean Air Indoor Act (sic-Clean Indoor Air Act) because the Bill says they can be more restrictive, they can't be less restrictive."

McGuire: "Yeah. Local governments could not, under the present Indoor Clean Air Act (sic-Clean Indoor Air Act), exceed, but they would be able to under this. But the thrust of the Bill is they have the authority to do that. It's not a mandate. It allows them to do that and I think you and I believe in local government."

Black: "Well..."

McGuire: "And this just allows local government to do what they want to do."

Black: "And as I said, normally, I wouldn't have a problem with that. But I think when you have a comprehensive State Law regulating a person's personal behavior, the exemptions carved out in State Law were done so after considerable negotiation. I think people would like to have some reasonable assurance that there are still places where they can gather, congregate, and indulge in their tobacco habit if, in fact, that's what they want to do. And bowling alleys were one of the things exempted under the original law. Now, if I understand your Bill correctly, a unit of local government could say, we don't care what the state exemption is, we're telling you in the city limits of city A, you cannot smoke in a bowling alley. Correct?"

McGuire: "That's correct. And I might point out that there are already approximately 23 cities in the State of Illinois,

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including six of the larger cities: Chicago, Rockford, Champaign-Urbana, Bloomington and Normal already have that power. We're just trying to let other cities in this state have the same prerogative."

Black: "Well, let me follow up with this question. You said the City of Chicago already has this authority. The last time I was in the City of Chicago, there was a restaurant, that's not the right word, it was a restaurant, wine bar, and a cigar emporium, I guess you would say. And they had a room where you could sample wines, liqueurs, and a variety of very expensive cigars, not that I did, but you could do so in a room if you wanted to partake in that. Now, would this prevent such a restaurant, because I know a year ago such restaurants, cigar bars, or whatever they were called, were very popular."

McGuire: "Yeah. I think what we're talking about, Representative, is particularly in the City of Chicago, portions of a restaurant or a bar or an emporium can be designated particularly if it's a promotional or such a thing that you're suggesting, a cigar selling facet of their business, can be designated as a smoking area. So, I don't think that's a problem. I think that's a rare instance."

Black: "All right. Then that may be the heart of the issue. Your Bill is not intended... Well, maybe it is. I mean, generally speaking, I think most of us have the feeling that if we go into a restaurant, we have a choice of nonsmoking or smoking; public accommodation, a motel, nonsmoking room, or smoking room. Would this Bill give the city..."

Speaker Hartke: "Mr. Black, bring your remarks to a close."

Black: "Thank you. I'll just wrap up with this question. Would

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your Bill give a local unit of government the inherent ability to say there won't be that distinction? You will be nonsmoking, period. You will not have a smoking area. We decree that all restaurants will be nonsmoking, period."

McGuire: "Actually, they would have that authority under the spirit of the law and I think that's what we're trying to do, is we're trying to give local communities the authority to do what they would like to do or not like to do. They could designate the smoking areas if they like."

Black: "Okay."

McGuire: "It's local control which, I think as I said, you and I certainly agree with local government and local control. And that's what we're trying to do."

Black: "All right. Thank you, Representative. You've been very honest in answering the questions. Mr. Speaker, if I could just briefly..."

Speaker Hartke: "Wrap it up."

Black: "... address the Bill. I am a nonsmoker. As I said on this floor before, I have very personal reasons for being a nonsmoker. I request nonsmoking rooms. I request nonsmoking areas in restaurants. But the bottom line to me is tobacco is a legal and lawful product and not everyone shares my view about the inherent dangers of smoking. I can't, in good conscience, vote for a Bill that would allow a local unit of government to tell those people who do smoke that you will not smoke in any area of public accommodation within the city limits of that city. I agree with the Sponsor. That is a local unit decision and they'll be held accountable. But I think it sends a signal that on the one hand we tax tobacco, we spend the proceeds of that tax. It is a legal and lawful product, I might add, subsidized by the taxpayers to be grown and it just

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doesn't make any sense to exceed what I think is a very tough statewide Clean Air Indoor Act (sic-Clean Indoor Air Act) that I voted for. But to allow a local unit of government to supersede the State Law by saying, you will not smoke in a bowling alley. You will not smoke in any restaurant, even if the restaurant owner has an area set aside for smokers. I think that's a little bit of overkill. At some point we need to address the basic issue and that is, will tobacco remain a legal and lawful product or will we outlaw it? That's the ultimate issue that we're gonna have to decide. I intend to vote 'no' on the Bill."

Speaker Hartke: "This Bill's on Short Debate. Mr. Mautino's addressed the Bill and Mr. Black has addressed the Bill. Mr. Turner."

Turner, J.: "Yes. Yes, Mr. Speaker."

Speaker Hartke: "Our rules provide for one person in response, one person to address the Bill."

Turner, J.: "You say it's on Short Debate?"

Speaker Hartke: "Yes, it is."

Turner, J.: "Well, I move to take it off Short Debate put it on Standard Debate, then."

Speaker Hartke: "Your request is granted. Mr. Turner."

Turner, J.: "The Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Turner, J.: "Representative, do you have a definition for 'public place'?"

McGuire: "Could you... Representative Turner, 'public place', as I read it here, is defined to exclude bowling alleys, places whose primary purpose is the sale of alcohol for consumption on the premises, hotel rooms, and enclosed offices occupied exclusively by smokers."

Turner, J.: "You said, excludes. And where are you reading that,

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by the way? Is that in the statute someplace, 'cause I don't see it in the Bill itself."

McGuire: "In the Bill itself, Representative, 'public place' means any enclosed area used by the public or serving as a place of work including, but not limited to, hospitals, restaurants, retail stores, offices, commercial establishments, elevators, indoor theaters, libraries, art museums, concert halls, public conveyances, educational facilities, nursing homes, auditoriums, arenas and meeting rooms, but excluding bowling establishments and excluding places whose primary business is the sale of alcoholic beverages for consumption on the premises and excluding housekeeping accommodations from a hotel as defined in the Hotel Operators' Occupation Tax Act and private, enclosed offices occupied exclusively by smokers, even though such offices may be visited by nonsmokers. Whoa."

Turner, J.: "Wow. Is a person supposed to know all that and make sure they can conform themselves to the law? What's the citation on that so I can look it up so you don't have to read it to me? Is that under 410?"

McGuire: "410 ILCS 80/3, Section 3."

Turner, J.: "Okay. Thank you. The Bill says... uses the phrase, 'the regulation must not... must be no less restrictive than this Act'. What does that mean, 'no less restrictive than this Act'?"

McGuire: "The Act is the threshold, that's the basis. State Law is the floor level."

Turner, J.: "I'm sorry. Did you answer the question? Did you answer the question?"

McGuire: "Yes, I think I did."

Turner, J.: "Okay."

McGuire: "Yes, I did."

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Turner, J.: "Well, I'm just trying to... What is the current law and how does this change the current law? What would the municipality be able to do? What unit of local government are you talking about, just cities, towns, talkin' about townships, all units of local government? All right. If we were gonna pass this, I think people ought to know what the law is."

McGuire: "Well, Representative Turner, what it's doing, we're trying to do with the Bill, is to give other municipalities the same playing field that the 23 cities and towns across the state have under the original Act of 1990-91, whenever the original Act was. That's what we're trying to do."

Turner, J.: "Okay. And I understand you're trying to get it to local control. Let's take it one step further, however. You're talking about taking it from the Federal Government to the State Government to the local government. Let's go to the private individual. We pass your Bill. City of Springfield passes a law that says that you can't have any smoking in any of the restaurants. The person who owns that restaurant, will that person have any say-so as to whether or not he or she allows smoking on the premises in his or her restaurant? Will this deprive a private property owner who invites the public into his place of accommodation the right to decide whether he or she wants smoking in his or her premise?"

McGuire: "I think what we're losing sight of is the local municipality would do what is good for their district, what they think their city or village wants. We're trying to give the locals the authority to do what the other 23 cities do. The cities and villages would react to their own constituents."

Turner, J.: "Right and I'm not refuting that. I'm try... I wanna

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understand this. If the municipality says we are not going to allow smoking in a restaurant where people go out and eat, obviously, can they tell the person who owns that restaurant that they cannot even have a place for smoking at all? Will they have the authority to do that? That's my question."

Speaker Hartke: "Please bring your remarks to a close."

Turner, J.: "All right. Representative, this is the last question I have, if you can answer that, if you know the answer."

McGuire: "Theoretically, yes. But very likely, not."

Turner, J.: "Okay. So, then at least in theory, if we pass this, even though we have devolved, I guess is the right word, power from the State Government to the local government we will have, by doing so, if the local government acts in a manner that they believe is best for the community, that local government would then be able to usurp all the rights of the private owner of property and taxpayer, I guess. In theory, at least, right?"

McGuire: "Theory. And I might point out that none of the 23 original cities have banned smoking."

Turner, J.: "Thank you for answering my questions. Thank you, Mr. Speaker."

Speaker Hartke: "Representative McGuire to close."

McGuire: "I would just like to simply close by saying what we're trying to do here is allow the other cities and towns in the State of Illinois to do what is best for their area, as we did in this Bill. This was Representative John Dunn's Bill, I think, about ten years ago. And I would appreciate your 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 2548?' All those in favor will signify by voting

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'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2548, there were 73 Members voting 'yes', 42 Members voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. The Chair recognizes Representative O'Brien. For what reason do you seek recognition?"

O'Brien: "Thank you, Mr. Speaker. I rise on a point of personal privilege. If I can have the attention of my colleagues for one moment, the Downstate Democratic Caucus is very proud of one of our Members that, unfortunately, is going to be leaving us for greener pastures. As everyone knows here, Representative, Mayor-elect, Doug Scott is going to be assuming the office of Mayor of Rockford on April 23rd. And on behalf of the Downstate Democratic Caucus we'd like to invite Members from both sides of the aisle to join us for lunch which is being served right out here from Saputo's from... There's lines out here on... out in the hallway for the Democratic side and we'd really like to congratulate Doug for his great job and his wonderful service here for seven years. Thanks a lot, Doug."

Speaker Hartke: "Thank you very much, Representative Scott. For what reason does Representative Mitchell seek recognition?"

Mitchell, J.: "Thank you, Mr. Speaker. The downstate delegation from the Republican side would like to join the downstate delegation from the Democrat side and congratulate Doug Scott who's been a Gentleman and a scholar in this business. I know that he'll make an excellent Mayor of Rockford and we wish him all the best and we thank the downstate delegation from the Democratic side for buying us

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food. Thank you, Mary Kay."

Speaker Hartke: "The Chair recognizes the Gentleman from Peoria, Representative Leitch. For what reason do you seek recognition?"

Leitch: "Thank you, Mr. Speaker. I, too, would like to congratulate Doug Scott. He's going to be sorely missed in this chamber, especially by those of us who have to annually struggle with TIF Bills. So, Doug, thank you and best of everything."

Speaker Hartke: "House Bill 2438, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2438, a Bill for an Act concerning taxation. Third Reading of this House Bill."

Speaker Hartke: "Representative Coulson."

Coulson: "Thank you, Mr. Speaker. This Bill is an AARP Bill that is changing the circuit breaker legislation that we passed last year from a calendar year to the fiscal year. And I can answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House... Representative Black. This Bill's on Short Debate."

Black: "Mr. Speaker."

Speaker Hartke: "Yes, Sir."

Black: "Things done quickly wither as fast. Things done slowly last and last. Let's slow it down here, all right? Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I've had one call on this issue and it was from a senior who wanted to make sure that it could be handled in a calendar year. The way it is now, according to what the senior told me, if you sign up and you're eligible, say in March, then you're renewed next March."

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His question, I think, was a good one. Is it your intent that everybody be renewed as of January 1?"

Coulson: "What this Bill does... We had originally wanted it... to make it the calendar year January 1 because medicare is on a calendar year. But because of the way we do our budgeting here and the way the department has been implementing it, we found out that really the fiscal year for the state is better for the senior. We've talked to a lot of people. The problems become, right now, is if we go to January 1 to January 1, it's less confusing for a senior, but many of 'em will only get a partial year. If we go to the fiscal year..."

Speaker Hartke: "Excuse me, continue."

Coulson: "Thank you. Starting in July of this year, then everyone will be consistently on the same year, which would start July 1. They will, in May of every year, receive a notification that they need to renew."

Black: "Okay."

Coulson: "So, we are going to allow some of them to be on a little bit longer, so some of them may actually get 14 months of coverage this year, but then we'll all be on the same twelve-month coverage."

Black: "Okay. Then I think his question is a good one and his point is, and knowing how some licensure issues have been... we've gotten into trouble when everybody comes due on the same month. He questioned whether all of the seniors and the applications and everything could be mailed, received, and handled within a 30-day window. Whereas now, you can spread it out over the year."

Coulson: "Right. And we talked... The Department of Revenue is the group that we've been dealing with and they feel that they can handle this because the new applications will be

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coming on all year long, but the ones... the people who are currently covered by circuit breaker..."

Black: "Okay."

Coulson: "... would only be in that..."

Black: "All right."

Coulson: "... 30-day window. So, this actually gives them a better opportunity to help those people who are coming on each... during the rest of the year."

Black: "Okay. So, the Department of Revenue thinks that it will not be an undue burden for them to get it out. The same Department that has assured me my 1999 income tax refund is in the mail?"

Coulson: "Yes."

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

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2438?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2438, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 915, Representative Murphy. Mr. Clerk, read the Bill. 1915."

Clerk Bolin: "House Bill 1915, a Bill for an Act concerning natural resources. Third Reading of this House Bill."

Speaker Hartke: "Representative Murphy."

Murphy: "Mr. Chairman, I'd like to defer this Bill to Representative Brunsvold."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. The Amendment we adopted in

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committee becomes the Bill. Over the past few years, we have been dealing in the Department of Natural Resources with some strengthening of trying to keep track and regulating the violators of some of our game laws. First Section indicates that we can set up a compact with other states so that we can identify some of the violators that are moving from state to state and that, of course, is a 'may' in there that the Department 'may' set up compacts. And also, in the back of the Amendment there was a number of strengthening provisions dealing with people that lose their licenses and the Department 'may' suspend that license for five years. And also, a provision by administrative rule, procedures must be set in administrative rule. And also, people that have suspended licenses and who they can go out in nature with, for example, people that have been caught as deer poachers can't be guides, for example, or be in a hunting party that's hunting deer. So, I would ask for your support and answer any questions."

Speaker Hartke: "Is there any discussion on House Bill 1915? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 1915?' All those in favor signify by saying 'aye'... voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1915, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2419, Representative Osmond. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2419, a Bill for an Act concerning insurance. Third Reading of this House Bill."

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Speaker Hartke: "Representative Osmond."

Osmond: "Thank you, Mr. Speaker. House Bill 2419 deals with the issue of credit scoring and underwriting of insurance. It addresses three issues primarily the limitation of the use of credit scoring as the sole determinant in whether or not a policy is issued or renewed. It addresses the need for better disclosure to consumers when adverse decisions are based on credit scoring and it also gives the Department of Insurance authority to make sure that credit scoring is not used in a way that it discriminates in any way based on income, race, gender, religion, or sex. And I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2419?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, ... the record. On House Bill 2419, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1695, Representative Murphy. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1695, a Bill for an Act in relation to private sewage disposal. Third Reading of this House Bill."

Speaker Hartke: "Representative Murphy."

Murphy: "Thank you, Mr. Speaker. House Bill 1695 is the Private Sewer (sic-Sewage) Disposal Act. It amends the Private Sewer (sic-Sewage) Disposal Act that changes from the jail sentence to a civic (sic-civil). And so that this Bill came from the state's attorney at Cook County, Devine, to

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allow people to pay a fine instead of jailing them. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, does this only apply to Cook County or is it statewide?"

Murphy: "No, Cook County only."

Black: "All right. So, it does not allow for this civil penalty under the Private Sewage Disposal Code violation of any county other than in Cook, correct?"

Murphy: "That's correct, Representative."

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

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 1695?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1695, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1956, Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1956, a Bill for an Act concerning the payment of local government fees. Third Reading of this House Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1956 is an initiative of the Illinois County Treasurers Association. It's really a convenience

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for the taxpayers. There's no known opposition. Proponents include the Illinois Bankers Association, the Illinois Municipal League, the State Treasurer, DuPage Mayors and Managers, and the County Treasurers Association. It's really permissive in two ways. It's permissive as to whether or not a county treasurer wants to accept payments with credit cards and it's permissive whether or not the taxpayer wants to pay with a credit card. We passed a similar Bill in the House last year. ... a couple changes that make it even better. County treasurers have to put out for competitive bid for a vendor to process the credit cards and they have to post, this is a request of the committee, I think Representative Saviano, they have to post to tell the taxpayer what the charge will be for using the credit card. No county treasurer in the State of Illinois now accepts tax payments with credit cards because the processing fee exceeds what they can charge. So without this the taxpayers would be underwriting or subsidizing credit cards. If in doubt, talk to your county treasurer. It's their association. I know Representative Lawfer asked about it, talked to his treasurer and came back and wanted to be a Sponsor. There's really two groups of people that want to use credit cards to make their tax payments; those that are wanting to earn premiums, earn benefits, frequent flyer miles, et cetera, and oftentimes someone that's just having a cash flow problem, can't make the whole tax payment, but put it on a credit card they can avoid going to tax sale. Forty of the fifty states allow this. Would appreciate your support, be happy to entertain any questions."

Speaker Hartke: "This Bill's on Short Debate. The Chair recognizes Representative Novak."

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Novak: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Novak: "Yes, Mr. Moffitt, I notice I'm a Sponsor with you on this good legislative initiative by the County Treasurers' Association. I just want to ask this question again, I know we talked about it in committee, I believe. Once the person, and of course this is a permissive Bill. Once the person decides to use their credit card, who pays the fees? Normally, in a retail transaction, it's the retailer that pays the fees to the credit card company. I know that was a big concern about the local governments. So, tell me, for the record, who pays the fees?"

Moffitt: "The person using the credit card is the person that would pay the fee. It's their option whether or not to use the credit card and they would be told. Of course, even a retail business when they accept a credit card, any cost that they have associated with that is the cost of doing business and has to be borne by the price that they receive. So, even though it doesn't say it, you the purchaser really pay that even in a retail business."

Novak: "That's correct, indirectly you do. So, just for everybody's benefit, there isn't any... There aren't any increases in taxes at all in any way associated with this Bill. The person... It's, again, it's permissive. The counties have the option to allow it to happen and as Mr. Moffitt indicated, if you get frequent flyer miles or if you're in a sort of a tight cash crunch for a temporary basis, this is a good thing to have to make sure that you meet your property tax obligation every year. And I ask for your support. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

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Cross: "Mr. Speaker, will the Sponsor yield for one question?"

Speaker Hartke: "Sponsor will yield."

Cross: "Representative, this seems like a great idea, so I want to make sure I understand this. If I own the Sears Tower, I could go pay my real estate taxes with my credit card and get a lot of frequent flyer miles. Is that right?"

Moffitt: "Not unless we pass this legislation, you couldn't. There's not a single county treasurer accepting them now. If this were to pass and you did have a credit card that had a line of credit adequate to pay that kind of tax..."

Cross: "Well, I make that assumption that I do and that I own the Sears Tower, I could end up with a lot of frequent flyer miles."

Moffitt: "That is correct."

Cross: "Great idea. Thank you."

Moffitt: "Thank you."

Speaker Hartke: "Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Just for clarification, Representative. If the taxpayer pays by credit card, then the discount normally charged to the retailer that a credit card company gets, that's how they make their money, there would be a surcharge on the credit card slip. The total amount of the bill being paid and then whatever the discount would also appear on the credit card slip, so that the taxpayer would pay a surcharge so that the county or unit of government is, in fact, held harmless. They're not subsidizing the credit card company. Correct?"

Moffitt: "That is correct. That's part of the requirement, you have to... they have to tell the taxpayer."

Black: "Right."

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Moffitt: "And have to put it out on competitive bid. This avoids the taxpayers being left with the charge."

Black: "Right. So, it's very similar and it's not precedent setting. If you order certain tickets through a ticket broker, you're charged a surcharge on your credit card for handling and postage. I mean, it's a common practice and I think it would certainly be beneficial to units of government, but the key is and I think Representative Novak said this, but it was noisy, the government doesn't accept less money by... because of the discount. The government gets its full money and the taxpayer pays the convenience charge in order to use his or her credit card. Correct?"

Moffitt: "The credit card user who is the taxpayer..."

Black: "Right."

Moffitt: "... pays the convenience fee."

Black: "Sure."

Moffitt: "It's not borne by the other taxpayers of that unit of government."

Black: "Excellent idea. Thank you."

Moffitt: "Thank you."

Speaker Hartke: "Representative Moffitt to close."

Moffitt: "Again, an initiative of counties treasurers. Let's move into the 21st century and allow our county treasurers to accept payment with credit cards as the vast, vast majority other states do. And appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 1956?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1956, there are 102 Members voting 'yes', 14 Members voting 'no', and 0 voting 'present'. And this Bill, having

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received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Rules Report."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 5, 2001, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #2 to House Bill 1904, Floor Amendment #1 to House Bill 3382, Floor Amendment #2 to House Bill 2390, Floor Amendment #2 to House Bill 2426, Floor Amendments 2 and 3 to House Bill 2565, Floor Amendment #3 to House Bill 2575, Floor Amendment #1 to House Bill 3231 and Floor Amendment #2 to House Bill 3373; 'be adopted' House Joint Resolution 27."

Speaker Hartke: "House Bill 3008, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3008, a Bill for an Act concerning credit unions. Third Reading of this House Bill."

Speaker Hartke: "Representative Lyons."

Lyons, J.: "Thank you, Speaker, Ladies and Gentlemen of the House. House Bill 3008 makes various changes to the Illinois Credit Union Act. The highlights of this are: it allows the Department of Financial Institutions to establish the rates pursuant to which the reimbursement for document production requests will be made. It adds changes necessary to allow credit unions to comply with federal privacy regulations. It clarifies the earnings from the dedicated Credit Union Fund are to be retained in the fund with credit to be given the following year. It clarifies the existing authority of credit unions to structure loans. And this was the IBA concern that we did negotiate language on Amendment #2, Floor Amendment #1, that we kept the IBA... the concerns of the IBA were clarified, and now

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there is no opposition. It also changes and defines the political subdivision of a state with which credit unions can invest and oppose a 10% investment limitation with any single political subdivision. And lastly, it allows a subsidy of a credit union association to use the term 'credit union' in its operation like the Illinois Credit Union League. So, this did fly out of the committee unanimously. We did meet the concerns of the IBA. There are no known opponents to the Bill. And I'd appreciate an 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt House Bill 30... Shall the House pass House Bill 3008?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3008, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2377, Representative Durkin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2377, a Bill for an Act concerning business transactions. Third Reading of this House Bill."

Speaker Hartke: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. House Bill 2377 will exempt security interest created by state or local governments from the scope of Article IX of the UCC. Article IX deals with the creation, perfection, and priority enforcement of security interests. This is a cleanup from last year's Bill which we did the major overhaul of Article IX of the Uniform Commercial Code. This is agreed upon language from

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the uniform law commissioners, but also from the financial institutions, as well. I welcome any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2377?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2377, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2432, Representative Kenner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2432, a Bill for an Act in relation to housing. Third Reading of this House Bill."

Speaker Hartke: "Representative Kenner."

Kenner: "Thank you, Mr. Speaker. House Bill 2432 amends the Housing Authorities Act to allow public housing authorities to issue revenue bonds. Authorities would be able to make or undertake commitments to make loans for financing acquisitions, construction, rehabilitation, or refinancing of multifamily rental housing. By expanding PHA authority to allow issuance of mortgage revenue bonds, PHAs will have the ability to structure and execute their own development programs without tying up resources of other state or local authorities. House Bill 2432 seeks to expand bonding authority already conveyed by State Law to other issuers so as to allow Illinois PHAs to better accomplish their federally-mandated mission to provide safe and affordable housing for economically diverse residents. This Bill came out of committee unanimously with no opposition. I would urge an 'aye' vote. Thank you."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2432?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2432, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 625, Representative Leitch. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 625, a Bill for an Act in relation to bonds. Third Reading of this House Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill originally was our friend Doug Scott's Bill. It's a very good Bill that increases the bonding authority that would permit some badly needed repairs to some of the civic centers throughout the state. It's strictly a permissive Bill. It has not been... There are no appropriations behind it yet, but it is a very important permissive Bill. And I would urge you to support it."

Speaker Hartke: "Is there any discussion? This Bill's on Standard or Short Debate. The Chair recognizes Representative Moore."

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

Speaker Hartke: "Sponsor will yield."

Moore: "Representative, there are no appropriations connected with this Bill now. Are you anticipating that there would be appropriations needed to go along with this Bill or is this just an extension of their existing authority so the

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local governments can pay off their own bonds?"

Leitch: "No. What this Bill would do, it'd authorize some bonding capacities so that we could provide a program through DCCA that would extend up to by rule of DCCA up to 2 million a year, not a year, 2 million to repair some of these facilities. Many of them, like the one in Peoria, is now 20 years old and there has been very, very substantial local contribution in the construction and maintenance of these facilities. Indeed, the state's share was only about a third, all the rest of this money came from locally taxed sources. So, this is a modest attempt by the state to help civic centers in Rockford and Springfield and so... Quad Cities and others throughout the state and help them with some of the equipment that has become obsolete."

Moore: "You know, if you could refresh my memory, what exactly was the idea of original legislation that provided for state funding and the building of these facilities?"

Leitch: "Well, the Civic Center Support Act was adopted first in 1974 and then that was found unconstitutional and then subsequently in 1976. And as a result of that, many communities through our... throughout our state have been able to use and leverage these centers into very extraordinary downtown redevelopment and other urban redevelopment projects. Indeed, in Peoria, our civic center has probably generated on the order of a half billion dollars of additional immediate downtown reinvestment. So, the..."

Moore: "So, it's an economic development tool?"

Leitch: "Well, and yes and it also has caused our hotel room nights to go, when I was a founder of the Convention Bureau back in 1970, from about 50,000 room nights a year to well over 200,000 room nights a year. This has been one of the

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most effective, sensible, intelligent things that the General Assembly has ever put forward to help local communities address their own issues and I'm very much in favor of it."

Moore: "I can recollect some years back that we tried to get something like that for Waukegan and why was it that we couldn't get a civic center process going for Waukegan, which is also a depressed area?"

Leitch: "I don't know."

Moore: "Isn't there a restricted number in the legislation?"

Leitch: "I'm not sure what the present number is, but the... a number of communities subsequently did go and had success with these."

Moore: "But doesn't it require General Assembly approval?"

Leitch: "Well, the Civic Center Support Act which is, I believe, is what you're describing..."

Moore: "Right."

Leitch: "... has some communities that are eligible... that become eligible by having legislation put them into it. That is true."

Moore: "So, in order for us to have access to this kind of funding for our area it would require some kind of legislative change and then we might qualify for the funding in our area."

Leitch: "Well, yeah and you might do what we did which was to impose a series of hotel/motel, restaurant, other taxes to tax ourselves because it's very important..."

Speaker Hartke: "Further discussion? Representative Novak."

Novak: "Yes, will the Sponsor yield? Who is the Sponsor? Mr. Leitch?"

Leitch: "I'm the Sponsor now."

Novak: "Oh, okay."

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Leitch: "Doug wanted me to carry this."

Novak: "Okay. Mr. Leitch, can you tell me how many civic center authorities have been created since the inception of the Act that have just languished on the books over the decades that haven't been funded with one dime of Civic Center Authority money... bonding money? Can you tell me how many there are?"

Leitch: "No."

Novak: "Well, Ladies and Gentlemen, I know for a... To the Bill. I rise in opposition to this Bill. It's not because of DCCA and I know DCCA's against it because of the money aspect of it. But my predecessor in this General Assembly created a... passed a Bill and created a Civic Center Authority for a small community in Iroquois County that's now represented by Mr. Black. And that has been on the books for 15 years and that was never funded with a dime from any Civic Center Authority money 'cause the administration would always tells us, there's no more money, we're not gonna expand the bonding authority. And I know there are other civic center authorities that were created by Legislators around the state that are languishing... they're just in paper. They're on the books, there's nothing there. Promises were made to communities and then subsequently because of no funding, promises were not kept. Now, I know these civic centers that are outlined in this Bill are very, very nice operating places. They bring in tons of tourism dollars. But in the question of fairness, for those civic center authorities that were created years ago, that were told there wasn't a dime to help build their civic centers, I don't think this is a fair piece of legislation. That's the reason why I'm voting against it."

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Speaker Hartke: "Representative Black. This Bill is on Short Debate. Why do you seek recognition?"

Black: "Mr. Speaker, with your permission would like to speak in favor of the Bill."

Speaker Hartke: "Make your remarks brief."

Black: "All right. That the previous speaker certainly had a point and there were civic centers promised, after the original go-around, that were never funded and there were many of those around the state. And I think most of us knew at the time they weren't going to be funded. But what Representative Leitch's Bill, I think it started out as Representative Scott, what this Bill does is for those civic centers that were built back in the Thompson administration, one of the inherent weaknesses of the enabling legislation and hindsight is always clearer than where you stand at the time you passed that, is that there was no money for maintenance or repair. Many of these civic centers are now approaching 20 years of used and useful life and there simply is no way for them to access funding to do the necessary repair, like replace the roof, or replace the air-conditioning equipment, or the heating equipment. It would seem to be common sense to do this, to maintain what we have already built. If we want to come back later and fund new dollars for civic centers that were never built, I would support that, but in the meantime your failure to support this means that publicly-financed civic centers are literally crumbling in those areas where they were built. The roofs are leaking, the HVAC systems aren't working, the plumbing is going bad. It makes no sense to let them simply deteriorate to the point where we have but two choices, close them or come back to the state for an even larger infusion of money. One can argue that we

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didn't do it properly when this original Bill passed, that is not the issue today. The issue today is that many small communities, Peoria being an exception not a small community, Rockford and others built..."

Speaker Hartke: "And briefly."

Black: "Thank you very much. The problem is that these civic centers were built with state assistance. The failure to appropriate after 20 years, maintenance money, will doom some of these to closure and that would be a greater waste of money than the Bill Representative Leitch is trying to pass. I hope you vote 'aye'."

Speaker Hartke: "... recognizes Representative Hoffman. For what reason do you seek recognition?"

Hoffman: "Yes. I'm not attempting to stall. I just think that this should be off Short Debate. I think that others have some questions as to whether or not this affects them or not."

Speaker Hartke: "And your request is?"

Hoffman: "I would request that this be removed from Short Debate."

Speaker Hartke: "To Standard Debate?"

Hoffman: "To Standard Debate."

Speaker Hartke: "Does anybody agree with you?"

Hoffman: "Probably not."

Speaker Hartke: "This Bill will be on Standard Debate. The Chair recognizes Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoffman: "Yes. I just have more of a parochial question, I guess. Certain Representatives have civic centers in their area, for instance, mine I believe was built in 1982-1983 and that's when it was built. Does this help them or are

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they not affected under the Bill?"

Leitch: "This should help them because and Doug may want to add to this. It's anticipated that DCCA will be coming with some rules that will assure that the existing civic centers will be able to queue up and participate."

Hoffman: "So, this Bill doesn't preclude the Collinsville Civic Center, or the Quincy Civic Center, or anything that was built like in the early 1980's from receiving some of this funding?"

Leitch: "No."

Hoffman: "Okay. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Will County, Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Several years ago when I first came to this General Assembly, I had a couple Bills similar to this. And the reason why is that in Joliet there's the Rialto Theater, which will observe its 75th anniversary next month, so it's not a recent building. And I had tried, just as Representative Scott is trying and Representative Leitch is trying to have some money from the state for maintenance and repair. And I would strongly urge an 'aye' vote for Representative Leitch and Representative Scott's Bill. And I thank you, Representative Leitch, for picking up the Bill. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Scott."

Scott: "Thank you, Mr. Speaker. I want to rise in support of the Bill. And I think Representative Leitch said it very well. And we had a really good discussion in committee on this. The reality here is that a lot of these municipalities have put a substantial amount of money into the civic centers on

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their own. I know Rockford, for example, spends about a million dollars a year that they help to subsidize the civic center. And you might say, well, is that a... you know... that's fine, Rockford can do that, why should the state come back and help? I think that goes to the question that was asked by the first questioner on the other side of the aisle. These were done as partly as economic development tools to help out with some of the older municipalities throughout the state. And I think it's important that we say to them, we realize that the local governments are making a substantial commitment to that and this is one of those things that we think is very important to the communities that are involved. Twenty-year-old arenas are now competing with arenas that have been substantially redone, very often with public funds, in other parts of the state. And all we're saying is that for those communities, all of whom have invested substantially locally in their arenas, that they're very important parts of their communities. And you... it's very difficult to measure just in terms of dollars and cents what it means to the community to be able to have the kind of entertainment, the kind of sporting events, the kind of theater events when they come into these communities. So, I think this was a wise investment by the state when they made it originally back some 20 almost 30 years ago, now. And I think it's a wise investment for us to look and say, yeah, these places need some updating. Because of the way the original legislation was written, it requires a substantial local commitment because the civic centers themselves really aren't allowed to bank enough money to be able to do a lot of these repairs themselves and certainly aren't allowed to do... bank enough money that would enable

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them to do the improvements and do the types of things that will keep them competitive with the other arenas. So, I ask for your support on this Bill. I think it's a good piece of legislation that will help maintain these assets that we help provide for these communities."

Speaker Hartke: "Representative Leitch to close."

Leitch: "Thank you very much, Mr. Speaker. And thank you, Representative Scott, soon to be our Mayor of Rockford. One other point I would make that was a rational... rationalization for these Senators throughout at its very outset. In the communities that have the University of Illinois, or Eastern, or ISU, or Northern, or any of the other major state-supported universities, they think nothing of having an arena. They think nothing of having an exhibition hall. They think nothing of having a theater. But in the communities of Rockford and Springfield and the Quad Cities and Peoria, those facilities are not available to us. And this General Assembly thinks nothing of sending off not millions, billions of dollars to the university systems to maintain and upkeep those facilities. So, I would implore you that this is a rather modest, modest request and urge you to support this very important Bill. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 625?' This Bill requires 71 votes. All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 625, there are 88 Members voting 'yes', 27 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does

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Representative Soto seek recognition?"

Soto: "Speaker, I'd like to take a point of personal privilege to welcome Dr. Jose Lopez from the Puerto Rican culture and Emma Lozano from Centro Sin Fronteras and the students. Thank you. Can we give them a round of applause. They are from Representative Delgado's and my district. Thank you."

Speaker Hartke: "Welcome to the General Assembly. Mr. Clerk."

Clerk Rossi: "Introduction and First Reading of Senate Bills. Senate Bill 28, offered by Representative Brosnahan, a Bill for an Act concerning criminal law. Senate Bill 30, offered by Representative Franks, a Bill for an Act amending the Illinois Vehicle Code. Senate Bill 75, offered by Representative Hoffman, a Bill for an Act concerning the environment. Senate Bill 78, offered by Representative Erwin, a Bill for an Act concerning education. Senate Bill 138, offered by Representative O'Brien, a Bill for an Act concerning drug treatment. Senate Bill 173, offered by Representative Dart, a Bill for an Act concerning taxation. Senate Bill 209, offered by Representative John Jones, a Bill for an Act in relation to taxes. Senate Bill 216, offered by Representative Coulson, a Bill for an Act in relation to children. Senate Bill 233, offered by Representative Schoenberg, a Bill for an Act concerning criminal law. Senate Bill 284, offered by Representative Monique Davis, a Bill for an Act relating to schools. Senate Bill 318, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 330, offered by Representative Acevedo, a Bill for an Act concerning education. Senate Bill 373, offered by Representative Lang, a Bill for an Act to amend the Children and Family Services Act. Senate Bill 397, offered by Representative Mendoza, a Bill for an Act concerning

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firearms. Senate Bill 401, offered by Representative Brosnahan, a Bill for an Act amending certain Acts in relation to mentally retarded persons. Senate Bill 417, offered by Representative Joe Lyons, a Bill for an Act in relation to alcoholic liquor. Senate Bill 430, offered by Representative Kosel, a Bill for an Act concerning criminal law. Senate Bill 461, offered by Representative Feigenholtz, a Bill for an Act in relation to children. Senate Bill 494, offered by Representative Mendoza, a Bill for an Act in relation to civil immunities. Senate Bill 510, offered by Representative Acevedo, a Bill for an Act in relation to vehicles. Senate Bill 518, offered by Representative Hamos, a Bill for an Act concerning lead poisoning. Senate Bill 526, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 527, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 528, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 539, offered by Representative Hultgren, a Bill for an Act regarding taxes. Senate Bill 542, offered by Representative Erwin, a Bill for an Act concerning employment. Senate Bill 550, offered by Representative Parke, a Bill for an Act in relation to property. Senate Bill 571, offered by Representative Novak, a Bill for an Act concerning factory-built housing. House (sic-Senate) Bill 602, offered by Representative Mendoza, a Bill for an Act in relation to vehicles. Senate Bill 606, offered by Representative Novak, a Bill for an Act concerning energy efficiency. Senate Bill 635, offered by Representative Garrett, a Bill for an Act regarding libraries. Senate Bill 677, offered by Representative

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Brosnahan, a Bill for an Act concerning county officers. Senate Bill 699, offered by Representative Hoffman, a Bill for an Act concerning highways. Senate Bill 727, offered by Representative Franks, a Bill for an Act in relation to vehicles. Senate Bill 747, offered by Representative Feigenholtz, a Bill for an Act in relation to children. Senate Bill 751, offered by Representative Fowler, a Bill for an Act concerning professional regulation. Senate Bill 795, offered by Speaker Madigan, a Bill for an Act concerning unemployment insurance. Senate Bill 885, offered by Representative Krause, a Bill for an Act concerning the children's health care (sic-insurance program). Senate Bill 902, offered by Representative Daniels, a Bill for an Act concerning finance. Senate Bill 914, offered by Representative Erwin, a Bill for an Act concerning higher education. Senate Bill 926, offered by Representative Erwin, a Bill for an Act concerning tourism. Senate Bill 932, offered by Representative Persico, a Bill for an Act concerning schools. Senate Bill 938, offered by Representative Lang, a Bill for an Act in relation to domestic violence. Senate Bill 945, offered by Speaker Madigan, a Bill for an Act concerning elections. Senate Bill 961, offered by Representative Moore, a Bill for an Act concerning local government debt. Senate Bill 975, offered by Representative Hultgren, a Bill for an Act in relation to elections. Senate Bill 979, offered by Representative Franks, a Bill for an Act concerning schools. Senate Bill 980, offered by Representative Franks, a Bill for an Act concerning local government (sic-governments). Senate Bill 1014, offered by Representative Hamos, a Bill for an Act in relation to bicycles and bicycle safety. Senate Bill 1017, offered by

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Representative Pankau, a Bill for an Act concerning emergency services. Senate Bill 1026, offered by Representative Hultgren, a Bill for an Act relating to schools. Senate Bill 1050, offered by Representative Durkin, a Bill for an Act in relation to criminal law. Senate Bill 1065, offered by Representative O'Connor, a Bill for an Act concerning firearms. Senate Bill 1089, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 1102, offered by Representative Ryder, a Bill for an Act concerning administrative procedure. Senate Bill 1116, offered by Representative Hoffman, a Bill for an Act in relation to taxation. Senate Bill 1117, offered by Representative Holbrook, a Bill for an Act concerning taxation. Senate Bill 1128, offered by Representative Novak, a Bill for an Act in relation to local government (sic-governments). Senate Bill 1151, offered by Representative Mautino, a Bill for an Act in relation to repeal, deletion, and amendment of certain statutory provisions. Senate Bill 1175, offered by Representative Tenhouse, a Bill for an Act in relation to human rights. Senate Bill 1225, offered by Representative Saviano, a Bill for an Act in relation to the regulation of professions. Senate Bill 1240, offered by Representative Hartke, a Bill for an Act respecting education. Senate Bill 1294, offered by Representative Black, a Bill for an Act concerning vehicles. Senate Bill 1305, offered by Representative Feigenholtz, a Bill for an Act in relation to minors. Introduction and First Reading of these House Bills... Senate Bills."

Speaker Hartke: "Third Reading appears House Bill 2382, Representative Soto. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2382 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been approved for consideration."

Speaker Hartke: "Representative Soto on the Amendment."

Soto: "On the Amendment..."

Speaker Hartke: "Yes, Amendment #1."

Soto: "Takes out the criminal penalties of... for employers in the response to the concerns raised by Representative Scott... Cross. I'm sorry, Cross."

Speaker Hartke: "... any discussion on the Amendment? The Chair recognizes Representative Turner."

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

Speaker Hartke: "Sponsor will yield."

Turner, J.: "Representative, I couldn't hear you, honestly. I was trying to listen. Could you explain your Amendment again, please?"

Soto: "Yes. Yes. The Amendment now reads, 'violation of the Section is a business offense for which a fine is not to exceed 2,500 may be imposed'. And I have taken out the criminal penalties of the Bill."

Turner, J.: "Okay. So, your Amendment, then, takes out the criminal penalties that were, prior to the Amendment, in the Bill?"

Soto: "Yes."

Turner, J.: "Okay. Does it do anything else?"

Soto: "Nothing else."

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

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2382?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of

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the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments. But several notes have been requested on the Bill that have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading pending the submission of the notes. Third Reading appears House Bill 914, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 914 has been read a second time, previously. No Committee... Amendments 1,2,3, and 4 have been adopted to the Bill. No Motions have been filed. Floor Amendment #5, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #5 to House Bill 914 is the language which was contained in Senate Bill 1171, which the Senate sent over sponsored by Senate President Pate Philip, which extended the debt base for park districts in the State of Illinois. And I would ask that you adopt Floor Amendment #5 to House Bill 914."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative McGuire."

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

Speaker Hartke: "Well, we'll get to that after this Bill."

McGuire: "Thank you."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #5 to House Bill 914?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it."

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And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative McGuire, now your announcement, please."

McGuire: "Thank you again, Mr. Speaker. I'd just like to welcome to Springfield the members of the SEIU Service Employees International Union 880. They're up in the balcony behind us. Welcome to Springfield."

Speaker Hartke: "Welcome to Springfield. House Bill 914, Representative Saviano. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 914, a Bill for an Act concerning the local governments. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 914 now contains three provisions. The first provision, which was sponsored by Representative Andrea Moore and Representative Pat Lindner, addresses the needs of the public building commissions and allows for commissions to replace expiring leases with new leases as long as they do not exceed the levy amount in 1999. The second provision, sponsored by Senate President Pate Philip for the Illinois park districts, addresses the needs of park districts by defining their debt extension base as a percentage of their levy in 1991 or 1995. The last provision is provision which was offered by Representative Capparelli for the Metropolitan Water Reclamation District, which is to transfer stormwater management responsibility in Cook County from the county to the Metropolitan Water Reclamation District. Given that the Cook County's Home Rule and MWRD is not, this legislation is needed to enable that the MWRD to manage stormwater management in Cook County. Specifically, in the suburban areas of Cook

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County, which over the years the city has gotten this authority to do it in the city and the suburban areas are now looking for that same service from the Metropolitan Water Reclamation District. And I would ask for your approval. Thank you."

Speaker Hartke: "Is there any discussion on House Bill 914? Seeing that no one is seeking recog... Representative Mulligan."

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

Speaker Hartke: "Sponsor will yield."

Mulligan: "Representative, from when this Bill was first described to us, what else has been added in here besides just Metropolitan Water Reclamation District?"

Saviano: "Representative, I stated in my opening that we have Representative Andrea Moore and Representative Pat Lindner's language regarding the public building commissions and we have Senator Philip's language for the Illinois Park District Association, which extends the base of their levy to the 1991 rate."

Mulligan: "All right. So, that would set their levy at the 1991 rate. Is that a more favorable rate than they currently would receive?"

Saviano: "Yes, because that was before the tax cap. And now that way they could extend it to that rate because they didn't raise the rate properly before the tax cap became effective."

Mulligan: "All right. For the Metropolitan Water Reclamation District, what would this allow them to do?"

Saviano: "It would exclude the Stormwater Management Tax from the tax caps imposed under the Property Tax Extension Limitation Law. What we're trying to do is what the city did some time ago, because this is a fairness question. The

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City of Chicago has historically received the lion's share of the Water Reclamation District's services, which have been subsidized by the suburban communities. We're looking for the same service and willing to pay for that service. Because of the flooding problems that you, I, and all the other Legislators who are along the Des Plaines River, we suffer those problems."

Mulligan: "All right. I'm really looking for ways to support this Bill because my area's one of the areas in suburban Cook County that's experienced a great deal of flooding. And we would certainly like that support from the Metropolitan Water Reclamation District. So, I have a great interest in this, I just didn't think that it was going to be quite so broad. But, you know, the overlying interest of the people that I represent in this area, I think, would be in favor of this because we certainly need support for that area in flooding and we would like to see that happen. So, I'm gonna stand in support."

Saviano: "Thank you."

Speaker Hartke: "The Chair recognizes Representative May."

May: "I have a question, just a clarification on the tax cap. Is this the tax cap only related to water management, or is it the tax cap in general? I mean, I'm just trying to figure out if our local park districts are affected."

Saviano: "This is the tax cap as it relates to stormwater management, only."

May: "Do you know if Highland Park is in it? Yes. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Turner, the Gentleman from Logan. Mr. Turner."

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

Speaker Hartke: "Sponsor will yield."

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Turner, J.: "Representative, as I understand it, this would not affect downstate in any fashion whatsoever but would be... affect only one part of the state and indeed, just the Chicago Water Reclamation District. Is that right?"

Saviano: "That is correct. And surprisingly enough, I've had some downstate Legislators come to me wishing that they had this legislation for some of their flood-prone areas also. So, maybe in the future we would like to help them."

Turner, J.: "I'm not sure that I spoke with you about it, I said Chicago... the Metropolitan Water Reclamation District, I think is..."

Saviano: "Correct."

Turner, J.: "... could be affected."

Saviano: "Yeah, it's..."

Turner, J.: "I don't think it was..."

Saviano: "... just for that area."

Turner, J.: "I don't think it was you that I spoke with. But as I recall, someone had approached me and explained that there was a real dire need for this legislation to move. Could you just quickly go over that for me?"

Saviano: "Yes, Representative. In our... In suburban areas of Cook and Lake, all the areas served by the district, other than the city, because the city already had this extended to them, the stormwater management plan which was paid for by the suburban people. We are looking for that same courtesy for our suburban voters, our constituents."

Turner, J.: "Okay. And what is the maximum tax rate, currently, that can be imposed?"

Saviano: "Representative, they have 46 cents available to them and they're only levying about 20 cents now. It won't be that... We won't go to the max, of course."

Turner, J.: "Thank you for answering my questions."

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Saviano: "Thank you."

Speaker Hartke: "Chair recognizes Representative McGuire on the Amendment... on the Bill."

McGuire: "Thank you again, Mr. Speaker. I rise in support of Representative Saviano's efforts here. And primarily, because of the park districts involved and in particular, the Joliet Park District. For those of us that were here for the tax caps episode a few years ago, you'll remember there was no window of opportunity in one instance than there was in another. For this reason and many reasons Saviano has spoken to, I urge support of this. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 914?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McKeon, would you like to vote on this Bill? Mr. Clerk, take the record. On House Bill 914, there are 63 Members voting 'yes', 52 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3011, Representative Delgado. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3011, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. This initiative, 3011, has been brought to us by SEIU 880. And this Bill will prohibit vendors of goods and services provided to Medicaid recipients from using state funds to either deter or promote union organizing efforts among their employees."

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Speaker Hartke: "Any discussion? Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, in a large health care organization, a nursing home for example, where money comes in from a variety of sources; private pay, Medicaid, medicare, long-term care insurance, is it... I know anything is possible, but is it likely or is it easy for them to distinguish... when they make deposits, is it easy for them to distinguish... if they write a check to a company that produces a brochure explaining it's a wonderful place to work and you really don't need to be represented by a professional organization, how easily will it be to trace the money that was spent to produce the brochure?"

Delgado: "Well, first of all, Representative Black, I would indicate to you that Amendment that we filed, #1, removed all nursing homes from this Bill. Nursing homes is not a vendor for SEIU 880. And so, it will not affect nursing homes. However, in the generic sense of your question, what will happen here is that vendors will have to document any time they do put a brochure like that together to indicate that it does not... if that's good faith employee relationship or marketing to potential employees and has really no information pro or con on union or... union organizing."

Black: "To the best of your knowledge, did Floor Amendment #1 mitigate the opposition of the Catholic Conference of Illinois?"

Delgado: "I... That question... I didn't know they were in opposition. The Amendment was submitted to remove nursing industry. The nursing homes were our opposition on this

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Bill and we accommodated them. As you know, I like to have consensus on my legislation and we removed them from the Bill. At this point, Representative Black, I have no... that I know of, we have no opposition."

Black: "Okay. Representative, as always, I thank you for your forthright answers."

Delgado: "Thank you, Representative."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3011?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3011, there are 70 Members voting 'yes', 46 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3212, Representative Scott. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3212, a Bill for an Act concerning technology. Third Reading of this House Bill."

Speaker Hartke: "Representative Scott."

Scott: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3212 is a very exciting initiative that will provide some dollars to go into technology-related businesses. We're all trying in the state that we're looking at different economic development tools that we can use. And one of the things that we're doing in addition to the other states in this area is trying to look at attracting technology-related businesses. We all know that that's a coming wave of the future. It's already here in a lot of places. And you've seen a lot of stories recently about, you know, can Chicago be the next

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Silicon Valley, can we attract all these businesses? This is a very exciting time to be trying to attract these kind of businesses. And what House Bill 3212 does would have the state be a partner in trying to attract some of these businesses. What it would do would be to provide in two different segments \$100 million that would be invested in technology businesses in two ways. Fifty million dollars would be through the traditional LINK deposit mechanism that we're all familiar with where we invest in local banks. Local banks would then invest in these technology-related companies. The other \$50 million of this would go into a technology fund which would be invested in companies that then invest in these technology-related businesses. We look at this as an investment that the Treasurer's Office would make, that they would be looking at the companies and analyzing the companies that would then put the money into the technology companies and analyzing them to make sure that we're getting that to the companies that are doing well. If this succeeds, as we have every indication that it will from the other states that are participating in this right now. We think this is something that would not only actually make money for the state in terms of the interest that we make back on the investment and the money we make back on the investment. But more important, we're trying to start up and help some of these technology-related businesses that would then provide some of the diversification of the economy that will help position us as a state to avoid some of the problems that we can see with economic slowdowns. I think this is a very exciting initiative. I think it's probably a long time coming. We tried to do something in this nature last year. I don't know of any organized

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opposition to the Bill, nobody testified in opposition to it. DCCA would like a role in this. They're neutral on the Bill right now. And we're working with them as we pass this over to the Senate to try to establish some kind of role for them to be involved in this process as they help analyze the companies that this would go to. I think it's an exciting Bill. And I would ask for your support."

Speaker Hartke: "Chair recognizes Representative Osmond."

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

Speaker Hartke: "To the Bill."

Osmond: "I rise in support of the legislation. DCCA has done a great job in increasing other technology areas for businesses coming into the state. With the University of Illinois, University of Chicago, Fermi Lab, Illinois produces some of the finest mines in the new tech area. We should be keeping those businesses here in Illinois. And I think this legislation would help attract new businesses, as well as keeping the new starting businesses that are going to be generated from our fine facilities. I would urge a 'yes' vote on this."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 3212?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3212, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. For what reason does Representative Garrett seek recognition?"

Garrett: "Thank you, Mr. Speaker. I would like to have the record reflect my 'no' vote on House Bill 3011 to a 'yes'

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vote. I made a mistake when I was voting."

Speaker Hartke: "Journal will reflect your wishes. House Bill 307... never mind. House Bill 3292, Representative Pankau. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3292, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker. House Bill 3292 is a Department of Revenue property tax language. This is the agency's Bill. The Amendments and the changes that are on this are the suggestions of the Department. And they basically do three separate things. They set the number of appraisers that the Department will have. It's currently set at 10 and the Department will determine how many that they're going to have. It changes a Section reference that deals with the valuation of farmland, and it consolidates all of the property tax changes requested by the Department into this one Bill. I ask for its favorable approval."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3292?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Scully. Mr. Clerk, take the record. On House Bill 3292, there are 115 Members voting 'yes', 0 voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 300, Representative Howard. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 300, a Bill for an Act in relation to the expungement and sealing of arrest and court records.

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Third Reading of this House Bill."

Speaker Hartke: "Representative Howard."

Howard: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I ask consideration for House Bill 300. It basically does two things; 1) it provides that if a conviction or sentence has been set aside on direct review or 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 order expunging the record of arrest from the official records of the arresting authority and order that the records of the court be sealed. The second part of this Bill creates an expungement program through the State Appellate Defender's Office providing information and assistance to persons eligible to have their record or their arrest or criminal history record information ordered expunged or sealed from official records. This Bill provides that the State Appellate Defender shall develop written materials to assist people through the expungement process that will be available in both printed form and through the agency's website. This Bill requires the State Appellate Defender to establish a statewide toll-free telephone number that a person may use to receive information or assistance concerning expungement. It further provides that the State Appellate Defender shall compile a list of volunteer attorneys willing to assist eligible individuals through the expungement process. I am able to take questions."

Speaker Hartke: "Is there any discussion? This Bill is on Short Debate. The Chair recognizes Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, I understand, you and I've talked about

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this legislation a number of times. Is there any law enforcement agency now opposed to your Bill, now that you made some changes to your legislation?"

Howard: "It is my understanding that there are none who are now opposed."

Parke: "There are none?"

Howard: "That is my understanding. None have come forth to say that to me."

Parke: "So, this is pretty straightforward. If they're proven innocent through some kind of a review of the case, that their records will be expunged and sealed. Is that correct?"

Howard: "That's correct."

Parke: "And this will allow them to get meaningful employment and be able to have productive lives?"

Howard: "That is exactly the intention."

Parke: "And the second part again was?"

Howard: "It has to do with the establishment of a program... an expungement program through the Illinois Appellate Defender's Office that will assist those individuals who had offenses that already are expungable."

Parke: "Is there an appropriation for this that you're gonna use, or is this coming out of somebody's current budget?"

Howard: "We are currently attempting to identify funding for this program."

Parke: "Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Parke: "I arise in support of the Lady's legislation. She has..."

Speaker Hartke: "House Rules do not permit demonstrations from the gallery."

Parke: "The Legislator has worked very hard to put it in a form

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that is acceptable to the law enforcement agencies that have to work with this, with the employers who need to know the background on employees that are in sensitive positions, so that they can make the proper hiring decisions. But the Lady has worked very hard. I believe that this is good, this is what the State of Illinois ought to be doing. And I will be supporting her legislation."

Speaker Hartke: "Again, this Bill is on Short Debate. There are three people seeking recognition. We expect to recognize one. Representative Winkel."

Winkel: "Thank you, Mr. Speaker. Just briefly to the Bill. The previous speaker pretty much covered the area that I wanted to remark on, as well. I want to compliment Representative Howard for her hard work. She brought a concept to the Judiciary Committee that she worked very hard to convince us that she was on the right track. She said that she would work on this Bill, hold it in Second, and she has. She's met with all the groups that were in opposition and she's done her homework and she now has a Bill that has no opposition. And I'm very proud to stand up in favor of your legislation. It makes absolute sense that if we're talking about people who are found factually innocent, that they're record should be expunged. Congratulations, Representative, you done a great job."

Speaker Hartke: "Representative Howard to close."

Howard: "Thank you very much for the kind remarks from my colleagues. I appreciate from all in the room a 'yes' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 300?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Mr. Clerk, take the record. On House Bill 300, there are 115 Members voting 'yes', 1 person voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Supplemental Calendar announcement."

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

Speaker Hartke: "Representative Hannig in the Chair."

Speaker Hannig: "Representative Monique Davis, for what reason do you rise?"

Davis, M.: "Thank you, Mr. Speaker. I would just like the Body to welcome a school from my district, St. John Fisher, they're up in the gallery. And we'd just like to give them a warm welcome to Springfield."

Speaker Hannig: "Welcome to Springfield. On Supplemental Calendar #2 is House Bill 2662. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 2662, a Bill for an Act in relation to pensions. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #4, offered by Representative Giles, has been approved for consideration."

Speaker Hannig: "Representative Giles."

Giles: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to adopt Amendment #4 to House Bill 2662. The Amendment has quite a few parcels, five points to the actual legislation: 1) it has a piece in the legislation dealing with the retired teachers can return to work for up to 150 days in a school year; 2) it has a pension upgrade for participants in the 1993 early retirement buyout; 3rd) it has free pension upgrades for teachers with at least 30 years of service. And also, we have a point in which it eliminates early retirement penalties for Chicago teachers who is three weeks short of

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35 years of service. And also, this amends the qualification of a survivor annuity. And I ask for its favorable adoption."

Speaker Hannig: "And on Amendment #4, Representative Parke."

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

Speaker Hannig: "Indicates he will yield."

Parke: "Representative, Amendments 1, 2, and 3; Giles, Durkin, and Wojcik to this Bill, are they incorporated in Amendment 4, because I understand Amendment 4 becomes the Bill?"

Giles: "That is correct. All of those items are incorporated."

Parke: "Have you changed any of the intent of Amendment 1, 2, or 3, in Amendment 4?"

Giles: "No, we have not, Representative Parke."

Parke: "And this Amendment... Is this... As the Speaker has always said that he likes to put a Bill out that has agreement with both sides, both the employee and the employer, is the Chicago teacher's pension system in agreement with this legislation?"

Giles: "Yes, they are, Representative Parke."

Parke: "And is the union... this is what the union has asked for for their employees?"

Giles: "That is correct."

Parke: "And what is the fiscal impact to the... Now, there's no... This is the Chicago teacher's system, do you know how well funded their system is?"

Giles: "I believe it is 100% financed. Representative Parke, I believe it is 100% financed."

Parke: "So, there's no opposition to the Amendment as it's presented?"

Giles: "That is correct."

Parke: "Thank you very much."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed

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'nay'. The 'ayes' have it, and the Amendment is adopted.
Any further Amendments?"

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

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

Clerk Bolin: "House Bill 2662, a Bill for an Act in relation to
pensions. Third Reading of this House Bill."

Speaker Hannig: "Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. House Bill 2662 has all of the items that I just
mentioned. This was agreed language. I believe the
Chicago Teacher's Union, Chicago Board of Education has
agreed to each item in the Bill. And I'll ask for its
favorable passage at this time."

Speaker Hannig: "And on that question, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. And to confirm on that, there
are two Republican initiatives in this, as well as three.
And so, this is a bipartisan support. I think it deserves
our uniform support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in
favor vote 'aye'; opposed 'nay'. The voting is open. Have
all voted who wish? Have all voted who wish? Have all
voted who wish? Mr. Clerk, take the record. On this
question, there are 116 voting 'yes' and 0 voting 'no'.
And this Bill, having received a Constitutional Majority,
is hereby declared passed. Mr. Clerk, would you read House
Bill 546, Representative Mitchell."

Clerk Rossi: "House Bill 546, a Bill for an Act in relation to
criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of
the House. Last year, May of 2000, three friends were just
going for a walk after a friendly game of tennis. On their

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walk, there was an accident and one person, Charles Healthenstein, from Decatur was killed, two other people were injured. The 22-year-old man had three prior convictions for drug and alcohol-related offenses at the time of the accident... at the time that he was driving with a revoked license. What House Bill 546 does was increase the penalty for reckless homicide in which a defendant was under the influence of alcohol or other drugs, excuse me, from a Class II felony to a Class I felony. I would request the House to pass this."

Speaker Hannig: "Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kosel, for what reason do you rise?"

Kosel: "Personal privilege, please."

Speaker Hannig: "Yes."

Kosel: "To let the Members know that the Community Economic Development Agency has got... hosting us for ice cream over on the side for those of you who haven't seen it yet. Thank you."

Speaker Hannig: "Thank you. Mr. Clerk, would you read House Bill 3241."

Clerk Rossi: "House Bill 3241, a Bill for an Act concerning municipalities. Third Reading of this House Bill."

Speaker Hannig: "Representative Ryan."

Ryan: "Thank you, Mr. Speaker, Members of the House. Simply put, this piece of legislation creates a task force to study other methods... or methods that other states are using in

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evaluating TIF districts. This piece of legislation arises from a dispute in my home district, whereby the school system is suing a municipality over a dispute in funds. I think this is a great step in a process. And I ask for your 'aye' vote."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3071, Representative Wirsing."

Clerk Rossi: "House Bill 3071 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Clerk, read the Bill."

Clerk Rossi: "House Bill 3071, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Speaker Hannig: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker and Members of the House. House Bill 3071 simply amends the Hospital Licensing Act and reduces the fees paid to the Department of Public Health in connection with construction plan reviews. Provides that estimated dollar values of the alterations, additions, or new construction that result in requiring Department review shall be annually adjusted to reflect the increase in construction costs due to the inflation. And this would be effective immediately."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote

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'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 1741."

Clerk Rossi: "House Bill 1741, a Bill for an Act concerning schools. Third Reading of this House Bill."

Speaker Hannig: "Representative Osterman."

Osterman: "Thank you, Mr. Speaker and Members of the House. House Bill 1741 is a Bill that will allow Chicago Public Schools, in lieu of using tax anticipation warrants, to be able to establish a line of credit to borrow funds, to cover operating expenses, only if needed, while they're waiting for tax revenues to come at the end of the year. Under this current law... Under the current law for tax anticipation warrants, they would have to provide... demonstrate why they would need the money, when they would lend the money... or send the money back, the amount of interest that would be paid, and instruct officers to conduct those loans. This Bill basically gives flexibility to the Chicago Public Schools in borrowing money if they need it while they wait for their tax revenues at the end of the year. I'll answer any questions. Thank you."

Speaker Hannig: "And on that question, Representative Parke."

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

Speaker Hannig: "He indicates he will yield."

Parke: "Representative, what kind of instrument is the public... Chicago Public Schools gonna use to borrow the short-term money?"

Osterman: "If this Bill goes into effect, they would try to go to

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a bank and set up a line of credit with a bank to pur..."

Parke: "So, there's no... It's just a line of credit, there is no bonds or..."

Osterman: "I think that... They would use those bonds to back it up, but they would set up a line of credit with the..."

Parke: "Mr. Speaker, I just cannot hear what he's saying at all."

Speaker Hannig: "Okay. Could we have a little order in the chamber, please? A little order."

Parke: "Are you using tax anticipation warrants or is it a combination of bonding? What are you using?"

Osterman: "They would look to set up a line of credit with the bank instead of using the warrants. And they would have to get approval from the Board of Education, there would have to be a Resolution current to the statute the way it is now, with approval from the Board before they would get the approval to proceed. But they would try to set up a line of credit with the bank."

Parke: "And give me an example of what... why this has come about. What problem are you solving by doing this?"

Osterman: "What the Board of Ed is trying to be is proactive. And according to the Board of Education, it takes 30 to 40 days to process a tax warrant right now. The last... Two of the last three years in Chicago, the taxes have come late. But because of surplus in the Board of Education funds, they have not been able... had not needed to borrow money. Chicago has gone through their triennial assessment and they're expecting to potentially this year, they may need to go to borrow at the end of the year. So, what they're trying to do is set up a system where they could have some flexibility in borrowing. If they have to borrow under the current system with 30 to 40 days, if they found out in October, say October 15th, they'd have to borrow

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money for December and January, they're gonna have to hedge to borrow how much they're gonna borrow. And w... The way this Bill was set up, if they went to get a line of credit, they would not have to hedge that 30 to 40 days. They could have a smaller window, which would allow them to know more specifically what they want to borrow."

Parke: "What is the interest rate for it? Is it 1 over prime, what is the interest rate that they've..."

Osterman: "I'm not sure what the current interest rate is. If this Bill was to go into effect, the Board could try to establish the lowest interest rate possible with the bank that would give them that loan."

Parke: "Is it lower than a tax anticipation warrant bond?"

Osterman: "I would say it would be equal to or lower. But that would be something that the Board would try to negotiate."

Parke: "Have you..."

Osterman: "This could save... Representative Parke, this could, in theory, save money. If they only had to borrow for two weeks or a month instead of trying to borrow for, you know, two or three months, this would give them that flexibility."

Parke: "Now, this only applies to the Chicago School System?"

Osterman: "Yes, it does."

Parke: "Why don't you apply it to all schools in the state?"

Osterman: "Well, that's a very good question. The Chicago Public Schools brought it to me in anticipation for a possible problem next year. If there is no problem, they won't have to use it. I would suggest to you and the Members of the House that if they need to borrow money, we can look at this as a trial and see how it works out in the City of Chicago. That's why it was only for the City of Chicago."

Parke: "Well, I'm not sophisticated enough to know which is the

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better vehicle to use. And so, perhaps someone might share that with me some time today or tomorrow. I'll be curious. The other thing is that, have you... is the Chicago Teachers Union in favor of you doing this, because it affects the credit of the system? Do you... Have you heard anything with the employee unions?"

Osterman: "The unions have not told me one way or the other. I would not see that they would be in opposition. This money can only be used for operating expenses. So, that would go to expense at the school, paying teachers' salaries, things like that, for a very short term until the tax revenues come in. It does not include any kind of capital improvements."

Parke: "Okay. Thank you, Mr... Thank you, Representative Ost..."

Speaker Hannig: "Yes, proceed, Representative."

Parke: "In closing, to the Bill. Ladies and Gentlemen, I understand what the Gentlemen is trying to do. I just have a question on if this is the best vehicle to use. But this is what he's presented to us. It is... it will cost money, so it is a fee increase of some sort to do this. So, you need to be aware of those of you that need to be sensitive to that issue. Thank you."

Speaker Hannig: "Representative Righter. Dale Righter."

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

Speaker Hannig: "He indicates he'll yield."

Righter: "Representative, and I didn't hear all of the questions and answers that Representative Parke posed to you, but how much money... or what kind of shortfall, in terms of cash flow, are the Chicago Public Schools facing?"

Osterman: "They're not facing, at this point, any. This Bill, though... If the taxes come in late. The tax revenues would start coming in in October, November. If those

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revenues are late like they've been in two of the last three years, they would need to borrow some money to cover their operating expenses. And this vehicle would allow them to do that for a very short term and repay it back at the lowest interest rate possible."

Righter: "So, each of the last two years, tax anticipation warrants have been issued?"

Osterman: "No, they have not sought tax anticipation issues (sic-warrants) because they have been doing a good job fiscally of saving money, there's been surplus. So, the taxes have been late. But what they've done, is because they've had surplus, they have not had to go to this vehicle. They would only use this if need be. This is a proactive move on the part of the Chicago Board of Education. They could sit back under the current system and wait and if need be, borrow for two or three months. What they're trying to do is use a vehicle where they could borrow only for what they need. And this would set it up."

Righter: "Each of the last two years, they've used part of their surplus. How much of their surplus have they used in..."

Osterman: "I don't know that."

Righter: "Well, I guess the reason I'm asking is to get some idea of..."

Osterman: "The dollar amount?"

Righter: "That's right."

Osterman: "The monthly revenues for... operating expenses for the Board of Ed, \$250 million. \$250 million is their average monthly operating expense."

Righter: "\$250 million is their average monthly..."

Osterman: "Operating expense."

Righter: "Okay. But you don't have a number within... So, you're talking about two months, then?"

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Osterman: "I'm saying, if they needed to borrow. What they've told me is their average operating expense for one month would be around \$250 million."

Righter: "So..."

Osterman: "So, in theory, if they had to borrow money for one month to cover those, they'd have to try to borrow \$250 million."

Righter: "What's the... I guess, the technical or mechanical reason why there is not a match between when the Chicago Public Schools need the money and when they're receiving their property tax revenues?"

Osterman: "I think it's just a mechanism of when the taxes are paid by citizens, having to go the Treasurer's Office, and having that money then come to the various agencies like the Chicago Board of Education."

Righter: "Is that something that can be cured by changing the fiscal year on which the school district operates, rather than establishing a kind of a continuous line of credit?"

Osterman: "That's something I don't know."

Righter: "Do you have any idea what kind of interest rates the Chicago Public Schools would be paying?"

Osterman: "Again, Representative Righter, as I mentioned to Representative Parke, I'm not sure what the interest rate is right now, but it would be equal to or lower than what they would get on the tax warrants. One of the things, though, also with the tax warrants, there are up-front fees that have to be paid. The size of the City of Chicago's Board of Education, there'd be a lot of, you know, lawyer's fees that would go into this. Hopefully, we'd be able to not have to pay those fees if this vehicle was set up."

Righter: "Okay. Thank you, Representative. Thank you, Mr. Speaker."

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Speaker Hannig: "Representative Currie. Barbara Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in favor of this Bill. First, to correct the record. An earlier speaker suggested that this is a fee increase. It is anything but. In fact, arguably, this would avoid the payment of fees, up-front fees, for tax anticipation warrants by the Chicago Public School System. This is a way to save money to make the books better, clearer, cleaner. The problem with the Chicago Board of Education is that we've had delayed property tax payments through the Treasurer Offices to local units of government in Cook County, including the Chicago Board of Education. This measure would in no way increase fees, it would reduce them. And it would make it possible for the Chicago Public Schools, if there is a delay in payments from the County Treasurer's Office, to borrow money only to the extent that is needed, paying lower interest charges, and saving the citizens of the people of Chicago... the citizens of Chicago a bundle of cash. So, if you are for clean and efficient government, if you want to reduce fees on taxpayers, not raise them, then you ought to be voting 'yes' on House Bill 1741."

Speaker Hannig: "Representative Jerry Mitchell."

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

Speaker Hannig: "He indicates he'll yield."

Mitchell, J.: "Representative, we discussed this Bill earlier and we talked about not only at a time when their money has not come in, but there are many times that there may be cash flow problems. This type of line of credit would certainly be less expensive than going the tax anticipation warrants, tax notes of any kind."

Osterman: "That's my understanding from the people that do this

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for the Board of Education, yes."

Mitchell, J.: "Well, take it from me, you're right, because it would be. There are fees on top of the interest rate that you will pay. Tax anticipation warrants are out there a little bit even further. So, the interest rate probably that can be negotiated by a school district the size of Chicago would be less than what they would for the normal person. So, you're gonna be better off. This is an idea and I have to give credit to Chicago Public Schools. In the past few years, they have done a good job of managing their money, done a good job of managing their budget and we have not had to come back to Springfield for a supplemental to pump money into the Chicago Public Schools, as was promised by Mayor Daley and Paul Vallas when we went through the Chicago Reform. This is not something that might work well for a very small district because they do not have the negotiating power, nor do they have the need. But some of the larger districts such as Rockford, Springfield, Peoria, down the road this may be a good idea. Chicago has taken the forefront in this and offered to be more or less a pilot. I think it's a great idea. I think it's something we should watch. And I definitely think it's something that will save us money."

Osterman: "Thank you."

Mitchell, J.: "So, I stand in support of your legislation, Representative."

Osterman: "Thank you."

Speaker Hannig: "Representative Osterman to close."

Osterman: "Thank you very much, Mr. Speaker. I would just like to say that this Bill is a proactive measure on the part of the Chicago Public Schools to look towards a problem that they may have. And if they do have it, they'll need to

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borrow money. They want to do it at the lowest cost, borrowing only what they need and paying it back in a quick time frame. It's a fiscally sound Bill. And I would ask for all of your support. I'd be willing to share the results with this Body, if they do need to borrow the money, for anyone else's reference. Thank you very much."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 74 voting 'yes', 41 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3157."

Clerk Rossi: "House Bill 3157, a Bill for an Act concerning public employees. Third Reading of this House Bill."

Speaker Hannig: "Representative Winkel, for what reason do you rise?"

Winkel: "Mr. Speaker, on a point of personal privilege."

Speaker Hannig: "State your point."

Winkel: "I'd like to introduce the fourth grade class from Holy Cross School in Champaign. They're visiting us today. Could you give 'em a warm welcome."

Speaker Hannig: "Welcome to Springfield. Representative Collins is recognized on House Bill 3157."

Collins: "Good afternoon, Mr. Speaker and Members of the House. I rise to... for support of Amendment (sic-House Bill) 3157. And what this Amendment does is it rewrites the Bill. The Amendments create a new Act known as the Public Employee Candidacy Act. The new Act contains similar provisions in the original Bill. It prohibits a public employer from penalizing one of its employees because the

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employee is a candidate for public office. Specifically, the Amendments prohibits a public employee... employer from terminating, demoting, reprimanding, or in any other way, disciplining a public employee as a consequence of the employee's candidacy for public office. I would like to ask for a favorable vote."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 505."

Clerk Rossi: "House Bill 505, a Bill for an Act in relation to planning. Third Reading of this House Bill."

Speaker Hannig: "Representative Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 505 is a Bill that has been worked on now for the better part of two years. What it would do in its essence would be to allow the... creates the Local Planning Technical Assistance Act and it would allow DCCA to provide grants to units of local government for them to be able to do land use planning. This is something that came out of the urban revitalization hearings that were held back in 1999 as we went around the state and found that a lot of smaller municipalities, a lot of counties, didn't really have the ability to do any land use planning. Other objections to the Bill last year, in fact, the Bill failed in the House last year, but we made some substantial changes to the Bill and took out many of the... or most of the objectionable parts to it to the extent that the

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realtors who were dead against the Bill last year are now neutral on the Bill. The homebuilders still have some concerns with the Bill. I've looked at their concerns and I'm very confident that in the Senate we're going to be able to address every one of the concerns that they've listed. Mr. Ward from the Homebuilders Association, when I asked him, would it be fair to make the representation that they were fine with it leaving the House and then it would be... we would work on all of the things that they'd suggested, and he said that was fine. I think this is a long time coming, as all of us are facing issues that we keep reading about all the time in terms of urban sprawl and the need to do land use planning. There are certain counties who have done very good land use plans like Boone County near Rockford, for example. But I think this is something that has a long time been coming for the state, something that'll be necessary for us in the future. And I think now that we've continued the work on this Bill, we've made it a better Bill because of the objections that are there and we've made it something that can be very workable. And I would ask for your support in this and just let you know that the Governor's Office has committed some dollars to this, so this is one of those unusual examples where we're asking to create something new, but there actually is the money to back it up this year. I would ask for your support."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Parke, do you stand in opposition?"

Parke: "Only to the degree that I just want to confirm the commitment made by the Sponsor to work on this. So, if the Sponsor'll yield."

Speaker Hannig: "Proceed, Representative."

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Parke: "Representative, isn't it true that the major concern that the homebuilders have on this is that they want this to be under the control of DCCA and your initiative, initially, is to put it into local planning boards to be responsible for that? And isn't that the kind of... one of the major rubs right now with this legislation?"

Scott: "Well, I'm not sure that's entirely accurate, Representative Parke, because under our Bill, it is under DCCA. DCCA are the people that are going to administer these grants. And DCCA's actually fine with this legislation the way that it is now. In fact, we actually made a couple of changes that the homebuilders now have some concerns with in response to things DCCA wanted us to do. So, no, we're not really... the way that this would operate would be, units of local government would make application to DCCA for this assistance and then DCCA would review those applications and decide whether or not to be able to give those grants under it. So, DCCA's got full control under the way this is written."

Parke: "Well, it's my understanding that there could be environmental groups that could ask DCCA for it, also. So, it's not just DCCA controlled. I mean, there is a system of requesting funding from the system, right?"

Scott: "Right. And now I understand where the objection is. I think one of the major objections in talking to Mr. Ward about this, is that... actually, at DCCA's request, it wasn't in the original Bill that we had put forth. But actually at DCCA's request, they had asked that not-for-profits be allowed to apply for these grants. And so, that would fit what you just described, that environmental groups or planning commissions, MPC or NIPC, for example, could make application for that. That's

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something that... you know, as I said, that wasn't in our original Bill and we've agreed to work on that with the homebuilders. And I think there's... I absolutely think there's a way that we can make this... make that work to address the concerns of the homebuilders."

Parke: "Okay. Well, it's not just the homebuilders, but the realtors expressed concern, also. But you've sort of worked with them to help..."

Scott: "Right. And a lot of the language in this Bill, Representative, I want to commend Julie Ward from the realtors because she worked with us very long and hard and made sure that we got their concerns addressed in that. And so, a great deal of the language that's here... And in fact, on the focus of the debate last year, all of the stuff that was objectionable that was the focus of the debate is now gone and changed at the request of the homebuilders with language they've got. So, actually, their opposition is completely gone from this and they're fine with the Bill in the form that it's in. But they'd like to see us also address some of the other concerns that you talked about."

Parke: "Thank you. To the Bill, Mr. Speaker. I have confidence in the Sponsor's word. He has given it to the homebuilders that he will work to find an agreeable solution in the Senate. And with that, I no longer have any objections to it. And it looks like the realtors are neutral and the homebuilders are neutral with the agreement. So, I will support your legislation."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Lang, do you stand in opposition?"

Lang: "No, I support the Bill. But I did want to ask one question of the Sponsor."

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Speaker Hannig: "Okay. Proceed with your question."

Lang: "Representative, is this your last Bill?"

Scott: "With any luck."

Lang: "Well, then, I may have a few more questions, Mr. Speaker."

Speaker Hannig: "Proceed, Representative."

Lang: "Now, Mr. Mayor, you're leaving us to go on to what I heard was greener pastures, I'm not so sure. I understand that there's something in this Bill about sensible planning. Are you in a position to know what that is?"

Scott: "Well, no, that's why we need the help, Representative. This Bill will provide the help to units of local government."

Lang: "Well, what support will the City of Rockford give to this planning that you want to be doing with this Bill?"

Scott: "Actually, you know, Rockford could apply for something like this, but I'm not really sure that Rockford are the areas that are being aimed at here. We're looking at some of the areas that are... that have very rapid growth, that maybe don't have the planners on staff already, or some of the economically disadvantaged areas that can't afford to have the planners. Rockford actually has a very fine planning staff, I'm very happy to report to you. Thank you."

Lang: "Well, is it possible that when you introduced this Bill, it was with the idea that this would help Rockford at the exclusion of other municipalities in the State of Illinois?"

Scott: "Never my intent to be exclusionary to anybody, Representative..."

Lang: "Are you in..."

Scott: "And the language is not exclusionary at all."

Lang: "Are you interested in working with the Village of Skokie

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or Lincolnwood that I represent to help their planning, as well?"

Scott: "Oh, absolutely."

Lang: "Why is it you're in such a darn big hurry to leave us, Representative?"

Scott: "You know, it was just... it seemed like the thing to do at the time. I don't want to leave you, Representative, but I have these... And actually, I won't be leaving you, because I'm gonna be like other mayors and come down here with my hand out asking for things for my city."

Lang: "And we'll be happy to have you come and visit us. But don't visit me, I have nothing to do with the budgets, at least today. Thank you."

Scott: "Thank you."

Speaker Hannig: "Representative Parke, for what reason do you rise?"

Parke: "Well, I mean, I had commitments to the Representative that he would be able to work and compromise this in the Senate. But if this is his last Bill, I mean, the Mayor... Hey, Mayor, are you going to be able to continue to negotiate this from the Mayor's Office in Rockford or what?"

Scott: "I think it'd be a... Well, first of all, I think we can get the concerns finished up ahead of time before I actually leave the august Body. But in the event that that doesn't happen, Representative, I'll commit to you that I'll actually come down here and help to try to work on these concerns and get 'em done."

Parke: "Well, that's good enough for me. Thank you for the courtesy, Mr. Speaker."

Speaker Hannig: "Representative Miller."

Miller: "Will the Sponsor yield?"

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Speaker Hannig: "Yes, he indicates he'll yield."

Miller: "I just had a question, Representative. Now, essentially, this is just a funding mechanism for organizations or governmental entities that want to do planning?"

Scott: "Yes."

Miller: "Okay. And as far as the decision of their planning, is up to that individual group?"

Scott: "Yes."

Miller: "My concern centers around the third airport just... to be honestly... if some group decides we don't want to... we want to keep this as open land and open space... Oh, I'm sorry. If some group wants to decide that this is... just wants to keep this as open land, open space with... then they're entitled to or how does that... Help me out with this..."

Scott: "And that goes to something that Representative Parke asked about. The concern was that if you... And this was DCCA's request, actually, to open it up beyond units of local government. That wasn't actually the way that we had originally drafted the Bill. The concern is that you need to have units of local government be involved in this planning process. And I think one of the things that we'll work out is to have a unit of local government actually be the person... or the entity that's going to either make the application or going to be responsible for..."

Miller: "I can't hear."

Scott: "... or be responsible for the planning process. So, in the instance that you just described, if the Village of Peotone, for example, or if Will County wanted to make application for some assistance in land use planning, they could make that application but I'm not interested in..."

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And that's why I'm making the commitment to work this out. I'm not interested in trying to fund other different groups who might have another agenda other than trying to develop a land use plan for their area. So..."

Miller: "I guess what I'm saying is the land of Peotone... Village of Peotone does not want a third airport. However, there may be, obviously, entities that are interested in it. And how does that play out within each other to say that, well, we think it's a good idea to do it? Because, obviously, they're gonna say, well, this is open space that, you know, we need to keep these..."

Scott: "But see, they could do that now, Representative. I mean, if Will County... Boone County did it, for example. Kane County's done it, where they developed their own land use plan. And the people that are on the county board have developed their own areas that they want to be developed and areas they don't. Units of local government can do that right now. What we're saying is, there are a lot of governments in fast-growing areas that maybe don't have the staff or the technical expertise because they haven't had to have it yet, or there may be depressed areas throughout the state that don't have the planning expertise 'cause they can't afford it. And that's what this is designed to help them out with. So, I don't... I'm not sure, in that example, that's something that would be a real viable example for something that would happen here. Now, if Will County wants to do that and they don't think they have the expertise for it, they could file an application with DCCA to try to get some assistance here. But whatever the planning decisions are that are made, they're gonna be made by the unit of local government. And however those plans are implemented, they're gonna be done by the unit of local

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government just as they are right now."

Miller: "Okay."

Scott: "So, the state's not dictating to any of these areas what you have to have in the plan, what things you have to do, in order to get this money. That was part of the Bill last year that drew a lot of objection. And that's all been... that's all gone right now."

Miller: "But this still... This Bill does provide funding for private entities or just units of local government, is that..."

Scott: "Well, that's in the Bill right now, but that's one of the things that I made the commitment to Representative Parke that we're gonna work on when it goes over to the Senate. Because I think it needs to be focused on units of local government."

Miller: "Okay. And what was the reservation of the Homebuilders Association?"

Scott: "That was one of the major reservations. And then, they've got a couple of more technical changes on wording. But as I said to Representative... And I've got a sheet that lists what their objections are, if you want to see them... but I... on all of those. I'm very confident we'll be able to work 'em out."

Miller: "Okay. All right. Thank you."

Scott: "Thanks."

Speaker Hannig: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. A question for the Sponsor. Will the Gentleman yield?"

Speaker Hannig: "He indicates he'll yield."

Schoenberg: "Mr. Scott, you indicated that this is your last Bill, that's correct?"

Scott: "Well, you never say last, you know. I mean, there's

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always a chance."

Schoenberg: "Well, I'd like to follow up, then, on Mr. Lang's earlier line of questioning. Mr. Scott, I know that... I wanted to ask if there were any items in your possession that you might be leaving behind since you'll be going. I noticed that you'll have an extra slot on this Bill for a Sponsor. In the event that this Bill is still moving while you're gone... I know you're not gone yet, but would it be possible to claim that fifth spot on your Bill if, in fact, the Bill's still moving while you're gone?"

Scott: "It's already full, Mr. Schoenberg."

Schoenberg: "Right. But assuming that you're gone and this Bill is still working its way through the process.."

Scott: "Want to erase all memory of me from the chamber, is that..."

Schoenberg: "No. But speaking of memory, Mr. Scott, I wanted to ask you if you have a computer in your office that's property of the state, because I could use a computer in my office here. And I was wondering if you would be giving that to your successor or if I could make claim to that after you leave?"

Scott: "I've been informed, Mr. Schoenberg, that... by the esteemed Chief Clerk, Mr. Rossi, that the vultures have been hovering around my office looking for any scraps, furniture, computers, other accessories. So, I assume that there will be much to pick over once I'm gone."

Schoenberg: "All right. So, all the good furniture, all the sophisticated computer equipment, everything that you broke the bank on with your district office allotment and moved into your office here, all that is spoken for is what you're saying?"

Scott: "Except the pictures of Rockford. I'm gonna take those

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back with me."

Schoenberg: "All right. So, there's... You're not gonna leave anything of value, is that what you're saying?"

Scott: "I would have left some Cubs tickets, but you said anything of value. So, I don't know that we can do that."

Schoenberg: "All right. So, just memories. So, your memories would be the only thing of value. So, if we were, in fact, to claim the sponsorship of your Bill after you left, there really... it would have been as if you were never here, is that correct?"

Scott: "As some would probably like it to be, yes."

Schoenberg: "Okay. Well, I'd like to rise in support of the Bill and thank the..."

Scott: "Thank you."

Schoenberg: "...Gentleman for his patience."

Speaker Hannig: "Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Durkin: "Representative Scott, I'm looking through our analysis and it says it allows DCCA to make sensible planning grants. Could you explain to me the difference between a sensible and nonsensible planning grant?"

Scott: "That would be planning grants that make sense versus ones that don't."

Durkin: "Well, it's a good answer. All right..."

Scott: "No, actually... I mean seriously, Jim, there is a definition for what sensible planning is. And there's actually some minor wording changes that the homebuilders would like us to make, we're gonna make."

Durkin: "Who would determine something which is sensible? Would it be DCCA, would they make..."

Scott: "Yes."

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Durkin: "All right. I know you're moving on to bigger and better things. This is kind of like your swan song here in the House. You know, end of the road, victory lap. My only question is, is this... I know you're moving to Rockford, I don't know if this legislation is... what you're intent is, but are you trying to redirect the efforts of the third airport up at the Rockford area?"

Scott: "Am I trying to do what to..."

Durkin: "Are you trying to redirect the efforts for a third airport to Rockford with this legislation?"

Scott: "Absolutely."

Durkin: "Absolutely not?"

Scott: "But not through this legislation."

Durkin: "All right. Well, I wish you luck Scott... Mr. Scott, Representative Scott, Mayor Scott. Doug, congratulations."

Scott: "Thank you, Jim."

Durkin: "And I plan on supporting your Bill."

Scott: "Thank you."

Speaker Hannig: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Well, Mr. Mayor, we have saved the worst 'til last. This atrocity... But that aside, let's not even talk about that. We have more important things to talk about. Who is going to replace you in the outfield for the House softball team? That is the problem. And don't give me an idea that 'noodle knees' Dart is going to be out there."

Scott: "Well, he'll be out there for a half an inning until he gets hurt again."

Brunsvold: "Yeah, yeah, until they get wobbly. But I really need to know, who is going to take your place in the outfield, Judy Erwin? Not 'Devon' McCarthy, either."

Scott: "Not 'Devon'."

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Brunsvold: "Not 'Devon'. 'Devon' is too valuable at shortstop."

Scott: "That's right."

Brunsvold: "Would you make..."

Scott: "Mr. Brunsvold, last year you were as successful as the coach for the first time in a 'coon's age' of a successful House championship in the game. So, we will leave that to your estimable skills as a manager."

Brunsvold: "Can we maybe, you know, kinda sneak you in the outfield? You think the Senators would even realize that you've left?"

Scott: "Well, I would guess... If the game follows directly after naptime for the Senate, then I would guess that maybe they wouldn't be as aware and maybe we could sneak me in. Lou Lang suggests Ricca Slone for left field."

Brunsvold: "We'll try to do that. Thanks, Mayor."

Speaker Hannig: "Representative Mathias."

Mathias: "Representative Scott, I have a misconception I have to ask you about. You know, after having served eight years as a mayor and then my third year here, why in the world would you want to leave this august Body to become a mayor when you're down here?"

Scott: "Well, after we passed all this good legislation helping cities out today and the civic centers and the planning and... I figured it's a good time now to go back and take advantage of some of those things we've... you've helped us with."

Mathias: "Well, I did want to say, in the last term, we worked together on the Urban Revitalization Committee, you were the Chair and I was the Minority Spokesman. And we worked very well together on some of those Bills. In fact, this is one of the Bills that is a result of that. And I know we will continue to work together even if as a mayor."

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And I wish you good luck in your new position."

Scott: "Thank you. And thank you for all your help on this legislation, Representative Mathias."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "He indicates he'll yield."

Black: "Representative, is there anything in the underlying legislation that deals with zoning?"

Scott: "No, Representative. I mean..."

Black: "Indirectly."

Scott: "...units of local government could ask for the planning assistance. They either will have or won't have their own zoning ordinances just the same way they do now. So, there's not anything that's going to make it... you know, that's gonna change that."

Black: "Could a regional plan impose zoning on a municipality that did not want it?"

Scott: "No."

Black: "The reason I ask you this; some years ago, my home county had a regional planning commission. People were divided over that and they abolished it by referenda. And I think there's only one or two communities in my home county that have a zoning ordinance. And any time you talk about a county zoning or county planning, it generates considerable opposition. And I want to make certain that some regional planning consortium wouldn't be able to, for example, in neighboring counties say, well, in order to really plan effectively, Vermilion County has to be included. And Vermilion County may say, no thank you, we don't want anything to do with it. There isn't anything in your underlying Bill that could bring a county into this

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planning consortium without their expressed consent?"

Scott: "No."

Black: "All right."

Scott: "No. And in fact, you know, exactly the opposite. What you're trying to do are help units of local government that want to do this and aren't able to, rather than trying to impose something on people who don't want it."

Black: "All right. Is there any extraordinary power in the underlying legislation that would grant a city in Winnebago County condemnation rights for land to expand an airport?"

Scott: "No. But if you're willing to make that Amendment, I'd certainly entertain it."

Black: "Well, I think the third airport... I think the Rockford International has a good ring to it, don't you?"

Scott: "I agree, wholeheartedly."

Black: "Certainly closer to me than Gary, Indiana."

Scott: "We were just making that very pitch to Secretary Mineta in Washington a couple weeks ago."

Black: "Well, all right. I do appreciate your response and certainly wish you well on your new job. And I do appreciate the fact that you have cleared up what... I had gotten a few phone calls and they were concerned, legitimately, that this would somehow include them whether or not they wanted to be included. And that is not in the Bill."

Scott: "And here's how I'd envisioned it working. You know, a unit of government, say a county, wanted to do this. And they may not have all the municipalities that are on board with it, but nothing that they do is goin... in this Bill, nothing that... any of the assistance they get to actually do a plan will take away any of the ability of any of the units of local government to exercise their own authority

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that they have right now. So, you want them on board because, if your plans are going to work, you obviously want everybody included. But nothing would stop anybody from exercising their own authority."

Black: "So... And that's a very good point. Let's say you have a large county seat that wants to disseminate traffic in a different direction. And to do that, they need to run that road through a small town five miles down the road. And the small town says, I don't think so, no thank you, we don't want a four-lane road through our town. You're gonna have to find another route. They could say, no..."

Scott: "Sure."

Black: "... we don't want this traffic to flow into our town?"

Scott: "Sure."

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

Speaker Hannig: "Representative Slone."

Slone: "Thank you, Mr. Speaker. I rise in support of Representative Scott's Bill and to thank him for his leadership on these issues. We'll miss you on the next growth task force, Doug. Appreciate your generosity and the fact that you were willing to share your smarts and political savvy with me when I was your office side neighbor, first few years I was here. We'll miss you and we wish you the best of luck."

Speaker Hannig: "Is there any further discussion? Representative Scott to close."

Scott: "Well, thank you. I'll try to be brief and I appreciate the belated hazing six years later, but that's good. The fact of this is... and want to be serious about it because I think it is a serious Bill. And we have done a lot of work on this with the help of the realtors and the help of the homebuilders to clear up and really change the focus of

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the Bill from what it was last year. I think it's a good piece of legislation that fits in very well with the overall planning that we need to do in the state. And I think that with the agreement to keep ... continue working with the homebuilders will make an even better Bill. And I ask for your support. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 505 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bost, for what reason do you rise?"

Bost: "Thank you, Mr. Speaker. I was inadvertently voted as a 'no' on House Bill 3011. I would wish to be recorded as an 'aye' on that."

Speaker Hannig: "And the Journal will record your intentions. Representative Brady, for what reason do you rise?"

Brady: "Thank you, Mr. Speaker. On previous Bill... House Bill 3157, I'd like to be recorded as a 'yes'. My switch was not functioning at the time."

Speaker Hannig: "The Journal will record your intentions, Representative Kenner, for what reason do you rise?"

Kenner: "Thank you, Mr. Speaker. I, too... There's a malfunction with my voting machine over here. And I voted... inadvertently voted 'no' on that last Bill. I'd like to be recorded as voting 'yes'."

Speaker Hannig: "Okay, the Journal will reflect your intentions. Mr. Clerk, would you read House Bill 2110 for Representative Tenhouse."

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Clerk Rossi: "House Bill 2110, a Bill for an Act concerning higher education student assistance. Third Reading of this House Bill."

Speaker Hannig: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2110 increases ISAC's current statutory debt ceiling for the Illinois Designated Account Purchase Program from 2.1 billion to \$4 billion. This is a very, very important issue, certainly it'll allow ISAC to be able to continue to purchase or originate 180,000 additional loans for Illinois students. Now, the last time this debt ceiling was raised was in 1997. And unfortunately, we've reached the limit. So, we all know how important higher education is and we also realize how difficult it is to finance that. This will help a lot of students be able to attend school here in Illinois."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 2382. Excuse me, Mr. Clerk, would you read House Bill 1094."

Clerk Rossi: "House Bill 1094 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No further Floor Amendments have been approved for consideration."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read the Bill?"

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Clerk Rossi: "House Bill 1094, a Bill for an Act regarding taxes.

Third Reading of this House Bill."

Speaker Hannig: "Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1094, it amends the Property Tax Code to provide, that in counties that are less than... counties less than 3 million people, a copy of the notice for application of sales shall be mailed to any lienholder for record less than 15 days before the date of the application for tax sales. House Bill 1094, it also provides, that a lienholder of record may pay the taxes and costs due at any time before the property is sold at a tax sale. I ask for a favorable vote for this piece of legislation. And any questions, we can refer those to Representative Novak."

Speaker Hannig: "Thank you. The Gentleman has moved for passage of House Bill 1094. This Bill's on the Order of Short Debate. Representative Black, do you stand in opposition?"

Black: "Thank you, Mr. Speaker. An inquiry of the Chair."

Speaker Hannig: "Yeah. State your point."

Black: "Yes. Would the Clerk check, to see, if Floor Amendment #2 was added to the Bill?"

Speaker Hannig: "Mr. Clerk, could you give us the status of the Amendments?"

Clerk Rossi: "Committee Amendment #1 has been adopted to the Bill. My records reflect that Floor Amendment #2 remains in the Rules Committee."

Black: "All right. Would the Sponsor yield?"

Speaker Hannig: "Yes, he indicates..."

Black: "Representative, it was my understanding that there was to be a Floor Amendment on this Bill to accommodate some Member's Bills of a similar nature. Has that changed?"

Giles: "Yes, Representative. That Amendment was tabled. We

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couldn't get agreed language, so we decided to leave that off."

Black: "Okay. So this is the Bill, as you originally introduced it, a county treasurer's Bill, Community Bankers' initiative, with no known opposition?"

Giles: "That is correct."

Black: "Fine. Thank you very much."

Speaker Hannig: "Representative Novak, for what reason do you rise? The Bill's on Short Debate."

Novak: "I understand, Mr. Speaker. I'm just rising in support, and assisting Mr. Giles. I appreciate him taking the sponsorship of the Bill. As Mr. Black indicated, there's no known opposition. This is a Community Bankers' Association initiative, and involved with the county treasurers. There was a slight Amendment to address some concerns by the County Treasurers Association. And ask my colleagues to support this good Bill. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1825. Representative Hassert."

Clerk Rossi: "House Bill 1825, a Bill for an Act in relation to the cremation of animals. Third Reading of this House Bill."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the House. This 1825 creates the Animal Cremation Act. It just simply requires provider of animal cremation service prepare and

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distribute written explanation of service. I'll be happy to answer any questions."

Speaker Hannig: "This Bill is on the Order of Short Debate. Is there any discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 1975 for Representative Novak?"

Clerk Rossi: "House Bill 1975, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hannig: "Representative Novak."

Novak: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As I indicated yesterday, when the Amendment was adopted, House Bill 1975 is an initiative of a special task force on mobile home taxation enforcement, convened by Secretary of State Jesse White last year. The Members of the task force consisted of Legislators, as well as individuals..., Legislators from both sides of the aisle; Mr. Moffitt and myself, as an example; Legislators from the Senate, as well as local government officials; county treasurer from Macon County was involved among other people; supervisors of assessments from around the state; other county treasurers; representatives of the manufactured home industry, housing industry, the Taxpayers Federation, Mr. Bramlet, was the cochair of the committee; the Department of Revenue; and the Home Builders Association of Illinois. One of the issues that the task force addressed was the difficulty in collecting delinquent

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mobile home privilege taxes. As you know, mobile home privilege taxes were imposed sometime after the 1970 Constitution was ratified by the people, in lieu of a substitute, because of the abolition of the personal property tax from the 1970 Constitution. One of the issues that was addressed was the difficulty in collecting delinquent mobile home privilege taxes. Under the current law, if you live in a mobile home or what we commonly refer to now, as a manufactured home, and many of those homes cost somewhere up in the neighborhood of even a hundred thousand dollars, commonly referred to, as doublewides with over a thousand square feet. Some of them are very expensive. If you do not pay your mobile home privilege tax in the State of Illinois, and this is outside of Cook County, because if you live in Cook County, and if you live in a mobile home park, whether it's a manufactured home or an old mobile home, you don't pay any privilege taxes; but for the rest of the State of Illinois, you do. And if you don't pay them, the only means by which the county is able to collect those delinquent taxes is to go to the State's Attorneys Office, and have the state's attorney file the lien, on that mobile home. That's the only way. As you well know, state's attorneys are encumbered with a lot of responsibilities, let alone trying to collect 50 or \$100 from someone who hasn't paid their mobile home privilege taxes. They have much more important things to do. What this Bill simply does, is allows for the sale of mobile home privilege taxes, exactly the same way or very similar to, and I'll get into the details of the Bill a little bit later, the way we sell real estate taxes in Illinois, when your taxes become delinquent on your property, whether it's a home, a commercial entity, or a large industrial

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business. That's what this does. It allows the county treasurers of each county, outside the County of Cook, to sell mobile home taxes at a tax sale. So, I'd be more than happy to answer any questions."

Speaker Hannig: "This question is on the Order of Short Debate. Representative Turner, do you stand in opposition?"

Turner, J.: "I think I'm for it, but I have some questions, if he would yield."

Speaker Hannig: "Yeah. Okay. Proceed Representative. The Gentleman will yield."

Turner, J.: "Thank you. Representative, the first question I have is, what was the pejorative comment you made about the state's attorneys?"

Novak: "Pejorative?"

Turner, J.: "Yes."

Novak: "Well, they have a lot of things to do, Mr. Turner, other than chase around somebody's mobile home because they... chasing around the owner of a mobile home because they failed to pay their privilege tax. They can file a lien in their local circuit court, and put a lien against that property."

Turner, J.: "Well, that's all right, as long as you're not including former state's attorneys with your disparaging comments. But, let me move on really to the Bill itself. You said it's going to be handled much like you would handle regular real estate taxes aren't paid..."

Novak: "Correct."

Turner, J.: "But, in that situation, taxes are sold. Is there not a lien put on the property just as what is occurring, under current law, with mobile homes?"

Novak: "No. Under current law, when, let's say... Let me just go through the scenario here. Under current law, for a piece

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of real estate... if you're delinquent on taxes and you're notified by certified mail, and by publication in the newspaper, if you fail to pay those taxes, your taxes are sold at a tax sale. Once your taxes are sold at a tax sale, you have an opportunity to redeem those taxes for the amount of the taxes, and whatever fees the tax buyer paid, in addition to the interest that was negotiated at the time of the tax sale. So, this is very similar to what this process is now for the sale of property taxes."

Turner, J.: "Okay..."

Novak: "Delinquent property taxes."

Turner, J.: "There will be... Are you saying there'll be a sale?"

Novak: "There will be a sale."

Turner, J.: "Okay. I'm just wondering. Are there going to be any interested purchasers?"

Novak: "Oh, yes."

Turner, J.: "Okay. So, you think there's a market for this?"

Novak: "Oh, yes."

Turner, J.: "Obviously, there's a market for the purchase of real estate taxes, 'cause ultimately the tax purchaser may end up with the real property, or get paid 18% every six months. Are those provisions applicable to this situation, then?"

Novak: "Yes. Correct. Yes. Up to 18%. Correct."

Turner, J.: "Okay."

Novak: "As I indicated, Mr. Turner, I think the public's perception of mobile homes, I think that perception has gone out the window now. I mean, we still have mobile homes that are on four old tires, you know, somewhere around Illinois, quite a few of those. But we have many, many manufactured home communities in this state that are developing more as time goes by, and they run up to a

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hundred thousand dollars, some of them."

Turner, J.: "All right. So those... the manufactured homes are sort of slipping through the cracks then, and this would pick those up?"

Novak: "Manufactured homes fall under the Mobile Home Privilege Tax Act."

Turner, J.: "Well, as I recall, I had forgotten until you just mentioned it, but the Logan County treasurer had, in fact, contacted me several months ago with this very question. So, it sounds like you're addressing it. Moving on then. There would be a sale. The successful bidder, of course, would bid in at whatever percent, more than likely, 18%. Would there be a right of redemption for the delinquent mobile home taxpayer?"

Novak: "Absolutely."

Turner, J.: "Just like it's done for the sale then of real estate taxes, as far as redemption."

Novak: "Absolutely, Mr. Turner."

Turner, J.: "Are there any differences then, in the method for collecting real estate taxes from what you are setting forth for the collection of these delinquent mobile home taxes?"

Novak: "Well, there's some counties, I know my county, and Kankakee when I was treasurer, we had a separate billing system for collecting mobile home privilege taxes. Other counties vary in how they collect it. The problem is, that the collection rates, they vary widely, from county to county, around the state. And that's the reason why we put this task force together, is to make sure that the local governments get the money they're due."

Turner, J.: "Okay. Suppose we have a successful bidder, there's no redemption, the person ultimately should end up with the

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title. Now, how do we get the title transferred? Does it require a court order?"

Novak: "Well, the title would be transferred through the Secretary of State's Office, because they control this aspect of the sale of mobile homes. But in addition, as you know, if you're a tax buyer, and you buy my taxes on my house, and I fail to redeem within that 2 1/2-year period, I believe, as I recall, you go to circuit court, and you get a tax deed. You are issued a tax deed on my house. And it's the same thing, as it applies to a mobile home."

Turner, J.: "Right. Right. So, in order to get the title, you'd have to go to court, the court..."

Novak: "To get the tax deed."

Turner, J.: "... would order it, and you would either get the title, I guess, by making the owner transfer it to you, or the Secretary of State could take care of the transaction."

Novak: "Yes."

Turner, J.: "Sounds like a good Bill to me, Representative."

Novak: "Thank you, Mr. Turner."

Speaker Hannig: "Representative Novak to close."

Novak: "Ladies and Gentlemen, I think we've put a lot of work into this over the last year, and I want to say thanks to Tim Bramlet, Bill Foster with the... that represents the County Treasurers Association, the Manufactured Housing Industry, the Department of Revenue, and the Home Builders Association. I would ask my colleagues to please support this fair and equitable legislation."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 88 voting 'yes', and 25 voting 'no'."

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And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 1712."

Clerk Bolin: "House Bill 1712, a Bill for an Act concerning school funding. Third Reading of this House Bill."

Speaker Hannig: "Representative Mitchell (sic-Myers). Representative."

Myers: "Thank you, Mr. Speaker. House Bill 1712 is a Bill that amends the School Code. It's a technical correction that the State Board of Education is requesting to help ease the ramifications of the double whammy. At this time, I would like to yield the microphone to Representative Jerry Mitchell, who can explain the Bill further, and will answer questions for the Bill."

Speaker Hannig: "Okay. Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The double whammy Bill that we passed out of this General Assembly a couple of years ago was a very good Bill and has helped a lot of districts. There's a technical correction that needs to be made. And it simply takes out language on page 9, I'm sorry, page 13 of the Bill, line 6, 'and if the available local resources of that school districts, as calculated pursuant to subsection (d), using the base year are less than the budget of 1.75 times the Foundation Level of the budget year', all of that language will be struck. Also struck, will be line 21, 'last calculated extension limitations Equalized Assessed Valuation'. And in its place put, 'Equalized Assessed Valuation last used in the calculation of General State Aid'. And basically, what they're saying is, we want to use the lowest EAV possible. The lowest EAV possible is the last used in calculation. However, because of a

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drafting error, we must use the last calculated. And that's higher. And what's this do for us? Well, basically, last year for example, the intent of the law was well known by those that were responsible for the double whammy Bill. They used the intent of the law, hoping that they could finally get the correction made so that it would not impact on school districts. The difference being, if we don't use the last used calculated EAV, and use the last calculated EAV, basically, school districts across the State of Illinois, and most in the collar counties would lose \$2,644,959. It has no affect on Chicago one way or the other and there's no way that it would take money away from Chicago. But other Cook would lose 782,723, and would affect 29 districts. Collar counties would lose \$1,573,527, and it would affect 45 districts. Downstate would lose \$288,709, and it would affect 15 districts. There are a total of 89 districts affected. And primarily, with the change, everything stays as it is now. If we do not make this change, then we have to ask those districts to pay back that amount of money, which would be very, very detrimental to those school districts. From this day on, from the time we pass this legislation, it will be calculated using that lowest EAV. And that certainly was the intent of the legislation. I'd be happy to answer any questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Does anyone rise in opposition? Representative Crotty."

Crotty: "I think I'm going to be supporting this Bill. I just wanted to ask the Sponsor one question."

Speaker Hannig: "Yes. Proceed with the question."

Crotty: "Okay. So my understanding is, the way that it was written, as the State Board sees it, is that it in fact, it

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still... looking at the real EAV, without really recognizing that many districts are under a tax cap, so that is the EAV that we should be using. Because, in fact, that is the double whammy. Correct?"

Mitchell, J.: "You're absolutely right, Representative. And that was not the intent of the legislation. The intent of the legislation was to use the last EAV in the calculation. That just hasn't happened the way the words fell."

Crotty: "Exactly. To the Bill. I'm in strong support. And I'm so thankful that we had a record of the debate on the double whammy last Session, so that none of the districts would have lost any state aid that was really due them. And I want to thank the State Board of Ed for bringing this, to make sure that that's clarified, so there are no errors in any of our schools getting their money. Thank you."

Speaker Hannig: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Brady, for what reason do you rise?"

Brady: "Thank you very much, Mr. Chairman. Our previous Bill, House Bill 1975, I'd like to be recorded 'no'. I inadvertently pushed 'yes' on the previous Bill, 1975."

Speaker Hannig: "The Journal will reflect your intentions. Representative Mitchell, we'd like to call House Joint Resolution 27. Would you like to explain that to the Members? Mr. Clerk, you have an announcement?"

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Clerk Bolin: "Supplemental Calendar #4 is being distributed."

Speaker Hannig: "Representative Mitchell is recognized on House Joint Resolution 27."

Mitchell, J.: "Thank you, Mr. Speaker. I'm sure everyone in the House is aware of the fact that we had a very tragic situation on the Island of Hainan, with 24 of our GIs being captured more or less, forced to land there after colliding with a Chinese jet. Among those 24 young men were two from Illinois, one from Poplar Grove, and one from Geneseo. The young man from Geneseo happens to be a Marine. We're concerned... and there was a female GI, as well. So, we have both men and women, and I certainly don't want to misconstrue the record. We have a Resolution going to the President of the United States urging their release as quickly as possible. I'd like to send that to the President. I'd also like to get the... this is a Joint Resolution, that the Senate is going to join us, and we're going to get this off as quickly as possible. And I'd appreciate the entire Body voting with me on this Resolution."

Speaker Hannig: "And on the Resolution, Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. I know this is of deep concern to everyone in this chamber, as it should be. You know, when we see things on the news, at first we can certainly be concerned. And our heart immediately goes out to the people that are detained, to those soldiers who are protecting our freedom, and for their families knowing what a terrible load it is for those families. When I saw this on TV, I was immediately taken by that, but then it gets closer to home when you find out some of these soldiers are from Illinois. It gets even closer yet, when you find out they're from your own district. And the one from Geneseo,

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I guess, technically's in my district. It's where Representative Mitchell and I, our district go together. It's certainly a helpless feeling. This is one thing, by all joining in on this we can do to express our concern. I know they'll be in all of your thoughts, and your prayers, and hope they will continue to be. Many people serving in this chamber have also protected our freedom and served in the armed forces, sometimes in combat situations, so you know first hand the seriousness that we have here. But I compliment Representative Mitchell for getting this Resolution together, and we hope to deliver this to the family to express the concerns of this entire chamber, but it really comes close to home, when it's a soldier, right there from your own district, as this person is from my district. So, I'm sure it'll receive unanimous support. But keep them in your thoughts, your hearts, and your prayers. Thank you."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in support of the Resolution. And would simply move, that with permission of Representative Mitchell, that all Members of the House be named as cosponsors."

Speaker Hannig: "The Gentlemen has agreed to that request. Representative Bost."

Bost: "Thank you, Mr. Speaker. I rise in support of the Resolution. How this just cuts to the heart of everyone of us that have ever served in the military, and we know the chances that we take, and in this situation. And I commend Representative Mitchell. Representative Mitchell, for those of you that don't know, is also a... was a... is a United States Marine. Because, once a Marine, always a Marine. We've got a motto in that, and that is 'never

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leave a fellow Marine behind'. And I think this is a clear statement from that respect. We don't leave 'em behind, we stand up for 'em, and we try to bring 'em back home."

Speaker Hannig: "Representative Mitchell to close."

Mitchell, J.: "Thank you, Mr. Speaker. Certainly, no one expected such a tragic accident. I have some real strong feelings on this particular Resolution. My heart goes out to the families of the young men and women that are being held captive. It has serious overtones for the United States, and I, at this time, you know, wish the President well in the negotiations. But more than anything else, and I know you join me, we pray for the safe return of the men and women that are serving in the armed forces to keep us safe. Thank you, Mr. Speaker."

Speaker Hannig: "Those in favor of the Resolution, say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Schoenberg, for what reason do you rise?"

Schoenberg: "Thank you, Mr. Speaker. I was inadvertently recorded as being 'absent' for House Bill 1741. I would like the official record to reflect that I wish to be recorded as voting 'yes'. Thank you."

Speaker Hannig: "The Journal will reflect your intentions. Mr. Clerk, would you read House Bill 2502?"

Clerk Rossi: "House Bill 2502, a Bill for an Act concerning an East St. Louis teacher's academy for math, science, and technology. Third Reading of this House Bill."

Speaker Hannig: "Representative Art Turner."

Turner, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. This Bill... actually, Amendment #1 changes the Bill, and it changes the name from the Math, Science Academy in East St. Louis, to the Southwest (sic-Southwestern) Illinois Teacher's Academy for

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(sic-Math, Science, and Technology) for East St. Louis. And basically, it helps to establish a math teacher academy in the East St. Louis Area. This academy will be similar to the academy that we have in the City of Chicago that teachers attend to help improve their overall skills in the math and science area. And I move for the adoption of House Bill 2502."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Parke, do you stand in opposition?"

Parke: "Yes, I do."

Speaker Hannig: "Okay. Proceed."

Parke: "Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Parke: "Representative, you said the name... one of the Amendments changed the name of this from..."

Turner, A.: "Right. Amendment #1 changed it from the East St. Louis Math, Science, Academy to the Southwestern Illinois Teacher's Academy for Math, Science, and Technology."

Parke: "Thank you. Why is the Illinois Community College Board opposed to this?"

Turner, A.: "I don't know."

Parke: "Do you know how much this is going to cost to establish this, Representative?"

Turner, A.: "Well, the State Board of Ed's... Well, I should say, the academy in Chicago costs about 8 million a year. I'm not..."

Parke: "Eighty what?"

Turner, A.: "Eight million a year is what it costs for the academy in Chicago, and I would think that it would be a lot less for this academy in East St. Louis."

Parke: "Is there any criteria for the students going into this?"

Turner, A.: "This is not for the students, this is for the

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teachers. It's for those teachers that teach math, science, and/or technology. So, it's basically to help to make the teachers better. That's the same... We have one of those academies in Chicago which does the same thing right now. As you know, because of the advances in the technology today, it's a little hard keeping up. And so, this is just allows us the ability to bring teachers up to speed."

Parke: "Why can't they go up to the one that's already established?"

Turner, A.: "It's in Chicago."

Parke: "Yes."

Turner, A.: "This is going to be in Southwest Illinois, and it'd be a little hard for them to get up there. We can make it a lot easier, and probably a lot less expensive, if we do it right there in that community."

Parke: "Are they going to build a facility?"

Turner, A.: "Are they going to build a facility?"

Parke: "Yes."

Turner, A.: "There's enough vacant buildings there in the East St. Louis Area that they could probably use. But they will not be building a building. No."

Parke: "Will you house people there?"

Turner, A.: "House people?"

Parke: "Will the teachers be housed there? Will they spend Monday, Tuesday, Wednesday, Thursday, and Friday, in a motel, or a hotel, or on a structure to be built?"

Turner, A.: "Well, there's not going to be a structure built. The board would determine how that's going to operate. They do not house the teachers. No. And actually the fact that we're putting the academy in that community makes it a lot easier. The teachers we want to help are the teachers

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in the East St. Louis, and southwestern part of the state. And so, by creating the academy there it makes it a lot easier for them to be trained. There'd be no need to house them because they can go there during the day, and come back in the evenings, and go to their respective homes."

Parke: "Will they take off school to do this? Is this a..."

Turner, A.: "I would say, no. Well, a sub would take their place. So, if they take off school, then there would be a substitute teacher who would take their place. But even there, the absence of the teacher, if the teacher is getting, you know, going to take classes which is going to make he or she a better teacher, I think, in the long run it makes sense."

Parke: "Thank you. Mr. Speaker, to the Bill."

Speaker Hannig: "Yes."

Parke: "I must rise in opposition to this legislation. I understand what the Sponsor of the Bill is trying to do. But, quite frankly, the Illinois Community College Board is in opposition to this. Also, the Community College Trustee Association is opposed to this. I just don't know if this is achieving what the Sponsor wants. I understand the need, but I'm not sure that you're going to get the kind of attendance that is necessary to achieve what the Sponsor wants. It'll be an additional expense that may very well take away from the institute that we have in Northern Illinois. And I don't know if you have appropriations for this to make it up, but if you don't, it'll probably mean money has to come out of the current system. I just don't think that the state is ready for this legislation, and would encourage the Body to vote 'no' on it."

Speaker Hannig: "This Bill is on the Order of Short Debate. Representative Parke has spoken against. Representative

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Turner has presented the Bill. The Chair now recognizes Representative Turner to close."

Turner, A.: "Thank you, Mr. Chairman. The previous speaker, and I respect him very much, I think he's a little off base in terms of how this academy would operate. I think that the overall goal in terms of making teachers better, is going to make the school system better, which means that we all benefit in the long run. There's a need for educational opportunities, and certainly, improvements in all of our communities, East St. Louis notwithstanding. And we think that this academy will go a long way in terms of... in the long run making the school system better for everybody. And I move for the adoption of House Bill 2502. In regards to the opponents and proponents, I have no knowledge of the Community College Trustees, or the other organization that he mentioned, in opposition. There was nothing in my file on it, and I don't see the correlation between their opposition and what we're trying to do with this Bill. And I'd move for the adoption of House Bill 2502."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2502. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 63 voting 'yes', and 53 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3073 for Representative Turner."

Clerk Bolin: "House Bill 3073, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 3073 requires that the fines imposed on truck drivers

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by Home Rule units for size, weight, and load violations, shall not exceed the fines authorized in the Illinois Vehicle Code. Be glad to answer any questions."

Speaker Hannig: "Representative has moved for the passage of House Bill 3073. This Bill's on the Order of Short Debate. Does anyone speak in opposition? Anyone in opposition? Representative Dart, are you in opposition?"

Dart: "Mr. Speaker, if the Sponsor could possibly just explain the Bill just a little bit more. I could be in opposition. I could be a proponent. I don't know, he was so quick."

Speaker Hannig: "Representative Turner, could you accommodate the Members by explaining the Bill a little bit more?"

Turner, J.: "Well, now. I always get accused of talking too slowly. And now, Representative Dart says I spoke too quickly. I think I can explain it, Representative Dart. It basically says, that if a truck driver is overweight, that a municipality, whether Home Rule or not, will not be able to impose a fine that exceeds what is authorized in the Illinois Vehicle Code. That's all the Bill does."

Dart: "So that means then if a municipality decided that they want to fine trucks for being overweight at a higher level than what the state does, that this would prohibit that then?"

Turner, J.: "Correct. You're right on it."

Dart: "I'll tell you what, I was always an issue spotter in law school. John, has there been opposition from the municipalities, do you know, on this, or the counties?"

Turner, J.: "Let me look at my analysis, Representative Dart. Well, you know, the analysis says that there are no known opponents, at least at the time that this was drafted. I have to believe, though, that there would be Home Rule municipalities would be opposed to this, even though it

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doesn't say so."

Dart: "Do you... John, do you know whether or not there are a large amount of municipalities, Home Rule units, that are... that do have fines that exceed the state amount?"

Turner, J.: "I don't know from personal knowledge. It's hearsay and in some instances, it's double hearsay, but if you'll permit, I'll tell you what I've heard?"

Dart: "Tell me all about it."

Turner, J.: "Thank you, Representative. Midwest Truckers, who has asked us to go forward with this Bill, indicates that many municipalities do this, that many times that the fines are exorbitant. That it has become for some municipalities, rather than a deterrent to being overweight, or a deterrent to a violation being committed, nothing but a revenue-raising source, which of course is wrong. That's not the intention of the fine scheme. It's intended to deter. It's not intended for municipalities to fine exorbitantly, and thereby raise more revenue, and indeed, start making that part of their regular and annual budget. And that's what's happening, at least, that's what I'm advised."

Dart: "And I wouldn't put it by some municipalities to operate like that. The only, I guess, concern I have is that we are removing the ability of locals to administer within their own area. And I, myself, and I'm sure you have to, I can tell you personally, within the City of Chicago, I've seen what the roads, what has happened to them, and primarily it's from trucks driving on them, it's not primarily cars, and how they have caused a great deal of problems with the roads. And that's a very expensive proposition. So, if in fact, a municipality, or county, or a Home Rule unit has decided they want to fine somebody for

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being overweight, I don't know if I necessarily'd want to take that right away from them, because they're the ones that might be ending up holding the bag, as far as having to pay for the roads that were destroyed. So, as I said, I appreciate what you're attempting to do here, but as I say, my concern is we're taking away the ability of the locals to administer their own area, to deal with the problems that may be caused by overweight trucks. And as I said, I just don't know if that's what we should be doing right now, given what some trucks have done to it. And also given the fact as I said, and I understand you're being candid with me, not having any specific examples of the incidents where they have done this. So, for that reason, I'll be opposing this Bill. Thank you."

Turner, J.: "Well now, Representative Dart, I really need your help on this Bill. I need you to vote with me, because I need to get this Bill moved out of here. Couple of things I'd like to respond to."

Dart: "Sure."

Turner, J.: "What is occurring many times is that the municipalities are enforcing the weight restrictions on state roads, state roads funded by the state, maintained by the state, yet the municipality takes the money. So the argument that these fines are being used in order to maintain or repair these roads, in many instances does not hold water, because these are state roads. And it's just a revenue-raising scheme for the municipality."

Dart: "So, then... But this Bill then, would just say that they cannot exceed the state fine level, on state roads only?"

Turner, J.: "It isn't confined to state roads only, but this is occurring many times, on state roads only."

Dart: "And I understand your example there. It makes sense. But

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I guess, if your Bill said just that, saying that they can't do it on state roads, that on roads, that are in fact, monitored by them and paid for by them, I guess, it would make more sense what you're saying, but I'm not denying what you had said now. I could see where they would be doing something along those lines, but your Bill not saying that, that it's saying that for all the roads, they cannot do that. That's, I guess, where my problem comes about."

Turner, J.: "Yes. Well, I understand that, but it does address the specific problem that I just indicated. And also, you asked for an example. I'm advised that one municipality, for example, is charging a \$1 fine per pound of overweight. And for example, if you took a 25 hundred overweight violation, the fine under the statute, would be about \$135. But the municipality would be charging..."

Speaker Hannig: "Representative, could you bring your remarks to a close, please?"

Turner, J.: "This is unreasonable and it's unconscionable. And we need to stop that practice. And I need your vote, Representative Dart."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. Representative Turner has spoken in favor. Representative Dart has spoken in opposition. Representative Turner to close. Representative Turner to close."

Turner, J.: "I would appreciate 'yes' votes. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 63 voting 'yes', and 50 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Excuse me. Pardon me? Excuse me. Representative Mathias, for what reason do you rise?"

Mathias: "I had previously filed a Home Rule note on this, and I believe, I may be mistaken, that this Bill preempts Home Rule; therefore, it would need a majority of 71."

Speaker Hannig: "Representative, I don't think anyone raised that issue during the debate."

Mathias: "And I tried calling you, and I also did file a Home Rule note."

Speaker Hannig: "Representative, the notes apparently had to be satisfied for the Bill to move to Third Reading."

Mathias: "It's on, Mr. Speaker."

Speaker Hannig: "Representative Hamos."

Hamos: "Mr. Speaker, we were waiting in line, some of us, to make the inquiry, the parliamentary inquiry, as to whether this needed 71 votes or not, and you refused to call on us. Now, we were standing here the entire time during that debate, and you wouldn't even call on us for a parliamentary inquiry."

Speaker Hannig: "Representative, when the committee puts a Bill on Short Debate, the House Temporary Speaker will follow that rule unless someone asks to take it off Short Debate."

Hamos: "Well, you wouldn't even call on us to make the inquiry, or to take it off of Short Debate."

Speaker Hannig: "If you wanted a Bill off Short Debate, and you're not recognized, you can come to the podium, and we will be happy to recognize your request, on either side of the aisle. Representative Lang, for what reason do you rise?"

Lang: "Well, Mr. Speaker, whether or not somebody made the parliamentary inquiry relative to whether it needed 71 votes, it is what it is, whether somebody asked the

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question or not. And if the Bill preempts Home Rule, it requires 71, and I would ask the Chair to so rule now."

Speaker Hannig: "Representative Wojcik."

Wojcik: "Mr. Speaker, I just want to be recognized, and I would have voted 'no' had I had the opportunity. So, please record me as 'no'."

Speaker Hannig: "Thank you, Representative. Representative Turner, for what reason do you rise?"

Turner, J.: "I really don't think I need to address the Chair unless you're going to change your prior ruling. And if the Chair's indicating that you're not, then won't make any argument."

Speaker Hannig: "Representative, the Bill was on the Order of Short Debate. No one asked that it be removed from Short Debate. No one asked that it takes a three-fifths rule. We took a vote. The Chair declared that the Bill passed. Representative Burke, for what reason do you rise?"

Burke: "Thank you, Speaker. Having voted on the prevailing side of that last issue, I vote to reconsider the vote."

Speaker Hannig: "The Gentleman moves that we reconsider the vote by which House Bill 3073 passed. And on that question, Representative Black."

Black: "Thank you very much, Mr. Speaker. I believe the Motion has to be in writing. Since... I don't believe he did. I move to Table his Motion."

Speaker Hannig: "Okay. The Gentleman moves that the Motion to Reconsider lie on the table. All in favor of the Motion... Yes... All in favor that the Motion lie on the table vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 51 voting 'yes', and 63 voting 'no'."

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And the Motion fails. And now, on Representative Burke's Motion to Reconsider. Those in favor of reconsidering the vote by which House Bill 3073 passed vote 'aye'; those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? This requires 60 votes. Mr. Clerk, take the record. On this question, there are 60 voting 'yes', and 51 voting 'no'. And the Motion prevails. And the Bill is reconsidered. Representative Turner's now recognized on House Bill 3073. Representative Lang, for what reason do you rise?"

Lang: "Mr. Speaker, first, I would ask that this be taken off of Short Debate... tfh;7 Speaker Hannig: "Okay. It's off Short Debate." tfh;7 Lang: "...being joined by hundreds; second, I would ask for a parliamentary ruling that this Bill requires 71 votes."

Parliamentarian Uhe: "Representative Lang, on behalf of the Speaker and in response to your inquiry, House Bill 3073 preempts Home Rule in a manner that premits concurrent regulation by Home Rule units, and therefore, this Bill requires 60 votes for passage."

Speaker Hannig: "Okay. Let's proceed in this manner. We're going to recognize Representative Turner. The Bill's now on the Order of Standard Debate, and then we'll go to a Roll Call. Representative Turner."

Turner, J.: "Mr. Speaker, on the advice of counsel, I'm kind of worn out. I'd like to save this for a little bit later, and call it, maybe later this afternoon or tomorrow."

Speaker Hannig: "Out of the record. Mr. Clerk, read House Bill 1914."

Clerk Rossi: "House Bill 1914, a Bill for an Act concerning elections. Third Reading of this House Bill."

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Speaker Hannig: "Representative Hamos. Representative Scully."

Scully: "Thank you, Mr. Speaker. House Bill 1914 is an Amendment to the Election Code, to remove the requirement that capital letters be used for the printing of the names of the elected officials. And also, to allow that a single question can be phrased for the entire list of candidates. What we're dealing with here is the butterfly ballot. Now the butterfly ballot acquired a great deal of fame down in Florida, but in Cook County we also had a similar problem with the butterfly ballot, on the ballot for the retention of judges. Now, many of you were standing outside polling places on election day and greeting your friends, and your neighbors, as they were coming out of the polling place. Those of you from Cook County experienced the same reaction that I had from my friends, asking why did the ballot have to be so confusing for the retention of judges? And the reason is because under current law, next to each candidate's name, there must be a precise question of the question for that particular candidate. This is a mock-up of what the butterfly ballot looked like in Cook County. Under this proposal, under the current law, the question should... whether a certain person be retained in the Office of Judge of the Circuit Court of Cook County, has to appear nine times for each of the nine judges, both in English, and in Spanish. This is meaninglessly redundant, and causes confusion to the voters. Under the proposal of House Bill 1914, that question of whether or not that person should be retained, will only be asked once on each page of the ballot. This will go a long way towards helping the voters understand that the ballot... and will improve voter participation the electoral process. I'd be happy to answer any questions. I also appreciate

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Representative Hamos for her hard work on this project to help us make the process more workable for our voters."

Speaker Hannig: "This Bill's on the Order of Short Debate.

Representative Black, do you rise in opposition?"

Black: "Mr. Speaker, I don't think so. Would the Sponsor yield for questions?"

Speaker Hannig: "Yes, he indicates he'll yield."

Black: "Representative, does this Bill impact all counties, or only the County of Cook?"

Scully: "Representative, it impacts all counties, but it gives each county the option of retaining the current structure or using this new structure proposed by 1914."

Black: "All right. So, my home counties could choose to do this. Obviously, we don't have the number of the ballot that you picked up. They could choose to do it this way, or they could choose to continue to do it the way they always have. Right?"

Scully: "That's correct."

Black: "Okay. Now, on the Cook County butterfly ballot that has been in use for years... and the poor State of Florida followed Cook County's lead, and then got in all kinds of trouble. What are you seeking to do differently? I mean, you know, you have what, dozens and dozens of judicial retention candidates on the ballot? How many pages? Do you have any idea how many pages would be on a Cook County judicial retention ballot? I would assume several."

Scully: "It was seven pages with nine candidates per page."

Black: "Okay, and so, the Bill is changing this to do what? I mean, what exactly is the change?"

Scully: "Under the current law, the question, 'Shall George Scully be retained for the office of judge?'"

Black: "All those in favor signify by saying 'aye'; opposed

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'nay'. In the opinion of the Chair, the 'nays' have it.
Sorry, George."

Scully: "The question, 'Shall David G. Lichtenshein be retained in the Office of Judge of the Circuit Court of Cook County Judicial Circuit. That has to appear next to every candidate's name in English and in Spanish. The exact same question appearing next to every person's name. Instead of simply asking the question, 'Shall each of the persons listed be retained in the Office of Judge of the Circuit Court of Cook County?' Simply ask that question once on each page."

Black: "And then the names listed under?"

Scully: "The name of each of the ..."

Black: "So you... you're re... You're reducing a tremendous number of... a lot of verbage, that now appears on the ballot, correct?"

Scully: "A tremendous amount of redundant verbage appears which, I believe, discourages people from reading it."

Black: "Okay."

Scully: "If we simply have this question stated once on each page, in English and in Spanish, and then have the list of candidates. The voter can vote 'yes' or 'no'..."

Black: "Okay."

Scully: "... to that question for each candidate."

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

Scully: "Thank you, Representative."

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

Speaker Hannig: "Yes, Representative. State your point."

Black: "Is Cook County a Home Rule county?"

Speaker Hannig: "It's my understanding it is, Representative."

Black: "Does this Bill usurp the Home Rule powers of the County of Cook?"

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Speaker Hannig: "Representative, I'm not certain how..."

Black: "I'm not certain either."

Speaker Hannig: "... this Chair can answer that question."

Black: "I just want to make certain that we are not usurping the powers of the county to the north, and I want to make certain that the County Clerk of Cook, David Orr, is in complete agreement with this. You know, I mean, generally we leave the ballot construction up to the local election officials. It appears that with this, we may be usurping the power of the election official of the County of Cook. And that's a Home Rule county. I don't know where David Orr is on this Bill. I really don't."

Speaker Hannig: "Representative, perhaps you could ask the Sponsor."

Black: "Representative, do you know, is the County Clerk of Cook in favor of this Bill or has he even been contacted?"

Scully: "Yes, he is in favor. And as we discussed... David Orr is in favor of this Bill."

Black: "Okay."

Scully: "And as we discussed earlier, it gives the option of all of the counties in the State of Illinois, the option of retaining the current system or shifting to this."

Black: "Okay. Okay. Now, when we do something like this, Representative, my initial reaction, and understand, I am not in opposition to the Bill. I intend to vote for the Bill. But in light of recent discussion, it appears to some people that you are usurping the power of a Home Rule county. And we just want to make sure that this does not require an extraordinary majority, and that the powers of Cook are in agreement with this. So,... and I don't know the question on Home Rule about Cook County, whether or not this would require an extraordinary majority, because we

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are usurping... Well, let me ask you that question. In your opinion, are we usurping the Home Rule power of the County of Cook to determine how their ballot shall be construed?"

Scully: "Representative, if the Bill had required that all counties must use this new system, that could possibly be a usurpation of their power. But because it is optional, it is clearly not a usurpation of their power, and clearly doesn't..."

Black: "All right. Good point. Good point. So, in other words, if the County Clerk of Cook wants to do this, he can. If he or she later decides, no, I like the way it is, he or she can leave it the way it is?"

Scully: "That's correct."

Black: "Fine. That answers the question. Thank you."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Dale Righter, do you stand in opposition?"

Righter: "Mr. Speaker, for reasons of potential conflict of interest, I'll be voting 'present'."

Speaker Hannig: "Okay. Thank you, Representative."

Righter: "Thank you."

Speaker Hannig: "Is there any further debate? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2298."

Clerk Rossi: "House Bill 2298, a Bill for an Act concerning child support. Third Reading of this House Bill."

Speaker Hannig: "Representative Wojcik."

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Wojcik: "Thank you, Mr. Speaker. House Bill 2298's current law provides that parents are liable for the support of any child under age 18. This Bill expands the liability and provides that the parents are also liable for any child aged 18, who is attending high school, until that child graduates from high school, or attains the age of 19, whichever is earlier."

Speaker Hannig: "This Bill is on the Order of Short Debate. Representative Black, do you stand in opposition?"

Black: "No, Mr. Speaker. Just a question for clarification."

Speaker Hannig: "She'll yield."

Black: "Representative, I've had tremendous problems in my district with child support, and I need to just clarify one part of this Bill. It says 'high school graduation'. Now, is there an age limit? I mean, I don't want to get in a position where somebody just doesn't graduate from high school, and the custodial parent says, well I know Johnny's 26, but he still goes to high school, so you're still going to pay."

Wojcik: "Representative, the age limit is 19."

Black: "All right. So, at 19, or high school graduation, whichever would come first?"

Wojcik: "Correct."

Black: "Now, would this take the place of a court order? If the judge would say until the age of 18, and then the support order would cease, would this kick in and say, au contraire, you'd have to graduate from high school to make the order stop?"

Wojcik: "It's not applied retroactively. It'll just be placed with each new order."

Black: "Thank you very much, Representative."

Wojcik: "You're welcome."

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Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 849 for Representative Kenner."

Clerk Rossi: "House Bill 849, a Bill for an Act relating to public labor relations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Rossi: "House Bill 849, a Bill for an Act relating to public labor relations. Third Reading of this House Bill."

Speaker Hannig: "Representative Kenner."

Kenner: "Thank you, Mr. Speaker. House Bill 849 amends the Illinois Public Labor Relations Act. It provides that the bargaining units of employees certified by the State Labor Relations Board, retain full rights under the Act, even if the total number of employees employed by their local government employer falls below the Act's threshold number of 35. If you have any questions or any reservations at this time, I'm going to defer over to Representative Steve Davis. Otherwise, I would ask for your support. Thank you."

Speaker Hannig: "Yes. This Bill's on the Order of Short Debate. Representative Black is recognized. Are you in opposition, Representative Black?"

Black: "Thank you very much, Mr. Speaker. I do rise in opposition to the Bill."

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Speaker Hannig: "Okay."

Black: "Would the Sponsor yield?"

Speaker Hannig: "Yes, he indicates he'll yield."

Black: "All right. And I believe the questions are to be reflected to Representative Davis. Representative, given the census figures, and the fact that I come from a county that lost more population than any county in the State of Illinois, I don't understand this Bill. If you entered into a contractual arrangement, and you had 35 employees, and if the population has dropped so significantly that you suddenly find yourself with 5 employees, there may not be anything to bargain. I mean, the governmental unit... and under existing law, the governmental unit would say, look we're going down the drain, and we're not going to, you know, we're just going to disband the union and hopefully, hang on. But if this Bill passes, no matter how dramatically your population decreases, and your number of employees decrease, you would have no way to eliminate the bargaining unit. I mean, and I'm not trying to make it easy to eliminate the bargaining unit, I'm just saying that the reality of rural Illinois means that you could have a bargaining unit of 35 people 20 years ago and now, next year you could have a bargaining unit of 3."

Davis, S.: "That's true, Representative Black. That could happen. And you're assuming that even a bargaining unit of 3, cannot bargain with a local government, which I would say that they still could, in good faith, bargain with the local government. Just because it's only 3 people, does not mean that there's good-faith bargaining that cannot occur. So, I... And I do agree with you. Yes, even if it goes down to 3, under this Bill, they... the mayor and the city council cannot disband the bargaining unit because

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this has happened in the past, where existing State Law does state, that if you have 35 members, you can form a bargaining unit. Unfortunately, what has hap... and it was not clarified when they passed the current law, that 35 members could form a bargaining unit. There was no clarification in our current law that said if that falls below the 35 number therefore, you can disband the bargaining unit without a sayso of all the members in the bargaining unit. And that's why we have drafted this legislation. Because, you can understand a scenario, Representative Black, where 35 or 36 employees have a vote to form a bargaining unit one day, and then two weeks later, one year later, one month later, a mayor who may have disagreements with members of that bargaining unit says, okay, I'm just going to lay off 3 people. I'm going to bring that bargaining number down to 34 and disband the union. And then, two weeks later they hire them back, and then they go through the same process again of getting the cards, forming the bargaining... You understand what I'm saying. And that is what we're trying to get away from doing, in this legislation."

Black: "No. And I wouldn't have any problem with that, whatsoever. And I think, if that kind of chicanery was involved I would think that bargaining unit would then have recourse under the National Labor Relations Board. If a municipality pulled a fast one, simply to disband a bargaining unit, I'm not sure that that decision would stand. And if I'm wrong, I'll certainly stand corrected. My only fear is, under this Bill, it doesn't recognize the realities of rural Illinois. For example, what if a town decides to drop its charter, and drop its incorporated status, and just go out of business as an incorporated

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city? And I wouldn't be surprised in the next three or four years, a dozen or more decide to do that."

Davis, S.: "Has that happened before, because I just do not know that you can do that as a... I guess you could, and become under county government, or township government, and disband as a local government... local incorporated government. I'm not aware that that happens, but maybe it does happen. If that would happen, I would suggest, like any other corporation, that they are not tied to the existing bargaining... collective bargaining agreement."

Black: "Yeah. All right. Thank you very much, Representative. I appreciate your forthright answers. Mr. Speaker, I have no intention, and I would not support any community using chicanery by layoff, to get under the 35 threshold, disband the bargaining unit, and then in a month or two, hire 2 or 3 people back, and say, ha ha, now we're going to renegotiate the contract. I would think, that if that happened, there would be some recourse through the NLRB. I may be mistaken. My only fear about this Bill is that in case where population drops from 5 thousand people, to 1 thousand people, and the resultant work force of that community were..."

Speaker Hannig: "Representative Black, could you bring your remarks to a close."

Black: "If the resultant work force were to drop from 35 down to 5, I don't know if that community would even have much to bargain. I don't want to deny anybody their rights to bargain collectively, but again, this sets a threshold that many communities, unfortunately, I wish it wasn't the case, but in reality with our loss of population in rural areas, this may put a burden on small communities that they simply can't meet. And I understand that the bargaining unit may

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be able to vote to disband, but at some point a governmental unit must have the authority to make some decisions on their behalf, as well. All right. Thank you for your indulgence, Mr. Speaker."

Speaker Hannig: "Okay. This Bill's on the Order of Short Debate. We have one in favor, and one in opposition. Who's to close on this Bill, Kenner, or Davis? Who wishes to close? Representative Kenner to close? Representative Davis to close?"

Davis, S.: "Yes, thank you, Speaker, Ladies and Gentlemen of the House. Just let me reiterate, one more time, what this Bill is about. A situation did occur in my legislative district where a small town of a population of 2,000 had a 35-member collective bargaining unit. The mayor had laid off 2 people, which brought it down to a 33-member collective bargaining unit and the mayor refused to recognize the union as a viable collective bargaining unit. The city attorney went along with the mayor and the city council on this, and they disbanded the union, and they shut off all negotiations. I think... And I understand Representative Black's concerns on the Bill. However, I do think that it is a stretch to assume that a five-member bargaining unit in any town or any city, would hold that town up for money that they don't have, and money that they cannot afford to hire them. When we're talking about small cities, we're talking about our neighbors who are working for the city government. Everybody in these small communities know the people who are working for the street department. They know the police. They know the firemen. So, I don't think that we should fear the fact that we have a public employee collective bargaining rights in the State of Illinois. We should protect them, and that's what this

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Bill does. I would encourage an 'aye' vote on the Bill.
Thank you very much."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 70 voting 'yes', and 44 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 2204 for Mr. Mitchell?"

Clerk Bolin: "House Bill 2204, a Bill for an Act relating to certification of school personnel. Third Reading of this House Bill."

Speaker Hannig: "Representative Jerry Mitchell. Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker and ... Gentlemen of the House. I bring you House Bill 2204. It's a Bill that you've heard several times before, one that I have now carried for the past three years. And it sets up an independent certification board that would take care of certification of teachers throughout the State of Illinois. There's been much debate on this particular issue. And I think it's time that we take a serious look at certification of our teachers. We now have new standards. We are now moving toward testing of students. Some want to test every year. We have a testing procedure at this point that does not do that, but we also have new recertification requirements for teachers, called professional standards, that they must reach. I truly believe that in this day and age a professional standards board is the way to go. And I'm joined by everyone on the board plus about 92 other cosponsors on this particular piece of legislation, to send

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a strong message to the Senate that it's time to take a serious look at an independent certification board that can do the will of the people, and make our teachers better. I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 2382?"

Clerk Bolin: "House Bill 2382, the Bill's been read a second time, previously. Amendment #1 was adopted to the Bill. The Bill was held on the Order of Second Reading pending the filing of notes. That note request has been withdrawn."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 2382, a Bill for an Act to create the Illinois Living Wage Act. Third Reading of this House Bill."

Speaker Hannig: "Representative Soto."

Soto: "Thank you, Speaker and Members of the House. House Bill 2382 requires companies that contract with state to pay their employees a living wage. Employees covered under the Bill are companies that perform state contracts for services valued at a hundred thousand or more, or subcontractor for services valued at \$25 thousand or more. I'm open for questions. Thank you."

Speaker Hannig: "Okay. This Bill's on the Order of Standard

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Debate. Representative Righter is recognized."

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

Speaker Hannig: "She indicates she will yield."

Righter: "Representative Soto, in your language, how do you define 'living wage'... in your Bill, how do you define 'living wage'?"

Soto: "I'm sorry, I didn't hear you."

Righter: "In the text of your Bill, how do you define 'living wage'?"

Soto: "The living wage, as I indicated, are for employees covered under a Bill."

Speaker Hannig: "Representative Wojcik, for what reason do you rise?"

Wojcik: "Mr. Speaker, while there's a lull, and while they're researching the answers to the question, I would like to announce a very important day for a very important Lady, and her name is Anne Zickus. It's her birthday, not today, but tomorrow. But we know, we're going to be so busy tomorrow we won't be able to celebrate as much, so you're all welcome to cake on her behalf. And so, let's wish her a happy birthday."

Speaker Hannig: "Happy birthday."

Soto: "Happy birthday."

Speaker Hannig: "Okay. Representative Soto, do you have the answer to the question?"

Soto: "'Living wage' means an hourly wage sufficient to provide a single wage earner with an income that is a hundred percent of the poverty index."

Righter: "Is there... Do you have a number that you can attach to that definition?"

Soto: "Right now, it's \$8.20 an hour. And it's adjusted once each year."

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Righter: "What is the universe of employers that this Bill would apply to? Is this all employers? Or is this government employers, or...?"

Soto: "The definition employers covered under the Bill are companies, profit or not-for-profit, that perform state contracts for services valued at a hundred thousand or more, or subcontractors for services valued at \$25 thousand or more."

Righter: "Mr. Speaker, I can't hear her answers."

Speaker Hannig: "Okay. Could we have some order in the chamber. We're debating a Bill that has some degree of controversy. Would you allow the Members to hear each other, please."

Righter: "Thank you, Mr. Speaker. Could you repeat your answer, Representative?"

Soto: "Yes. Employees covered under the Bill are companies, profit or not-for-profit, that perform state contracts for services valued at a hundred thousand dollars or more, or subcontractors for services valued at 25 thousand or more. Employer, as indicates... I'm sorry, also includes, as a health care facility receiving 50% or more of its gross revenues through Medicaid. A final category of employer covered by this legislation is the State of Illinois, when it compensates personal care attendants, also known as home health care workers, under the Disabled Persons Rehabilitation Act."

Righter: "So, is it fair to say that this Bill would establish a minimum wage of \$8.20 per hour for all workers in those employer groups that you defined, who contract with the state?"

Soto: "Yes, Sir."

Righter: "How does this Bill interact with the Prevailing Wage Act?"

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Speaker Hannig: "Representative Feigenholtz, for what reason do you rise?"

Feigenholtz: "Thank you, Mr. Speaker. I rise on a point of personal privilege, for just one minute. I would just like to say that there's been a little controversy in this chamber, and some people, who are a little obsessed with Krispy Kreme donuts, which is a North Carolina-based company. I believe that Anne Sather's cinnamon rolls are substantially better. And Tom Tunney, a local merchant from my district, has given us some cinnamon rolls for everyone to enjoy, from Chicago, a Chicago-based company. Thank you."

Speaker Hannig: "Okay, Representative Righter we're gonna give you five minutes because your time was interrupted."

Righter: "Thank you, Mr. Speaker."

Speaker Hannig: "Could you restate your questions?"

Righter: "Representative Soto, did you hear the last question about the prevailing wage..."

Soto: "Yes, I did."

Righter: "Okay."

Soto: "I'm ready. Okay. Where an employee is subject to the Prevailing Wage Act the employee must be paid a higher of the living wage or the prevailing wage in practice. The prevailing wage will almost always be higher."

Righter: "So, this would affect only employees who are not going to be covered under, again under the parameters you described earlier, who are not covered by prevailing wage?"

Soto: "Correct."

Righter: "Okay. So it's fair to say that for those groups you described the absolute minimum that any employer or contractor will have to pay one of their employees (sic-employees) is not the current minimum wage but it's

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\$8.20 an hour."

Soto: "Correct."

Righter: "Now, it says that the living wage rate is set by the Director of the Department of Labor. Is that right?"

Soto: "Yes, Sir."

Righter: "Okay. Under what circumstances or what parameters will the Director increase this wage under your Bill?"

Soto: "It's based on a national index of the poverty level."

Righter: "And so what factors is the Director going to take into account to decide that number?"

Soto: "He will use the national index. Will use the national index."

Righter: "The CPI, Consumer Price Index?"

Soto: "It's the National Poverty Index."

Righter: "Okay. And from... is that a yearly adjustment?"

Soto: "Yes, Sir."

Righter: "What would have been the adjustment this past year?"

Soto: "Seven ninety-one to eight twenty. More or less."

Righter: "Representative Soto, there's a, according to my analysis, there's a clause in your Bill requiring employers to provide continuing employment to certain employees when a contract provides for continuation of services..."

Soto: "Yes, Sir."

Righter: "... provided by another contractor. Can you tell me what that means?"

Soto: "Okay. They have to maintain the employ... Okay, they were employed under the old contract."

Righter: "Can you give me a hypothetical or practical example of in what scenario that part of the law would operate?"

Soto: "Okay. For instance, if the Rathskeller downstairs has a new contractor they would have to keep the old restaurant workers."

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Righter: "So, what you're saying is that if a totally new contractor takes over the contract for the state they have to bring on the employees that were working for the old contractor?"

Soto: "Correct."

Righter: "So, if they have workers already working for them they have to lay those people off in order to bring on these new employees who were working for the former contractor?"

Soto: "They're taking over an existing contract knowingly, and keeping the old employees."

Righter: "I didn't... I couldn't... I'm sorry, Representative, I couldn't hear that."

Soto: "Okay. What they would be doing is keeping the old employees under the new contract. And they would be getting into this contract, this new contract knowingly, that they would have to keep those employees, those former employees."

Righter: "So they would have to hire... would they have to hire employees that the previous contractor was using if it's the same work?"

Soto: "Correct."

Righter: "So, what does that new contractor do with their current employees? Doesn't he or she have to lay them off and put them out of work?"

Soto: "Well, they would know that in advance. They would know that when they accepted this contract, this new contract."

Righter: "Right, but if you have a contractor who is looking, obviously, for contracts looking for work, in order to keep the current employee staff that they have they can't just hire a whole new staff from the old contractor in order to fulfil that contract because they can't pay for two sets of employees, so they're gonna have to lay off their old

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employees in order to get the contract, aren't they?"

Soto: "They wouldn't be laying off anyone. They wouldn't be laying off anyone. It's like if you work for that contractor and he got a new contract you would be considered one of the first to go ahead with the new contract. It's only... "

Speaker Hannig: "Okay, Representative Righter, your time is expired."

Righter: "Could I just wrap up this point, Mr. Speaker?"

Speaker Hannig: "Yes, would you please wrap it up."

Righter: "Thank you. So, if I'm a contractor, Representative Soto, and I want to land a contract on a state, let's say a state construction contract, and I have ten employees who are currently now... we are in between jobs. If I want to take over that new contract on the same construction job an old contractor has left, do I have to hire that old contractor's employees?"

Soto: "Yes, you do."

Righter: "Okay, what do I do with the ten employees that I have now that I'm in between on jobs now? Don't I have to let them go as a reality? Aren't I gonna have to let them go to get this contract?"

Soto: "Find a new contract. And it's only fair that if you were working for an employer and he got a new contract, the same thing would go for you. It would only be fair. You would go along with the new contract. It's only fair for the people we represent that sent us here."

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

Speaker Hannig: "To the Bill."

Righter: "Thank you, Mr. Speaker. I appreciate what Representative Soto is trying to do here, but I hope that the Members of the chamber understand that we are now going

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to pass a minimum wage law for all jobs on state contracts of \$8, a minimum of \$8.20 a hour and under the provision that she and I were just discussing, those contractors who go from one contract to another, in order to pay their employees, may have to lay off some of their previous in order to land the contract in the first place and I think that that is a dangerous proposition for us to make and I would urge a 'no' vote. Thank you, Mr. Speaker."

Speaker Hannig: "Okay, Representative Delgado."

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

Speaker Hannig: "She indicates she'll yield."

Delgado: "Representative Soto, in the scenario that the previous speaker brought together and in your answers, isn't it the nature of the business that the contractor is gonna make a conscious decision of what type of contracts they want to get involved with, knowing that they would have to absorb the existing employees?"

Soto: "Correct. Yes, correct."

Delgado: "And so therefore, you're really not laying anyone off because you're gonna take on the existing employees. Is that correct?"

Soto: "Correct."

Delgado: "And knowing my company as a contractor I may have a variety of 'em and on this particular contract those old workers know the job the best and know the operation, so why get rid of that experience? Is that you're intention to keep them there, so that they'll know the job, too?"

Soto: "Yes."

Delgado: "And the living wage, is that just to try to get families of four the ability to pay their gas bills on time, be able to pay their mortgage, and raise a family of four under the national index of poverty?"

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Soto: "Yes, Sir."

Delgado: "Thank you. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Delgado: "Once again, in the State of Illinois we're on a cutting edge to continue to make sure that we have citizens who are productive to be able to pay tuitions for their children, to be able to pay the high cost of our gas and electricity and to be able not to have this working poor, to have folks who have to depend on the state for other services and these costs are gonna come from that other end. This is a great piece of legislation and I would ask our colleagues on this side to not to get fooled by taking from Peter to pay Paul. This is a living wage to allow families the dignity of being able to cover their own expenses without having to become dependant on other state services. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "She indicates she will yield."

Black: "Representative, what kind of employers would have to pay this living wage? Are there any employers that would be exempt?"

Soto: "This would be state and anyone that does... Only contractors with the state are covered."

Black: "The Living Wage Act that is currently in force in the City of Chicago, are there any job classifications that are exempt from the Living Wage Act?"

Soto: "I don't know, Representative Black. To my knowledge, I don't have that answer for you."

Black: "A waitress at Harry Caray's Restaurant, are they covered under the Living Wage Act in the City of Chicago?"

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Soto: "No, definitely not."

Black: "Well, who is covered? Only people who are doing work for governmental units?"

Soto: "Yes."

Black: "Does this Bill..."

Soto: "And health care facilities, Representative Black."

Black: "I'm sorry."

Soto: "And health care facilities that are subsidised by the state."

Black: "Okay. Does this Bill cover all employees employed by the State of Illinois?"

Soto: "No."

Black: "Oh. So it wouldn't cover legislative staff who sometimes work 70 hours a week."

Soto: "No, it wouldn't."

Black: "Ahh."

Soto: "I wish it would."

Black: "So, when you say we pay a living wage, in the County of Cook in the City of Chicago, it's really only for a very few employees who might be employed by Cook County Hospital, right? How about an employee that works for a private hospital, they're not covered?"

Soto: "Only if the private hospital would be subsidised by the state."

Black: "Oh. Well, what kind of a private employer would be covered under this Bill?"

Soto: "One that is contracted by the state."

Black: "So, a road contractor?"

Soto: "Yes."

Black: "All right. Thank you very much, Representative. Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

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Black: "This would be a Bill that you could vote for and boost your labor rating and God knows I would need that rating increase. This is intellectually dishonest. This isn't a Living Wage Act. There are more exemptions than there are people covered. You know, if this is a good idea, why don't we do it for state employees? Staff, who often don't get overtime. Staff, who sometimes don't get the required vacation time. Staff, who sometimes works far in excess of the required 40 hours a week. You know, if it's good enough for certain employers it ought to be good enough for the State of Illinois to make sure that every state employee is covered under this. The other intellectually dishonest part about this, if we really want to do this, and in a perfect world we would, but if we really want to mandate who makes what, then why don't we just abolish all labor unions and we will set the wage rate for every employee in every category of every job in the State of Illinois? We aren't gonna do that. And labor doesn't want us to do that. That's why you have collective bargaining. That's why you have a marketplace and if this goes into effect who are we kidding? Any private employer covered by this is gonna hightail it to Indiana, Wisconsin, Iowa. They're not gonna abide by this. It's supposedly a City of Chicago law, but by her own admission thousands of people who work in the City of Chicago aren't covered by the Bill. It's a great Bill to boost your labor rating. It doesn't do anything. It looks good on paper. It's intellectually dishonest. Vote 'no'."

Speaker Hannig: "Is there any further discussion? There being none, the Lady to close. Excuse me, Representative Cross, for what reason do you rise?"

Cross: "I'm sorry, Mr. Speaker, we do request a verification."

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Speaker Hannig: "Okay, you request a verification.
Representative Soto to close."

Soto: "I thank you for... I appreciate your vote. I thank you
for the 'aye' vote. And I thank you for the hard working
families that sent us here to represent them. Thank you."

Speaker Hannig: "Okay, there's been a request for a verification,
so would everyone please vote their own switch. The
question is, 'Shall this Bill pass?' All in favor vote
'aye'; opposed 'nay'. The voting is open. Have all voted
who wish? Have all voted who wish? Have all voted who
wish? Have all voted who wish? Please record yourself.
Mr. Clerk, take the record. On this question, there are 60
voting 'yes', and 55 voting 'no', but Representative Cross
has requested a verification. Mr. Clerk, read the names of
those voting in the affirmative."

Clerk Rossi: "Poll of those voting in the affirmative.
Representatives: Acevedo. Boland. Bradley. Brosnahan.
Brunsvold. Bugielski. Burke. Capparelli. Collins.
Franks. Fritchey. Giles. Granberg. Hamos. Hannig.
Hartke. Hoffman. Holbrook. Howard. Jones, L. Jones, S.
Kenner. Lang. Lyons, J. Mautino. May. McCarthy.
McGuire. McKeon. Mendoza. Miller. Morrow. Murphy.
Novak. O'Brien. Osterman. Reitz. Ryan. Schoenberg.
Scott. Scully. Slone. Smith. Soto. Stroger. Turner, A.
Younge. Mr. Speaker."

Speaker Hannig: "Representative Cross on the verification."

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

Speaker Hannig: "Okay, excuse me, Representative Cross,
Representative Barbara Currie, the Majority Leader, asks
for leave and so does Representative Miller. Leave is
granted. Representative Cross."

Cross: "Representative Flowers."

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Speaker Hannig: "Did you say Representative Flowers?"

Cross: "Flowers."

Speaker Hannig: "Flowers. Representative Flowers is down by the Pages."

Cross: "You got me there. Fowler."

Speaker Hannig: "Excuse me, Representative Fowler is in the back."

Cross: "Capparelli."

Speaker Hannig: "Representative Ralph Capparelli. Okay. Representative Ralph Capparelli. Is the Gentleman in the chamber?"

Cross: "All right, we don't see him go ahead, take him off."

Speaker Hannig: "Is the Gentleman in the chamber?"

Cross: "Seriously, that's plenty of time. Go ahead."

Speaker Hannig: "I can see him walking in the hallway right over there, Representative. Is that good enough or shall we wait for him to come in?"

Cross: "I can't see him."

Speaker Hannig: "Representative Capparelli has entered the chamber on the side."

Cross: "Representative Hamos."

Speaker Hannig: "Representative Hamos is in her seat."

Cross: "Representative Fritchey."

Speaker Hannig: "Representative John Fritchey. Is the Gentleman in the chamber? Fritchey, John Fritchey, is the Gentleman in the chamber? Representative Schoenberg has requested leave."

Cross: "As long as he's not gonna go look for Fritchey."

Speaker Hannig: "I think he might be. Representative Delgado has asked for leave."

Cross: "You're gonna confuse us in a while."

Speaker Hannig: "We're trying, Representative."

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Cross: "I know you are. Is there a... "

Speaker Hannig: "Representative McKeon has asked for leave."

Cross: "Are we gonna wait 'til tomorrow to keep looking for Fritchey or are you guys getting close?"

Speaker Hannig: "Well, we're looking, Representative. Representative McKeon has asked for leave."

Cross: "We got it."

Speaker Hannig: "Representative Monique Davis and Representative Mary Kay O'Brien. Representative Julie Curry and Representative..."

Cross: "All right, Mr. Speaker, this is going on... you gonna take Fritchey off?"

Speaker Hannig: "Is the Gentleman, Representative Fritchey in the chamber? Mr. Clerk, how is Mr. Fritchey recorded?"

Clerk Rossi: "Representative Fritchey is voting in the affirmative."

Speaker Hannig: "Mr. Clerk, remove him."

Cross: "All right, that's enough. No further questions."

Speaker Hannig: "Representative Turner, for what reason do you rise?"

Turner, A.: "Could I get leave, Mr. Speaker? Leave to be verified."

Speaker Hannig: "Yes, the Gentleman, Mr. Cross has ended his..."

Cross: "All right, Mr. Speaker. Let's... are you gonna take the record? Come on, Mr. Speaker, this has gone on long enough. Mr. Speaker, please take the record. You know we need to take the record. Come on, now."

Speaker Hannig: "Representative Giles, for what reason do you rise?"

Giles: "Mr. Speaker, I would like leave to be verified."

Speaker Hannig: "Representative Lang, for what reason do you rise?"

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Lang: "Mr. Speaker, how am I recorded?"

Speaker Hannig: "How is the Gentleman recorded?"

Clerk Rossi: "Representative Lang is recorded as voting in the affirmative."

Lang: "Mr. Speaker, may I have leave to be verified, please?"

Speaker Hannig: "Representative, you have not... Representative Cross will not grant you leave to be verified. Representative Boland."

Boland: "Yes, Mr. Speaker, may I be given leave? Can I have... given leave?"

Speaker Hannig: "Okay. Representative Boland, Representative Cross has asked that no further Democrats be granted leave. And Representative Cross is finished with his verification. And on this question, there are 59 voting 'yes', and 55 voting 'no'. Representative, do you request Postponed Consideration? The Lady requests Postponed Consideration. Mr. Clerk, read House Bill 60."

Clerk Rossi: "House Bill 60, a Bill for an Act concerning carnivals. Third Reading of this House Bill."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House. Mr. Speaker, excuse me, I need to take some milk for my ulcer. Thank you. House Bill 60 was a Bill brought to me and to Representative Stephens, by chief of police from the community of Hoopeston. And the Bill basically... he has a large festival in his district and they have a carnival that comes in every year and sets up. What he has discovered, that many times the employees of these carnivals often have warrants or have some sexual history to them and he would like this Bill to pass into law that simply says the application to the community for the carnival would have to include a listing of their

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employees, date of birth, and Social Security number for every employee of that carnival, so that the police department in that community could do a check on the employees."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 60. This is on the Order of Short Debate. Representative Parke, do you stand in opposition?"

Parke: "Mr. Speaker, inquiry of the Chair."

Speaker Hannig: "Yes, state your point."

Parke: "When this Bill is finished I'd like you to come back to me. I'm concerned about the way the Chair performed in the last Bill and I'd like to talk to the Chair about it."

Speaker Hannig: "Certainly, Representative. Representative McCarthy, do you stand in opposition?"

McCarthy: "I just have some questions for the Sponsor, please."

Speaker Hannig: "Indicates he'll yield."

McCarthy: "Thank you, Representative, we had this Bill in committee and there was... I know the Amendment #1 addressed part of their concerns about the fact that you know, so many of these workers are part-time or local workers that have... were not there 60 days prior to the carnival coming to town. Could you refresh me on what the Amendment did in order to alleviate some of those concerns?"

Black: "Yes, Representative. The requirement does not apply to... the Amendment says that this does not apply to any person or contractor who has not worked for the carnival for an average of at least 20 hours or more per week during the 60 days immediately preceding the first day that the carnival is open to the public. It also exempted the City of Chicago. And the Department of Labor wanted an Amendment that says the corporate authority shall provide a

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copy of the permit application and the list to the Department of Labor if they ask for it. They asked for that because that's what they do with the two state fairs."

McCarthy: "Okay, there's also some concerns about who would be the party that would be liable if this statute was not followed."

Black: "I'm sorry, Representative, I didn't hear you."

McCarthy: "Who would be held liable and what are the penalties for a carnival operator that did not follow the dictates of the statute? Was it a misdemeanor?"

Black: "The law does not address any penalties for failure to comply and that's the reason it's up to the local police department, according to the chief of police who you will remember testified he would recommend to his city council if they didn't comply they didn't get the permit to come into his town and set up. He didn't want any state penalties in this Bill and he said if they did not comply he would simply go to the mayor and say if they won't comply I would prefer you not give them a permit to set up in our town and then they'd have to move on somewhere else."

McCarthy: "Okay, and you're comfortable with that position that this is a state mandate that they provide this information, but yet the penalty will be debated or decided by the locals."

Black: "I'll tell you why I'm comfortable with it, Representative."

McCarthy: "Okay."

Black: "After it was explained to me by the local chief of police, obviously, they have their route planned and if they don't comply in two or three or four cities, say no list, no performance, they're gonna quickly be in financial

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trouble. He thinks the mere ability of the local unit of government to issue them a permit to operate is plenty of incentive for them to forward the list."

McCarthy: "Well, thank you and... "

Black: "Thank you."

McCarthy: "... just one follow up, though."

Black: "Sure."

McCarthy: "Did you say it was the City of Chicago or did we exempt the County of Cook?"

Black: "I'm sorry, staff says we did not exempt the City of Chicago or the County of Cook and if we have failed to do that, as we obviously have, should the Bill pass I will ask that that be done in the Senate because they have certainly more festivals than any city in the state and I don't think they want to be burdened with this."

McCarthy: "It's pretty noisy in here and I'm sorry but I thought you did say at one time that they were exempt, correct?"

Black: "I thought we did in the Amendment and staff corrected me. I was in error. I apologize for that." tfh;7

McCarthy: "Okay now..." tfh;7 Black: "We have not exempted Chicago or Cook. Should this Bill go to the Senate I will ask that that be done."

McCarthy: "Okay, because we did talk about like street fairs and we had some..."

Black: "Yes, we did."

McCarthy: "... wonders about the definitions."

Black: "And that is my error. I'm glad staff was here to correct me and I apologize for giving you the wrong answer."

McCarthy: "Well, I appreciate your concern. Thank you."

Speaker Hannig: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Parke for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. I rise because on the previous Bill... I don't mind the Chair being deliberative but I felt that you went beyond that. And I'm disappointed. So far this year, we've not had that. We've had good cooperation. But to delay requests when it was obvious that it did not need to be delayed is inappropriate and I would hope that in the future you are deliberative, take your time. I respect the Chair, but I am just expressing my disappointment that that was way beyond what was appropriate. So thank you for letting me vent and I appreciate that."

Speaker Hannig: "Thank you, Representative Parke. Mr. Clerk, read House Bill 3364."

Clerk Rossi: "House Bill 3364 has been read a second time, previously. Amendments 1, 2, and 3 have been adopted to the Bill. No Motions have been filed. No further Floor Amendments approved for consideration."

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

Clerk Rossi: "House Bill 3364, a Bill for an Act concerning corporate accountability for tax expenditures. Third Reading of this House Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you. We briefly discussed this Bill a few days ago and I want to thank Representative Black for removing the note request. We also dealt with DCCA, who I know spoke with Mr. Cross, about his questions on the FOIA and

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those have been taken care of, as well. Right now, all those that were initially opposed to the Bill, have all gone neutral. The Illinois Manufacturers' Association, the Municipal League, and Motorola. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3364. Is there any discussion? Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, I apologize, I know you and I have talked about this Bill and I can't remember where we are on this. This came out of the unfortunate situation with a large corporation up in the northern part of the state, did it not?"

Franks: "That was the genesis of the Bill."

Black: "I'm trying to scroll through here. The Bill was amended, wasn't it?"

Franks: "Yes, it was."

Black: "Okay and in the Amendment, as I recall talking to you... and I think I share your concern. But in the Amendment you have given DCCA a great deal of flexibility to deal with this, rather than an ironclad rule that says if you don't stay, you're not successful, you will pay everything back with interest. Because then the company may say, well, if those are your conditions, I'm not coming. So there is a great deal of flexibility here, recognizing market conditions, downturns in the economy, et cetera."

Franks: "Exactly."

Black: "So a company that did a good-faith effort, had a couple of good years and for whatever the reason the economy went

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south, the product just was rendered obsolete by competitors and they had no choice but to close. While DCCA may go after a portion of any incentive given to them, they don't necessarily have to go to them and say you will pay back every dollar."

Franks: "Right. And we're not mak..."

Black: "Okay. I think it makes imminent good sense. I appreciate the work you've done to give DCCA the flexibility that I think they need, and I know you do as well, to continue the great work they've done in the last two years to not only attract jobs but to try and keep jobs. And obviously, you and I want the same thing. If a company wants to come into Illinois, get incentives, put the incentives in their pocket, and slip out in the middle of the night, no thank you. I'd like to go after them, too. But a good-faith effort by a company could still get incentives and still be treated fairly if it just didn't work out, right?"

Franks: "Yeah."

Black: "All right. Great idea, thank you."

Franks: "Thank you, you've said it better than I could."

Speaker Hannig: "Representative Moore."

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

Speaker Hannig: "He indicates he'll yield."

Moore: "Representative, in committee we had some discussion and I know that our side of the aisle tried to be pretty cooperative in assisting you with getting this to the floor. But there were some commitments made about talking to Motorola."

Franks: "Yes, and we've done that and I spoke with Motorola and they're neutral on the Bill now."

Moore: "Actually, I think they were neutral on the Bill in

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committee but you were gonna try and iron out some differences."

Franks: "They were okay with it. I met with them."

Moore: "And so, is this Bill actually aimed at Motorola?"

Franks: "No, and it's not retroactive. It's just in the future to make sure that we enter in to reasonable agreements to help attract and retain businesses in the State of Illinois."

Moore: "So, Motorola actually is in compliance with the terms of this Bill."

Franks: "I'm not sure I understand the question."

Moore: "Well, versus the number of people that they have been forced to lay off and the amount of incentives and the time period that they're doing this and all of it."

Franks: "This does not apply specifically to the Motorola situation."

Moore: "But even so, this might not be aimed at Motorola, but I'm looking in front of me at all of the press releases that your office sent out and you are sort of attacking Motorola in this, and in fact, aren't they still compliant with the terms of agreement that they made with DCCA?"

Franks: "I don't know. What I'm upset about..."

Moore: "Well, then why would you attack them?"

Franks: "I'll tell you why I'm upset. When we give multimillions of dollars in tax incentives to corporations and when hard-working people in our districts get on average \$125 back last year for one time for property tax relief and we're giving away the store when we're giving special deals to special interests such as the gambling industry, where one gentleman gets almost \$100 million..."

Moore: "Could you answer the question, please?"

Franks: "I'm telling you, I'm telling you why. And when I see

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the taxpayers being abused, when they're not getting their money back and we seem to give it away."

Moore: "And what does this have to do with Motorola?"

Franks: "I'm getting there. And then one company gets multimillion dollars in tax breaks and then lays off 2500 people in my district. And you know, 2500 people is just a statistic, but if you walk into towns and you go to these people's homes and they cry in their living rooms saying, I don't know how I'm gonna be able to make my mortgage payment. But we know that company then opened up a facility in Mexico and we subsidised it and we paid them to open up a building in Mexico. That bothers me."

Moore: "And so since this Bill does not affect Motorola, though what good is this Bill in addressing that problem?"

Franks: "So it doesn't happen again. But we certainly can't go retroactive, but I think we need to protect our taxpayers while still attracting and retaining business for the State of Illinois."

Moore: "Well, Representative, to the Bill."

Speaker Hannig: "To the Bill."

Moore: "Motorola, as a matter of fact, has laid off some people in my area and they have... they still are one of the major employers and valued corporations in the State of Illinois. As a matter of fact, they still employ 1200 people in your area, people who really value their jobs, appreciate their jobs, and want to hang on to it. It's important to remember when an economy changes like this that it's... we need to keep our corporations strong and viable and the incentives that we provided for Motorola were good ones. They are still completely in compliance with the terms of the agreements that were made. So to try and make them out to be less than in compliance with the terms that we made

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is, I would say, disingenuous at the very best. And to take advantage of the people that have been laid off, thinking that Motorola has done something improper, is not true. What they're trying to do is make for a better business. I value the people that are still retained as employment in my area and I'm happy that you still have 1200 people in your district employed. And so, Representative, I think the idea is a good one about this Bill. I resent that you connected it to Motorola and I don't think it really does much other than give you some disingenuous press releases."

Speaker Hannig: "Representative Franks to close."

Franks: "Well, I thank the Representative for her comments. This is a good Bill. I'm glad to see that she's appreciative of the Bill and I'd ask for an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'yes', and 48 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3128, for Mr. Sommer."

Clerk Rossi: "House Bill 3128, a Bill for an Act in relation to support. Third Reading of this House Bill."

Speaker Hannig: "Representative Sommer."

Sommer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3128 is a Bill from the Department of Public Aid. Tries to make some corrections in some statutes in response to a state audit and some other findings. Clarifies information that parties to child support orders must provide and specifies most importantly

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that this information should be not public record, it should be confidential. And that's one of the reasons for the Bill because Federal Law says that this information must be safeguarded. I move for its passage and be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3128. This Bill is on Short Debate. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 3188 for Mr. Hartke."

Clerk Bolin: "House Bill 3188, the Bill's been read a second time, previously. Amendments 1, 2, 3, and 4 have been adopted to the Bill. Floor Amendment #5, offered by Representative Black, has been approved for consideration."

Speaker Hannig: "Representative Black. Representative Black on the Amendment. Representative Hartke, can you handle it? Representative Hartke."

Hartke: "Amendment #5 is another addition to the quick-take Bill and it involves the township of Danville, submitted by Representative Black."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "Floor Amendment #6, offered by Representative Tenhouse, has been approved for consideration."

Speaker Hannig: "Representative Tenhouse."

Tenhouse: "Amendment #6 asks for quick-take in relation to the

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Village of Baylis. They're having a problem. They need to acquire some property used as part of a sewage treatment plant."

Speaker Hannig: "Is there any discussion? All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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

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

Clerk Bolin: "House Bill 3188, a Bill for an Act concerning civil procedure. Third Reading of this House Bill."

Speaker Hannig: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 3188 is the annual quick-take Bill that is generally put through the General Assembly. It contains a lot of issues for a lot of communities and if they would like I would run through them. This Bill will go over to the Senate. Over there it will have to meet the criteria of Senate Resolution 41. It'll then probably come back here and we'll have an opportunity to look at this Bill again. I'd be happy to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 64 voting 'yes', and 45 voting 'no', 5 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2358."

Clerk Rossi: "House Bill 2358, a Bill for an Act to create the Local Legacy Act. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

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Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2358 creates the Local Legacy Act. This is an outgrowth of the growth task force over the last couple of years. And basically, sets up a mechanism where counties can set up a way to identify and then prioritize their historic resources, their cultural resources, their agricultural, and natural resources. It does have some money in the state budget to help set up these boards. I'd be happy to answer any questions."

Speaker Hannig: "On that question, Representative Parke."

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

Speaker Hannig: "Indicates he'll yield."

Parke: "There's quite a few of these Bills that have been coming before us and I can't keep track. Have you worked with the home builders and the realtors on this?"

Winters: "Yes, there was some language in the Bill originally that was removed in Amendment 2, which would have allowed funding to flow through the local legacy boards that... for acquisition of these parcels. We have trimmed it back to now where it is simply a identification and prioritization of what would be the most important of those three different areas, the agricultural, cultural, and historic properties."

Parke: "Are they in agreement with your legislation now?"

Winters: "They have gone neutral. I'm not sure if they have actually filed in favor, but they are neutral on the Bill as amended."

Parke: "Both groups?"

Winters: "Yes. The only one that I'm aware of that's still is in opposition is the Chemical Industry Council. They did not testify in committee. I... "

Parke: "Do you know why they're opposed to this?"

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Winters: "I assume that is was because we might eventually... I think they see it as way to stall progress. But it's not that, it's another planning tool to allow communities rather than willy-nilly go out and buy agricultural land or buy natural resource areas, to actually get the highest quality ones, to identify what is most important to the community that would simply allow the less important to be developed that much more easily."

Parke: "Does it have to do with anything with agriculture or fertilizer, do you think, or anything like that, that they may be concerned about?"

Winters: "Well, it shouldn't have anything that I'm aware of to do with the actual chemical industry or fertilizer. It would help to identify within a county what might be the most critical or the best quality farmlands. It's similar to the way our current zoning codes often use the LESA Program looking at the land evaluation side of it, try to determine what is the best land to save for agriculture. But other than that I don't believe there'd be any impact on the chemical industry."

Parke: "Okay, thank you, Representative."

Speaker Hannig: "Is there any further discussion? Representative Scully."

Scully: "Yes, Mr. Speaker. Will the Sponsor yield."

Speaker Hannig: "He indicates he will yield."

Scully: "Representative, what kind of people can... what is the process for creation a Local Legacy Board?"

Winters: "The State Local Legacy Board would be set up with the Director of Historic Preservation Agency, Director of Natural Resources, and the Director of Agriculture. They would then do the staff work and set forth a criteria that the Local Legacy Boards would operate under. The Local

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Steering Committee, I think, is what you're talking about would have three members of the county board and three elected municipal officials chosen by municipalities within the county. Then those six public members would select five additional members who would represent agriculture, environment, historic preservation, construction or development, and then another citizen-at-large. That would make up the local steering group that would look at the local program to try to identify critical parcels of land, critical buildings, historic districts, and then try to prioritize those, so that the community would have an input on what it felt was the most important land or artifacts to preserve."

Scully: "To what extent are the decisions of a Local Legacy Board permanent and perpetual?"

Winters: "It would not be permanent and perpetual in that they could change their local plan at any point. It doesn't lock it in forever. What we're doing is saying let's at least start asking the question. If we are going to be putting the money into preservation, into some kind of acquisition whether it be simple or some other way and this Bill does not address that question. It's simply looking at the planning side of it. If the local committee chooses later to modify or change the plan, that would be up to that board."

Scully: "Would the Local Legacy Board be giving any priority to buildings that are over a certain age for example, over 100?"

Winters: "They would probably use whatever criteria the Historic Preservation Agency already has within the state. I'm not aware... I believe there's a date of 1930, receives additional tax credits, but that's under Federal Law. I

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assume that our own State Historic Preservation Agency's follows something similar to that."

Scully: "Representative, I assume there's a very high priority for your district. Now, under the five-Bill rule, was this a higher priority or a lower priority than your last Bill?"

Winters: "I believe I passed the last Bill out."

Scully: "Oh, I'm sorry, excuse me."

Winters: "It was the penultimate Bill. The one before that, that was of relatively low priority."

Scully: "That was a low... this is a much higher priority because it's a much better piece of legislation."

Winters: "Absolutely. Yes."

Scully: "To the Bill... Mr. Speaker."

Speaker Hannig: "To the Bill."

Scully: "... if this Bill gets the requisite number of votes to pass, I'd request a verification."

Speaker Hannig: "Okay. Is there any further discussion? Then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes', and 5 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. I have an announcement for the Members that may be of some interest. Around 6:30 this afternoon we anticipate that there will be fried chicken available for both sides of the aisle. Fried chicken about 6:30. Representative Parke."

Parke: "Since we're in a festive note I'd like the Body to know that the Chicago Cubs won their game 2 to 1 today, it's about time for them to start on the winning streak."

Speaker Hannig: "So, I hope that you understand we're gonna have

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dinner around 6:30, but we do plan to work into the evening for a while. So, make plans accordingly. Representative Jerry Mitchell, for what reason do you rise?"

Mitchell, J.: "Thank you, Speaker. I hate to ask but I need to ask this, is this fried chicken going to be cooked by our world famous, no way that you could compare in the Senate to our House cook, the Honorable Representative Raymond Poe?"

Speaker Hannig: "Not tonight, Representative.

Mitchell, J.: "Too bad."

Speaker Hannig: "Perhaps another time. Representative... yeah Mr. Clerk, read House Bill 3579."

Clerk Rossi: "House Bill 3579 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Daniels, has been approved for consideration."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Amendment #2, with respect to 3579, deals as the first of four Bills dealing with campaign finance reform and ethics reform in this state. The four Bills, I believe, are gonna be called in a row, called one after another. I want to just acknowledge the help of Common Cause and really one of the leading proponents of this along with Speaker Madigan who's been... provided a good deal of listening and ultimately signed on to the Bill as well as the Governor's Office. And of course, perhaps the most important the Leadership of, Leader on the Republican side of the aisle, Leader Daniels, who took the lead on this issue and has made sure that we've gotten to the point of where we are today. The first Bill we're talking about, House Bill 3579, places a

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voluntary or a limit voluntarily on a candidate to prevent that candidate, if they so choose, to spend more than \$50 thousand of their personal money in an election. It's a very simple Amendment. It's no more than about five or six lines and as I said it would limit a candidate from spending more than \$50 thousand of their personal money on an election. Be glad to answer any questions and I'd appreciate an 'aye' vote."

Speaker Hannig: "On the Amendment, Representative Novak."

Novak: "Mr. Speaker, I had my light on before Mr. Cross got up to express the Bill. I just had a very brief point of personal privilege."

Speaker Hannig: "Sure, state your point."

Novak: "Well, Mr. Parke indicated that the Cubs finally won a game and I would like to say that the St. Louis Cardinals are on their way to losing three in a row. So, just for the benefit of our St. Louis Cardinal fans, they're on their way to losing three in a row, thank you."

Speaker Hannig: "Representative Johnson."

Johnson: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Johnson: "Representative, I have a question here and I asked it before and I just want to be clear that the Amendment is what I previously heard. This \$50 thousand, this is voluntary and you sign a pledge. How does this work?"

Cross: "Well, again as you... and I think the key here, Tom, is it's voluntary and the language is very clear and specific. It says, 'a candidate may' and it says 'may', not 'shall', in writing, limit the expenditures by his or her political committee from personal money of the candidate's to \$50 thousand. And the language has one sentence, 'the agreement must be filed with, and at the same time as, the

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candidate's petitions for nomination.' So, that's about as specific as it... "

Johnson: "Okay, so that goes to the State Board of Elections with your petitions, right?"

Cross: "That's a... my understanding is that when we file our packet with a statement of economic interests, our petitions, usually we file them with the State Board of Elections and... "

Johnson: "Okay, and if somebody doesn't want to sign that pledge you just don't fill it in, right?"

Cross: "Correct."

Johnson: "And then the press can beat that person up and say, hey you didn't do his pledge, right?"

Cross: "That's a decision any candidate he or she is gonna make on their own."

Johnson: "Okay, now the second question I have, is this is \$50 thousand personal contribution to your own campaign and it's regardless of whether you're running for a state rep or the Governor's Office, right? One and the same."

Cross: "It talks, Tom, it's very ... it says, 'a candidate'. So, for any of the offices you just mentioned, correct."

Johnson: "Okay, so whether I'm running for an office that represents 100 thousand people or 12 million, it's still \$50 thousand."

Cross: "Correct."

Johnson: "Okay. Thirdly, and my final question, because I just want to be clear on this. This goes to a contribution that I might make to my campaign. This does not apply... I could still sign the pledge for \$50 thousand even though I loaned \$50 thousand to my campaign, is that correct?"

Cross: "Yes."

Johnson: "Okay, so I can loan and still be in compliance. I

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could loan a million dollars and still sign the pledge that I'm not giving 50 thousand to my campaign."

Cross: "Tom, I think the answer is somewhat like whether or not you sign the pledge. You're certainly gonna have some political issues that you might raise in saying I'm doing a loan or I'm not, but I don't think there's anything that prohibits that."

Johnson: "The language is if I give \$50 thousand to my campaign."

Cross: "It says, 'it may, in writing, limit expenditures.'"

Johnson: "Okay, expenditures of my own money. Okay, thank you."

Speaker Hannig: "Representative McCarthy, on the Amendment."

McCarthy: "Thank you, Mr. Speaker. We had some extended debate in committee on a few other Bills that were presented today. But on this we didn't have much. But the one thing as far as the reporting requirements, is there anything in the Bill that would authorize the State Board of Elections to say this person didn't follow up and adhere to the pledge or this person did? Is there any kind of reporting requirement or anything of that nature?"

Cross: "There's nothing in here other than what we already abide by with the State Board or as candidates now, Representative. It's voluntary, it says 'may'. We understand that, you know, the mandating on this issue would've been tough to do, so it's purely voluntary and I'm sure that, you know, certainly the State Board can fulfil their normal obligations as can an opponent in an election, you know, take issue perhaps with a candidate of how he or she handles this issue."

McCarthy: "Yeah but, you know, if our D-2's or other documents we file with the State Board are proven to the State Board that they're incorrect. You know there are procedures in order to penalize the committee. Now... "

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Cross: "We're not making any changes with respect to the State Board of Elections, the State Board's powers or disclosure, I mean we're not making any changes with respect to that. All we're saying is you can take this option, it's voluntary. You have to file this pledge, in writing, with your petitions and from there the State Board's role continues to be the same as it is today."

McCarthy: "Now, if a person took this pledge and then, you know, completely abused it and spent much more, gave much more to his campaign and the opponent wanted to bring that forward, would the State Board be under any obligation to say, yes, this person did the pledge and according to his A-1s he spent much more than that?"

Cross: "Well, Representative, it's pretty much like today, with the computers that we all have and access to the Internet, access to the State Board, all of us can find out how much someone spent or at least that's the goal and that's gonna be up to the opponent and they can certainly use the State Board as a reference. So again, I can't stress enough, we're not changing any of the responsibilities of the State Board from what they are today."

McCarthy: "Okay, but there is no provision that at the end of the six-month period, like if he files his returns at that time, and it's proven... many times you know the A-1 violations aren't recognized until the sixth-month report is turned in. So..."

Cross: "Representative, this is a very simple Bill. It's about seven lines long. It says that the 'candidate may, in writing, limit their expenditures', of personal money spent up to the amount of \$50 thousand and that the agreement must be filed in writing, at the time the candidate's petitions are filed. That's all it says. And I mean

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that's the extent of it."

McCarthy: "I understand that part of it, Representative. The part I didn't understand is there any enforcement mechanism to make this Bill, while it's simple, also very, very worthwhile. That was my question. But thank you for your answers."

Cross: "Thank you."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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

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

Clerk Bolin: "House Bill 3579, a Bill for an Act in relation to campaign expenditures. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

Cross: "I believe, Mr. Speaker, we just spent about as much time as I could explaining that. I'll be glad to answer any questions. It's a good start in this area as we all said and realized it's a voluntary limits to personal money spent by a candidate up to the amount of \$50 thousand. I've highlighted already or pointed out who the people are who have been very active with this Bill and I'd appreciate an 'aye' vote."

Speaker Hannig: "And on that question, Representative Johnson."

Johnson: "To the Bill."

Speaker Hannig: "To the Bill."

Johnson: "I, for one, believe that this particular Bill in the package is a bad idea, it's a red herring and I believe that the people of the State of Illinois, our voters, should be able to see right through this. The idea that an individual can contribute his own money to a campaign is now limited in one form or another by way of a pledge,

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whatever that is, to me is an incumbent's dream. You and I both know that we sit in these chambers, we can give speeches, we can have press conferences every day for three or four years, five years, however long you're in here. You've got tremendous name recognition potential if you want to use it. And yet, you are saying there that an opponent who hasn't had the value of all of that can't spend more than \$50 thousand of his own money. You also know how you can control the special interests that we all work with in here, day in and day out, in terms of contributions. First of all, then this is an incumbent's dream and in fact goes against anybody who wishes to challenge that system and may have to use their own money to do so. Secondly, the idea which I raised in my questions to Representative Cross that \$50 thousand whether you can spend that for a county board race and that is the same as running for state rep, state senator, governor of the state, and it all remains the same \$50 thousand dollars across the board. Well, I got to tell you \$50 thousand isn't gonna bring you much if you run for a statewide office. Thirdly, and then I'll close these remarks, is that when we talk about the fact that the law is written in such a way that I can loan \$50 thousand or I can loan a million dollars to my campaign and still legally and morally and ethically sign the pledge that I am not going to expend more than 50 thousand of my money in the campaign because it is a loan and I'm gonna get it back, so therefore it's really not my expenditure, is a loophole a mile wide on this Bill and I believe that this Bill in particular, the other ones I fully support. But this Bill in particular is a bad idea and I think the public will see right through it. Thank you."

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Speaker Hannig: "Representative Winkel."

Winkel: "Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Winkel: "Mr. Speaker, I have a great deal of respect for the previous speaker who spoke against this Bill. But with all due respect, nonetheless, as I look at House Bill 3579 I see a Bill that is permissive in nature. It does not require any sort of limitation and as a matter of fact this legislation is lifted right out of the currently... the debate that's going on in Washington, the debate concerning the Federal Reform. This is language that is taken right from that legislation. Ladies and Gentleman, this is a good start. It's not a requirement that if you be limited, it's permissive. If you don't care to sign that pledge, then you don't have to sign it. I think it's a good Bill and I'm gonna support it."

Speaker Hannig: "Representative Schoenberg."

Schoenberg: "Question for the Sponsor. Will the Gentleman yield?"

Speaker Hannig: "Yes, Sponsor will yield."

Schoenberg: "Mr. Cross, if someone were to, forgive me for not asking this when... prior in the debate, but if an individual were to run up debt on credit cards exceeding this \$50 thousand threshold would that qualify as being in violation of principles of this Bill?"

Cross: "Jeff, I'm not sure that what you're... can you clarify that a little bit, I'm not trying to avoid ..."

Schoenberg: "Sure. If an individual wanted to... you spoke earlier about loans, indebtedness, things that you incur when you go... say you'd want to take out a bank note, right, and incur a debt of up to \$50 thousand dollars committed to you person... over \$50 thousand committed to

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you personally. My question is if someone were to use their credit cards as a mean of partially financing their campaign would this... and did so in excess of the \$50 thousand threshold, would this be in violation of the principles of the Bill?"

Cross: "Jeff, if I understand your question correctly and I'll try to answer it. If I'm not responsive, I apologize. But if I'm hearing you correctly, there'd still be... those would still count as expenditures. I'm assuming you're saying they're related to the campaign."

Schoenberg: "Correct."

Cross: "So you would if you spent 50, if you spent 30, if you spent 70, you would have those amounts as expenditures assessed to your campaign. There's no diff..."

Schoenberg: "Okay, I was just checking because it's not a traditional form of financing. It's not as if someone would go and get a bank note. But I appreciate your clarifying that for me, so thank you."

Speaker Hannig: "Representative Barbara Currie."

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

Speaker Hannig: "He indicates he will yield."

Currie: "First of all, Representative, do you have any estimate of how many of us, for example let alone county board members and others, would be able to spend \$50 thousand of our own money on a political campaign?"

Cross: "I really don't, Representative."

Currie: "Do we have information about how many candidates for public office do spend 50, in this state, in this General Assembly for example, spend \$50 thousand or more of their own money on the contest?"

Cross: "I don't know, perhaps someone can look at a D-2, I don't know if they could even tell off that but I don't know the

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answer."

Currie: "Representative, I would imagine that you could tell from a D-2 and I would be very surprised if there were people who were self financing their own campaigns in this Legislature who were not mentioned by our good friends in the media. I mean for example, the Junior United States Senator from Illinois as I recall spent a fair chunk of his own cash taking himself to Washington. That was information that was out there available to all of us. I guess I have a serious reservation about this Bill. I wonder if this Bill is worth the paper it's written on. If you don't want to spend or if you can't afford to spend \$50 thousand on your campaign, you can put out a press release and say so. If you sign the document that's called for under this Bill you can put out a press release and say so. There's no penalty in this proposal if you say you're not going to and then go ahead and do anyway. Somebody suggested that this was the first step towards some kind of reform and I'm scratching my head trying to figure out what kind of reform it is to ask people to take a pledge, a pledge that most of us couldn't violate even if we didn't want to take it, that has no meaning and that it serves no purpose except to give candidates one more opportunity to send out information to the press that were we not signing this document would be thoroughly covered in the press in the first place. So I guess I would call this a perhaps not-worth-the-paper-it's-written-on kind of proposal. I understand why we might think this is a good idea. But I think it's one of your essential press release Bills that isn't going to do a thing to improve campaign finance rules in the State of Illinois."

Speaker Hannig: "Representative Cross to close."

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Cross: "Well, I want to, with all due respect to the previous speaker, I'll reiterate the fact that we worked on this Bill not only with Speaker Madigan but also Common Cause and League of Women Voters and other groups. And everybody had a philosophy that we wanted a Bill or a package of Bills as a starting point that could pass and that were constitutional and that had some meaning to 'em. This Bill as intended to dispel the impression or the belief by many in the public that we're having rich people or the potential for wealthy people to get elected to public office. That is not necessarily representative government. This is an attempt to level the playing field for candidates to allow equally qualified, but less wealthy, candidates to compete for positions such as ours. I would appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 93 voting 'yes', 10 voting 'no', and 11 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3581."

Clerk Bolin: "House Bill 3581, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Daniels, has been approved for consideration."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Again, this is a Bill that's been worked on by all the abovementioned people. This is a Bill that we've tried to follow some federal guidelines or some of the Federal Law with respect to federal PACs. And

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this Bill is very simple, it says that our political action committees are prohibited from taking money from foreign nationals. There is a definition of what a foreign national is in the Bill. It's a fairly simple Bill. It's a couple of pages but it means again simply that no candidate or political committee may accept, solicit, or receive directly or indirectly a contribution from a foreign national. Be glad to answer any questions. I'd appreciate an 'aye' vote on the Amendment."

Speaker Hannig: "On the Amendment, is there any discussion? Representative Garrett."

Garrett: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will yield."

Garrett: "Representative Cross, what happens if there's a PAC that solicits from a foreign national and that PAC is established in the State of Illinois and makes contributions to candidates running statewide?"

Cross: "Representative, could you repeat that question?"

Garrett: "What happens if there is a PAC that is established in the State of Illinois, that receives money from foreign nationals, that PAC donates money to candidates who are running statewide?"

Cross: "It's a Class A misdemeanor, Representative, and the Bill prohibits that pass-through issue that is essentially what it sounds as if you're saying. A Class A misdemeanor, as you know, I think you know, is a potentially up to a year in jail and a criminal offense. So, we want to attempt to do what you're suggesting."

Garrett: "So, my other question is how does one find... how does one determine that that PAC is receiving money from outside the United States?"

Cross: "Well, Representative, there is a requirement, as you

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know, in all criminal penalties that you knowingly are aware of that. I guess it would be up to the individual candidate to do some investigation as to whether or not that PAC has received money from a defined foreign national as we have in this Bill."

Garrett: "And I think this is, you know, it's a good piece of legislation. My concern is, is that there are PACs out there that are doing exactly what I'm saying and I could reference one of those PACs right now. But sometimes candidates don't know that. They would, in fact, be receiving money and not know that the PAC that they received money from had been receiving money from outside this country. And then, is the candidate punished for that or is the PAC punished for that?"

Cross: "Well, the language says, 'any person'. And Representative, to your point or to your question, I mean, I think we all as candidates are... can't stick our head in the sand or act naive about who gives us money or who we solicit for money. I think most of us are fairly astute as to organizations and we at least have the knowledge to ask questions about who's behind an organization or if they front for an organization. So, there's always an issue of knowledge or intent in a criminal case, but I think you have as good an ability as anybody else in this chamber to have a sense about whether someone's fronting for another group. And I think you know what I mean."

Garrett: "Well, I do but my concern is, for instance, let's say PAC ABC sent me \$500 and it wasn't easy to find out how PAC ABC got their funds. I would be the one that would be penalized, according to this legislation, not the PAC."

Cross: "Well, Representative, I... if you don't know who's giving you money, at whatever level, I would suggest that you

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perhaps aren't gonna take that money, whether it's from a foreign national or whether it's another group that maybe doesn't even fit under the definition of foreign national. I think most of us have some interest in knowing who's giving us money. There's certainly times I've received campaign contributions where I've turned it back 'cause I don't take money from those particular groups. So, I think we all have an obligation and a responsibility to do some investigating. You can't just hide from it. And I think everybody's doing that now. I suspect they are, I hope so."

Garrett: "There is a PAC and I think it's KOMPAC and they do receive money from outside the United States and they have made contributions to candidates. And I don't know... in Illinois running in state races. And I am sure that those candidates weren't aware of the fact that some of this money came from overseas. While this legislation wasn't in place. I think it's difficult for especially first-time candidates to have control and knowledge of some of these things. And I'm gonna support this legislation, but I would hope that we take a closer look at it because I think that candidates unknowingly can get themselves into trouble. And I think the word 'unknowingly', because not everybody has the ability to plug in and understand where these kinds of monies are coming from."

Speaker Hannig: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "He indicates he will yield."

O'Brien: "Representative Cross, I have a couple of questions. Our analysis says that a foreign national would be any partnership association, corporation, organization, or any other combination of persons organized under the laws or

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having its principal place of business in a foreign country. Would that include for example, DaimlerChrysler, who may have its corporate headquarters in Germany? Or Mitsubishi, that operates here in Illinois, but is a corporation that comes from another country? Or Honda Motor Corporation, or Zenith, or Motorola. How does that impact? Because you may have... you may receive the money and you think it's from the local place and it isn't, it's from the headquarters."

Cross: "Representative, it's a two-part answer. The... I know you don't have the Bill in front of you, you have the analysis. I think if the company does have its principal place of business outside the United States then you can't, they would fall under this definition. But the term 'foreign national' does not include any individual who is a citizen of the United States. So, that's not completely responsive, that's part answer. But I think to your first question, the answer is succinctly, yes. We have taken this language from the federal guidelines with respect to what a foreign national is under federal rules."

O'Brien: "And I guess that's where my question's at and I've never run for a federal office, but is it true then that, let's say, in Bloomington, Illinois, where there's a large Mitsubishi plant and they have their corporate headquarters or their principal place of business in Japan or wherever. Would that candidate be prohibited from accepting money from that corporation?"

Cross: "Representative, I... it's a little noisy in here. There's another, and I don't know if you have this analysis... this in your analysis, but 'foreign national' first is, 'a government of a foreign country or foreign political party.' But two, and I think this helps a little

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bit, address your question, 'a person outside the United States, unless it is established that the person is an individual and a citizen of and domiciled within the United States, or that that person is not an individual and is organized under or created by the laws of the United States or of any state or other place subject to the jurisdiction of the United States and has its principal place of business within the United States.' I suspect, Representative, and I don't have the answers for you. The situations with the auto dealers that you're talking about, I would believe has been addressed since federal PACs have already had to answer this in even more specific ways because it already applies to federal PACs. I suspect that maybe the Bloomington situation, they've gone ahead and registered in the State of Illinois and are holding themselves out for that particular company to be a resident of Illinois, that they do business in Illinois. There may be some other answers from the federal PACs, but I suspect they found a way around it."

O'Brien: "And my second question then, this wouldn't impact... let's say for instance, you have a resident alien, someone that you know is not yet a citizen of this country. They are legally here, but they haven't been granted permanent resident status or they haven't been granted citizenship yet. They're maybe, you know, a doctor or some other individual in your district. Does this Bill state as long as they are legally in this country and a legal resident of this country that they would be able to provide, be able to write contributions?"

Cross: "Representative, this Bill and again we use the federal language, says that it's very specific that they need to be a citizen and domiciled. So, there may be some time in

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there that they have not gained their citizenship and up to that point I would suggest to you that in reading this Bill and if you take a look at it, that they probably can't, until they become a citizen."

O'Brien: "Thank you, Representative."

Speaker Hannig: "Representative Steve Davis."

Davis, S.: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Davis, S.: "Representative Cross, this may have been answered already and I may have missed it, but let me ask you this question. A corporation like BP Amoco for instance, the British Petroleum, who bought out the Amoco Oil Company here in the United States, however they're owned and operated by British Petroleum over in England. Would they be considered a foreign national under this legislation? 'Cause I honestly do not know."

Cross: "They need... if they're organized in the United States or within the State of Illinois, they're okay. It's the company that's organized and doing business with its principal place of business outside that is the concern, Representative. As I said, this language has been adopted from federal PACs and what they term as foreign nationals."

Davis, S.: "Okay, I'm not familiar with the federal guidelines. I'm not familiar with the federal regulations. But I did want some clarification on that, because I know that, you know, there are many companies that are foreign companies, foreign-owned companies who do business in the United States and they do business in the State of Illinois. I was just wanting some clarification as even, I mean, there are a lot of stockholders, you know, in the State of Illinois. Are those stockholders, would they be, would we not be able to take contributions from stockholders who own

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stock in a foreign corporation?"

Cross: "If the stockhold... it's a good question. If the stockholder of that corporation is a citizen of the United States, they can give money."

Davis, S.: "How about the corporation itself, or a corporate PAC?"

Cross: "The corporation, if it is organized under or created by the laws of the United States or any state or other place subject to the jurisdiction of the United States and has its principal place of business within the United States, then they don't qualify as a foreign national."

Davis, S.: "As long as they are incorporate, they have some incorporation articles within this country."

Cross: "The language talks about, 'organized under or created by the laws', and usually a corporation does incorporate, Steve. I'm not trying to be cute with terms but organized, incorporated center somewhere within the United States, then you're okay."

Davis, S.: "Okay. Can I ask this question then? Is there a listing of foreign nationals that would be available to us that we could get a copy of? Do people register as foreign nationals with the Federal Government and is there a federal agency where we could get a copy of those who would not be able to contribute to us? Is that... is there something like that available?"

Cross: "We probably, you know, the state board that regulates us, I think that there may be some information we can receive from the Federal Election Board. I don't have it with me now. I'm not aware of any information right now with our state board, but obviously this Bill hasn't passed. Something... you ask a good question. We may need to address it at the time this Bill becomes law."

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Davis, S.: "Okay. You know, I just don't want us to get ourselves in a trick bag here, you understand."

Cross: "It's a fair question."

Davis, S.: "And I don't think that's the intention of the legislation."

Cross: "It's not the intention of this Legislator or those that are drafting it and I think you're asking some of the same questions along the lines of Representative O'Brien and I think they're good ones and legitimate questions and when we get to that point of passing this and having it signed we need to... I think you've raised a good point about ascertaining who those companies are."

Davis, S.: "Okay. I want to ask one more question and that has to do with the anonymous contributions. Now, I don't believe I've ever received an anonymous contribution. However, what is the current law and how does the current law deal with anonymous contributions and under this what is the difference between current law and the proposed law in this Bill concerning anonymous contributions and what do we do as candidates and Legislators? What do we do with the anonymous money should it come to us through the mail?"

Cross: "Right now, anonymous contributions, the current law provides they shall escheat to the State of Illinois. And any political committee that received such a contribution shall forward immediately to the United States. That's the law now, Steve. Or I'm sorry, to the State Treasurer, excuse me, I said the United States. So you have an obligation if it's anonymous to get it to the Treasurer, we all do. Second, we've now added a set of anonymous contributions and contributions in the name of another person shall escheat to the state. So, we're attempting to, Representative, one of the previous speakers to avoid that

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pass-through issue of someone saying, oh, I didn't know anything about it, it came through this person even though it's a foreign corporation, I didn't do anything wrong."

Davis, S.: "And the penalty is on those who are passing it through. The penalty is not on us, is that correct?"

Cross: "It's a Class A misdemeanor."

Davis, S.: "The penalty for passing through monies would be on those who are doing the passing through and not on us as candidates."

Cross: "Yes."

Davis, S.: "Thank you very much."

Speaker Hannig: "Representative Mathias."

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

Speaker Hannig: "Indicates he will yield."

Mathias: "Just a couple of questions. If you happen to have a relative, a friend, someone who has no connection at all with the State of Illinois, does no business in the State of Illinois but happens to live in a foreign country, would he still be prohibited from contributing to you?"

Cross: "Representative, you ask again a good question. The bottom line is, is the person a citizen of the United States? If they're a citizen they're not prohibited. It's the person that's not a citizen of the United States that is prohibited. Currently, under Federal Law and it would be the same under State Law for our PACs, if and when this passes."

Mathias: "But isn't the purpose of the Federal Law because obviously, somebody, a foreign national could be influencing Federal Laws as we've seen maybe in the last election. But is it kind of remote that someone who happens to live in another country is gonna try to influence the laws of the State of Illinois?"

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Cross: "I think, generally speaking, Sid, that likelihood for someone that's a relative or a friend of one of ours, that probably isn't gonna happen, that they're not gonna try to do something improper or provide undue influence. But nevertheless taken as a whole the attempt here is to eliminate that problem or that perception or impression of the whole foreign national, the evil money, if you will. Certainly we end up maybe with some isolated cases where some of us may have an individual friend who's not a citizen. And I don't know how we can address that but... "

Mathias: "Well, I suppose we could address it through working on it through the Senate with an Amendment."

Cross: "That's certainly one option, you're right. And I think I hear what you're saying and I think you make a... I can see where that could be applicable to some of us, you make a point. As a whole, though, I think this Bill is drafted in a good way but I think you know that people are always willing to listen."

Mathias: "Thank you."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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

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

Clerk Bolin: "House Bill 3581, a Bill for an Act concerning campaign contributions. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

Cross: "I think, Mr. Speaker, again like the first one, we've debated this quite a bit. I would appreciate an 'aye' vote. I'd be glad to answer any questions."

Speaker Hannig: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote

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'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 5 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3583."

Clerk Bolin: "House Bill 3583, the Bill's been read a second time, previously. Amendment #1 was adopted in Committee. Floor Amendment #2, offered by Representative Daniels, has been approved for consideration."

Speaker Hannig: "Representative Cross."

Cross: "This is again a fairly straightforward, specific Bill. It deals with use of the state-funded Legislative Printing Unit that we're all familiar with. As I said fairly clear and specific. It bans any mail being sent by the Legislative Printing Unit. Bans any mail being sent from the Legislative Printing Unit after September 1st of an election year, up to election day. That window is, there's a small window from September 1st to election day. You can't use the Legislative Printing Unit. I'd be glad to answer any questions."

Speaker Hannig: "Representative McCarthy."

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

Speaker Hannig: "He indicates he'll yield."

McCarthy: "Representative, over here. The question I have, and once again I'm sorry that these are kind of near the end of the committee and it seems like there's a conflict here with the September 1st date. If you had some of your material was received by the Legislative Printing Unit like on August 20, and for one reason or another they had some kind of problems and they just didn't get it printed in

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time, you would be handicapped by them not being willing to send this out or not being willing to print it. Was there any consideration given to establishing a date where the material will have to be in to LPU so it could be more exact to say that if it's not in by August 15, which is something I'd be very comfortable with. If the material is not received by the Legislative Printing Unit by August 15 that that would not be printed during a year, instead of allowing it to be... you know, sometimes you send things to the LPU and it takes ten days to print, other times it takes three days to print. So..."

Cross: "I think, Representative, the goal here, as you know, is to avoid the whole issue of impropriety, avoid the utilization of the Legislative Printing Unit in an improper way and an improper time. Someone had to pick a date, all the groups working together. As I said earlier, from Common Cause, et cetera, felt like this was a cut-off date. You know, it's getting to be crunch time, so to speak, with the election. And it says it's very simple, 'no constituent newsletter that is paid for, in whole or in part, with funds provided under this Section may be printed or distributed beginning on September 1st.' I guess what the bottom line is we're all gonna have to be diligent and make sure that we get things there ahead of time and that it's out by September 1st. I don't know how else to answer that question."

McCarthy: "Well, I just think that, you know, when the Minority Leader presented these Bills before committee he was very willing to work with us on trying to make 'em the best Bills they could possibly be. And as I read this thing that distribution and printed September 1st it would seem like it would be a fair condition to say if you didn't have

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it in by August 15th or you didn't have it in by August 20th. That way if there was a tie up in the printing unit there wouldn't be claims of favoritism where some guys' things get printed in two days, other people's things get printed in ten days. I mean I just think we're opening up ourselves up to a can a worms and I would like to say that, you know hopefully, you could be more flexible and say we'll look at it in the Senate to say why don't we give them a date that you have to get the materials. It would be easy to certify that they were there on time and then those things can be printed."

Cross: "Representative, there may be a way to address that and certainly Representative, Leader Daniels and Speaker Madigan are willing to listen I'm sure to your suggestions. I think the point though is, if we're gonna not use the printing unit for political purposes that if we're gonna send something out to our constituents that's for their good and it's not related to a political purpose and if it doesn't get done by September 1st it goes out the day after election. If your concern of some manipulation so to speak by the Legislative Printing Unit, maybe that needs to be addressed in a different way. I think I, again, I understand what your concern is but if our concern is not to use this unit for political purposes, we need to pick a date in far enough in advance of the election and just keep that window open and clean. I don't know how else to do it. I'm not saying we're not willing to work with you, but I think if we keep in mind the goal of this particular piece we've gotta have a window there where no mails goes out paid for by the state."

McCarthy: "Oh, I think I'm very much aware of what the objective and what the goal is and I agree with you that's a great

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thing, because you hate to see, you know, people abusing their office by using, you know, taxpayer-funded mailings. But I really do think it would be fair if we had a date. There'd never be any questions then whether one person got priority. 'Cause the way it's written right now if you got it to 'em on August 31st they could print it, but if they put it in cartons the next day they couldn't distribute it. And the only other concern I have is many of us have meetings that are geared toward different interest groups, like seniors for example. And you may have a prescheduled, you know, senior meeting September 30th that you bring an assortment of different state pamphlets handed out. Would state pamphlets, other than ones that are directly from your mailing lists, be considered the same as handing out a state funded... 'cause they are state funded."

Cross: "Again, Representative, if we're not careful I could see people trying to, from a timing standpoint, manipulate it and say, oh, my word, it's that Legislative Printing Unit's fault, you've still gotta get this out. And it doesn't go out until October 1st or September 15th or October 15th and we've totally eliminated what we're trying to accomplish. Again, I'm sure that Speaker Madigan would be willing to listen to your suggestions. I know Leader Daniels would be. Perhaps President of the Senate, Philip, once it gets over there we could certainly... I think you and I know what your problem is. I don't know how else to answer it."

McCarthy: "Okay, well I appreciate your answers."

Speaker Hannig: "Representative Morrow."

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

Speaker Hannig: "Indicates he'll yield."

Morrow: "Representative Cross, I know you're carrying this Bill

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on behalf of Leader Daniels, but have any thought been given to consulting John Rodems of the Legislative Printing Unit, or myself, who's one of the cochairman of the Legislative Printing Unit, or Senator Dick Klemm, who's the other cochairman of the Legislative Printing Unit to ascertain our thoughts on this Amendment?"

Cross: "Representative, I don't know the answer to that. I somewhat came into this late. I gather from your statement and/or question that the answer's 'no'."

Morrow: "That's correct, it's 'no'. And this is directly to this Amendment, Mr. Speaker."

Speaker Hannig: "To the Amendment."

Morrow: "Sir, can I have some quiet in the chamber? Can I have some quiet in the chamber?"

Speaker Hannig: "Let's have some order for the Gentleman. Represent... "

Morrow: "I have been chairman or cochairman of the Legislative Printing Unit now for going on about four terms. I really do not have a problem with the Amendment, but I do not want my authorities to be usurped as chairman or cochairman of the Legislative Printing Unit. I think there are Senators and Representatives that are Members of the Legislative Printing Unit that can make their own decisions as to when Members' newsletters should be sent out, should there be a deadline. We've even considered limiting Members to one newsletter. But I'm going to bring this up for the benefit of the Members. The problem that exists regarding newsletters is in this House, not in the Senate. We received complaints from candidates about incumbents in their newsletters, the context of their newsletters, when their newsletters were sent out. And Senator Klemm and I have to respond to the media. We have to respond to the

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candidate who's running against you. We need to clean our own House when it comes to newsletters. I reluctantly rise to oppose Floor Amendment 2 to House Bill 3583 because with passing of this Amendment... We don't need Legislators on the Legislative Printing Unit. We could just pass a Bill that determines how newsletters are going out. I don't think that we need to go there. So I would urge red votes on Amendment 2 to House Bill 3583."

Speaker Hannig: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

O'Brien: "Representative Cross, I don't have any problem with the content of this Bill. I have one question, though. Because for so many people in this Body, their elections don't happen between September 1 and November or whatever, they happen during the Primary. Why aren't we saying that, you know, from January 1st until the day of the Primary, none of this can go out? Because, I mean, we're saying for Members, basically, you know, in the suburban I guess... actually, south of I-80, you're not going to be able to send those mailings out. But anybody where their elections are determined in the Primary, you could go ahead and use this Legislative Printing Unit and get these mailings and send them out. And so you can take advantage of that during the Primary season, 'cause you don't have any need to do it. I just... I don't understand why you wouldn't include that, as well."

Cross: "My understanding... And again, Representative, I hate to go back to 'em all the time. Common Cause wanted a starting point, as did League of Women Voters and our respective Leaders. I think there was... My sense is or understand there was some discussion about Primary dates,

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but they felt like this is where, perhaps, there'd been the most abuse. This is where we should start. You make some valid points about the Primary but, again, we needed a starting point. If you try to do everything at once, oftentimes you don't get anywhere, as you know. But I don't think your suggestion is one that was not discussed. I think it was discussed in detail. I wasn't privy to all those discussions, but I do know it was discussed. Perhaps you could talk to some people from some of those groups that can shed some light on it, but I know this is a beginning point."

O'Brien: "I guess... I think it is important if it was debated and it was discussed, that we should have an answer why it was left out. If it's just because they wanted a starting point, the year starts in January. You know, that's the beginning, that's alpha, why don't we start with January and start with the Primary season and go from there instead of starting in the middle of the year? I guess I don't understand that and I would like to find out if Scott, on your staff, maybe has some idea of why it was rejected to include that in the Amendment."

Cross: "I think part of it, I'm just listening to Scott, Representative, is that that is such a busy time and an active time while the General Assembly is in Session as opposed to, as a general rule, in the fall of an election year, we're not around here and it's... at this place and there's not any, as a general rule, official business going on. And it would make more sense at that time to prohibit it. That's the best I could do to what... I understand and you raise a valid point, but for purposes of getting these things moving and passed, the bottom line is that we had to start and limit it to this point."

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O'Brien: "Thank you, Representative Cross. To the Bill. I think that it has perfect merit to do this and to say, you know, if you're a nonincumbent, that you're gonna not have to face an incumbent that has the power of the Legislative Printing Unit behind it. But what's unfair about this Bill is we're going to say to, you know, 40% of the General Assembly, you go on business as usual, and for the rest of the 60%, we're gonna try this experiment. I mean, if Common Cause wants to level the playing field, then it ought to be fair for every Member and for every district in this state. This Bill doesn't do that. It really is an uneven playing field saying, if you live in a heavily Democratic or a heavily Republican area, you don't have to play by the same rules as you do in very competitive districts. And that's just not right."

Speaker Hannig: "Representative McKeon."

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

Speaker Hannig: "Indicates he'll yield."

McKeon: "Representative Cross, this legislation, as proposed, only deals with one half of the legislative cycle. Why did you totally ignore the Primary Election cycle and the use of the Legislative Printing Unit in Primary Election?"

Cross: "Representative, I guess in the end... I don't want to be repetitive. I tried to... I thought I was trying to answer... I tried to answer Representative O'Brien. This was a starting point that everyone felt, one, there had been more abuse of the Legislative Printing Unit during the General Election time than during the Primary season. And so that needed to be addressed in foremost. The thought was, as well, that there's more official business and activity going on during Primary time because we're in Session during Primary time, as opposed to the fall or the

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fall before an election or at the time of a General Election. That's the best I can give you, that's what I know. And as I said, the general theme of all of this legislation was to get something that could pass."

McKeon: "It seems to me, you know, Representative Cross, and I'd appreciate your opinion, it'd make a lot better sense to just ban the use of the Legislative Printing Unit for 60 days, 90 days prior to any election, instead of selecting out one election. Where you live, maybe the General Election is your major concern. Where I live, it's the Primary Election that's the major concern. And... You know, if I was running against an entrenched incumbent, I'd be very concerned about their use of the Legislative Printing Unit. I just can't understand why it... It's sort of like a cake half-baked, which gets me to the Bill. Speaker, to the Bill, please."

Speaker Hannig: "To the Bill."

McKeon: "Two years ago, Mr. Speaker, we received very close to the end of the Session, a highly convoluted Bill regarding with ethics and campaign finance reform that I doubt, seriously, that many of us here read in this chamber. Because if we did read it, we would have not have voted for it. What we're getting now, with this Bill and the Bills that preceded it, and I'm sure the Bill or two that may follow it, is a piecemeal approach to ethics and campaign finance reform. Which, again, we're not able to take a holistic look at and digest and evaluate and make a coherent decision about the appropriateness of these issues. And I suggest to you, my colleagues, that this is much more than puff for slick campaign brochures rather than substance. Because in the form that these Bills have come before us today, they're not gonna see the light of

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day in the other chamber. This is nothing but a pr fluff for shiny brochures in the election that we've... we sent something over to the other chamber. But I can tell you today, we're not gonna see any one of these Bills passed by the Senate. And we're probably gonna get back at the very end of the quarter... of Session, a day or two before we have time to read it, some package from the Senate just as we did two years ago. I'm gonna vote for these Bills only because I'm confident they're not going anywhere. And I'm sure many of you concur with me. Thank you, Mr. Speaker."

Speaker Hannig: "Representative Art Turner."

Turner, A.: "Mr. Speaker, will the Gentleman yield for a couple of questions?"

Speaker Hannig: "Yes, he'll yield."

Turner, A.: "Tom, you may have mentioned before, who did you say drafted this legislation? Who were invol... Who was involved in it?"

Cross: "Well, to name a few people, Speaker Madigan, Leader Daniels, Common Cause, League of Women Voters..."

Turner, A.: "Okay, Senate..."

Cross: "...independent voters, public interest groups, other public interest groups."

Turner, A.: "Was Senator Jones involved in any way with that at all?"

Cross: "Not that I... No, not that I'm aware of."

Turner, A.: "Okay. In regards to distribution, what do you mean by 'distribution' again? It says that you can't... I thought it said that you wouldn't be able..."

Cross: "Arthur, it says 'print and distribute' on page 3 of the Bill."

Turner, A.: "So, what... Take for example, I mail my newsletter out in July. I order 20,000 copies of the newsletter, I

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mail out 10,000 copies. I'll use the other 10 that I walk around, I hand carry. I'll use those when I go to county fairs, block club parties. Would I be prohibited from using those at block club events, or going to church events, or a senior birthday party after September 1? Now I'm not mailing it, this is something that I am hand carrying. Would I be precluded from distributing those newsletters after September 1 with this legislation?"

Cross: "I think in the strictest sense, Representative, you know, it does say 'printed or distributed beginning September 1'. So... And again, I mean, people are asking good questions. The problem is what happens when someone wants to abuse this and doesn't use the mail, but to use your scenario, has them all done in July and then gets a group of walkers to take them out in October..."

Turner, A.: "Right."

Cross: "...and says, oh, well, we didn't mail them, it's okay, we're just going to distribute 'em by hand. And... Again, we're trying to avoid the use of state money during campaign season where we have seen a good number... a great deal of abuse. Not by... I'm not suggesting by you, Representative..."

Turner, A.: "No, I understand."

Cross: "...but by other campaigns."

Turner, A.: "So the answer to your question then, if I'm hearing you right, is that I would be violating the law if I walked... if I passed anything out after September 1, regardless of whether I mailed it or if I had..."

Cross: "Between September 1 and Election Day, correct, you can't distribute it in that window."

Turner, A.: "Even if they were printed... Regardless of what time they were printed before, I can't do anything?"

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Cross: "Yes, assuming again we're talking about a General Election year, yes."

Turner, A.: "Well, I concur with the previous speaker in his remarks in regard to what the Senate may do with this Bill, but it's my feeling that maybe we ought to vote 'no' and keep it in this chamber and we work on trying to correct. I understand the intent but I think that, you know... in areas and, in particular, in the city it's very helpful for me to distribute that stuff. And as long as I think it's printed in a very timely fashion, I don't see where this would be a major cause for concern or legislation even needed to correct that ill. And I think Representative O'Brien's remarks were right on time that if, in fact, we're going to do this for the General, that we ought to also consider it for the Primary. But I think it's a bad idea for both, the General and I certainly don't think we ought to do it for the Primary. But since it doesn't correct all that and it says now that my guys who may decide to... or me, in particular, who want to carry some newsletters with me to one of the senior buildings after September 1st that I would be unable to do so. And, you know, the cost of mailing is going up, now, again. They're up to 33, I think 34 cents. And so it precludes me to walk it because there's not enough money in my district office account to mail things. And I hate to think that I'm breaking a law by distributing it after September 1. For that reason, I, too, would rise with the previous speakers and ask for a 'no' vote on this Amendment."

Speaker Hannig: "Representative Reitz."

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

Speaker Hannig: "He indicates he'll yield."

Reitz: "Representative Scott (sic-Cross), we've had a number of

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different... Representative have brought up some valid points and reasons why, you know, why this needs a little work. I commend your effort on this, but I think two things. One, as Representative O'Brien mentioned, we... you know, if we did address that and say so many weeks before the election, we won't send these out before the Primary or the General, I think that would be more fair. And the other thing I think, as Representative McCarthy pointed out, it would be easier for the Legislative Printing Unit if we just had a cutoff date instead of just saying we won't... you know, won't send these out. If you had a date that you had to submit these by, then at least we would have some way for the... not to put the Legislative Printing Unit in jeopardy of violating the law."

Cross: "I can't hear a thing you're saying."

Reitz: "Sorry about that."

Cross: "I'm sorry."

Reitz: "Okay. Well, I will start over. There's been a number... two or three Representatives that have made the same... basically the same comments. Would you... One, I commend you on this, I think it's fine. I don't have any problem with this... with the intent, but I think we've lost a couple things. One, we have not addressed the Primary Election, whatsoever. I think that would be real easy to rectify in this Amendment if you just had six weeks or eight weeks or whatever before the Primary or General Election that we will not send out literature on state-paid literature. The other is, if we had a cutoff date for the Legislative Printing Unit to submit... for Legislators to submit their piece to be printed as opposed to just saying you won't send any out after September 1st. Would you be

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willing to look at those? And we still have time to get an Amendment and to do something on that."

Cross: "Representative, I think... You know this chamber would be willing to look at anything. These Bills, though, have been discussed over and over with a lot of people. And incidentally, to the prior Representative, not only was Senator Jones not consulted, neither was Senator Philip. This is a Bill... These are Senate Bills that started in... they're starting in the House, as you know. And we'll deal with the Senate next. But there are numerous vehicles around here, Representative, and we can all work on the Primary issue and others, if you have them, at another time. But this particular Bill I'd like to move forward today. Hopeful that we're... You know, we're running on a deadline with these Bills. I'd like to move them over to the Senate."

Reitz: "Thank you, well, I appreciate it. To the Bill. I... You know, I agree with the intent of the legislation. I really think I disagree with the Amendment. Simply, I think we could address the concerns that have been mentioned by a number of different Legislators and we still have time to do that. So, to the Bill. So, I'd appreciate that and I think Representative Garrett wants to talk. Thank you."

Speaker Hannig: "Representative Garrett."

Garrett: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Garrett: "Representative Cross, is it too late to add an Amendment to include the Primary Elections in this particular piece of legislation?"

Cross: "Representative, there are enough people or I should say, so many people that have been involved in these particular Bills and the concept of them, of the content, that to now

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have to start over and regroup on this particular Bill would be difficult to include all those people again. The best course..."

Garrett: "Representative Cross."

Cross: "The best course, Represent... The answer is 'no'. The best course would be to pick up another Bill. You certainly... I don't know if you've hit your five Bills. I'm sure there's some... I think there's some over there that perhaps have or maybe even gone beyond that. But there are people over there, and maybe even on this side, that would be willing to sit down and talk with you about the issue of the Primary. This particular Bill needs to move on. I'm hopeful it will get the requisite number of votes, but this is not a Bill that the people that have put it together are willing, I believe, to amend in any substantive way."

Garrett: "The people that put this together... I sit on the Elections Committee and this is the first time that I have seen this piece of legislation. I'm a member of the League of Women Voters and very supportive of the League of Women Voters and, like many of us in this chamber, I've also worked with Common Cause. But I think what we're hearing today, Representative, is that there is a clear need to not disenfranchise one part of the chamber who will be going through a General Election who has to abide by one set of rules and those who are involved in a Primary who don't have to abide by those same set of rules. If this is about campaign reform and ethics reform, it seems incumbent upon us, as a Body, to make sure that it's inclusive and everybody is part of this particular legislation. I would just ask that you would consider adding a simple line to this piece of legislation or get some support from whoever

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is going to be carrying it in the Senate that they would also consider doing that if we can't do it in this House. Can you do... Can you..."

Cross: "Representative, I feel like I'm being somewhat repetitive. Two responses, though. One, during Primary season, we are actually conducting business of the House almost on a daily basis. Constituents have a right to know what's going on. That's one of the answers, at least initially, to the primary question or the primary point that others have brought up. That is crunch time for Members of the General Assembly and for our constituents. Second and perhaps most important, the abuses that people have been talking about and the reason this particular Bill has come about is because abuses have taken place at General Election time. There don't seem to be... There have not been the abuses that people are concerned about at Primary time. The problems have developed in the fall during General Election time. That's primarily... Or that is the reason we limit it at this time or the group did to the September window through the Election Day window."

Garrett: "Several of my colleagues have asked if there is research or data that talks to what you're saying. And to the other side of that, this Body is ongoing 12 months out of the year. We may be here four or five months, but we are all working, in our legislative districts, 12 months out of the year. And I think what we're saying, Representative Cross, is that we want this to be fair, we want it to be equitable. And thank you for your time."

Speaker Hannig: "Representative Crotty"

Crotty: "Thank you, Mr. Chairman. Will the Sponsor yield?"

Speaker Hannig: "Indicates he'll yield."

Crotty: "Okay. Representative Cross, when we talk about

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distributing, I want to make sure... Like in the front of my office, I have all these pamphlets and brochures having to do with senior safety issues and senior tips on... and another one for consumer rights. Would it be wrong for those to be there? And if I have my legislative office open and my constituents are coming in and they spot one of these brochures and they want to take it, should I stop them at the door and say, you know, it's September 5th and you'll have to come back after the election for this? Is that... I mean, am I distributing if they're helping themselves to..."

Cross: "Representative, I think... I think it's a great question. I... Just a two-part answer. One, what you're describing I don't believe would be a newsletter. I think you're talking about the hot... you know, all the little br... the pamphlets and brochures that we... that have hotline numbers on them, talk about state parks, et cetera. Those are not what people are thinking about as newsletters. Two, someone picking it up there I would... I believe is not a form of distribution, you having them in your office access to someone coming in. So, I don't believe you would be in violation of this Section for those two reasons because I don't see either one of... see those as newsletters."

Crotty: "So this is only newsletters, that's all?"

Cross: "Representative, it is very, very, very clear, no constituent newsletter."

Crotty: "Thank you, Representative."

Cross: "Thank you."

Speaker Hannig: "Representative Cross to close."

Cross: "Well, thank you, Mr. Speaker. I think really the point here is, there have been numerous abuses of

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publically-funded newsletters that have been used by candidates for public office from the... in the time frame of September through election. This Bill is very simple. It says let's stop that. We don't have public funding of elections in Illinois. Lets not act like we do. We had to pick a cutoff date. We didn't pick the Primaries because the abuses don't seem to happen there. And also, that is the active time of the General Assembly. I think is as good of Bill as the other two. It's one of the better Bills... I shouldn't say one of the better Bills. It's one of the things that's definitely needed. And I would appreciate an 'aye' vote."

Speaker Hannig: "Representative Cross has moved for the adoption of the Amendment. Representative Morrow had asked for a Roll Call vote. So all those in favor of the Amendment vote 'aye'; all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 92 voting 'yes', 11 voting 'no', and the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 3583, a Bill for an Act in relation to the Legislative Printing Unit. Third Reading of this House Bill."

Speaker Hannig: "Okay. The Chair would suggest that we had a great deal of debate on the Amendments and now the Amendment is the Bill. Representative Cross, could you give us a brief acclimation and we'll vote?"

Cross: "I agree with the Chair. I would appreciate an 'aye' vote."

Speaker Hannig: "Okay. The question is, 'Shall this Bill pass?'"

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All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 voting 'yes', 5 voting 'no', and 12 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read Committee Reports?"

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 5, 2001, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #5 to House Bill 760; Floor Amendment #4 to House Bill 1330 and Senate Joint Resolution 21."

Speaker Hannig: "Representative Schoenberg, for what reason do you rise?"

Schoenberg: "Mr. Speaker, I'd like the record to reflect that on House Bill 3188 I wished to have been recorded as voting 'no'. Thank you."

Speaker Hannig: "The Journal will reflect your intentions, Representative. Mr. Clerk, read House Bill 1330."

Clerk Rossi: "House Bill 1330 has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Daniels, has been approved for consideration."

Speaker Hannig: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, I believe we have two Amendments that need to be adopted to this Bill. Amendment #3, which was approved by the House Elections Committee and Amendment #4, which the Rules Committee, pursuant to an error that was discovered by the committee... And I want to congratulate the committee for

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their good work... Would correct that error to Amendment #3. Mr. Speaker, if I might, I would just like to start out by saying that House Bill 1330, Amendment #3 and 4, is the culmination of work for many months of a varying group of individuals starting with the partnership we set forth with Common Cause, consultation with other groups that were extremely helpful to providing the Amendments that are before you today; the Illinois Campaign for Political Reform, the League of Women Voters, the Public Interest Research Group. Mr. Speaker, Ladies and Gentlemen of the House, I also want to compliment the Democratic side of the aisle through Speaker Madigan and their staff for the excellent work that they did in putting together the two Amendments that are before you today for consideration which would amend the Gift Ban Act of the State of Illinois limiting gifts to elected officials under House Bill 1330. Along with that, I also want to point out to the Members of the House that the Governor's Office has worked very hard on this Bill as well and introduced many proposals. Specifically, prohibiting constitutional officers from soliciting political contributions from their employees, prohibiting regulatory officers from soliciting political contributions from those they regulate, prohibiting trading jobs for political contributions, and revolving-door provisions preventing state employees involved in procurement from lobbying procurement. These are four specific instances of which the Governor has added to this legislation in very important ways. His office was directly involved in this Gift Ban Act. Before I turn it over, with the Chair's permission, to Representative Cross to present the Amendments, let me just say that there were several items that were considered here. And, literally,

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what we did is we took the existing Gift Ban Law, which a circuit judge in Will County found provisions to be unconstitutional, we have reenacted that law and changed various provisions that were questionable constitutionally and creating several difficulties in the interpretation of the law. By doing that, we think that what we are presenting to you today is clear and concise law that every Member of this General Assembly can function under, as well as the constitutional officer of this state. These are not onerous positions (sic-provisions) but these are provisions for guidance, in terms of how we must conduct ourselves as public officials in this state. I want to commend all of those involved in drafting the provisions and with the permission of the Chair, I would turn this over now to Representative Cross."

Speaker Hannig: "Representative Cross."

Cross: "Okay. Thank you, Mr. Speaker. Thank you, Leader Daniels. I will try to hit the highlights of this Bill... or this Amendment and then be glad to attempt to answer any questions that anybody would have... might have. In an attempt to simplify any confusion people may have had over the existing or the prior ethics Bill that was passed, this Bill simply and succinctly bans all gifts to elected officials that exceed \$100 per year. There's several exceptions, then. They are; unless the gift is available to the general public it would be... or if it was used for educational material or missions, involved travel expenses for a meeting to discuss state business, was a gift from a friend or a family member, it was a meal not exceeding \$75 in value per person, it was a inter- or intra-office gift as defined in the Act, it was a bequest, inheritance, or other transfer at death, or is the political contribution

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as regulated by the Election Code. We have set up, in this Bill, two different ethics commissions. One, that would govern the Executive branch, it would be appointed by the Governor with advice and consent of the Senate. The other commission would govern the General Assembly and it'd be appointed by the legislative Leaders. The commission would be responsible for ruling on complaints. It would also be given the power and the authority to give advisory opinions regarding possible scenarios. These commissions would be required to meet once a month. With respect to the issue of personal use of campaign funds, the proposal would prohibit the personal use of campaign funds except in the following instances: when the expenditures would not be considered base income under the Illinois Income Tax Act, if the money was used for defraying the ordinary and necessary expenses of an officeholder or candidate, if it was donated to a tax-exempt organization, or if it was a transfer to a national, state, or local political committee. This Bill also has incorporated some of the executive orders dealing with the prohibition of executive officeholders from soliciting money from employees. And it also changes the prohibition on fundraisers within 30 mil... 50 miles of Springfield to within 50 miles of the State Capitol. I'd be glad... That is the sum and substance of this particular Amendment. Be glad to try to answer any questions."

Speaker Hannig: "Now on the Amendment, Representative Fritchey."

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

Speaker Hannig: "Indicates he'll yield."

Fritchey: "Actually, if you would let me just speak to the Bill, if I may. There are a number of very, very well-thought-out and actually very well-drafted items in

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here. Over the past three years, one item which I had passed repeatedly out of this chamber, to no avail, was legislation which would prohibit state inspectors from soliciting campaign contributions from the people that they oversee and regulate. We felt that it was very important to do this, not only to stop the pay-per-play culture in the State of Illinois, but more importantly these days to restore public confidence in State Government which has waned to probably an all-time low. We passed this legislation out of the House unanimously, it stalled in the Senate for two straight years, it's in the Senate again. When the first version of this Bill came out, they had language in there that attempted to deal with the same problem. We had come to them and said, we think that House Bill 400 has a better version of this language, we'd like you to incorporate this. After a lot of negotiations, I'm proud to say and I'm happy to say that that language has been incorporated in this Bill almost verbatim. And to that end, I would very much like to compliment and thank Leader Daniels, his staff, Speaker Madigan and his staff, and particularly, Governor Ryan and his staff. They were not compelled to, nor did they have to incorporate this language. I think that they saw, hopefully at the end, that it was good language to put in. I appreciate their work and cooperation in doing this and I think it will go a long way to making Illinois not only a safer state, but a better state down the road. So to all those bodies, I'd like to say thank you. And I urge my colleagues to strongly support this Bill."

Speaker Hannig: "On the Amendment, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Any further Amendments?"

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Clerk Rossi: "Floor Amendment #4, offered by Representative Daniels."

Speaker Hannig: "Representative Cross."

Cross: "Amendment #4 was an Amendment... technical cleanup Amendment that addressed the concern that Representative McCarthy had in committee with respect to the revolving-door issue of state employees."

Speaker Hannig: "All in favor... Excuse me, Representative Schoenberg. Do you have a question on the Amendment?"

Schoenberg: "Yes. Mr. Cross, I was the chief sponsor of the sweeping changes in the procurement law. A major portion of that procurement law pertained to the revolving door. If you could elaborate in greater detail, what alterations have been made to the revolving-door prohibition?"

Cross: "Representative, perhaps... I cert... There aren't any elaborate changes or I don't... if you want to call them elaborate, that deal with that are under the underlying Bill are mainly Amendment #3. Amendment 4 is purely technical. I'd be... I don't know if you want... the Speaker wants us to address at all when we do the underlying Bill."

Schoenberg: "Is anything... You indicated in your remarks on the technical nature of addressing the revolving-door prohibition. Could you specifically indicate what that does to the revolving door..."

Speaker Hannig: "Representative Schoenberg, why don't we adopt the Amendment and we'll recognize you to ask the question on the Bill?"

Schoenberg: "Thank you. Okay."

Speaker Hannig: "Okay. On the Amendment, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 1330, a Bill for an Act in relation to elections. Third Reading of this House Bill."

Speaker Hannig: "Representative Cross."

Cross: "Again, Mr. Speaker, before I... perhaps the best thing to do is answer any questions. I, obviously, would appreciate an 'aye' vote."

Speaker Hannig: "Representative Schoenberg."

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

Speaker Hannig: "Indicates he'll yield."

Schoenberg: "Mr. Cross, there are a number of excellent provisions in this Bill. As I alluded to in my earlier remarks, the question that I have for you relates to the Illinois... relates to the revolving-door prohibition. In the existing law, there already is a prohibition in place for anybody involved in the... in procurement decisions as either chief purchasing officers or agency heads or assistant purchasing officers. And that part is on page 68 of Amendment #3. That part between lines 13 and 27 has been stricken out and the preceding lines replace that almost identically. Could you elaborate on what changes you've made to the revolving-door prohibition?"

Cross: "Jeff, the general belief or thought is that the new language is more of an expansion in terms of the prohibitions, than the earlier language. I think people would agree that the Bill you passed was a good Bill, but that this was an attempt to clean up some things, but more importantly, expand it. And as I... I think you could tell, this actually starts on page 67. And as you can see... And I see Representative McCarthy is next to you, he

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brought up a very valid point in committee that needed to be cleaned up. On page 67, let me address that first, 'no former state officer or state employee may, within a period of two years immediately', and it read, 'preceding termination of state employment, accept employment or receive compensation.' That should mean after. And Representative McCarthy, we've taken care of that with Amendment 4. Thank you for pointing that out. But what we've done is said that 'this prohibition includes but is not limited to lobbying the procurement process specified in bidding, proposing bid, proposal, or contract documents on his or her own behalf or on behalf of any firm, partnership, association, or corporation.' I think that's clear to say that's an expansion, Jeff."

Schoenberg: "Well, Mr. Cross, if I may, I'd like to point out another change in this. It is, indeed, more expansive. It's more expansive in the number of people it exempts out, it would appear, rather than the number of people that it includes because the portion of the statute that would be stricken out would be the effective date which was January 15, 1999. So whereas in the pa... It would appear to me, at least, that whereas the clock began running on the revolving-door ban on January 15, 1999, that part of the law would be stricken and instead the revolving-door ban wouldn't begin until after this Bill became law. So, it would seem that this would be more expansive in the number of people it exempts, rather than more expansive in the number of people that it includes. Could you comment on that please?"

Cross: "Look at... then maybe I'll be try be responsive. If you'll look at the top of page 68, the two-year issue is not even applicable to this group of... where it reads,

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'the officer or employee... if the officer or employee was the chief procurement officer... associate procurement... in the associate procurement office or state purchasing officer' and goes on and on. So I... Those people or those individuals, whomever they may be, would not be subject to the two-year issue."

Schoenberg: "No, I would agree that they would be impacted, but they are virtually the same people who are impacted, the same positions that are impacted. The difference is, is that as I indicated before, at least if you look at the new effective date when this prohibition would begin on lines 12 and 13 of page 68 and when the effective date is stricken on pages 26... on lines 26 and 27 subsequent to that, it would appear that what's being done is we've actually expanded the universe of people who've been exempted out, because we've stricken the date that the ban originally began. So that anybody... This was a... I can tell you, as a matter of background, that this was included... this effective date was included in the Bill at the insistence of former Governor Edgar at the time, in the closing stages of the agreement. So, because he didn't want the people from his administration to be included. Why do you make the change in the effective date and why are you apparently expanding the number of people who'd be exempted?"

Cross: "Jeff..."

Speaker Hannig: "Representative, could you bring your remarks to a close? Representative Cross."

Cross: "If I can respond. Jeff, if you look at 68, the people that are included are the same people that you had in in your Bill. No one's arguing about that. So, those people do not have the two-year prohibition, the two-year issue

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does not apply to them. What we've done in the preceding page is add new people. We now have new people that this applies to and they can't act or provide any... do any employment in this area for up to two years after their employment. So, if you read the whole Section or the full two pages, the provisions you had are still there. It applies immediately to those people. Again, we've added new people that are prohibited for a two-year window. We've broadened what you initially had and we've made it better and we've included more people in the net."

Schoenberg: "To the Bill."

Speaker Hannig: "Representative Schoenberg, could you bring your remarks to a close?"

Schoenberg: "Yes, Mr. Speaker. I would respectfully disagree with the Gentleman's interpretation on this provision of the revolving-door prohibition. However, I do believe that the overwhelming majority of the Bill is a sound Bill, a long overdue Bill. And I would support that. But I do want to point out this change in the Purchasing Act. Thank you."

Speaker Hannig: "Representative Novak."

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

Speaker Hannig: "Yes, he indicates he'll yield."

Novak: "Tom, I just want to ask you a legal question here. Where is the... What court is the current Gift Ban Act in? Is it in the Supreme Court or in Appellate Court? I'm talking about the Will County decision, where is it now?"

Cross: "It was automatically... Representative, it's a good question, from Will County, which ruled it unconstitutional, immediately to the Supreme Court."

Novak: "Okay. And Attorney General Ryan is representing the state on our behalf?"

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Cross: "Yes."

Novak: "Okay. Just a theoretical question here. If this should become law, as is, and signed by the Governor and then let's say, the Supreme Court overturns the Will County judge's decision, what do we do?"

Cross: "What happens... Again, a good question, Phil. This reenacts what we passed and then also cleans it up... because of that, some of the confusion that people had. So, this supersedes that other Bill. So even if they do throw out the Will County case and say that the original Gift Ban Act is good, this supersedes that, this is the law, assuming this passes."

Novak: "Okay. Thank you."

Speaker Hannig: "Any further discussion? Representative Cross to close."

Cross: "Thank you, Mr. Speaker. I think... I just want to reemphasize on Repr... the previous... one of the previous speaker's points. We have expanded the list of people under the revolving-door prohibition that cannot do work over... for a two-year period after. And we retained the part that he was concerned about. I want to stress that. This Bill, as Representative or Leader Daniels pointed out to you, has been... is the culmination of a great deal of work and input from a variety of groups. It's a Bill that people believe can actually pass and will withstand constitutional muster. It's a good Bill for the state and it's time we do something. And I would appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall this pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record."

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On this question, there are 107 voting 'yes', 2 voting 'no', and 7 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2382. Mr. Clerk, what is the status of that Bill, 2382?"

Clerk Rossi: "House Bill 2382 has been read a second time, previously... or a third time, previously, and is on the Order of Postponed Consideration."

Speaker Hannig: "So, Representative Soto is recognized on House Bill 2382."

Soto: "Yes, House Bill 2382 creates the Illinois Living Wage Act. The new Act contains the following provisions: employees covered under the Bill are companies, profit or not-for-profit; that perform state contracts for services valued at \$100 thousand or more; or subcontractors for services valued at \$25 thousand or more."

Speaker Hannig: "The Lady has moved for passage of House Bill 2382. And on that question, Representative Cross is recognized."

Cross: "Yeah, I think, Mr. Speaker, we've debated this fully. I do request a verification..."

Speaker Hannig: "Okay."

Cross: "...in the event it gets the number of votes."

Speaker Hannig: "The Gentleman has requested a verification and it will be granted. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Just real quickly, I believe when the last Bill was debated, there were a couple points that I just wanted to clarify. And I think that they bear clarification. First of all, we always talk about welfare-to-work and getting people off of welfare here in this state, but only 28.8% of former welfare recipients with jobs earn more than the federal poverty level.

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Raising a full-time worker's income from minimum wage to a living wage will reduce the welfare benefits that his or her family receives from the state by about \$2 thousand. A minimum wage family makes about \$10,700 per year, while a living wage family, under this Bill, would make about \$16,400 per year. What's that mean? That means food stamp benefits that would go towards the minimum wage family of 150 to \$180 per month will no longer have to be paid. Subsidized day care will be decreased. The KidsCare (sic-KidCare) eligibility will be decreased. In other words, by passing this Bill, what we will do is we will save to the state between 1700 and \$2,000 per year. That's hard dollars, hard money, that currently is coming from our state coffers while we allege to bring people off of welfare and to work. I ask you to vote for this Bill only because, if we're gonna give lip service to the fact that we're gonna get people off welfare, let's pay 'em a living wage, a decent wage, and let's save the state dollars. I ask for your 'aye' vote."

Speaker Hannig: "Representative Parke."

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

Soto: "She indicates she will yield."

Parke: "Representative, do you have any idea of what the fiscal impact on the businesses of Illinois might be to implement this?"

Soto: "We're getting the fiscal note. Can we have minute, Representative Parke? Thank you."

Speaker Hannig: "Mr. Parke, perhaps you'd like to ask another question while the Clerk gets the fiscal note."

Parke: "I don't have another one. Representative. Representative. I'll just let it go."

Soto: "Thank you."

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Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Just briefly, you know, the people who are affected by this Bill are people that do jobs in Illinois that a lot of people won't do. They clean people up in their homes. They take care of people in their homes. Because people are taken care of in their homes, they're a much smaller burden to the state. But if we can't provide a living wage to the people that are doing these jobs, there won't be anyone to do these jobs. These folks'll end up in hospitals. They'll end up in nursing homes. It'll cost the State of Illinois substantially more money than it does now. And the current state of affairs allows all of these people who are doing this tedious, difficult work that no one else wants to do, the salaries they're making guarantee them that they'll be on welfare while they're doing this work. That's not fair and it's not right. Please vote for the Bill."

Speaker Hannig: "Representative Black. Representative Bill Black."

Black: "Thank you very much, Mr. Speaker. Very briefly, we've discussed this and debated this. If you'll just look at the Bill, the taxpayer gets stuck for most of this. If you're working under a state contract, the taxpayer'll pay for it. That's strange. I just had a nursing home in my district go bankrupt because we are reimbursing nursing homes on a cost report that dates from about 1990. Now, we have a supplemental appropriation Bill floating around between the two chambers that would guarantee many of these workers a \$1 an hour wage increase, but we can't seem to get together on that. We can't seem to get together on that, so that's on hold. And that was effective until March 1. Oh my goodness, we speak in here so many times

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with forked tongue. And I hope all of you will look at your district office allotment records. I hope none of you are paying any of your district office employees less than a living wage. If we want to start someplace, let's start with us. Let's start with State Government, then we can expand it to the private sector, okay? Let's make us go first, make the private sector go second."

Speaker Hannig: "Representative Fritchey."

Fritchey: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Fritchey: "I just want to say, if anybody was wondering, I plan on fully supporting this legislation."

Speaker Hannig: "Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I've been around a long time, and the real issue down in Springfield is the haves and have-nots. Every time we have a Bill like House Bill 2382 that tries to take care of the have-nots, everyone gets up in arms. And someone asks, what's the fiscal note on House Bill 2382? Well, I don't know what the fiscal note is on House Bill 2382, but I know what the fiscal note was on the incentive that we gave Motorola; \$30 million from IDOT in road repairs to get to the Motorola plant, \$5 million in high-packed business program for Motorola, \$1 million for industrial training programs for Motorola. That's \$36 million for Motorola that we gave them to create jobs, and they've lost jobs. But the difference is, Motorola's are the haves and the people that take care of people in their homes are the have-nots. How can some of us go home and look in the mirror in good faith when we want to tread on those who have the least protection? And those who have the most protection, we gladly stand up and say, let's support.

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Well, let's support some people that take care of our own people. My mother had a home care worker before she died in 1994 and I tell you, it made her last days on this earth a lot more enjoyable than it would have been. I didn't have to put her in a nursing home. I didn't have to put her in a hospital. She could live all the rest of her life in her home with some dignity and some class. There should be 118 'green' votes on House Bill 2382."

Speaker Hannig: "Representative Soto to close."

Soto: "Representatives of the House, please find a little compassion in your heart. My friends, we're always talking about self-sufficiency, not dependency. Let's give our workers a living wage. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 2382 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. There's been a request for a verification. So, would everyone vote their own switch and be in their seats. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question, there are 60 voting 'yes', 55 voting 'no', and Representative Cross has asked for a verification. Mr. Clerk, would you read the list of those voting in the affirmative."

Clerk Bolin: "A poll of those voting in the affirmative. Representatives Acevedo. Boland. Bradley. Brosnahan. Brunsvold. Bugielski. Burke. Capparelli. Collins. Crotty. Currie. Curry. Dart. Davis, M. Davis, S. Delgado. Erwin. Feigenholtz. Flowers. Forby. Fowler. Franks. Fritchey. Giles. Granberg. Hamos. Hannig. Hartke. Hoffman. Holbrook. Howard. Jones, L. Jones, S. Kenner. Lang. Lyons, J. Mautino. May. McCarthy. McGuire. McKeon. Mendoza. Miller. Morrow. Murphy.

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Novak. O'Brien. Osterman. Reitz. Ryan. Schoenberg.
Scott. Scully. Slone. Smith. Soto. Stroger. Turner, A.
Younge. Mr. Speaker."

Speaker Hannig: "On the affirmatives, Representative Cross."

Cross: "Representative Morrow."

Speaker Hannig: "Representative Morrow is in the middle aisle."

Cross: "Representative Yarbrough."

Speaker Hannig: "Representative Yarbrough, I believe, is not
voting. How is she recorded, Mr. Clerk?"

Cross: "Representative Dart."

Speaker Hannig: "Okay. Representative Tom Dart. The Gentleman's
in the rear of the chamber. Mr. Cross, we have someone
here, Representative Howard, is requesting verification.
Is that okay? Okay. Any further, Representative?"

Cross: "Just one second, please. Representative Hoffman."

Speaker Hannig: "Representative Hoffman is standing at his desk."

Cross: "All right. I think that's it."

Speaker Hannig: "On this question, there are 60 voting 'yes', 55
voting 'no', 1 voting 'present'. And this Bill, having
received a Constitutional Majority, is hereby declared
passed. Mr. Clerk, read House Bill 63."

Clerk Bolin: "House Bill 63, the Bill has been read a second
time, previously. Amendment #1 was adopted in committee.
Floor Amendment #3, offered by Representative Granberg, has
been approved for consideration."

Speaker Hannig: "Representative Granberg."

Granberg: "Mr. Speaker, can we withdraw Amendment #3? Withdraw."

Speaker Hannig: "Withdraw Amendment #3. Any further Amendments?"

Clerk Bolin: "Floor Amendment #4, offered by Representative
Granberg."

Speaker Hannig: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. Floor Amendment #4 encompasses basically two components... two major components. The first component is also comprised of an environmental section and a fiscal section. The environmental concern has basically, a biomass proponent... component, also a renewable fuels component, and a procedure by which the Environmental Protection Agency can issue findings that they may indeed need to have stricter air quality standards in Illinois. The second component allows the Governor to bond up to \$500 million for the use of clean coal and increase base generation plants in Illinois. That would be the mine-to-mouth plants. This is the result of bringing stakeholders together since December, bringing every group together who has an interest, not only in the development of Illinois coal for Southern Illinois, but the environment, the utilities, labor, business, and state agencies that are impacted. The second major component is that of Leader Daniels, who has put together an Empower Illinois Program that basically deals with a loan project from the Illinois Development Finance Authority. The first portion deals with grants and improving the environmental policy of Illinois. The second major proponent deals with loans creating tax incentives and others for mine-to-mouth operations, particularly in Central and Southern Illinois. So, with that, I'd be happy to answer any questions."

Speaker Hannig: "And on the Amendment, Representative Bost."

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

Speaker Hannig: "He indicates he'll yield."

Bost: "In committee, Representative, I ask... you know, I... And I know that you're trying to do the best you can with this, but I have some concerns in the fact that the... that this Bill should be presented as two separate Bills; the Bill

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that Representative Daniels put together that I was cosponsor of and this Bill that I'm cosponsor of. And I thought it would be wise to separate 'em, and I think it would be better to advance 'em that way. Could you please explain your reasons for not allowing them to stay separated?"

Granberg: "Certainly, Representative. We introduced this Bill in December of last year. Since that time, we brought all the stakeholders together to do meetings to find consensus. Not only the issue of economic development for Southern Illinois, but improving the air quality standards for those people in Northern Illinois. So, we've developed a package of improving the economic development opportunities in Southern Illinois, improving the air quality in Northern Illinois, and improving our generation capacity in the State of Illinois. That was in December. We became aware of Leader Daniels' package and your package yesterday. But due to the shortness of the hour, Friday being the deadline, to engage in a comprehensive policy we thought it'd be better to put everything in one Bill, and Representative Reitz has a component in this Bill, as well. Move that Bill to the Senate, bring all the stakeholders back and try to find consensus, which I am frankly optimistic that we can do. And have a Bill put on the Governor's desk that he will sign."

Bost: "Well, Representative, I hope we can. But Mr. Speaker, to the Amendment."

Speaker Hannig: "To the Amendment."

Bost: "I think it's..."

Speaker Hannig: "Proceed."

Bost: "I think it is important that we do move Lee Daniels' Bill out and that language by itself, as well. I still would

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hope that we would have the Rules Committee do that. I have a concern and that concern is one that we all know around here, as Bills get loaded up and they move over to the other chamber, now I'm going to support the Bill, but as they move over to the other chamber and they have a wait, the original Bill that has now been amended onto Representative Granberg's Bill or what this Amendment's going to do, that Bill had no cost to the state. The bonding was in it. But what it did do, it dealt specifically with mine-mouth generation. It dealt specifically with job creation in Southern Illinois. Well, all over Illinois, because it was selling our coal product with the mine-mouth generators. We know that it's Illinois that's gonna... coal that's going to be burnt. We know that it is because they're gonna build the plants right at the mouth of the mine. It had some help in there, and this Bill does, as well, for the transfer of the electricity. Now, that could be the advantage for the northern part of the state. My concern is, as we send this over now with Representative Granberg's Bill and the cost of \$500 million, that the Senate will not act on this Bill, or will take parts out of this Bill that are very important. And I have some real concerns. As I said, I will vote for the Bill. I'm not gonna say that I'm not gonna vote for the Bill. But I think the process should have been handled differently. I think that each Bill should have been handled on its own. I will work with the Gentleman and I will try to make sure that Southern Illinois and the State of Illinois is provided with good legislation through this. But I'm not happy with the process by which it was done."

Speaker Hannig: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, let me

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state quite clearly, and as everyone in this chamber knows, I come from the northern part of this state. I don't have a coal-burning plant in my district. I don't have a nuclear plant in my district, but we sure rely on energy and want the production of that energy. Let me also make it clear as it relates to the Amendment that's attributable to this side of the aisle, that we have been working on this for months. And it started when I was downstate Illinois, and frankly, in coal-rich Illinois, where person after person said to me, we need jobs, we need economic development, and we need utilization of Illinois coal, because we're bringing in coal from Wyoming and other states and turning our back on the truest resource and economic development tool that we have in this state. And that is the 300-year reserve of coal that we have in Illinois. One of the things that we did in putting together our Amendment was to start with several principles: 1) how to use Illinois coal and the rich reserves; 2) how to do this and create jobs immediately, job creation; 3) how to do it in a fashion which didn't tap the taxpayers' dollars of this state and cost them money because all parts of the state would be called upon to pick up that cost; and 4) how to be fair and reasonable to every part of the state, Northern and Southern Illinois. That's why in putting together our Amendment, we not only drew on the resources of Southern Illinois, but we had something in there for Northern Illinois. Because, as you know, people from Chicago, you know that they're building these computer farms right now in your large buildings in the City of Chicago. These computer farms, which house servers for computers, drain tremendous energy sources on those computers that needs to have the energy and the

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electricity to run those systems. This summer we may face brownouts and blackouts in the City of Chicago. The only way we're gonna get the kind of energy that we need is to encourage the utilization of Illinois coal and to build some coal plants. In putting together our program, not costing the taxpayers of this state one single dime, we would build mine-mouth plants at the mouth of a mine, reopening old mines. As a matter of fact, we have a coal company that's ready to move immediately, if this Bill is signed into law, to create those 5,000 jobs. So, what did we face? When I filed this Bill with the Members of the Republican side, I took this over to the Democrat side and said, why don't you join us in sponsoring this Bill? In fact, in Pickneyville, Illinois, Southern Illinois, coal-rich Illinois, I told the people of Pickneyville, you're going to have the opportunity to reopen your mines and create new jobs. And they said, well, is only Republicans gonna do this? I said, yeah, we created this plan, but we're gonna take it to our Democrat colleagues. So, what happens? We take it to you and you say, no, you can't run your plan, but we're gonna take yours and put it in our taxpayer-costly plan, which will jeopardize the initial formation of this great plan that we devised to create jobs, to furnish economic development, and develop coal in Illinois. I said, look, don't jeopardize this Bill that we have. Go ahead with your Bill, we'll support your Bill if that's what you want because we're interested in moving forward. Your Bill is gonna get to the Senate, run into some difficulty because of the cost, and what are you gonna do in the final negotiations? You gonna kick out early intervention to pay for it? You gonna kick out comprehensive health insurance programs to pay for the \$40

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million annual cost or the \$500 million cost to the State of Illinois and the taxpayers of this state? Are you gonna throw out the Medicaid funding, or the pharmaceutical reimbursement, or the senior citizen plan? Is that your program for how you're gonna pay for this costly Bill that's before you right now? I suggest to you there's a better way of doing it. The better way of doing it was to work in the bipartisan fashion that we offered to you the other day and to work together to pass our Bill and yes, to enact your Bill and to work on that in separate fashions, so you wouldn't jeopardize a Bill that creates jobs, economic development, and uses Illinois coal immediately. Well, we're faced with a dilemma right now, because we know the trap you put us in. I wouldn't ask my Southern Illinois colleagues to vote against a Bill that could help them in Southern Illinois. But the Bill known as the Granberg Bill doesn't create one single new job, not one. But it sure costs a lot of money to retrofit a existing fossil fuel plant with scrubbers and other items that you expect this state to pick up the cost to do, to save the owners of the fossil fuel plants from the cost that they ought to pick up. That's not for me. That's not good government and that's not fair to every taxpayer in this state. Instead, you should be for a Bill that creates jobs and economic development. Shame on you for taking a good idea and putting it in a costly Bill that jeopardizes the creation of good jobs for this state. Shame on you for doing that. Shame on you for making this a partisan issue. Now having said all that, every Southern Illinois Legislator ought to vote for this Bill. And shame on you for the actions that you're taking today."

Speaker Hannig: "Representative Erwin. Representative Erwin on

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the Amendment."

Erwin: "Thank you, Speaker. I rise, first of all, to say that I don't think this a partisan issue. So, I certainly disagree with the former speaker. I appreciate the Sponsor has worked... The original Bill, I strongly opposed. And as you know, I filed a Amendment that was fairly hostile that I couldn't have gotten on, on House Bill 63. My concern is certainly not to jeopardize the economic health of the state. But Ladies and Gentlemen, the fact of the matter is that the health concerns of our children and families, the rising rates of asthma, heart disease, and other issues that relate to air pollution from, I'm sorry to say, our coal-burning plants, is something that all of us need to be concerned about. I believe there is a way and I believe Representative Granberg has looked for it, to try and find a way to on one hand incent the use of Illinois coal in clean technologies; number two and I hope the Sponsor continues working to try and find a way to improve the quality of clean air. There were changes made to Senate (sic-House) Bill 63. It's still not, I think, the perfect remedy here. My hope is that there is a piece of legislation coming over from the Senate that Senator Radogno is working on, that at least gives more teeth to the Illinois Environmental Protection Agency to try and establish standards for a three or four emissions standard approach, which is something we have to do in this state to protect the health of our citizens. We don't need to trade health, a healthy and clean environment, and jobs. That... Those are not the options. We can, in fact, do all three. And while there are a number of things about this Bill that I am not fond of, quite honestly, Representative Granberg, I really appreciate that you have worked on it. And I just

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would encourage all of us to continue working to try and make sure that we're not trading jobs for the health of our citizens. We can do both, we should do both. And I appreciate your efforts. And therefore, I will be voting 'aye'."

Speaker Hannig: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's hard to follow Leader Daniels' comments, because I think they said it very, very clearly in terms of this issue. More than anything else as we look, we really got... we've got two issues that really should... they're good on their face, but to put them together makes no sense. And really what's happened here, we've got one situation where the original Bill, as far as House Bill 63, has about a \$39 million annual cost once we get these bonds issued. Now, that \$39 million cost, as the Sponsor mentioned this morning in committee, is going to be borne eventually by the General Revenue Fund. And I think this is the thing that people need to understand. We've got a problem in the budget, as Leader Daniels pointed out here a moment ago. And when we get to the end there is no way that we're gonna be able to add \$39 million to this budget. And instead of dealing with our issue that clearly deals with the problems as far as our ability to be able to attract the mine-mouth technology for Southern Illinois, instead we put these two issues together and really dirtied the Section that we need to be addressing here today. So, let's just talk a little bit about 1598, Amendment #4, since obviously we weren't able to address this on its own. When you look at this issue, it's about a \$2 billion bonding program. But those bonds are going to be used in the form of loans. Not grants, loans, only after companies

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decide to locate here in Illinois. We also have about \$260 million dealing with the transmission line problems. So our ability to be able to get on the grid and be able to get that power to Northern Illinois or to other parts of this great state and the Midwest, it's a coordinated program dealing with mining, ability to be able to do the... And when we talk about the mine-mouth technology, what it amounts to, we're going to be doing underground mining, bringing that coal to the surface, and using it to generate electricity. And the thing that people don't understand as well, is the fact that this new technology is going to mean that we're going to have this power produced in a much more clean way than it is today because the new technology in terms of the coal generation, as far as electricity, will put us in a much, much better situation than we are at this point. In terms of the transmission lines, we're going to be seeing our ability to be able to get on the grid, be able to upgrade... the ability to be able to move significant new or higher levels of electricity throughout Southern Illinois and finally, eventually, to all over Illinois. And I think... You know what the other thing is, I think we need to point out, we've spent some time today visiting what the Illinois Environmental Council. They have not taken a position yet in relation to this particular situation, but I do think it is an issue that we must continue to work back and forth, as far as environmentalists are concerned. And I think we've taken steps in the right direction. But more than anything else, we put these two Bills together and really are going to be putting ourselves in a situation where we may well jeopardize our ability to put a Bill on the Governor's desk at the end of the Session. And that is

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because 1598, Amendment #4 clearly deals with the problems of Southern Illinois, deals with the problems of Central Illinois when you look at this map and you see the amount of coal reserves that we're looking at right now all over Central and Southern Illinois. This is an opportunity for significant economic development at no cost to the taxpayers. And instead, we're strappin' it on, we're putting it together with a cat and a dog. We got \$39 million in cost and we're going to be putting it on. And it makes no sense at all. Ladies and Gentlemen of the House, I stand in support of this Amendment, reluctantly, because unfortunately we did not see the real folly in our ways and realize that this needs to be addressed separately. Instead, here we are hanging these Bills together, knowing full well they're not gonna end up on the Governor's desk in this form. But nevertheless, I do stand in support of House Amendment #4."

Speaker Hannig: "Representative Garrett."

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

Speaker Hannig: "Yes, he indicates he'll yield."

Garrett: "Representative Granberg, how do the environmental organizations come out on this piece of legislation?"

Granberg: "Representative, good question. The environmental community was in staunch opposition because they have a fundamental policy problem with the increased use of Illinois coal. What we have been able to work through is removing the opposition from the Illinois Environmental Council and others. And that was very important, we thought, because we have given them this process through hours and hours and days and days of negotiations. Where we've brought all the parties together; utilities, environmentalists, coal association, mine workers. That is

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where we are at right now. They are neutral on the environmental policies that are in the Bill. They had some concern about other portions and I've made the commitment to continue to work with them. And I think we will resolve any other issues they may have outstanding."

Garrett: "So, currently, there are no environmental organizations or groups that are standing in opposition to this piece of legislation?"

Granberg: "They're standing in opposition to everything but the environmental portion of the package, which was in the original House Bill 63."

Garrett: "I have one more question. And that is, I've heard some of the speakers state that with this legislation we will not be creating new jobs. Can you just respond to that?"

Granberg: "Absolutely wrong. And let me address that point, 'cause I think it's a very, very good point, an important point. The speaker on that other side of the aisle said that there'd be no jobs created. Well, let me tell you, Sir, we already have a commitment from a top 50 company to build a plant in central-southern Illinois, \$1.2 billion if this Bill's signed because of the provisions we worked, 1.2 billion. They've already made the commitment. So, I think that creates jobs. Maybe that side of the aisle doesn't think so, I think it does. And I think it's just the beginning. And that's why we've worked together to do that for Southern Illinois and the rest of this great state."

Garrett: "Mr. Speaker, to the Bill."

Speaker Hannig: "To the Bill."

Garrett: "I would just like to end by saying that I do live in Northern Illinois and this is a Bill that I know is important to the entire state. I applaud the people that have worked on this from both sides of the aisle. And I

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hope that we can put our differences aside and keep focused on what this Bill's emphasis is and what its intention is and move forward and see this pass today. Thank you."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think it's a combination of factors; I've been here too long and my memory is faulty. I remember a time in this chamber when there were certain absolutes. One is, you never messed with the Speaker's Bill unless you had the Speaker's permission, and that courtesy was also extended to the Minority Leader, whether that was a Republican or Democrat. You never messed with the Minority Leader's Bill unless you had the Minority Leader's permission. There were other simple courtesies extended. You never, ever verified the Majority or Minority Leader on a verification. Never. However, I remember one day when a young eager Representative, not me, young eager Representative verified Jim McPike. He didn't stay here very long and the rest of us learned from that. There were certain absolutes that used to be accepted in this chamber. And I thought one of those absolutes was the Speaker's Bills were the Speaker's unless he agreed to let you amend it. The Republican Leader's Bills were his or her Bills unless they agreed to let you Amendment (sic-amend it). Here we have a case where the Republican Leader's Bill was amended on to another Bill without his permission, or consent, or constructive knowledge. It didn't use to be that way here, folks. It didn't use to happen that way. Now, if it's going to change and we're gonna go back to the strict partisanship, okay, I don't blame your side. I don't blame our side. I blame each and every one of us in this chamber for not speaking out against things that we

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know are wrong. When we do things like this, we disenfranchise thousands of people in this state. We no longer get to debate all of the ideas because we collapse them or we simply refuse to let them be called. That's not fair. That's not equal protection under the law. I don't know what Bill is best. I won't hear the debate on either one of 'em. Said the environmental council didn't oppose House Bill 63. That's strange, they signed in in opposition today. Here's the slip. Now, you know, we're gonna sit here and fool around politically and may end up like California, the Golden State. Everybody wanted to go there a few years ago. Look at them. Look at the mess. Rolling blackouts, no electricity, a 40% increase in their power bills to try and get conservation. We wanna end up like that? I don't think so. We debate a living wage when we can't get the Leadership of the two chambers together to pass a supplemental that gives a \$1 increase to those people taking care of the most vulnerable citizens, retrospective(sic-retroactive) to March 1st. It's not your fault. It's not our fault. It's all of our faults collectively because we sit back and say nothing while that happens. It's wrong. When it requires a unanimous consent to discharge Rules, I've said this for the last two reorganizations, that's wrong. It affects you just as much as it affects me. It's not the Speaker's fault. It's not the Minority Leader's fault. It's our fault. We acquiesced to what's going on here. And until each and every Member gets up and says, 'No, that is not the way I was elected to serve here. It is not what I am about. I'm here to represent the people who sent me here and then indirectly the people of the State of Illinois.' Collapsing Bills without the consent of the Sponsor not

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only disenfranchises the right of the Sponsor, but the people that he was elected here to serve, not only from his district but from throughout the State of Illinois. He is the elected Minority Republican Leader of this House, as your Speaker is the elected Speaker of the House representing your interests and those of the State of Illinois. This is a foolish argument and a foolish way to do the public's business. And I'm not gonna cast any blame or shame on anybody in the chamber because ultimately it's my fault, it's the fault of everybody in this chamber because we don't stand up on our own two legs and tell the Leaders and each other in this chamber, 'I'll not be a party to this kind of dictatorial, absolute, omnipresent rule.' It's wrong. And I don't care if we do it to you or you do it to us, it's wrong. And yet you're gonna sit there and many people on my side of the aisle will sit there, we will let that supplemental sit out here for two more months, thousands of people will be disconnected while we're on spring break. That's not right. We let it happen. It isn't anybody's fault but the individual Members. You want to take back... it's fine with me. It's about time..."

Speaker Hannig: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I think the Amendment's been debated fully and I move the previous question."

Speaker Hannig: "The Gentleman moves the previous question. The question on the Amendment is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the main question is put. Representative Granberg to close on the Amendment."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me address a couple of concerns and I

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understand my good friend from Danville's comments, 'cause we've been working together a long time on a bipartisan basis and I'm very proud of that. First of all, we introduced this Bill in December, brought every party together to work on a bipartisan basis, a professional basis, every group that was at odds, from environmentalists to the coal industry. We wanted to develop a consensus to engage in a comprehensive energy policy. As of this Wednesday, our friend introduced his Bill. Not one party of any group involved in any of these negotiations from December was informed, not the state EPA, not the Governor's Office, not anyone. There was some concern that this provision was done for political reasons. I said, 'No, of course they would never do that. They would never do that.' Although, we found out from a press clipping from the Southern Illinoisan that would not be the policy. We are engaging in sound policy. This is not a \$39 million hit on the Treasury every year. That is simply wrong. It is simply wrong. It provides a ceiling of up to \$500 million. Period. As they go through this process, you have two criteria for a threshold examination. You have to increase the use of Illinois coal. You have to reduce SOx emissions. If you do that, then you can go to the board. The board is composed of an equal number of environmentalists, an equal number of coal people. They agreed on the composition of that board. They control the majority of the votes on that board. This has all been agreed to, to be fair. It goes to the board. If they feel that project is worthwhile, and it can be putting scrubbers on now to save Illinois coal or it can be mine-mouth operations 'cause we need new generation. We need new generation and we need new plants in Southern Illinois.

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And as I told you, we now have a commitment from a utility to build a \$1.2 billion mine-to-mouth operation in Central-Southern Illinois with the passage of this Bill. We received that two days ago. We're trying to develop this comprehensive policy, not to pit one region of the state against each other, but develop this comprehensive policy to help the economy of Southern Illinois, to help the environment in Northern Illinois, to create more generation so we don't become like California, we don't become reliant on out-of-state generation. We have put all these parties together in the spirit of cooperation and that's what this is. We've told everybody what we've been doing for four months and yet we hear about this plan Wednesday. I admire... I think there are a number of very, very good components. We're trying to work together. We decided from September to try to bring everybody together to put one Bill on the Governor's desk. One Bill to send a clear message, let's help the economy, let's help the environment. We can bring people together. Let's not divide them. Let's bring them together for the sake of all of the people in Illinois and that is what we're doing. And I would appreciate your support."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "Floor Amendment #5 offered by Representative Reitz."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Floor Amendment #5 takes \$100 million of the 500 million that is the bond proceeds in Representative Granberg's Amendment and takes that 100 million and dedicates it toward mine-mouth generation. I'd

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be happy to answer any questions."

Speaker Hannig: "And on that question, Representative Daniels."

Daniels: "What's the other 400 million used for?"

Reitz: "That would be for... That's Representative Granberg's..."

Daniels: "It's not a trick question. I wanted you to explain..."

Reitz: "The other 400 million would be... What do you want to use it for, Kurt? It'll be for clean air technology. It will run through the board that is going to be put together and they will decide what to do with that, I guess, based on Illinois coal and sulfur dioxide and NOx."

Daniels: "So, for scrubbers and other items that would be placed on fossil fuel plants?"

Reitz: "Correct."

Daniels: "So, what you want to do with the 500 million that was in Representative Granberg's Bill, you want to take a hundred million of that and put that into mine-mouth plants."

Reitz: "That is correct. My belief is that mine-mouth generations are the only thing that's going to guarantee Illinois coal jobs."

Daniels: "And let me ask you this, is that taxpayer money?"

Reitz: "Yes."

Daniels: "So, the other 400 million, is that taxpayers' money?"

Reitz: "Yes."

Daniels: "And how is that paid for? Out of taxpayer's dollars, taxes we collect, from all parts of the state?"

Reitz: "It'd be from the General Revenue... "

Daniels: "The answer is 'yes'."

Reitz: "It'd be from the sale of General Revenue bonds."

Daniels: "Right."

Reitz: "That's correct."

Daniels: "All right. And then we pay for those General Revenue

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bonds which is estimated to be how much total cost of the
500 million? Per year?"

Reitz: "About \$39 million per year."

Daniels: "Thirty-nine to forty million dollars?"

Reitz: "Yes."

Daniels: "Per year?"

Reitz: "Correct."

Daniels: "Now, let me just make sure I understand what this
component of your plan is. So, by putting retrofitting
materials on existing fossil fuel plants, what you are
doing then is to help the corporate giants, the owner of
the fossil fuel plants, to retrofit their plants with state
taxpayer dollars. Is that correct?"

Reitz: "No."

Daniels: "It is not. Okay, why don't you correct me then."

Reitz: "My Amendment takes \$100 million..."

Daniels: "No. No. No. Your Amendment becomes part of the
whole."

Reitz: "Yes."

Daniels: "Part of the whole does what?"

Reitz: "As does yours."

Daniels: "Yeah."

Reitz: "Now..."

Daniels: "Right."

Reitz: "Correct. My Amendment takes one... dedicates \$100
million toward mine-mouth generation which I believe will
generate enough jobs and will not be allocated or we won't
sell the bonds until we have a project on-line. Once that
happens, we will either protect or create more mine jobs
plus create the generating capacity jobs. So I think my
Amendment guarantees that we will... that anything that we
spend on General Obligation Bonds from the State of

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Illinois will be repaid two or three times fold."

Daniels: "I understand that and I'm not questioning your sincerity on this, Representative, because we know we've had discussions on this. You come from coal-producing areas. But what I'm trying to understand is the balance of the 400 million then is utilized for these fossil fuel plants that are owned by that corporate giant coal companies, that if you didn't have that in the Bill they would have to pay for it themselves out of their profits instead of calling upon the taxpayers of Illinois to pick up their cost to retrofit their plants. Isn't that a correct statement?"

Reitz: "Pretty close."

Daniels: "That's what I thought. Ladies and Gentlemen, again, once again, let me make sure you understand, taxpayers' dollars being utilized that you didn't have to do because what you're doing is bailing out the corporate giants. Ask the people that are sponsoring the Bill what the meetings they had with the corporate coal giants that we're bailing out. This is a corporate giveaway plan under this Bill that you, taxpayers all over the state, are paying for. It's not sound. It's not environmentally sound. The environmental council doesn't approve it. And you ought to oppose this because it's another shame. And by the way, let me just add, this bipartisan spirit that you're talking about, not once did you invite the Republican Members of this side of the aisle to any of your long, strenuous meetings that you engaged in, instead you met with the corporate giants to put your Bill together, corporate giveaway by Democrat Party."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Yes. Will the Sponsor yield?"

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Speaker Hannig: "He indicates he'll yield."

Hoffman: "If we could, regardless of the previous speech, can we just talk about the Amendment that's before the Body, Representative? All this Amendment does, it doesn't talk about anything other than the Bill, other than it makes sure that we're going to build mine-mouth plants here in Illinois. Is that correct?"

Reitz: "Correct."

Hoffman: "And you're gonna use a hundred million dollars from this Bill to make sure that we build these plants which will insure that Illinois coal is being burned. Is that right?"

Reitz: "Correct."

Hoffman: "And it's your understanding or it's my understanding that the reason mine-mouth plants are preferable is: #1, there's no transportation costs; #2, none exists, therefore, they have to be built in environmental friendly manner. Is that right?"

Reitz: "That's correct."

Hoffman: "Now, Representative, do you have any idea how much money is brought into the state coffers every year as a result of the tax on Illinois coal that is paid?"

Reitz: "It's about 16 million a year on Illinois coal, total is around..."

Hoffman: "It's my understanding, that on the sale of coal, per year, about \$39 million is brought in to Illinois coffers. So, why shouldn't we take that \$39 billion (sic-million) that's brought into Illinois' coffers and make sure that we reinvest it and insure that people in Representative Jones' district, Representative Bost's district, Representative Fowler, Forby's district are put back to work? Look at the Amendment. You can demagogue all you want and talk about

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the Bill, but let's talk about the Amendment. The Amendment insures that there'll be plants that are built, that are environmentally friendly, that are gonna put Illinois coal miners back to work by making sure we have a hundred million dollars for mine-mouth plants. It's that simple. How can anybody be against that, especially when we're using coal tax dollars to go to other projects. Let's put Illinois miners back to work. That's what this Amendment does. That's why I hope we adopt this Amendment."

Speaker Hannig: "On the Amendment, Representative John Jones."

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

Speaker Hannig: "He indicates he'll yield."

Jones, J.: "Representative Reitz, you and I have discussed your Bill and Representative Granberg's portion of the Bill and Representative Daniels' portion of the Bill. You and I have both come to the conclusion that the hundred million dollars in grant money for mine-mouth facilities is a great idea and we've been working on that issue for several days now. Is that right?"

Reitz: "Yes."

Jones, J.: "Would you agree, being a former coal miner yourself, that the #1 issue, in Southern Illinois, in fact the southern half of the State of Illinois, is everywhere you go coal miners are saying, 'What are you guys gonna do to put us back to work?'"

Reitz: "Yes. In a number of communities we have had communities devastated by the loss of mines. It's a very intensive industry, for every coal miner job there's four or five secondary jobs and it has devastated Southern Illinois."

Jones, J.: "Would you not agree then that the Bill that Leader Daniels has introduced to fund by loan money to start up

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mines, start up old mines, build new mines, build mine-mouth generating plants in Southern Illinois would not put literally thousands of people back to work in Southern Illinois?"

Reitz: "Yes, it would. I think there are, you know, at some components I also... But I do believe we need some money in there for grants, because we are competing with other states throughout the Midwest to try and locate mine-mouth facilities."

Jones, J.: "And of the few short years you and I have both been here, would you not say that the Bill that Leader Daniels has put forward is not one of the best coal and generating Bills that we've seen come before this General Assembly?"

Reitz: "Can you repeat that, please?"

Jones, J.: "Of the years that you and I have both been here in the General Assembly, would you not say that Leader Daniels' Bill that he has put forth is not one of the best coal and power generating Bills that we've seen come forth in this General Assembly in our time here?"

Reitz: "Well,... We've, ya know, we've had various discussions, have had a number of good Bills. I think a lot of the components in there are great and you know, for myself, I'm just happy that we're trying to do something, you know. And there's no pride of authorship. So let's just try to get something done. If we're working under Representative Granberg's Bill, I think that's good. I think the components within Representative Daniels' Bill are commendable and will, you know, will help. But we need to come together and find something that works."

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

Speaker Hannig: "On the Amendment, Representative Erwin."

Erwin: "Thank you, Speaker, for a few questions. Representative

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Reitz, I don't, as you know, you're a much more expert on the coal mining business than I am, but let me... Reitz. Let me ask you a few questions. This is dealing with new coal technology."

Reitz: "That's correct."

Erwin: "So, if we are looking at... This is not... The money in Amendment #5 would not be going to old coal plants?"

Reitz: "No."

Erwin: "Okay."

Reitz: "It will all go toward new and will be new source standards and help increase generation capacity in Illinois."

Erwin: "Okay. Just for the Members. I think for those of you that, you know, are interested in clean air. This one Amendment, actually, is going in the direction that frankly we have to go to for the sake of coal miners, for the sake of the economy, and the state's economy, and the environment, and the health of our citizens. Putting a dollar into the development of new technology that will meet a new, correct me if I'm wrong, the higher plant standard."

Reitz: "Right."

Erwin: "Okay. So, it meets a higher standard than the old coal burning plants. This is the future. Now, as I mentioned earlier, there are a number of things about this Bill that I still do not like, but I do think Amendment #5 is where we are headed and we need to be looking to. Whether it's \$5, \$50, 5 million or 50 million, this is the direction we need to go to. And I do, you know, thank you, Representative, for helping to educate me on this, but at least it meets a new air quality standard and so for that reason, I would support Amendment #5."

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Speaker Hannig: "On the Amendment, Representative Granberg."

Granberg: "No, Mr. Speaker, I was waiting for the... after the Amendment's adopted."

Speaker Hannig: "Okay. Is there any further discussion? Then the question is, all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments, but a fiscal note and a state mandate's note have been requested on the Bill as amended by Floor Amendments 4 and 5."

Speaker Hannig: "Representative Granberg."

Granberg: "Oh, that's fine, Mr. Speaker. We have no problem with that because there should be very little fiscal impact. There's been a lot of demagoguery on that side of the aisle, unfortunately, maintaining the spirit of cooperation, leave the Bill on Second Reading and we'll address this tomorrow."

Speaker Hannig: "Okay. This Bill will remain on the Order of Second Reading. Mr. Clerk, would you read House Bill 2283."

Clerk Rossi: "House Bill 2283 has been read a second time, previously. Amendments 1 and 2 were adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Morrow, has been approved for consideration."

Speaker Hannig: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 3 to House Bill 2283 becomes the Bill. House Bill 2283 is Comptroller Hynes' cemetery and burial legislation. The legislation reflects the feedback of the regulated community made in response to House Bill 3988, which we considered last year. It was

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passed this chamber with 100 votes. The Comptroller's cemetery and burial legislative initiative advanced in the 91st General Assembly. House Amendment 3 deletes everything after the enacting clause to become the Bill. House Amendment #3 includes numerous unchanged provisions from the underlying Bill, but also reflects the results of an agreed Amendment between the Comptroller's Office and the Illinois Cemetery and Funeral Home Association. I'd be glad to answer any questions on Amendment 3 to House Bill 2283."

Speaker Hannig: "On the Amendment, Representative Mautino."

Mautino: "Thank you. Sponsor yield."

Speaker Hannig: "He indicates he'll yield."

Mautino: "Representative, this looks very similar to a Bill that, I believe, another Representative, Representative Hoffman had. Is that correct?"

Morrow: "Yes, it is, Representative."

Mautino: "Oh, there he is, there he is. I understand this has got a very good change of making it to the Governor's desk."

Morrow: "Because I'm the Sponsor, Representative, it probably has."

Mautino: "Your Amendment is now agreed?"

Morrow: "Yes. The Amendment has been agreed to."

Mautino: "Well, I commend the Sponsor on his wonderful work in passing this important piece of legislation and good luck to ya."

Morrow: "That's why it was given to me, Representative."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

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Black: "Representative, I had talked with Alex Seith some time ago regarding concerns that he had about the original Bill. They seem to center on the fact that the original Bill only dealt with private cemeteries. It's my understanding that your Amendment removes... Amendment #3, I'm sorry, removes the objection from the Cemetery Association that they had with the underlying Bill?"

Morrow: "That is correct, Representative Black."

Black: "And also, addresses their concern about their pre-need contracts."

Morrow: "That was removed from the Bill as it was originally introduced, Representative Black."

Black: "Okay. Would it be safe to say that Amendment 3 pretty much makes the Bill an Agreed Bill amongst all the parties involved in this negotiation?"

Morrow: "To the best of my knowledge, Representative Black."

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

Morrow: "That's why the Bill was given to me."

Black: "Thank you."

Speaker Hannig: "Representative Osmond."

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

Speaker Hannig: "He'll yield."

Osmond: "Representative Morrow, there were some groups that last year when we discussed this Bill that I had some concerns for that I don't know if they were a part of the negotiation process or not and some of those were the small local cemeteries that have on their boards volunteer neighbors and old relatives and it's my understanding that a lot of those provisions that were onerous to them, have they not been taken out of there, as well?"

Morrow: "Yes, they have, Representative Osmond."

Osmond: "One of the concerns that we had last time was that all

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cemeteries would have to provide maps for people when they came. I think in the Bill, as it still exists, there's a Section in there that says that maps must be on file at the offices of the cemetery."

Morrow: "Preparation is discretionary and the Comptroller can waive it."

Osmond: "I spoke with somebody from the office the other day and it's my understanding that we might address this over in the Senate because a lot of cemeteries, as you're probably aware of, don't have offices. They're located out in the middle of townships, there are no offices per se."

Morrow: "Well, Representative Osmond, I'm sure Comptroller Hynes, when this Bill gets to the Senate, will be glad to address that issue."

Osmond: "Being the fair man that he is, I'm sure he will address that. This also has relieved, I believe, some of the liability that was in the previous Bill for those trustees of cemeteries, as it relates to the maintenance of the private cemeteries and their need for a certain standard of maintenance."

Morrow: "The maintenance standards have been removed from the Bill."

Osmond: "This Bill really has changed an awful lot, isn't it, to answer the objections from last year?"

Morrow: "Yes."

Osmond: "Is there anything else in here at all... and I'd suggested this last year, that in an effort to cover the cost increases on this that we increase the death... fee for death certificates as it applied to everybody. Have we looked at that as a funding vehicle, sort of a user's fee, if you will?"

Morrow: "I understand, Representative. That is not a part of the

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Bill."

Osmond: "Okay. I think I'd like to compliment the Comptroller for making a lot of changes that I think really did alleviate a lot of the concerns. There's an awful lot of local cemeteries that have no money to keep them up, but yet it's done with volunteer labor. Some of the things that were in the original Bill, like the idea of mapping and staffing and maintenance, were just never gonna be accomplished and I'm glad to see they were taken out of the Bill. And I'll be happy to vote for it this year. Thank you."

Morrow: "Thank you, Representative."

Speaker Hannig: "On the Amendment, Representative Hoffman."

Hoffman: "Yes. Just to the Bill, Mr. Speaker."

Speaker Hannig: "To the Amendment, to the Amendment."

Hoffman: "I just wanted to commend, publically, the Sponsor, Representative Morrow, for carrying this Bill. Also, I wanted to publically commend the Comptroller, Comptroller Hynes. He's worked tirelessly on this issue. Not, I believe, it was a couple of years ago he, in fact, he had hearings throughout the entire State of Illinois on cemeteries to make sure that he could understand the condition of abandoned cemeteries, make sure he understood the condition of cemeteries in the state. In my district he had such a hearing where we saw firsthand what happens when there is a bad apple running a cemetery, where grass is literally growing up to individual's knees when they went to visit their loved one's grave on Mother's Day. It's unacceptable. This Bill is gonna address those concerns and make sure the consumers and, you know, we're all gonna, unfortunately, be consumers of this industry some day, that consumers of this industry are treated

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fairly, that they have protection, and that we can assure that the issue of abandoned cemeteries is addressed. Once again, I commend the Comptroller on his efforts."

Speaker Hannig: "On the Amendment, Representative Mathias."

Mathias: "Since we're having a lovefest, can I join in? I want to thank, again, Representative Morrow and all the Representatives on both sides of the aisle who had concerns on this Bill. I've had several constituents and business owners in my district that had a lot of concerns about this Bill. I want to thank Comptroller Hynes for listening to those concerns, listening to our... the Representatives' urgings that they sit down with the parties and work out a Bill that everyone could agree to and apparently, this is the Bill and I appreciate all the help from Comptroller Hynes' Office and the parties for willing to... for sitting down and working it out so that it became an Agreed Bill, so thank you."

Speaker Hannig: "Representative Myers, on the Amendment."

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

Speaker Hannig: "He'll yield."

Myers: "Representative Morrow, does this particular language in the Amendment address cemeteries, abandoned cemeteries that may be on state property?"

Morrow: "Yes, Representative Meyer (sic-Myers), it would provide assets to those cemeteries so that local units of governments, if they choose to clean it, would be allowed to do so."

Myers: "I'm not talkin' about local units of government. A particular case that I know of is the Department of Natural Resources owns a state park in my particular county, in fact, my hometown. On that property is an abandoned cemetery that some veterans have tried to clean up over a

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period of time, but have been less than successful in working with the Department of Natural Resources in getting that job done. Does... and I see by our analysis that this does amend the Illinois Municipal Code, the Township Code, to provide local authorities that opportunity in the event that an abandoned cemetery may be on or within their limits. But what about state property? Does this allow the state to designate funds to clean up cemeteries on their own property or are you suggesting that the local county or the township has to work with the Department of Natural Resources and expend their funds to clean up a state cemetery?"

Morrow: "Representative, this Bill does not provide any revenue for the clean up of abandoned cemeteries."

Myers: "But it does set in place the opportunity for townships and counties to do that?"

Morrow: "They would only be able to obtain access to this property if they got approval from the state and they would have to sit down and work out a revenue source in order to cleanup the abandoned cemetery."

Myers: "Okay. But it's within their territory, whether it's a township or a county. But it doesn't provide them any wherewithal to work with the state in the event of the example that I just cited where the state, itself, has an abandoned cemetery on its property?"

Morrow: "Representative, the Bill does authorize the Comptroller to administer a program for the purpose of cleaning up abandoned or neglected cemeteries. The program may include the issuance of grants for such purposes to local governments, school districts, or not-for-profits, but we just have not put any funding mechanism with this Bill, as of yet."

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Myers: "Okay. Representative, I'm gonna support your Bill. I was just trying to clarify whether or not there's an avenue for the people that are concerned about the cemetery on the grounds of a state park and perhaps, sometime in the future we may need to bring legislation forward to authorize the state or to require the state, for that matter, to maintain cemeteries that may be within its property. Thank you."

Morrow: "Well, you also know, Representative Meyer (sic-Myers), you can use your Member initiative money and you can donate your Member initiative money to cleanup that abandoned cemetery."

Speaker Hannig: "All in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

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

Clerk Rossi: "House Bill 2283, a Bill for an Act in relation to cemeteries. Third Reading of this House Bill."

Speaker Hannig: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to delay the Members of the Body on this Bill. We know what's in the Bill. I just request an 'aye' vote on House Bill 2283 as amended."

Speaker Hannig: "And on that question, Representative Black."

Black: "Mr. Speaker, will the Sponsor yield for one brief question?"

Speaker Hannig: "He'll yield."

Black: "Representative, I forgot to bring this up and I'm not sure what the answer is. But I have a township that would very much like to take over some of these abandoned cemeteries. And if I remember the supervisor who contacted me, he said that they do not have levy authority to do that

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and that perhaps the Comptroller could help them get that kind of tax authority to clean up some of these small abandoned cemeteries that reside within the boundaries of the township."

Morrow: "Representative Black, unfortunately, this Bill does not address that issue, but as I told Representative Meyer (sic-Myers), with you being in Leadership you probably get a little bit more Member initiative money than he does and I'm sure you could take care of that township in your district."

Black: "All right. Only if you'll give me some of your money, but this is something we may need to work on. I know Kevin... I'll talk to Kevin Schoeben about it. And I don't know what all would be involved, but I know there are townships who would do this, but I don't believe they have the necessary taxing authority by referenda. Something you and I could look into."

Morrow: "Well, you can ask for Leader Daniels' Member initiative money, too."

Black: "All right. We'll do that."

Speaker Hannig: "Representative Novak. Representative Novak, did you have your light on?"

Novak: "Mr. Speaker. A certain friend..."

Speaker Hannig: "I see."

Novak: "... or former friend from Alton, Illinois did it. Sorry."

Speaker Hannig: "Thank you. Thank you, Representative. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', and 0 voting 'no'. And this Bill,

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having received a Constitutional Majority, is hereby declared passed. The Chair now recognizes Representative Daniels on Senate Joint Resolution 21. Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. House Joint Resolu... or Senate Joint Resolution 21 requests that the Boeing Company, who has announced its decision to relocate its corporate headquarters from Seattle, where it's been located for 85 years, relocate its headquarters to the metropolitan Chicagoland area that they have identified as one of three sites under consideration for its new world headquarters. The Boeing Company will be working with the Governor and the General Assembly through the Department of Commerce and Community Affairs and the Chicago metropolitan area, as you all know, is the home to 67 Consuls General, 1500 foreign-owned companies and hosts more trade shows with international participants than any other area of the country. The Senate has enacted this Resolution and in doing so has cited the outstanding facilities that are available in the metropolitan Chicagoland area and urges the Boeing Company to relocate its corporate headquarters to this metropolitan area. I ask for your favorable support of the Resolution and joined in such by the Speaker of the House, Michael Madigan."

Speaker Hannig: "The Gentleman has moved for the adoption of Senate Joint Resolution 21. Is there any discussion? There being none, then... Okay. Representative Erwin, on the Resolution."

Erwin: "Thank you, Speaker. I just think it's important for the Members to know that there have been some press reports that would suggest that Illinois might be not unified, let me say, in its approach to trying to attract and welcome

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Boeing. So, I certainly commend the Sponsors of this Resolution and I think it's clear that whether or not we live or represent Schaumburg, or as I do, Chicago, or my colleagues in Southern Illinois, on either side of the political fence in any of the great geographic regions of this state, having the Boeing headquarters located in the State of Illinois, anywhere in the State of Illinois, will be a great enhancement to the state's economy. And I can't, obviously, think of any place better in the world for them to locate than here. We have great institutions of higher learning, the best engineering schools in the country, a talented workforce from one end of the state to the other. And I would urge a unanimous Roll Call and let's all give a great welcome to the Boeing Company to come to Illinois."

Speaker Hannig: "And on that question, Representative Black."

Black: "Just to followup on Representative Erwin's eloquent remarks and to show that we are indeed unified. If there is any question that the Chicagoland area may not fit their needs, let me assure you they are welcome in Vermilion and Iroquois Counties."

Speaker Hannig: "All in favor of adopting the Amendment (sic-Resolution) say 'aye'; opposed 'nay'. The 'ayes' have it. And the Resolution is adopted. Mr. Clerk, read House Bill 1728. Supplemental Calendar #3 is House Bill 1728. Would you read that Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1728, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Osterman, has been approved for consideration."

Speaker Hannig: "Representative Osterman."

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

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Amendment #1 to House Bill 1728 comes as an initiative from Comptroller Dan Hynes and becomes the Bill. House Bill 1728 amends the State Prompt Payment Act dealing with the time frame in which the state pays its vendors and service providers. The Bill would have the state pay its vendors and service providers within 60 days of receipt of an invoice. Currently, the state is required to pay its vendors and service providers 60 days after a bill has been okayed by an agency to be paid. Also, there's a rule that the agency has 30 days to review the submitted invoice before they okay the payments. Basically, House Bill 1728 changes the timetable for payments to service providers and vendors from 90 days to 60 days. It would also have that agencies would review submitted invoices in the first 21 days of receipt of the invoice and if there was a problem with the invoice, let the provider know. The provider then would have five days to make a correction without leaving that original 60-day time clock. The purpose for this Bill is to insure that the state pays its bills promptly to those individuals that are contracted to do work with the State of Illinois. Everyone in this room has had a service provider or vendor that has had a problem getting the bill paid on time. Many of these organizations, service providers, have to take out loans to cover the cost of their operating budgets. There's one in my district that had to take... that paid in 1988, \$200 thousand worth of interest on loans it had to cover until the bills were paid by the State of Illinois. So, I ask for your 'aye' vote."

Speaker Hannig: "And on the Amendment, Representative Black."

Black: "Thank you very much, Mr. Speaker. I stand in support of the Amendment. I stood on this House Floor ten years ago when a very similar Bill was proposed, had to speak against

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it at that time because the state was literally bankrupt. We had no money. And when we tried to do a Prompt Payment Act back then, my argument was 5% of nothing is still nothing. We were taking 180 days to pay our bills. We put many small providers of medicaid services, particularly, out of business because of the fiscal crisis the state was in. Now, along comes this idea. Now, we can wait until the state is in a fiscal crisis again and try to pass a Prompt Payment Bill, which would be endangered because we wouldn't have the money. The time to pass a Prompt Payment Bill is when the fiscal condition of the state is in relatively good shape as it is today. When you have the money make sure you set some aside and that you embody in statute the fact that we will pay our bills in a reasonable period of time or we will pay interest. I commend the Sponsor. There is no more Republican philosophy then pay your bills and pay it on time. We couldn't do it ten years ago. It pained me to speak against it because we had no money. We are in good fiscal shape. Now is the time to initiate a Prompt Payment Act with teeth in it and if we don't pay our bills on time, then let's pay interest. The same way the Department of Revenue charges us and every other taxpayer if we're late paying our bills to the State of Illinois, we have to pay a penalty. It's only fair that the state pay its bills in a prompt fashion and if we fail to do so, pay that vendor a reasonable amount of interest for our failure to do so. I commend you for bringing this Bill. The time to do it is now, not when the state is in the fiscal shape that we were in about ten years ago this very month. I commend you for your work."

Speaker Hannig: "And on the Amendment, Representative Parke."

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

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Speaker Hannig: "He indicates he'll yield."

Parke: "Representative, why do we find that a number of our state agencies are opposed to this, such as CMS and the Department of Public Aid? Do you know why?"

Osterman: "Public Aid testified in committee today that they had problems, I guess, tracking the Bill and tracking the timetable for payment. There's a timetable that they're supposed to pay within 90 days of getting the receipts and if they don't, they're supposed to pay interest. In committee today, they kinda said that they had trouble sometimes tracking when that clock starts. That's one of the other components of the Bill. So, I think it's probably difficult for them to track when they should pay, you know, when the clock should start, as well as when they should pay interest. I would think that they should be in support of this Bill because it's basically having them pay, to be financially responsible and fiscally responsible, to pay these bills on time for people that are doing services for them."

Parke: "Do you think that the state agencies deliberately delay payment to the vendors?"

Osterman: "I'm not going to say that they do or they don't. All I know is that there are service providers and vendors, small businesses, Representative Parke, the retail merchants are in support of this Bill. There are a lot of providers that are out there that are not getting paid for the services they do. Why that is happening is unclear, but what this tries to do is to get the departments to be responsible for paying those bills in a timely fashion."

Parke: "To the Bill(sic-Amendment)."

Speaker Hannig: "To the Amendment."

Parke: "Mr. Speaker, Ladies and Gentlemen of the House. This is

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a feel-good Bill. I'm sure it'll get more than a hundred votes. I mean it's logical; it makes sense. But I just say to you that State Government ought to and does pay their bills when they can in a timely manner. I don't believe and I would not tolerate state agencies not paying their bills in a timely manner, but if we go to the position that Representative Black referred to, which I went through and some of you did, too, where the state doesn't have the money and we put penalties on the state for not paying on time, we exacerbate the problem. All we do is create a greater problem than we have now, because now we have penalties. This is gonna pass, probably everybody's gonna vote for it. But I think it's just a simple way of making us feel good. I hope it's an incentive maybe to agencies to make sure they get their act together. But I will tell you, ultimately, if this state gets in a financial downturn of significant proportions, we'll have to come back and repeal this because we won't have the money to provide the timely manner of paying bills and that only comes about if the state just doesn't have the money to do it."

Speaker Hannig: "Representative Johnson, on the Amendment."

Johnson: "Yes. To the Amendment. With all deference to my respected colleague, who just spoke. You know, I was here ten years ago, too, when we were paying bills at 128 days, 130 days. We were having vendors out there suffering right and left. Not too long ago we had a fiasco with Public Aid in terms of child support. We stuck parents out there. And I believe that the time for this Bill has come, because not only will it force our agencies who contract out with these providers to be careful in terms of what they're contracting out, but it'll also probably create some

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discipline in here and in this General Assembly when we keep saying we ought to do this and we ought to do that and we continue to appropriate moneys and we grow our government and expect to grow it on the backs of our vendors. I think the time has come for this Bill. I congratulate you for bringing this Amendment and I think it's a good Bill."

Speaker Hannig: "Representative Mathias."

Mathias: "As you know, I voted for this Bill in committee, but I did have some concerns about the Bill and I would hope that once it gets to the Senate you will continue to work with the Senate Sponsor and, hopefully, maybe ameliorate some of the issues that some of these agencies, I think legitimately, have brought up, so that we can resolve this. But I think it is a good Bill on the whole and in fact, in my opinion, if the economy does get worse, that's really the time when we need to help our vendors because that's the time when they go out of business. Right now they're struggling because they're not getting paid on time and I would hope that this would help them if times get worse, even though it'll cost the state money, but then it's the state that owes them the money. They shouldn't have to suffer because we don't pay our bills on time. Thank you."

Speaker Hannig: "Representative Osmond."

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

Speaker Hannig: "He indicates he'll yield."

Osmond: "Representative, in your opinion then, would this Bill address the... like the third-party administrator for our own group insurance? Would they have to meet that same 60-day time period?"

Osterman: "Representative Osmond, could you repeat that question, please?"

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Osmond: "Currently, on our own group insurance for the state employees, I think that it's part of the \$20 million supplement that's sitting out there trying to be rectified and I'm wondering will this Bill also address the... our own health insurance has a third-party administrator paying the hospitals and doctors and things for our medical expenses that are incurred?"

Osterman: "That's something I'd have to check into, Representative. I'm not sure on that."

Osmond: "And how about under the CHIPS program, would this cover those, again? We're tied up now in a supplemental budget in which we need another 10 or \$20 million to bring our CHIP program open. Would your Bill address that type of an issue?"

Osterman: "Hopefully, from what the Comptroller's Office is telling me, when the money's there and they have had the money to pay their bills on time, those bills will get paid. So, I don't know with the supplemental if that would be included in this."

Osmond: "Well, I would hope that you'd keep those in mind when it moves to the Senate..."

Osterman: "Absolutely."

Osmond: "...to make sure that pseudoagencies, whether it be a third-party administrator or the CHIPS program, also have to follow these things and then we'll be in much better shape. Thank you."

Speaker Hannig: "Is there any further discussion? Then the question is, 'Shall the Amendment be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Now, Representative Osterman

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moves for the passage of House Bill 1728. All those in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Fritchey, for what reason do you rise?"

Fritchey: "Speaker, inquiry of the Chair. I was just wondering, several hours ago when an announcement was made as far as feeding the Members, if there was an acknowledgement that Daylight Savings Time took place last week? So, should we be expecting this chicken in 9 minutes, now?"

Speaker Hannig: "It's on its way, somewhere."

Fritchey: "Just checking, Sir."

Speaker Hannig: "Representative Poe."

Poe: "Mr. Speaker, I didn't get the message. Was I suppose to go home and fry the chicken?"

Speaker Hannig: "Mr. Clerk, read House Bill 3521."

Clerk Rossi: "House Bill 3521, the Bill has been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. The note that was requested on the Bill has been filed."

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

Clerk Rossi: "House Bill 3521, a Bill for an Act concerning school construction. Third Reading of this House Bill."

Speaker Hannig: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3521, as amended, increases the bonding authority for the school construction program by \$500 million. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House

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Bill 3521. And Representative, I've been advised by the parliamentarian that this requires 71 votes. And on that question, Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Hoeft: "Are we going to use the same distribution system that has been put in place for the previous construction bonds?"

Morrow: "Yes, we will, Representative."

Hoeft: "So, all you're doing is increasing the quantity of money available to the schools?"

Morrow: "Yes, correct, Representative."

Hoeft: "Nice job."

Morrow: "Thank you, Representative."

Speaker Hannig: "Representative Fritchey."

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

Speaker Hannig: "He indicates he'll yield."

Fritchey: "Representative, I'm wondering if you have any ideas as far as where the source... Have there been any discussion as to where the source of this money would come from... for the bonding authority?"

Morrow: "I'm sorry, Representative. I couldn't hear you 'cause Representative Franks was talking to me."

Fritchey: "Have there been any discussions as to where the source of the money would come from for the additional bonding authority?"

Morrow: "It's a Bond Retirement Fund funded by GRF."

Fritchey: "So, it's fair to say that your understanding is that no other sources of funding will be used other than GRF to source the additional bonding obligation?"

Morrow: "That's correct, Representative Fritchey."

Fritchey: "Thank you. No further questions."

Speaker Hannig: "Representative Morrow to close."

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Morrow: "I just ask for 'green' votes on House Bill 3521 as amended."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? This requires 71 votes. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 2138."

Clerk Rossi: "House Bill 2138, a Bill for an Act concerning underground utilities facilities damage prevention. Third Reading of this House Bill."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. This Bill rewrites the Underground Utility Facilities Damage Prevention Act. Basically, adds a bunch of different language to 'em. This has been an Agreed Bill and has been worked on for the last, actually, couple of years and I know of no opposition."

Speaker Hannig: "And on that question, Representative Parke is recognized."

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

Speaker Hannig: "He indicates he'll yield."

Parke: "Representative, what is the ICC's position on this Bill?"

Hassert: "Neutral."

Parke: "Has the ICC indicated a fiscal impact?"

Hassert: "The annual impact for this Bill, not in this budget year, but the following budget year, will be \$1.1 million."

Parke: "Is there a funding... Is there funding attached to this Bill?"

Hassert: "No."

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Parke: "Will you commit to supporting the necessary funding in fiscal year '03 for the ICC to efficiently implement this program?"

Hassert: "Yes."

Parke: "Thank you. I will support this legislation."

Speaker Hannig: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 3525. Representative Steve Davis, for what reason do you rise?"

Davis, S.: "Where's the chicken?"

Speaker Hannig: "Mr. Clerk."

Clerk Rossi: "House Bill..."

Speaker Hannig: "Read the Bill."

Clerk Rossi: "House Bill 3525, a Bill for an Act in relation to housing. Third Reading of this House Bill."

Speaker Hannig: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of the issues that's important in our state, one which I believe is a sleeping giant in the area of education, is the need to attract and retain teachers. On a national level, approximately 30% of the people who enter the teaching profession leave within the first three years of doing so, so House Bill 3525 helps remedy that. It creates within the existing First-Time Homeowner (sic-Homebuyer) Programs within the Illinois Housing Development Authority a Bill, a special assistance program, that enables first-time teachers who commit to teaching for

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a prescribed period of time to receive a... to apply for and receive a discounted rate on a 30-year mortgage. This is similar to a program that's proven successful in the State of Maryland. And I'd be happy to answer any questions."

Speaker Hannig: "On that question, Representative Parke is recognized."

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

Speaker Hannig: "Indicates he'll yield."

Parke: "Representative, is there some kind of a formula that you're gonna use for this, is it one over prime, one under prime that so there's a floating... I mean it's not a set rate is it?"

Schoenberg: "Mr. Parke, the formula would be that it would take half of a percentage rate off the loan for the house. So, for example, if you were to look on the (sic-Illinois) Housing Development Authority site today, that as of March 30, their existing homeowner rates for first-time homebuyers, for no points, was 6.99%. So, it would be half a point discounted."

Parke: "Do you have to set up some kind of a group of banks and some kind of an association that are willing to do this or do we mandate this to the banking industry that they have to do this?"

Schoenberg: "Well, what we would do is we would create this program within the existing First-Time Homebuyer Programs that the (sic-Illinois) Housing Development Authority already offers. The (sic-Illinois) Housing Development Authority already offers a variety of first-time homebuyer products for regions throughout the state. So, within this existing First-Time Homebuyer Program we establish crit... we carve out and establish criteria for those who are going

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to be in high... in low-income and high-need areas of the state."

Parke: "Isn't the City of Chicago doing something like this to encourage the homeownership in the City of Chicago?"

Schoenberg: "I think that some municipali... that either some, I think the City of Chicago might be doing something like this. I know that the City of Evanston in order to get teachers to live near Evanston Township High School, that the school district is trying to offer something similar. My interest, Mr. Parke, is that we keep people in communities, especially in downstate communities, so that young people who are entering the teaching profession would stay in the teaching profession and this would allow them to do that, coupled with whatever compensation package they're already offering. We would allow those first-time home buyers, those young teachers, to sink roots into those communities, whether it's a rural community or whether it's a lower-income community in an urban area."

Parke: "Is there any residency requirement for these teachers to live within a certain boundary area of the school district in which they're teaching?"

Schoenberg: "The residency requirement would be that they would have to live in Illinois. The teacher would have to commit to teaching in that district within... for three years after the date of the closing. And teachers would have to be employed by the district no more than two cumulative years. So it really is for those entering the teaching profession to provide an incentive for them to stay within the teaching profession in those districts where they're getting their first job."

Parke: "Well, Representative, I... You said this is being done in Maryland and you based this on it. Do you know, if this

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goes anywhere in the Senate or it comes back and you have to renegotiate this, do you think you could put a three-year sunset on this and have a report to the General Assembly as to whether or not this is successful because we're gonna... somebody's gonna have to pay the difference and I think it's the taxpayers, in one form or another. And so, if you could do that, I'd like to get an idea if this is successful. If it is, then maybe we ought to look at doing more things. But you know, we are running across some teacher shortage, that's a fact and we should be looking at innovative ways to encourage teachers to come to Illinois. But I'd like to know how successful these programs are."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Johnson, do you rise in opposition?"

Johnson: "I'm not sure yet."

Speaker Hannig: "Well, do you want to ask some questions then?"

Johnson: "Yeah, a couple..."

Speaker Hannig: "Proceed."

Johnson: "... questions, if I may."

Speaker Hannig: "Yes."

Johnson: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he'll yield."

Johnson: "Representative, does this apply to public and private teachers or just public teachers or who would it apply to?"

Schoenberg: "Mr. Johnson, that would apply to school districts that are determined by the State Board of Education to either be financially needy or experiencing a teacher shortage."

Johnson: "Okay. So, your answer is, it would be just the..."

Schoenberg: "Public, so it is public because it's determined by school..."

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Johnson: " ... just the public school system..."

Schoenberg: "That's correct."

Johnson: "In only a district which is financially needy."

Schoenberg: "Or experiencing a teacher shortage."

Johnson: "Okay. Now, did I hear you correctly? Do you anticipate setting up a grant or a fund to subsidize these mortgage rates and how would that be paid?"

Schoenberg: "The way in which this would be discounted is identical to the existing First-Time Homebuyer Programs that are administered by the Housing Development Authority."

Johnson: "Okay. And is that with us, subsidizing that? I'm not sure how that works. Can you tell me? Are we appropriating funds to subsidize the First-Time Homebuyer Program? Was there a fiscal note filed on this or do we have any estimate of cost to this program?"

Schoenberg: "Mr. Johnson, perhaps I can answer your question. The (sic-Illinois) Housing Development Authority has indicated that they would need money appropriated if, in fact, this exceeded the amount... to insure that they don't exceed their bonding capacity. I would interpret that to mean that if they stayed within their existing bonding capacity, as they do for their current First-Time Homeowner (sic-Homebuyer) Programs, that that would be absorbed by the Authority."

Johnson: "Okay. One other question. This applies to a new teacher who has only been teaching for two years or less and who is going... and this is their first primary residence. Now, what about a teacher who teaches two years, qualifies under this thing, but say who is married to a multimillionaire, a doctor, a dentist, or whatever. Probably a dentist, because they get most of the money now."

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But they're married to a rich dentist, but they're now... would that couple then qualify, the teacher would qualify? So, it's not means tested here at all?"

Schoenberg: "Mr. Johnson, there are no income eligibility criteria established within this. The criteria that are established relate to the person's service within... as a teacher and within their commitment to stay within that school district."

Johnson: "So..."

Schoenberg: "And Mr. Johnson, what we've seen, for example, with looking at the State of Maryland, this was something that was... This was a tool that proved to be very popular within the first year of existence and I would certainly hope that the State Board of Education would factor in income eligibility in determining how to weight the applications, because, in fact, I would anticipate that this is something the school districts would wanna use, particularly in low income and in downstate areas."

Johnson: "Okay. Well, Jeff, I believe that that is something that ought to be cleared up in the Bill itself and if it goes to the Senate, would you see that that maybe gets cleared up? Because I can foresee a situation like that. I mean, listen, when my wife, if she dies before I do, God forbid, and I marry this sweet young thing that's only got two years of experience and never has had a primary residence..."

Speaker Hannig: "Representative Johnson, could you bring your remarks to a close."

Johnson: "Yeah. One more question. One more question. And that is, is there any..."

Schoenberg: "I can hardly wait for this one."

Johnson: "Is there any provision in your Bill for what the

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recourse would be if the teacher did not fulfil that responsibility? Actually, I meant previously to say, if I died before she did and she married a young teacher. But anyway."

Schoenberg: "Mr. Johnson, as I indicated to you and I want there to be no mistake for both your prior question and for this question. This is to be administered just like the First-Time Homebuyer Programs that the Authority already administered. So, it would be in violation of the terms of that, would be just like the Authority would treat any other violation of the First-Time Homebuyer Program. And to backtrack to what you mentioned about income, the First-Time Homebuyer Program for the (sic-Illinois) Housing Development Authority already has income limits and purchase-price limits factored into it for targeted and nontargeted areas. And if you want, I'd be happy to share that with you. Those limits are established by the Federal Government and I would expect that this program, being quite similar to being a carve out from that First-Time Homebuyer Program, would have those same limits apply as well."

Johnson: "Okay. Thank you."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Leitch, do you rise in opposition? Representative Leitch, do you rise in opposition to this Bill on Short Debate?"

Leitch: "I would like to ask a couple questions."

Speaker Hannig: "A couple questions, proceed."

Leitch: "Will the Gentleman yield?"

Speaker Hannig: "He indicates he'll yield."

Leitch: "Traditionally, IDHA's been involved in tax credits for residential and multifamily developments. How long has

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IHDA... I don't believe that he can hear."

Speaker Hannig: "Can we have some order in the chamber, please."

Leitch: "Traditionally, IHDA's been involved in multifamily projects. How long have they been in the first-time homebuyer business?"

Schoenberg: "Mr. Leitch, I can't give you the exact date at this time as to how long they've been doing it, but they've been doing it..."

Leitch: "I think you'll find it's very, very recent. Does that program offer FHA loans? Well, in the interest of time, I think you'll find it doesn't."

Schoenberg: "No, it does not."

Leitch: "And I..."

Schoenberg: "They offer a variety of First-Time Homebuyer and Mortgage Credit Certificate Programs. They offer a total of 12 different formulas for first-time homebuyers."

Leitch: "Right."

Schoenberg: "But not..."

Leitch: "And do they offer any incentives by way of helping first-time homebuyers reach their down payments? Again, they don't and I will just share that with you. The concept that you have of helping teachers is a very good concept. My only observation is, I don't believe this program is necessary because there are many programs in the private sector who are doing it cheaper, better, faster, and with infinitely less bureaucracy than IDA (sic-IDHA). Indeed, through the downstate communities I've seen, their First-Time Homebuyer Program has been very ineffective. So, for whatever it's worth, I would suggest your concept is good. Obviously, it has good public policy to try and help us retain teachers and root them in our communities. But I would suggest to you that a program that was designed

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to employ the private sector, which is already doing a much better job at this, would be much more effective. Thank you."

Speaker Hannig: "Representative Black."

Black: "Mr. Speaker."

Speaker Hannig: "This Bill's on Short..."

Black: "We could have built..."

Speaker Hannig: "This Bill's on Short..."

Black: "... an entire subdivision by now. I move the previous question."

Speaker Hannig: "The Gentleman's moved that the main question be put. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The main question is put. Representative Schoenberg to close."

Schoenberg: "Sure. I urge your 'aye' vote for House Bill 3525. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk. Mr. Clerk, take the record. On this question, there are 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hartke, for what reason do you rise?"

Hartke: "Yes. I have an inquiry of the Chair."

Speaker Hannig: "Yes. State your inquiry."

Hartke: "Mr. Fowler was out by the rail before and he noticed a guy out there with two fish and five loaves of bread. I just wondered, should we invite him in?"

Speaker Hannig: "Maybe so. Mr. Clerk, read House Bill 430."

Clerk Rossi: "House Bill 430, a Bill for an Act in relation to public health. Third Reading of this House Bill."

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Speaker Hannig: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. House Bill 430, as amended, would require all hospitals who provide emergency services to sexual assault survivors to provide information about emergency contraceptives and to provide emergency contraception if requested. This Bill, as amended, would also allow physicians or health care providers to refuse treatment through emergency contraception based on the right of conscience. Although Illinois law outlines the treatment requirements for all hospitals providing emergency health care services to rape victims, there is no uniform policy for Illinois hospitals, whether secular or religious, for providing emergency contraceptives to victims of sexual assault. It is by sheer luck that a victim can have access to emergency contraception or even be informed about it. Rape victims need to be assured that all hospitals that provide emergency services to sexual assault survivors provide information about emergency contraception, provide the medication if requested, or give a referral to where the medication can be obtained. I would be ready to answer any questions."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Feigenholtz, do you rise in opposition?"

Feigenholtz: "Actually, I'd like to ask the Sponsor a few questions."

Speaker Hannig: "Okay. The Sponsor will yield."

Feigenholtz: "Representative Mulligan, will House Bill 430 change current health care 'right of conscience'? I think that there's been some question about that and if you could explain that, I would appreciate it."

Mulligan: "No. House Bill 30... 430 does not change the provisions of the Health Care Right of Conscience Act. It

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amends the Sexual Assault Survivors Emergency Treatment Act. However, it does include a right to the right... an exemption to the 'right of conscience' for health care providers in this emergency room situation only."

Feigenholtz: "Also, does this Bill create a new standard of emergency care for rape victims?"

Mulligan: "No. Illinois has long been recog... has long recognized that rape victims require a specific standard of emergency health care. This standard is, as I said before, outlined in Sexual Assault Survivors Emergency Treatment which House Bill 430 amends. The difference now is that in 1997 the Federal Administration, Food and Drug, approved a double dose of birth control as a type of emergency contraceptives and it has not been included in updating our laws."

Feigenholtz: "Representative Mulligan, I understand that some Catholic hospitals may have concerns about this Bill. Are there any Catholic hospitals that provide this kind of emergency contraception to rape victims?"

Mulligan: "Some Catholic hospitals do. Most hospitals that are not secular or non-Catholic follow this standard now, but it's rather spotty. Of the Catholic hospitals that were queried, ten of those hospitals reported providing the emergency contraceptive, another 26 said they give referrals. So, in fact, the Catholic hospitals in Illinois have spent the past year trying to develop protocols. Last year I introduced a very similar Bill that came out of this House with many votes and since then the hospitals have been trying to develop a protocol for that."

Feigenholtz: "Thank you. One more question. Are there just some Catholic hospitals that are concerned about this simply because they just oppose the concept of contraception,

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period? Is that it?"

Mulligan: "That's part of it. In 1994, the Catholic Conference of Bishops in the United States issued an order that... or in their report said that women rape victims should be given every consideration, should also be able to use emergency contraceptives except in one issue which is an issue of the Catholic faith looks at as if an egg is fertilized and you keep it from implanting they feel that that is not the right thing to do. I think that's strictly a Catholic precept or Catholic argument. And so, if you're non-Catholic and you're in an emergency room situation, you know, I don't think any emergency room situation should force another faith on another woman. But the hospitals have worked hard on this."

Feigenholtz: "And so, does this Bill... Does House Bill 430 violate 'right of conscience' for these religious hospitals?"

Mulligan: "No. Actually, the Bill, as amended this year, allows them that. And also, I've been working with Senator Radogno in the Senate and we pretty well got a Bill negotiated that would set up protocols and that Bill has come over to the House. But we're wanting to pass another Bill over to them so that both Bills will be there in case anything happens. But it's my intention and I've already picked up her Bill, to pass her Bill unamended as it is."

Feigenholtz: "To the Bill. Ladies and Gentlemen of the House, this is very sensible legislation that just came over from the Senate. I believe everyone should sponsor this. I think that it's a compassionate Bill. The advocates have been working on it. And I request an 'aye' vote."

Speaker Hannig: "This Bill's on the Order of Short Debate. Representative Johnson, do you stand in opposition?"

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Johnson: "I'm not sure."

Speaker Hannig: "Do you like..."

Johnson: "Just a couple questions."

Speaker Hannig: "The Lady will yield."

Johnson: "Okay. Representative, I appreciate what you've done here, but... just a couple questions. Does this only relate to rape and sexual assault victims?"

Mulligan: "Yes, Representative."

Johnson: "Okay. And how would that be defined in terms of... Can anybody walk into an emergency room and just say that they have been sexually assaulted or raped and no reports or anything else and, in fact, fall under this type of requirement or is there something more substantial than that required?"

Mulligan: "No. I think that the reason that it wouldn't apply to just anybody walking in, is what we're talking about is emergency contraceptives which are not abortifacients, they're a double dose of birth control pills."

Johnson: "I understand that."

Mulligan: "They are only good for 72 hours after intercourse and I think in order to be covered under the Sexual Survivors Act you would probably need a police report to come in, because otherwise you would not be compensated by the Department of Public Health as a victim."

Johnson: "Mr. Speaker. She is one row behind me and I still can't hear her answer. Now, what did you just say?"

Mulligan: "In order to be compensated under the sexual assault victim's right you would have to have a police report and then the Department of Public Health picks up some of that cost. The other reason they couldn't just walk in, is it's only good for 72 hours after intercourse. It doesn't interfere with pregnancy. It's not an abortifacient. The

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closer you give it to the rape, the closer... the better..."

Johnson: "Right."

Mulligan: "... it is and more effective. And in Illinois... this kit can be prescribed by your doctor, if you have a missed... you know, if you miss using your regular birth control. There's other ways you could get it. So, I would think only a sexual assault victim would be eligible."

Johnson: "Okay. But say somebody were to just walk in, would the hospital be required to keep a record then of that individual and also the reason? And is there any recording requirements or would they be responsible for counseling or something else, at that point?"

Mulligan: "I'm not sure under how you would treat it as a criminal thing, but I would think they would have to file a police report or call the police."

Johnson: "Okay. So, if a hospital were to change their mind on this, they could set up those sorts of requirements and make sure..."

Mulligan: "Yes."

Johnson: "...that that's done?"

Mulligan: "In the Senate Bill that's coming over, the Department of Public Health will set up a protocol. So..."

Johnson: "Okay."

Mulligan: "...that will probably be addressed."

Johnson: "Thank you."

Speaker Hannig: "Representative McCarthy. This Bill's on Short Debate. Do you stand in opposition?"

McCarthy: "I have some questions for the Sponsor."

Speaker Hannig: "Okay."

McCarthy: "I guess I stand in response."

Speaker Hannig: "The Lady will yield."

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McCarthy: "Representative, earlier in the debate, it was kinda tough to hear in here, but you had mentioned that some Catholic hospitals provide this service. Could you give me an example of one?"

Mulligan: "If you wait a minute, I can look up... The other thing is, I don't know if they would appreciate being read into the record, but... Wait a minute, hear we go. Alexian Brothers will provide referrals. Good Samaritan will provide referrals of where you could go to get... Holy Family in Des Plaines, that's in my area, will not give you the contraceptive, but they would provide referrals of where you could go to get it. Mercy Hospital in Chicago provides referrals. I have a large number that would provide referrals."

McCarthy: "Mostly referrals and not the actual drugs, correct?"

Mulligan: "Some... Actually, there are several that actually give the contraceptives. I don't know if I should..."

McCarthy: "During the... Maybe this could clear it up easier. The... This Amendment did go to committee, correct?"

Mulligan: "Yes, the Amendment... And it came out to the House Floor."

McCarthy: "At that committee hearing, did the Catholic Conference of Illinois take off their opponent status of this Bill?"

Mulligan: "Actually, they didn't even slip it."

McCarthy: "They did not slip it?"

Mulligan: "No. They called me afterwards and left me a phone message and said they just wanted me to know that they weren't in favor of the Bill. But since then..."

McCarthy: "That was real important, what you just said. I didn't hear it. They called you afterwards and said what?"

Mulligan: "They called and left a message on my machine down here, on the secretary, saying that because they weren't

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there, they didn't want me to think they approved of the Bill.

McCarthy: "Because..."

Mulligan: "But it's the Catholic Hospital Assoc... They're, the hospitals are negotiating this separately from the Catholic Conference."

McCarthy: "Now, the negotiations that were going on in the City of Chicago when an Amendment just like this was brought up, the Catholic hospitals would not back down and they said they would close before they would honor this Amendment. Now..."

Mulligan: "No, I beg your pardon. That was in a letter. That was not written by the Catholic hospitals, that was written by a church official."

McCarthy: "Well, I was told that by the representative of a Metropolitan Health Care Council, who told me, even for their non-Catholic hospitals, they had a problem with this because of the two-hour time limit. And that the Catholic hospitals..."

Mulligan: "I think that was last year's Bill, Representative, that did not provide right of conscience in it."

McCarthy: "Well, they... No, they referred to negotiations in the Chicago City Council for a Bill very much like this that they said even their regular hospital... This is the Metropolitan Health Care Council, this isn't the Catholic Conference. The Metropolitan Health Care Conference said that they even thought that the regular hospitals would oppose the two-hour limit, because you know, if you're in a hospital, especially a Catholic hospital..."

Mulligan: "You mean non-Catholic hospitals? Hospitals in my area that are non-Catholic hospitals all provide this routinely. It is the AMA standard of care."

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McCarthy: "Including the two-hour ultimatum, that they have the drugs within two hours after the treatment for the original injuries?"

Mulligan: "No, that has never been part of this and that's not part of the AMA. The reason you want to do it as soon as possible is that you have 72 hours. The closer you give it to the 72 hours, the more effective it is and it has to be followed up by another dose. The farther away you get from the 72 hours, the percentage of effectiveness in preventing conception goes down, which raises the ability for the woman to get pregnant. So, the object is to provide it at the best spot that you can. The other object is, most women do not report rapes. If they're in an emergency room, they're in an emergency room because they've been battered. No woman wants to leave the hospital in the middle of the night to go find prescription drugs. We've come a long way in allowing this. Would not be my total standard, but it's the accommodation we've made in order to allow women to at least be told."

McCarthy: "Okay. We're... I see on the screen here under the legislation. It says, 'guarantees access to emergency contraceptive... contraception medication within two hours. It doesn't say 72 under Section 10.'"

Mulligan: "Representative, this is not in this Bill. What are you referring to?"

McCarthy: "I'm referring to my computer screen that says that it's under... Is Section 10 not in this? The right..."

Mulligan: "That's never been in there. The on... There has only been one Amendment to this Bill. And the Amendment says that they must tell them and they should provide the contraceptives. If they don't want to, they can invoke a right of conscience and they should give them a referral."

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McCarthy: "So, there's nothing in there that says, within two hours of treatment?"

Mulligan: "There never has been. There wasn't in the Bill last year, and there isn't one now. The only thing that..."

McCarthy: "If that is true, I apologize. I will print what I have on my screen and I will show it to you. But my screen... and I just pulled it up, it is updated... says 'within two hours after treatment'. And that's what the Metropolitan Health Care Council..."

Mulligan: "No. Probably... They might have said that within two hours is the most effective, but it has never been in the Bill."

McCarthy: "Could you take one second to look at Section 10(a)? And it's Roman Numeral III."

Speaker Hannig: "Could you bring your remarks to a close, Representative McCarthy."

McCarthy: "I just would like this one Section..."

Mulligan: "In my Bill, there is no Section 10. I don't know what you're talking about."

McCarthy: "Has the Amendment been adopted to the Bill? Has the Amendment been adopted to the Bill?"

Mulligan: "Yes, it has. And it amends Section 5 of the Sexual Assault Survivors' Emergency Treatment Act. And under that Section, it's 6.5, 'appropriate oral written information concerning accepted medical procedures for postcoital emergency contraceptives (sic-contraception)..."

McCarthy: "Representative, I'm being, you know, counseled by some of my very pro-choice colleagues on this side of the aisle who are telling me that it is in there."

Mulligan: "Are you just talking about right of conscience?"

McCarthy: "Yes, I am."

Mulligan: "Right of conscience, under..."

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McCarthy: "Is listed under 410, Section 10."

Mulligan: "...the Illinois Law has never pertained to emergency room law. And the Amendment that I offered did not amend that."

McCarthy: "Mr. Speaker, I... According to my analysis here... According to my legislation, not analysis, it says Section 10 of the Bill under the right of conscience provisions, it says it's a new Section. It doesn't say it's an old Section that's being amended. And it says very clearly that it's within two hours after treatment. I've had others look at their screen. I've had Members come up and look at my screen. I'm not imagining this thing. If you could take it out of the record for a few minutes and we can clear this up. You know, maybe my screen's completely wrong, but the way it says it today, it says within two hours after treatment. And they have some serious concerns with that and so do I."

Mulligan: "I will take it out. But in the Amendment that I have, that I filed, it doesn't go there. And the right of conscience, I would not amend that to that part because right of conscience has never pertained to emergency room law because emergency is just that, you do not choose the hospital that you get to. I will look at it and I will get back to you. Please take the Bill out of the record."

Speaker Hannig: "Out of the record at the request of the Sponsor. Mr. Clerk, read House Bill 2531."

Clerk Rossi: "House Bill 2531, a Bill for an Act creating the Short-term Loan Act. Third Reading of this House Bill."

Speaker Hannig: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. I'm still showing... on 2531 is a short-term loan, which is called the Payday Loan Act. And I'm presenting the Bill."

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And all questions and presentation will be handled by Representative Tom Dart."

Speaker Hannig: "Representative Dart, on the Bill."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 2531 is the product of about three years of work with numerous groups from different sides of the issue, in an attempt to get on top of an issue that has been causing some degree of problems for a lot of members of our state. And it is the short-term loan groups. They take form in both payday loans and also in car title loans. Just to give you an idea of how this has grown, title loans are the ones that are done on cars. Now, payday loans, we had none in this state in 1997. We presently have over 500 of them and they're growing by the day. The problem with these institutions, frankly, is the fact that their practices right now, despite what they might say at times, is literally unregulated. And as a result of it, there are prone to be quite a few abuses in it. What the Bill attempts to do is to try to strike a balance between those people who need this service, who want this service, and individuals who have gone a little bit too far in this in trying to rein them in, and to strike some type of balance. The Bill provides, as it limits the number of rollovers, which are the extension of these loans, to two. It requires that people cannot have multiple loans floating around at the same time. It provides different provisions dealing with car title loans, as well, in regards to the repossession of them. And it has numerous other provisions dealing with trying to keep track of the statistics. Because one of the things during the course of the last three years I found was, there was very few statistics about what was going on with these places. As I say, this

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is a Bill that's been worked on with a lot of different groups. Many have signed on. I've got loads of names. I won't read 'em all but; AARP, AFSCME, Chicago Federation of Labor, Citizens' Action, Cook County State's Attorneys Office, Council of Religious Leaders, Illinois State Council of Senior Citizens, Metropolitan Family Services, Protestants for the Common Good, the Catholic Conference, just to name a few. As I said, I could go through numerous stories. I'm not gonna do it here today, of the different abuses that have gone on over the times. But just to put it in perspective, we think that our credit card bills are outrageous in the amount of interest we're charged there. The typical... Now, this is the typical payday loan rates in the Chicago area range anywhere from 365% to 1,000% interest. I don't think any of us could think that that is a conscionable way for people to be brought in and having to finance different things. These are short-term loans. They're supposed to be short-term loans. What this Bill would do would be hold people to that. And I would answer any questions that people may have."

Speaker Hartke: "Is there any... Representative Hartke in the Chair. Is there any discussion? The Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. An inquiry of the parliamentarian with respect to whether or not this preempts Home Rule and requires 71 votes. There are actually two different Sections that appear to preempt the authority of the local municipality."

Speaker Hartke: "We will check on that and get back with you."

Cross: "Okay. Will the Sponsor yield for some questions?"

Speaker Hartke: "Sponsor will yield."

Cross: "Tom, there's a Section in here that deals with the issue

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of court action or, I guess, the inability to resort to courts, Section 25. And I'm just... I'm curious about the language in there. Specifically, 25-85. And it says that when it's part of the license renewal process and it reads in here that you provide a sworn statement that, 'the licensee has not used in the past and will not directly or indirectly use in the future, the criminal process to collect the payment.' I can understand that. But then it goes on to read, 'or any civil process to collect the payment of short-term loans not generally available to creditors to collect on loans in default.' I don't... not sure I follow that Section."

Dart: "Okay. The two parts of that one, as you mentioned, the criminal one is obvious. What these places were doing is, is they were using local state's attorneys to act as their collection agencies and they were going to the State's Attorneys Office, and forcing them to collect. So, we were really getting whacked twice. Not only were they making these outrageous loans, but they were then taking our money and having the State's Attorneys Office collect on 'em. The second part of that dealing with the civil process is to make it clear that they can go through the normal process of collecting on debts such as this, but they're not to exceed that. Because the problem has been, there's been just boatloads of abuses that have gone on here, Tom. I had actual copies of warrants that were made up by different payday loan places to say that an individual has to pay their loan because, if not, you now have a warrant out for your arrest. And it was all trumped up. None of it was real. And actually, one of the companies that did that was sued in the County of Cook and they were found in violation of it and they had... were fined a substantial

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amount of money for doing this. But there's others that have done it, as well. So, what we're trying to make clear is that it's the normal collection route in this area, and not these extraordinary ways some of them are going."

Cross: "I guess, Tom, presents another question for me. Let's assume for a moment that someone pays... makes a payment on this loan and it ends up being a check with insufficient funds in the account. Are they prohibited from talking to the State's Attorneys Office to pursue that bad debt... or that check?"

Dart: "Yeah. I mean, that's the whole point here though, Tom. The reality is, is they're actively enticing, asking people to come into my store. They've got the big signs on the windows saying, no credit checks, easy... we don't check anything, fast cash. And so, they're firmly telling you, come on in, give us this check that we're saying we aren't gonna cash now, postdate it, and then we'll hold on to it. So, are they people that we're saying now should then be able to take advantage of the criminal process, 'cause just what they've encouraged people to do might be going on? Because ultimately, what ends up happening there once again are the local state's attorneys end up being the collection agencies for these operations. And as I said, they're making boatloads of money as it is. And then... As I say, the final insult then, is then the people have... through their State's Attorneys Office, have to then collect the money for 'em. So, are we saying they shouldn't do that? Yeah, we're saying absolutely not."

Cross: "Well... I mean, that's really it seems to me, a decision for a State's Attorneys Office. I think a State's Attorneys Office could make an argument that they shouldn't be collecting on bad checks for any merchant. And they

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should say that we're not a collection agency. But we have, as a matter of course in this General Assembly, said that state's attorneys that it's a criminal offense to write a check that has... when there are insufficient funds in your account. And we're now prohibiting these agencies... I'm talking about at the time they come into pay..."

Dart: "Yeah, but..."

Cross: "...they write a bad check."

Dart: "But Tom... But that's the point, though. When they're coming in to pay... when they're coming in, they're telling the person, I do not have the money in my account. I mean, that's the difference. For the retailers that we go after and we allow them to be prosecuted for bouncing checks, they're presenting a check saying, I've got money, give me the sweater I want to buy. These people are coming in and saying, listen, I don't have the \$200 to fix my car, so give me a check that's worthless right now. That's what they want you to give, is a worthless check, and that's what they're getting. But as I say, the final insult is then when you say, well then, we're gonna prosecute and make the state's attorney charge... chase you around. I just think that's wrong."

Cross: "Well..."

Dart: "It makes no sense."

Cross: "Let me just make sure ... on the other issue and we just apparently... maybe have some disagreement. On the civil issue, what does a proprietor of one of these institutions have as a matter of recourse if someone doesn't pay?"

Dart: "Well, as I say, the beauty of this... And that's why, as I said, I always found it so difficult to understand how they could look you in a straight face and say, we got to charge

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these outrageous rates because this is such a dangerous, risky loan. They have the check in their hand. They can cash the check. And if it comes back NSF, they can proceed under the normal process through a civil proceeding there. With a car, they've got the title to the car, they're gonna repossess their car. These are some of the most secure transactions you can imagine. They got a check. They've got a car. As I said, what was happening, though, is these people were going well beyond that coming up with some of the most outrageous stunts you've ever seen to try to put pressure on people, who once again, they've enticed to come and give them bad checks. They advertise, come in and give me a bad check, and then they're gonna say, we're gonna prosecute you later. It makes no sense."

Cross: "Could you, under this Bill with this language, still proceed in the court... a civil court if they either needed to, you know, pursue the... take whatever action it is to go after the car or collect in another way? Do they have civil remedies, I guess, is the question."

Dart: "Yeah, they would be able to proceed in a civil remedy against folks for the fact that they may have misled them. As I say, though, they have their check in their hand, though."

Cross: "All right. I have a few more questions, Mr. Speaker. I don't know if I can get a... Tom, the other thing, I'm a little curious about the surety issue. It seems like, if I read this correctly, that every location... that I could have one company in 20 different locations. Did I read this correctly that I would need a surety bond in the amount of, I think, \$100 thousand for every location?"

Dart: "I believe it's \$50 thousand."

Cross: "Fifty, excuse me."

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Dart: "Yeah. Fifty thousand dollars for each location. Yeah. Once again, the purpose behind that is so that these places do not walk away, that they will be there. We do want them to have surety bonds."

Cross: "Do you have any idea what the cost is on the surety bonds?"

Dart: "No, I don't have that information."

Cross: "Okay. Another area that I just find interesting, and I guess that was one of the reasons we asked for some... on the preemption of Home Rule. I'm not aware of the application... This Bill goes into the actual issue of zoning at the local level and I..."

Speaker Hartke: "Mr. Cross, again, bring your remarks to a close. Proceed."

Cross: "I'm a little... I just don't understand why we in a statute at the state level are even in the process of zoning. We require the applicant to not only fill out this local government authorization form, but also publish that in a newspaper that they're applying for a license. That doesn't seem to be... We don't require that on other business entities that I'm aware of. And I just don't know why we're doin' that."

Dart: "Well, I think it's because of the nature of the business. I don't think anybody who has seen these popping up all around their communities would sit there and say that these are things that the people in the area generally are real excited about. They have been... I have gotten just constant complaints from people that these are popping up everywhere. The reason we want to do that is because we want to have it so that the locals will have some ability to control this so that these places are not popping up. Because as I said, they have not... virtually every person

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and community group I've talked to says it's not something they love to have advertised. It's not a good signal about what's going on in their community. And so, we want to give them some degree of local control over that, have notice about what's going on and that these places are coming in."

Cross: "One of the other areas and I... is that... It's my understanding either from committee or from fiscal notes filed that you'll need another ten to fifteen investigators for DFI to implement this Bill and to enforce it, which is a general cost of about a million dollars per year. What have we done for funding to do that?"

Dart: "Well, I can tell you this Bill does not have an appropriation side to it. I will tell you, though, the DFI has rules to deal with these types of institutions that are very, very similar to this. DFI has found that their hands have been tied by the fact that they don't have any real idea about how these places are operating. So, a lot of this stuff, they're very much in favor of. There is no appropriation Bill that goes with this, though. But as I say, this is something... this is basic regulation right now. It's nothing crazy. It's very basic, and it's the information that we're asking for DFI to get is all the stuff that you'd think we'd want people to have."

Cross: "Just one other area. And I know that... sure they are other people... One of the requirements for the granting of the license, Tom, is that neither the director, managerial employee, collection agent, partner, or officer has been convicted of a felony. Do they have the authority to do background checks on potential employees, the owners of these companies?"

Dart: "The owners of the companies?"

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Cross: "I mean, how do they ascertain whether or not... I mean, they're gonna fill out this license. They're gonna have to state in the license that the following people that I just mentioned are not felons. And I can understand that. But how are they gonna ascertain whether or not they're felons?"

Dart: "Well, I think most of the... some of this stuff will, frankly, be on the back end when DFI's doing some of its research on the different applications that come in. As far as the background checks, there's nothing in this Bill that would allow any background checks that aren't in existence right now."

Cross: "I guess I'm just trying to figure out how they're gonna ascertain whether any of their potential people have background checks. Thanks a lot, Mr. Speaker. I don't have any other questions."

Speaker Hartke: "Representative Cross, would you restate your question to the parliamentarian?"

Cross: "Yeah, my question to the parliamentarian is, does this Bill preempt Home Rule? There are two different references in here where it's the feeling of some that we go over and above the... And I'm specifically talking about on page 3 of the Bill, with respect to the local government issue of some requirements that they fulfil at the local level with respect to zoning that we mandate under this Bill and other parts of the Bill do the same thing. And I just... So, that's the inquiry with respect to preemption of Home Rule. There are actually two Sections, Mr. Parliamentarian, 25(b)and(d). Actually, it's 25(b) and (d), and 15(d)."

Parliamentarian Uhe: "Representative Cross, on behalf of the Speaker, in response to your inquiry. With respect to House Bill 2531, the provisions that you cite include

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restrictions placed on short-term lending businesses that the state is putting on these businesses. So, in that sense, the state is regulating these businesses in these provisions that they must do certain things. The Home Rule preemption in this case is a concurrent preemption because the Bill expressly provides that Home Rule units may exercise concurrent authority to regulate in the same areas, so long as the regulation is consistent with the state regulation. Therefore, this Bill will require 60 votes for passage."

Cross: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. Representative, on the one thing the previous speaker asked on the surety bonds. And I have a problem with that because these are large companies that we're dealing with. And to require that each location have a \$50 thousand surety bond on giving out two and three hundred dollar loans, we have currency exchanges throughout the state that have to have a surety bond of \$10 thousand that deal in governmental checks and everything else. And now you're talking about a company that may have, you know, 20 stores in the city, or in Chicago, or in the city in the suburbs, and you're asking them to come up with a million dollars in surety bonds because you're requiring 'em for each individual location. These are not ma and pa operations. They're all corporations, you know the big ones. They're all over. Fifty thousand dollars, I just cannot phantom (sic-fathom), because no one has those kind of bonds. And this is for a business that's giving out two and three hundred dollars, not thousand dollars, you know, big loans. These are small

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loans. We've discussed this before. I have a problem with a \$50 thousand surety bond per location. What is the reasoning for that?"

Dart: "Well, the reason behind it was, in fact, to make sure that these places which we're dealing with... these folks with their own money, we felt that they needed to have enough of a surety so that they wouldn't just up and leave. Put it this way, if this gets to be the sticking point for yourself and other people, would I be open to lessening it to \$10 thousand? Absolutely. I have no problem with that. Because at the heart of it, we're just trying to ensure that these people who are talking these folks checks are gonna end up getting paid. So, you know, can I work with maybe \$10 thousand? Yeah, that's not the end of the world, that's not the heart of the Bill. As I say, we're just trying to make sure that these folks, when their checks are there, that these people are reputable businessmen. And if that is the sticking point, that's not a problem, I can lower that and I know I can do that in the Senate."

Bugielski: "All right. Well, that's one of the, you know... I'm talking the big companies and... you know who the big companies that are throughout the state. It's just, you know, the previous answer that you gave, you says, well, so that they don't walk away. Well, they're not gonna walk away because they... if they walk away, they're not gonna get the money back from the customers that they gave the two and three hundred dollar loans to. So, they're gonna stick around to make sure that they get that money back. Under current licensing procedures that are in the Consumer Installment Loan Act, where these lenders are currently licensed right now, what are the duties of the Department of Financial Institutions right now? They go after them

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right now. They are, you know, they're watching over them."

Dart: "No, absolutely not. I completely and totally disagree with you. The Department of Financial Institution, I spent... As I said when we were talking about your Bill, I spent over three years working on this and talking with these different people. The Department, themselves, told us that they don't have any of the people or do they have the ability right now, because the ways the rules are written. The rules are so lax right now that people kept talking about, oh, well, the Department already has rules dealing with rollovers. Well, that was not true. They had some rules that were completely unenforceable that they couldn't do. So, the reality of it is, are there some semblance of rules out there? Yeah, but they aren't working, it's clear-cut. I mean, everybody said that from one end of the state to the other."

Bugielski: "All right. Well, that's... You know, they were lax with their rules, but the Department of Financial Institutions is over them right now. That's why I passed the Bill several weeks ago as a start. We put a stop to the rollovers. There's a limit now to the rollovers. There's a limit to how many loans can be given to each customer over there. Do you happen to know how many complaints were given to the Department of Financial Institutions last year?"

Dart: "On this issue?"

Bugielski: "On the payday loans."

Dart: "On the payday loans. Well, two things. One, just to correct you, on the Bill you passed, it doesn't limit it. That was our disagreement before. So, I mean, let's at least be straight about that. Yours did not limit it. There was so many loopholes and ways to get around that,

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they were innumerable. As far as complaints, part of the problem with this was twofold. One, as I told you before, a lot of these people didn't know where to go. When they went into these stores, it wasn't as if it was emblazoned on the walls that, you know, there's where you go when you've had a problem or complaint. As far as the second problem with that is, frankly, a lot of people were embarrassed about the fact that they'd been taken by these places because they didn't feel really excited about the fact that they had spent a thousand dollars for a hundred dollar loan. So, were they overwhelmed with complaints? Physical complaints, no. Was I and other people gettin' numerous phone calls... or different consumer groups gettin' numerous phone calls from people who were too embarrassed to file formal complaints? Absolutely."

Bugielski: "Okay. To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Bugielski: "Several weeks ago, we passed legislation regulating this industry, which I think is a start. And I mentioned when I passed my Bill two weeks ago that it was a start. We were using the model language from ALEC, the American Legislative Exchange Council, which many of you are members of. We're using this language as proven to be a start... where they started last year with this. And I just think the way that this Bill is written right now, it puts a very large burden on business people. We're trying to bring businesses into and I'm not, you know, saying that the big industry that's out there, the big companies that are doing the payday loans, they're very reputable companies. The Department of Financial Institutions last year had two complaints. This is what the answer that was given to me from the Department of Financial Institutions. And the big

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thing is that we are starting to regulate them, there is a large amount of people out there, we are putting in the restrictions in my Bill with the rollovers and with the amount of loans that we have. And I just feel that it's a big imposition on some of these business people, whereby they would have to have a \$50 thousand surety bond on each location that they have. They'd have to put ads in all the newspapers before they want to open up a business in the city or a suburban area, any of your suburbs. If they wanted to open up one of these payday loans, they would have to put an ad in the paper. That's why we have zoning laws in every village, in every municipality. We have... They have to go and get a business license. They can't just open up without going to the village, or the suburb, or the city to get this business license and go through the zoning. And I just think it's a very big imposition on these businesses. And I suggest a 'present' or a 'no' vote."

Speaker Hartke: "This Bill is on Short Debate. And there are still three people seeking recognition. Representative Turner."

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

Speaker Hartke: "Sponsor will yield."

Turner, J.: "Representative, I wasn't clear of your response to Representative Cross. He asked you, if the loan is not paid back, does the business have a right to pursue through the courts a civil action for recoupment of the money owed?"

Dart: "Yeah, a small claim courts. They can do that. Once again, we're trying to limit 'em from all the stunts and illegal things they've been doing, though. That's where we're trying to cut out. As I say, we have to dispel this

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crazy rumor that these are all these great reputable businessmen. Some of 'em are fine. There's a lot of 'em that are... been thrown out of other states, frankly. So... And part of the problem's been their collection practices. So, could they do it civilly? Yeah, they could proceed in small claims court. But..."

Turner, J.: "But you do preclude them from utilizing the state's attorney for a bad check?"

Dart: "Absolutely. Absolutely. When they're inviting people to come in and give a check that the people are saying, this has no value now 'cause I have no money, how in God's name can we sit there and say to people, let's use the state's attorneys money..."

Speaker Hartke: "Representative Turner, continue. One more minute."

Turner, J.: "One more minute?"

Speaker Hartke: "Fifty-three seconds."

Dart: "Representative Turner just started."

Speaker Hartke: "This Bill is on Short Debate. Short Debate calls for two individuals to respond."

Dart: "Okay."

Turner, J.: "For how many minutes?"

Speaker Hartke: "Two minutes each."

Turner, J.: "Well, we need to take another look at that rule. Representative, one of the problems I have with the Bill revolves... or involves a Section where you provide for a class action lawsuit. I know what you're trying to do here, but does that really need to be in here for an aggrieved person with no definition who this aggrieved person is? You know that class action lawsuits are something that lawyers like to pursue. And I'm just wondering why we need that in this particular measure."

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Dart: "Because it's been the only way people have been able to pursue these claims in other areas right now. It's been the..."

Speaker Hartke: "Mr. Dart, answer the question."

Dart: "It's because it's been the only way they've been able to pursue those, John. And that's why we have it in there because it's been the only tool to date to try to go after these folks."

Turner, J.: "Okay. I've had several people in this side of the aisle ask and I'm sure those on your side of the aisle might want to know, as well. Is there any opposition as you've amended it? I know you first brought it into committee and at first you had some caps on interest rates. You took those out. I know that lifted some opposition. I think that the maximum amount allowed is \$500 one time and up to \$2 thousand. With those Amendments, is there any opposition? And specifically, is IRMA opposed to this or have they lifted it and become neutral?"

Dart: "Honestly, I'm unaware of IRMA's position on this, I'm not sure. There is opposition to this Bill. The primary opposition has been the Small Loan Association, which is the association that represents these operations. And so, their opposition is not a shocker, I would expect it, because we're actually reining them in and making them act like responsible business people. So, they're not in favor of it."

Turner, J.: "Okay. Well, thank you, Representative. I'm kinda torn on what to do here, but I voted for the other Bill. I think the right thing to do is to vote for yours and send it to the Senate, I don't know what's gonna emerge out of it. So..."

Speaker Hartke: "Further questions by Mr. Fritchey. You have two

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minutes."

Fritchey: "Thank you, Speaker. Will the Sponsor yield."

Speaker Hartke: "Sponsor will yield."

Fritchey: "It's actually to the Bill, Speaker. And I won't even need the two minutes. There was reference made previously, and I've got full respect for the earlier speaker, that there may have been only two complaints to the Department of Financial Institutions. I'd ask all the Members to use a little bit of common sense and ask yourselves if there were only two complaints about this business, if these stories would be all over the television news, locally and nationally, if these stories would be on the front page of the newspapers throughout this state and throughout the country. There are two Bills that are coming through this Body regarding this issue, one of which is sponsored by the industry, one of which is backed by all the consumer groups. Ask yourself who is it that you're looking out for, your constituents that put you in office or the businesses that are making money off of your constituents? At that point, the answer becomes very easy. If you voted for the other Bill, there's nothing that preempts you from voting for this Bill. But there is no way that you should be able to go back to your constituents and say that I voted for a Bill to back the industry..."

Speaker Hartke: "Continue."

Fritchey: "...I voted for a Bill to back the industry and voted against the Bill to protect my voters and to protect my constituents. This is a good Bill that is the product of a lot of hard work to allow these businesses to operate in a fair manner in a way that continue to make a profit, but not in a way that will drive people into bankruptcy. I ask for an 'aye' vote."

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Speaker Hartke: "The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. I usually like and encourage full and fair debate. But after 40 minutes of Short Debate, I move the previous question."

Speaker Hartke: "The question is, 'Shall the question be put?' All in favor say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the question is put. Representative Dart to close."

Dart: "Thank you, Mr. Speaker, Members of the House. We have had a full debate. There is another Bill that was passed over to the Senate. This is the Bill, though, that has been worked on for three years by numerous consumer groups and other individuals, as well, who've been very concerned. This is a responsible Bill. Does this Bill maybe need a little bit of work, too, as well? Well, of course. Nothing leaves this place as perfect, I'll tell you that much. But the reality of it is, this is the Bill that would begin the process of trying to curb some of these practices that are completely and totally outrageous. People have gone in for \$100 loans, they walk out paying thousands of dollars. The people who go in for a \$200... a thousand dollar loan and next thing you know, their car is gone... their car is repossessed. This begins to corral some of this, this begins to address the problem. The other Bill out there does nothing like that. This is the Bill that would do that. This is the one that has the ability to do that. If we do not pass this one, though, it'll be very hard to explain to our constituents why we believe these places should be unregulated with literally nobody watching them, with people spiralling further and further and further into debt. This is the responsible way to go. And I'd appreciate an 'aye' vote."

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Speaker Hartke: "The question is, 'Shall the House pass House Bill 2531?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? There is still two people not voting. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 59 Members voting 'yes', 42 Members voting 'no', and 13 Members voting 'present'. And this Bill, having received... failed to receive. Mr. Dart, the required constitutional requirement is hereby declared lost. House Bill 430, Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 430 has been read a third time, previously."

Speaker Hartke: "Excuse me. For what reason does Representative Delgado seek recognition?"

Delgado: "Yes, Mr. Speaker, I'm the lead Sponsor of that House Bill, I was trying to relay that to my colleague, Tom Dart. And we'd like to keep this on Postponed Consideration."

Speaker Hartke: "I'm sorry, the Bill has been declared lost. Representative Black."

Black: "Mr. Speaker, I voted for the Bill, but unfortunately, you called the Bill and Postponed Consideration cannot be granted at this time."

Speaker Hartke: "You are correct and I declared it lost. Representative Mulligan. Representative Mulligan, would you like to present your Bill?"

Mulligan: "Could you give me ten more minutes? There's a few Members that need to check... I'm sorry."

Speaker Hartke: "Take that Bill out of the record. House Bill 2400, Representative Bellock. Mr. Clerk, read the Bill."

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Read the Bill."

Clerk Bolin: "House Bill 2400, a Bill for an Act relating to the licensure of nurses. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "House Bill 2400, a Bill for an Act relating to the licensure of nurses. Third Reading of this House Bill."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you, Mr. Speaker. House Bill 2400 creates the Nurse Licensure Compact in the Nursing Act. Will allow nurses with licenses from states in the Compact to practice in another state that is also a party to the Compact without that state's license. This House Bill is to address the nursing shortage that we expect in the State of Illinois within the next five years. There is still some concerns with the Nursing Association and the Department of Regulation. And they have all agreed to pass this on to the Senate to keep working on this Bill. I'd be glad to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 2400?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2400, there are 1400 (sic-114)Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 473, Representative Mendoza. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 473, the Bill has been read a third time, previously."

Speaker Hartke: "Representative Mendoza."

Mendoza: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 473 rewrites and simplifies the provisions relating to veteran's preference, with regards to the Metropolitan Water Reclamation District Act. Provides that veterans are entitled to a preference of five points to be added to their final grade on any promotional examination held on or before the effective date. It also deletes a provision that prohibits a person from receiving a veteran's preference more than once. Deletes a provision that a person entitled to a preference does not have to furnish evidence of honorable discharge from the armed forces before the examination. And this gives veterans honorably discharged from military or Coast Guard service preference in hiring and promotion within the Metropolitan Water Reclamation District. In order to qualify, the veteran must have been on active duty for 180 days or more. This is a good Bill that deals with our veterans and it gives us another opportunity to honor them. And I'd be happy to answer any questions. I hope that I can count on your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Morrow. This Bill's on Short Debate."

Morrow: "Yes, thank you, Ladies and Gentleman. I'm not gonna rise to oppose House Bill 473, but I want to remind some promises that were made. When the Governor was elected two years ago, he said that he was going to look at the issue of veteran's preference when it came to state hiring. Because of the veteran's preference clause, many minorities and females are not able to gain gainful employment. We've

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never addressed that issue as far as state employment. And I'm kinda concerned about this issue as far as the Water Reclamation District. I like... I would feel more comfortable voting on this Bill if I knew what kind of... percentage of minorities and females that they have on the payroll at the Water Reclamation District. Can she answer that question for me, Mr. Speaker?"

Mendoza: "Actually, I'd like to defer your questions to Representative Acevedo, who's the original Sponsor on the Bill."

Speaker Hartke: "That'll be fine. Representative Acevedo will answer the question."

Acevedo: "Representative, can you repeat the question, please?"

Morrow: "I said that I will feel more comfortable with this Bill if I knew what the percentage of minorities and females that have gainful employment with the Water Reclamation District. If you didn't hear my previous comments, when Governor Ryan came into office, he said one of the issues that he was going to address, as far as state employment, was the veteran's preference issue. It's been two years, we haven't touched that issue. So, I'm concerned that with passage of this Bill, we'll just deny access for cert... for minorities and females to certain positions with the Water Reclamation District."

Acevedo: "Representative, I, too, share your concerns. But the point is, this has to do with veterans. And as far as statistics go, I don't have those statistics in front of me. I can't tell you the percentages."

Morrow: "All right. Thank you very much. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Garrett."

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Garrett: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Garrett: "Representative, I do have a question on this. It appears as if this particular proposal provides veteran's preference to include conscientious objectors, but it's specific to the Metropolitan Water Reclamation District. While this may be a good Bill, don't you believe that it should be statewide and not specific to one particular area and one particular region?"

Acevedo: "Representative, the state has their own set of rules and the Water Rec has their own discretion. Basically, what you're saying, is why does this just pertain to Water Reclamation. Well, Water Reclamation came with me the issue and that's why this Bill only states Water Reclamation."

Garrett: "Well, I don't think... To the Bill. I just don't think that the state should provide a double standard when it comes to hiring preferences. I do believe that this is a good piece of legislation. But I do believe that it should cover all of the veterans throughout the State of Illinois and not specific to one particular area. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is recognition, Representative Mendoza... or Acevedo to close. Representative Acevedo."

Acevedo: "Ladies and Gentlemen of the House, I share the concerns of the previous speaker. And maybe that's some sort of legislation that we can work on later on, probably next Session. But this here takes nothing away from the veterans. All it does is help veterans add five points to their promotional. I know last time when we debated the Bill, a lot of people had misperceptions(sic-misconceptions) that this takes away

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from the veterans. This has nothing to do with talking away from the veterans. This is a Bill that helps veterans, gives five points to promotional examination. I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 473?' All those in favor will vote 'yes'; all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 473, are 36 members voting 'yes', 66 members voting 'no', 14 Members voting 'present'. And this Bill, having failed to reach the Constitutional Majority, is hereby declared lost. House Bill 618, Representative Jones. Mr. Clerk, read the Bill. This Bill on Standard Debate."

Clerk Rossi: "House Bill 618, the Bill has been read a second time, previously. Amendment #1 was adopted in Committee. No Motions have been filed. No Floor Amendments have been approved for consideration. The notes that were requested on the Bill have been filed."

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

Clerk Rossi: "House Bill 618, a Bill for an Act in relation to gambling. Third Reading of this House Bill."

Speaker Hartke: "Representative Jones."

Jones, J.: "Thank you, Mr. Speaker. House Bill 618 amends the Bill to create a mechanism to transfer funds trapped in the standardbred purse account at Fairmount Park to a fund to be used for standardbred racing at the Illinois State Fair and the DuQuoin State Fair. The purpose of this Bill really is negotiations were going on and Representative Hoffman had a Bill that he passed last week. I feel that the negotiations have kind of broken off and I think it's important that we move this Bill over to the Senate and

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hopefully the negotiations will continue and the parties can work out their disagreements. So, with that, I'll be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Cross."

Cross: "You know, Mr. Speaker, I had my light on before this Bill started. I have just a simple question or request. Is there a chance to let people in the chamber know some tentative schedule for tonight? I know that's a shock to actually ask and expect an answer, but could you tell us how long we can expect to be here?"

Speaker Hartke: "Let me check and I'll get back to you as soon as I can."

Cross: "Okay, Chuck."

Speaker Hartke: "I'm gonna assume it's gonna be about 11:00."

Cross: "Well, can we get some answer in..."

Speaker Hartke: "Yes."

Cross: "...what we can anticipate in terms of committees, et cetera."

Speaker Hartke: "Yes. The Chair recognizes Representative Hoffman. Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoffman: "Representative, this essentially would do the opposite of what my Bill that passed the General Assembly did. Is that correct?"

Jones, J.: "Representative Hoffman, as I said in my opening statements, that's probably correct because, you know, we had negotiations going on. I feel the negotiations have broken off, since your Bill went over, mine's been sitting here. My hope is that this goes over to the Senate and negotiations continue and hopefully the parties can work

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out an agreement. If they don't, you know, that's... I've give 'em every avenue that I possibly can to do that."

Hoffman: "Well, as you know, the history of this is is that money that was bet at Fairmount Racetrack was to stay at Fairmount Racetrack. And you're aware of, I believe it was in 1995, there was a Governor's task force on horseracing that set up the provisions on how simulcast money would have been distributed. You're aware of that task force, is that right?"

Jones, J.: "Very aware of it."

Hoffman: "And I think it's the position of the standardbred industry that at that time that it was believed that the task force recommended that money that was bet on the standardbreds should be used for standardbred purses... money... or during a certain period of time during the day, and another time during the day for the thoroughbreds. However, I have the task force and the intent of the task force and I was here at that time. I don't remember, I think you were here. You must have came right after that, but I remember the task force. And the task force, specifically, indicates that under the proposed framework, all licensee-permitted commissions associated with Fairmount Park and its off-track betting facilities shall be maintained for distribution between Fairmount Park ownership and the horsemen operating at Fairmount Park. That's what the task force report said at the time. And on the floor of the House at that time, that's what I believe we said. I understand the problem and we've talked about this."

Jones, J.: "Yeah. Yes."

Hoffman: "It's my understanding that as early as possibly today, the sides were meeting. Now, I don't know if they were

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negotiating... I wasn't there... that they were actually meeting. Now, we passed a Bill over to that side of the aisle... or over to the Senate. And I think if we need a vehicle, if ultimately something happens, we could use that Bill. And I would propose using that Bill. To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Hoffman: "I respect the Gentleman and his wishes. But let me tell you what this is gonna do. What this is gonna do is essentially cause Fairmount Racetrack to be a part-time live racing facility. There's only one breed that races in Fairmount Racetrack right now, thoroughbred racing. And the idea of money that's bet at Fairmount Racetrack or the money that is bet at its off-track betting facilities is to keep live racing going at Fairmount Racetrack. You're talking about literally hundreds of jobs that are at stake. Organized labor is against this Bill. The thoroughbred racing industry is against this Bill. If you voted for my Bill earlier this week or at the end of last week, you should be against this Bill 'cause it does the exact opposite of what we intended to do last week. Now, I respect the Gentleman and I understand what he has to do. But essentially, what we're trying... what they're saying here is they're gonna take \$2.7 million, money that is bet at Fairmount Racetrack or its off-track betting facilities, and give it to an industry that is not going to promote live racing at Fairmount. It's not going to assure that the jobs at Fairmount are kept. It's not going to ensure that the economy in the area, which the Bill of 1995 was passed, continues to prosper. I ask you to stick with me on this. I ask you to vote 'no' on this Bill, and I ask you to make sure that the workers at Fairmount, their

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families, and the thoroughbred racing industry continues to prosper. I ask a 'no' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Poe: "You know, I think sometimes we don't want to mislead the Representatives here in what we're actually trying to do. This is money that's bet in my district and other districts around the state from down... just about this part south. And this is money that's collected, that they bet at our parlors, and this money was intended to go to the standardbred horse racing horse breeders. And when we talk about jobs, this is money that we could enhance their premiums so when they race, that they also protect their jobs. This Bill would also put money in purses for the DuQuoin State Fair, the Illinois State Fair. And we could make sure that the harness-bred... horses in Illinois are a viable industry and we can protect that industry by putting this money in purses that they can continue to breed in Illinois and have these purses. But I think the emphasis we want to make is this money is collected in... there's betting parlors in Champaign, there's a betting parlor in Springfield, and there's other betting parlors around the state and they're wanting to take the money out of the areas that we represent and take it down to one area. And there's hundreds of jobs in the State of Illinois. And so, I'd ask you to vote 'yes' for this Bill."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Lang."

Lang: "Mr. Speaker, inquiry of the Clerk, please."

Speaker Hartke: "Mr. Clerk."

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Lang: "Mr. Speaker and Mr. Clerk, the board says, 'must be age 21'. But isn't all of that material out of this Bill, now? Isn't this only about where this purse money goes? The reason I ask that, Mr. Speaker, is because we don't want anyone to think that that's what the Bill is about when that's not what the Bill is about and it might impact peoples' votes if they're not listening to debate."

Speaker Hartke: "Mr. Lang, that's not the Clerk's job."

Lang: "I'm sorry?"

Speaker Hartke: "It's not the Clerk's job to review the Bills."

Lang: "It's not the Clerk's job. All right. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Lang: "Thank you. Representative... Representative, over here. Hi. Is there anything left in this Bill about age 21 voting... age 21 betting at a racetrack?"

Jones, J.: "No."

Lang: "So, the only thing that's in this Bill now is what happens to this purse money, is that correct?"

Jones, J.: "Exactly."

Lang: "All right. I really don't have any question about your Bill, but I do have a question about the topic. Now, I understand that the first Bill kept this money at Fairmount because there was an interest in keeping Fairmount open and keeping 1500 jobs there and that type of thing. Your interest here is to help the harness horsemen, is that correct?"

Jones, J.: "Representative Lang, my interest is helping the harness racing people which have, up until this year, have had racing dates at Fairmount Park. The owner of Fairmount Park has decided that he does not want to race standardbred races any more. We've got over 52,000 horses in the State

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of Illinois that races in standardbred races. You know, not only at our fairgrounds, but DuQuoin, Springfield, and used to in Fairmount. My intentions of this whole Bill is to keep people employed as the first speaker spoke about. We want to keep those people employed, but we also want to keep the people employed in the standardbred racing. We want to see that people have an opportunity to negotiate the Bill. My fear is if the other Bill that's already gone over to the Senate is the only Bill that goes over there, what is there to negotiate? There's nothing to negotiate. If we could keep this Bill alive 'til the end of May, maybe they can come out to an agreement. I have no Sponsor for this Bill in the Senate. But if the Bill gets over, I'm sure somebody will pick it up and that will keep the negotiations going."

Lang: "Well, Representative, I have a very strong interest in helping horse racing, as well. So, your comments are not lost on me. But if the idea here is to negotiate this issue, where were the negotiations all this time, what's happened to them?"

Jones, J.: "Well, my feeling is is that the negotiations was going along, they seemed to be getting to a stalemate, then the other Representative called his Bill, sent it over to the Senate, and to my understanding, there's no negotiations going on right now. I am hopeful that negotiations will start tomorrow once we can pass this Bill over to the Senate."

Lang: "If Representative Hoffman has indicated on the record on the floor of the House that he intends to negotiate that Bill in the Senate, why do we need another Bill over there?"

Jones, J.: "Both parties need a Bill over there. There's no

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guarantee... And I have all the faith in the world in Representative Hoffman. But there's no guarantee that he or I, either one, can get both these people to the table. But these Bills will get 'em to the table."

Lang: "Well, all right. I'm not sure whether I'm for ya or agin ya, but thanks for answering the question."

Jones, J.: "Well, let me say this, Representative Lang. If the Members of the General Assembly here, all 118 of 'em, will look around their districts, most of the people in this chamber will find standardbred raisers, people who raise standardbreds and who race standardbreds, in their own districts."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, there is a lawsuit currently under way regarding this issue between Fairmount Track and the standardbred(sic-standardbred) owners, is that correct?"

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

Black: "Further... It's my understanding that when the decision was made to run only thoroughbreds at Fairmount Park, that under the simulcast provisions those races that were... had the harness horses on the simulcast of that purse money was still going to Fairmount Park to enhance the purse of thoroughbreds at the expense of the purse of the harness horses, correct?"

Jones, J.: "That's exactly right."

Black: "Fine, thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill."

Speaker Hartke: "To the Bill."

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Black: "My right honorable friend from Southern Illinois, I believe, has Fairmount Park in his district or very close. And I can understand his concern. But in all fairness to the issue, everyone of you that has an off-track betting parlor in your district, your interests are best served by having two Bills out there to negotiate. Because if you have an off-track betting parlor, the proceeds from that betting parlor are being shared with a park who will not currently allow harness racing to take place at their park. Now, that may be a good idea and that idea may prevail, but it is not what was agreed to years ago. Now, it makes no sense, in all due respect to the Sponsor of the previous Bill, to say that the Majority Party's Bill is the only Bill that needs to be there and we will negotiate. What you're gonna negotiate is between the standardbred owners and trainers and the thoroughbred owners and trainers. And you're gonna have to have, in my humble opinion, two Bills to do that. It is not an issue of organized labor. I don't know why they signed in favor of it... Well, whatever, you know. The last time I checked, every jockey at a track was a card-carrying member of the AFL-CIO. You know, when all is said and done, this is simply a turf battle between harness racing and thoroughbred racing. And as I said on the Gentleman's previous Bill, if you don't have two Bills to negotiate, you are simply cannibalizing the horseracing industry in this state, which is in bad shape. A year from now, we may not have a horseracing business to worry about. And there are 50,000 jobs directly attributable to the horseracing business in this state, not to mention a heck of a lot of tax money and the Agricultural Premium Fund. All we're asking for is send two Bills over to negotiate, get 'em at the table, and

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it'll get worked out. One Bill is fine, two Bills are better. Majority Bill, Minority Bill, doesn't make any difference. Send both Bills over and bring these people to the table or a year from now, you may not have a horseracing industry to even worry about. Vote 'aye'."

Speaker Hartke: "Further discussion? Chair recognizes the Gentleman from Whiteside, Representative Mitchell."

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

Speaker Hartke: "The Sponsor will yield."

Mitchell, J.: "John, my understanding is is that the year that you and I came to this General Assembly was the year that the agreement was made to set up the purse or the part of the purse that would go to the standardbreds, is that correct?"

Jones, J.: "That is correct."

Mitchell, J.: "So, since 1995 we've been arguing over this issue. One, in fairness, that should have helped to keep the saddlebreds alive, to help keep harness racing alive in the State of Illinois. How many thoroughbred races do we have at our county fairs across the State of Illinois, John?"

Jones, J.: "Well, Representative, I can't answer the exact number. But, you know, they're at every fairgrounds."

Mitchell, J.: "I can, it's 0. There aren't any. Thoroughbreds don't feel like they make..."

Jones, J.: "Standardbreds."

Mitchell, J.: "...enough money at a county fair, but they're great entertainment and they're a great breed of horse. And I'm gonna tell ya, I'm gonna vote for this Bill simply because I got a letter from the Rock Island County Democrat Chairman asking me to vote for this Bill because he raises standardbreds and he understands how important that industry is to the State of Illinois. And I believe it is

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and I believe that everybody here should vote for this Bill, keep the negotiations alive, make both sides be honest no matter what we send. If we send only one Bill, one side's gonna feel they've got the upper hand. And I don't think that's the way negotiations are run. I think we should vote 'aye' on this Bill just to keep both sides at the table, to keep both sides honest. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Hoffman. For what reason do you seek recognition? You've already spoke in debate."

Hoffman: "Yes, I would just ask for a verification if it receives the requisite number of votes."

Speaker Hartke: "Your request will be granted. Representative Johnson."

Johnson: "To the Bill. I only have one thing to say. After listening to my colleague scream and yell over there a minute ago, I got to tell ya, I had a distinct feeling of being bullied. Have you all been bullied on this Bill? And I want my colleague to know that that's not permitted anymore. Thank you."

Speaker Hartke: "Representative Jones to close."

Jones, J.: "Thank you, Mr. Speaker. You know, as I said earlier, if each and every Member of this General Assembly will look around in their districts, they will find somebody with standardbred horses in their district. These people employ people. These people buy feed at the feed stores. They buy feed from the farmers. They buy hay, they put up hay. They buy machinery to do the mowing and the like for the baling of the hay. The list goes on and on of the number of jobs we're talking about. All we're trying to do with this Bill, regardless of what the Sponsor of the other Bill is trying to say right now, is that we want to keep the

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jobs in Illinois. We're gonna completely do away with an industry if we're not careful here. All I want to do is keep the negotiations going. And I would ask you to give me an 'aye' vote on this Bill and keep the negotiations going."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 618?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. There has been a request for verification. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On House Bill 618, there are 50 Members voting 'yes', 53 Members voting 'no', and 11 Members voting 'present'. And this... Mr. Jones, and this Bill, having failed to reach a Constitutional Majority, is hereby declared lost. House Bill 3069, Representative Stroger. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3069, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #3, offered by Representative Fritchey, has been approved for consideration."

Speaker Hartke: "Representative Fritchey, on the Amendment. Can we have some order here in the House. Shh."

Fritchey: "Speaker, Floor Amendment 3 is some cleanup language between the Bodies that are involved in the underlying Bill. What I'd ask the Body to do is just approve the Amendment for adoption and then we can discuss the Bill as a whole. It would make a lot more sense."

Speaker Hartke: "The Gentleman asks for the approval of Amendment #3. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and

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the Amendment is adopted. Further Amendments?"

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

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

Clerk Bolin: "House Bill 3069, a Bill for an Act concerning local governments. Third Reading of this House Bill."

Speaker Hartke: "Representative Stroger."

Stroger: "Thank you, Mr. Speaker. House Bill 3069 permits agencies and counties to recover their unpaid debts and tickets from the employees of a municipality with a population of 500,000 or more in a reciprocal fashion. It permits the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago School Reform Board of Trustees, the Housing Authority, Cook County, and the City of Chicago to garnish the wages of each other's employees. And I will answer any questions or ask Mr. Fritchey to if I need him."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

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

Speaker Hartke: "The Sponsor will yield."

Black: "Representative, under current Illinois Law, no municipality has the right to do a wage deduction for a bill owed to that municipality, is that correct?"

Stroger: "The City of Chicago does it now with the Chicago agencies."

Black: "The City of Chi..."

Stroger: "And if I didn't answer your question, you can... If you ask it again, I'll work on it."

Black: "All right. The City of Chicago, according to you, has the right to garnishee wages to satisfy a debt to that municipality. They have that right, you're telling me,

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under law?"

Stroger: "Yes."

Black: "Then why is this Bill necessary?"

Stroger: "This is for... to make it a reciprocal fashion for the Water Reclamation District, the Cook County Forest Preserves, Cook County Government, Chicago Housing Authority. So, this is so all those agencies can do what the city does now with the other city agencies."

Black: "So, the City of Chicago, and now you're adding the County of Cook and the MWRD, will have the right to unilaterally deduct from an employee's wages money to satisfy a debt owed to the City of Chicago or any governmental unit within the County of Cook, correct?"

Stroger: "That's correct. Also, the Amendment that we just put on stated that when there is a debt owed that the employee... the debt must be due... the employee receives a notice of wage deduction and has the opportunity to object to that wage garnishment."

Black: "So, in other words, the... out of the munificence of their heart, the city and the county have allowed, under an Amendment 3, I believe, an actual right of due process? Is that right?"

Stroger: "That's correct."

Black: "My gosh, I think that's wonderful that it took Amendment #3 to give a human being in the State of Illinois the right of due process to collect a debt. I don't know what kind of labor contracts you have up there, but down my way if a city worker owes the city money, they tell him two things, pay up or you're fired. What's wrong with that?"

Stroger: "Well, up where I'm from, we like to give people hearings, then we say, pay up or you're fired."

Speaker Hartke: "Mr. Black, bring your remarks to a close."

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Black: "The Chicago Tribune pointed out that there were thou... no, not thousands, hundreds of thousands of dollars owed by city and county employees for water bills, unpaid parking tickets, utility bills, the list went on and on and on. And what did some of those people tell the city? Tough luck. What kind of contract do they have? Do you mean to tell me the city can't say, we aren't going to keep you on the payroll if you owe your employer thousands of dollars?"

Stroger: "The city and the county like to give due process before they run roughshod over their employees."

Black: "Thank you very much. Mr. Speaker, first of all, this Bill had no due process provision in it at all, until Floor Amendment #3 was asked for by the Metropolitan Water and Sanitation(sic-Reclamation) District. I would subject... I'm not gonna vote to give the City of Chicago and the County of Cook the right to garnishee wages to satisfy a debt to the municipality, or the county, or the forest preserve district that hires 'em in the first place. Now, that's an outrage. If you are a tax-paid employee and you're a deadbeat, then your contract ought to say, pay up or you're fired. That simple. That's due process. You know what the due process is? You want your paycheck, you pay your debts. I'm not gonna vote for this Bill. Why should I give Chicago the right that no other city in the State of Illinois has?"

Speaker Hartke: "Further discussion? This Bill's on Short Debate. Representative Black has spoken as opposition. Representative Fritchey, in response."

Fritchey: "Thank you, Speaker. To the Bill. I'm somewhat at a loss that the previous speaker would actually find himself in a position of arguing against our desire to afford due process here. What this Bill does is very simple, it helps

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these various municipal agencies collect what could be upwards of \$20 million at any given time in unpaid debts to the respective agencies. It protects the workers from a municipality trying to collect a debt that may be in error. It now says, if there is a debt and we are saying that there's a debt that's due and owing, we will give you the opportunity to dispute that. But if at the end of the day, that is due and owing, we are going to have the ability to take that out of your paycheck. We are simply saying that public employees should have a right... or an ability and an obligation to pay their debts owing to a public body. The entities that are affected here are in Chicago and in Cook County. If you don't represent a district in there, this Bill does not affect you, whatsoever. The entities that are affected by this Bill have all signed off on this Bill. The entities that are affected by this Bill have all come to agreement on the terms of the language of this Bill. This Bill is not one or two pages long, it is very extensive. It is done in such a way to protect the rights of the workers, in such a way to protect the rights of the governmental organizations. It's a way to streamline government, to help us recoup debts that are due and owing, make things more efficient. There is no logical reason to be in opposition for this... in opposition of this Bill. And I request an 'aye' vote. Thank you."

Speaker Hartke: "Representative Stroger to close."

Stroger: "I think Representative Fritchey made the points of even if someone has said to have been owed a debt, the employee should still have the opportunity to say that it is... if it is true or not. And that's all that the Amendment did. And all the governmental agencies are in agreement with this. And I would ask for an 'aye' vote."

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Speaker Hartke: "The question is, 'Shall the House pass House Bill 3069?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3069, there are 54 Members voting 'yes', 56 Members voting 'no', 5 Members voting 'present'. And this Bill, having... Representative Stroger."

Stroger: "I would request Postponed Consideration, please."

Speaker Hartke: "The Gentleman can request Postponed Consideration. House Bill 430, Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 430 has been read a third time, previously."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. We'll go back to where we were in the debate before. I'd like to apologize to Representative McCarthy. He's right, I had three Amendments. And the one that he was speaking of was the one that got filed. I was looking at another Amendment in my hand and not on the screen. We can go back. Basically, what the Bill does is it's the same as last year, except it adds a right of conscience and this Bill outlined what that would entail if the provider were to invoke that right of conscience. I will explain to him the reason for the two hours at the end of the examination. The basis of this Bill is, the closer you are to the rape within the first 72 hours is the only time emergency contraceptives are able to be effective in preventing conception. The farther away you get from the actual rape in the 72 hours, the less time you have to prevent conception and the percentage rate of

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preventing goes down. So, all of you who voted for the Bill before can vote for it now. But I will give you the assurance that Representative... or Senator Radogno's Bill has come out and that's the Bill that we've been negotiating on for awhile. The agreement was to have both Bills move in case something happened to one or the other. Her Bill, which I have picked up already, changes this in a small way except it's a big way for the hospitals. It says, that the Department of Health will provide the protocol. Our Bill lines... set the protocol out, but it still recognizes a right of conscience exception to emergency room law that is not currently in the actual right of conscience section of the statutes. Just to go over one more time, emergency contraceptives are not abortifacients. They're a double dose of birth control pills. They're only good for 72 hours. And I would be happy to answer any additional questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would appreciate a little order. I had a hard time even hearing the presenter's..."

Speaker Hartke: "Please, Ladies and Gentlemen, we're all very tired, we've worked long and hard today. If we have to repeat, it's gonna take longer yet. So, please give the speakers your attention."

McCarthy: "Thank you, Mr. Speaker. I... We debated this Bill for quite awhile. I do appreciate the Sponsor's saying that I was correct, as far as what was on my screen and what is in my hand right now. The two-hour time limit still gives me a lot of great concerns. I would like to hear another medical procedure that we have written into statute that

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says, has to be given within two hours. That pharmaceutical requirement, especially on hospitals that don't regularly keep these medicines because it's against their conscience to keep those medicines, to say that we have to have 'em within two hours, I think, is a dangerous precedent to be set for any medical procedure. This Bill is unnecessary. We have an Agreed Bill coming over from the Senate. Many of us who disagree on pro-life and pro-choice issues, I think, are gonna be able to come together on that Bill. This Bill has some dangerous precedences. And when you say, well, we'll send it over there just in case, I think that's pretty dangerous to say. I don't think it's necessary to send it over there. Senate Bill 114 is already over here. It would pass with an overwhelming majority in the Senate, which is definitely more pro-life than this House. And I have every confidence it's gonna pass here. And I could pledge right now that I will vote for that Bill when it comes up and Representative Mulligan calls the Bill for a vote. This Bill is unnecessary. There are predictions(sic-protocols) in there that just can't be met by many of the hospitals that are serving some of the poorest people in the State of Illinois. The other thing that was brought up before, and because I couldn't hear the remarks, I might be just repeating something. But I want to make it clear for those who have any interest whatsoever, the Catholic Conference is completely opposed to this Bill. Don't make any, you know, references any other way. They are opposed to this Bill and they stand by their former statement saying, they could not operate if they are forced to make referrals. That's why that Senate Bill 114's coming over is a great compromise for those of us on both sides of this issue. I

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would urge you to vote against this. We don't need another Bill clogging up the system. That Bill will come over there and many of the most pro-life Members of this House are gonna vote for that Bill, I can promise you that today. So, thank you. And I would just urge all the Members to vote 'no' on this Bill."

Speaker Hartke: "This Bill's on Short Debate. We've debated it three times. Representative Coulson for response and then we're going to close. Representative Coulson."

Coulson: "Thank you, Mr. Speaker. The American Medical Association has issued comprehensive guidelines for the treatment of sexual assault survivors in their monograph titled strategies for treatment and prevention of sexual assault. The guidelines call for the patient to be informed of interventions to prevent conception as a result of the sexual assault and to be provided with emergency contraception. This emergency contraception is not the same thing as an abortion pill. It is not... It will not promote an abortion or change anything if a woman is already pregnant. This pill is very important on the timing. And I think that's one of the reasons, in this Bill, there is a time limit, because time is the most important factor in the effectiveness of emergency contraception. The earlier it is used, after intercourse, the more effective it is. One to five percent of sexual assaults result in pregnancy. We don't want these people to have to maintain that pregnancy if there's an easy, simple way to just not have implantation. And I would urge your support of this Bill. I do believe we've sent over a lot of Bills just to keep issues alive. I do understand there's a Senate Bill, but I think that it's important for us to have a vehicle over in the Senate, also. And I would

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urge your support. Thank you."

Speaker Hartke: "Representative Coulson to close."

Mulligan: "Me to close."

Speaker Hartke: "Representative Coulson... or excuse me, Representative Mulligan to close."

Mulligan: "I don't blame you for being confused, it's been a long night. Thank you, Mr. Speaker. I want to reiterate one thing here. This Bill has been worked on for over a year. And quite frankly, before this Bill was moved in the House, the negotiations in the Senate had bogged down and nothing was happening. Sometimes people only negotiate if you give them a little push. And also, sometimes we walk out of here with an argument and all the Bills fall. The agreement between Senator Radogno and myself and the people that were behind this Bill was to have two Bills out there in case anything happened. It is my concern that we pass her Bill, which is the negotiated Bill. She also knows that if my Bill goes over there that she will amend it if something were to happen to this Bill here. But that's not the prime reason. The prime reason is that anyone that truly cares about women in Illinois wants no female rape victim in Illinois to leave an emergency room without knowing that there's such a thing as emergency contraceptives. No female rape victims should leave an emergency room without either the drugs or a referral as to where to get the emergency contraceptives. No rape victim in Illinois should have to be impregnated by a rapist when it can easily be avoided. I urge an 'aye' vote. I would appreciate your support on this."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 430?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. All

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voted who wish? All voted who wish? Clerk, take the record. On House Bill 430, there are 69 Members voting 'yes', 42 Members voting 'no', 4 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3131, Representative Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3131, a Bill for an Act in relation to human services. The Bill has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

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

Clerk Bolin: "House Bill 3131, a Bill for an Act in relation to human services. Third Reading of this House Bill."

Speaker Hartke: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 3131 is a provision that deletes obsolete Sections from the Public Aid Code. This is a Bill requested by the Department and it amends the Illinois Public Aid Code, deletes various provisions that are obsolete, including references to the following: the 1949 Code; requirements for federal waivers; the JOBS Program; Article VII of the Code, previously repealed; programs that are no longer implemented by the Department of Human Services. This is a Bill also, that removes from the Code those items that are now obsolete. And we stand ready to answer questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Bill. I thank Representative Davis for carrying it. I hope we don't have to debate this for 15 minutes. This is an agency Bill, from the Department of Human Resources, requested by

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Secretary Linda Renee Baker, that all of us know. All of us have worked with her. She is an outstanding woman. There's nothing controversial about this Bill. It cleans up some obsolete language. The Sponsor of the Bill is absolutely correct. It ought to get a unanimous vote, and we don't need to debate it all night. Vote 'aye'."

Speaker Hartke: "Further discussion? No one seeking recognition, the question is, 'Shall the House pass House Bill 3131?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3131, there are 114 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 325, Representative Tenhouse. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 325, a Bill for an Act concerning school district reorganization. Third Reading of this House Bill."

Speaker Hartke: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Representative Tenhouse has lost his voice. I'm very happy to present this Bill on his behalf. House Bill 325 is a Bill that we've worked on most of the Session. We amended this Bill earlier. It has to do with school consolidation, deannexation, annexation, cooperative high schools. We made the fundamental Amendment, that has been made to the Bill, because many of you have expressed considerable opposition, and rightfully so. When the Bill started out, it said you could do a consolidation, and the majority vote would prevail. Well, obviously, that meant a large

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district could swallow up a small district. We amended that to say, the consolidation vote must pass by a majority vote in each affected district. That's current law. So, we moved that back. I think that was the biggest objection. The Bill continues, it authorizes a grant to fund a feasibility study to study a consolidation, or a cooperation, an annexation, what have you. Currently, there's no money to do that. I had four school districts, in my legislative district who wanted to look into the possibility of closing their four small high schools, and building one larger high school. The study would have cost \$30 thousand. They didn't have the \$30 thousand. No study was made. No vote was taken. It returns the responsibility for the approval of annexations of entire districts from the State Board of Education to the Regional Board of School Trustees. It provides a teacher's salary differential. It provides school district reorganization, with a listing on the school construction projects. It does a number of things that, I think, and for my downstate colleagues and for my suburban colleagues. I have heard what the suburban colleagues have told me. You're not happy that we have high schools of less than a hundred kids. I'm not happy with it, either. What this Bill does is, hopefully move discussion forward, and I don't expect it to reach the Governor's desk, to allow discussions. What will it take to encourage you to close a high school of 70 kids, join with your neighbors, and open a high school of 500, or 600, or 700 kids? In other words, I hear what many of the suburban colleagues have said. We have over 900 school districts in this state. The money isn't there to support all of them. At some point we must encourage school districts to consolidate, and it can't be

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done without a majority vote in all the affected districts, to cooperatively form larger high school districts, or to annex or deannex, to lessen the number of school districts. It's a Bill that I've worked on for three years. I think it's in the form that you can vote for and continue the negotiations in the Senate. I'll be glad to answer any answers that you have."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Garrett. This Bill's on Short Debate."

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

Speaker Hartke: "Sponsor will yield."

Garrett: "Representative Black, I do have a question regarding the cost of funding a study, which you say would cost \$30 thousand. Why can't the State Board of Education cover the cost for these kinds of studies?"

Black: "They have no legal authority to do so. We asked them to cover that study. They have no statutory authority to appropriate any money to do that. This gives them that authority."

Garrett: "Okay. So this would actually go, not to individual school districts, but the State Board of Education for these kinds of studies?"

Black: "Correct."

Garrett: "Thank you."

Speaker Hartke: "Further discussion? Representative Hoffman, do you stand in opposition? Representative Hoffman."

Hoffman: "I have an inquiry of the Sponsor."

Speaker Hartke: "State your inquiry."

Hoffman: "Yes. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Hoffman: "Representative, I don't know that I'm against your Bill. I just think that we need to point out for some of

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the Members on this side of the aisle, it's my understanding, that this... what this essentially would allow, when you do this consolidation, is the ability to levy a tax and I don't believe that it requires any type of a voter approval or referendum. Is that right?"

Black: "That's not the way I understand it. We amended all the levies out, except a 10¢(sic-10%) levy for working cash for newly formed districts. That's the only levy that's in there. Every other levy was amended out. In House Amendment #1, we deleted the 24¢(sic-24%) levy for transportation, the 10¢(sic-10%) for fire prevention and safety. And the only levy left in there, is a 10¢(sic-10%) levy... I'm sorry. It is not for working cash, it's for computer technology, or leasing, and computer technology."

Hoffman: "I believe... I understand the 10% levy for transportation, or 24% levy for transportation, and a 10% for life safety, working cash, and leasing, was taken out, but I still believe I saw a 10% working cash, and a 10%... Was the leasing educational facilities or computer technology taken out?"

Black: "Yes. If it is a newly formed district. No existing district could use it. If you agree to form a new district, the only taxing authority in this Bill, is 10¢(sic-10%) for a working cash, or computer technology and leasing fund."

Hoffman: "Okay."

Speaker Hartke: "Representative Black to close."

Black: "Thank you very much, Mr. Speaker. This is an honest good-faith attempt to try to get rural school districts to let us know so that we can work together, suburbanites, Chicagoans, and downstaters, on the kinds of incentives that may be necessary to convince small rural districts to

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look at forming a cooperative high school of more students. If they wish, a consolidation. If they wish, a deannexation, an annexation to a larger district. In other words, I know this is gonna happen. It's gonna have to happen. And all I want is to move the discussion forward, and say to my downstate colleagues, these districts had better start talking about this now, before the 2002 district and the census change in this district. Because quite frankly, I can count and those of you north of I-80, about 2004 can tell us what our schools are going to look like downstate. I'd rather be proactive than reactive. I'd appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 325?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 325, there are 96 Members voting 'yes', 20 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3073, Representative Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3073 has been read a third time, previously."

Speaker Hartke: "Mr. Turner, House Bill 3073. We have discussed this, the Bill, at length, voted twice on it. Please give a brief description. The timer is on."

Turner, J: "Yes, Sir, Mr. Speaker. I will do so. It requires that the fines imposed on truck drivers by Home Rule units, for size, weight, and load violations shall not exceed the fines authorized in the Vehicle Code. That's all the Bill does. Just makes the fines consistent with what the fine

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schedule is in the Illinois Vehicle Code."

Speaker Hartke: "Representative Hamos in opposition? The timer is on."

Hamos: "Will the Sponsor yield?"

Speaker Hartke: "The Sponsor will yield."

Hamos: "Representative Turner, does this affect all city... does this affect all roads in Illinois?"

Turner, J.: "This affects Home Rule units, Representative."

Hamos: "I'm not asking about units, I'm asking about roads. Does it affect every single road in Illinois?"

Turner, J.: "The answer is 'no', then, to your question."

Hamos: "I'm sorry."

Turner, J.: "The answer to your question is 'no'."

Hamos: "I'm sorry, I still didn't hear it. No?"

Turner, J.: "The answer to your question is 'no', Representative."

Hamos: "Well, I thought this restricts the right of any municipality from taking any steps to keep overweight trucks off any road."

Turner, J.: "No. That's just not what the Bill does at all."

Hamos: "Okay, So..."

Turner, J.: "Representative, the Bill just simply says that the fines imposed by the Home Rule units will be consistent with the fine schedule in the Illinois Vehicle Code. It does not keep trucks from going on certain roads, any place. It doesn't affect a city's right to have access to their roadways or any thing like that. It just affects the fine schedule."

Hamos: "So, the question is whether a municipality can impose a set of regulations that affect the roads?"

Turner, J.: "Yes. They can impose a set of regulations, but their fine schedule cannot exceed that fine schedule that

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is set forth in the Illinois Vehicle Code under this Bill."

Hamos: "So the fine..."

Speaker Hartke: "Representative Turner to close."

Turner, J.: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. We had actually passed this Bill with, I think, 63 votes and then there was a question raised whether or not 71 votes was required. And it was decided by the Speaker's Chair that 71 votes were not required. I would ask for your support on this Bill. What the Bill is designed to do is to prohibit Home Rule municipalities, from setting forth fines that are unconscionable, setting forth fines that are oppressive, setting forth fines that have nothing to do with the violation. What it does is says that the municipality must have a fine schedule consistent with the Illinois Vehicle Code. What it says is that the municipality should not be in the business of raising revenue by having a high fine schedule, unreasonable one, an unconscionable one, in order to raise money as a revenue stream. It just simply says that they may still fine these trucks if they're overweight. However, they may not fine them more than what is set forth in the Illinois Vehicle Code. This is a good measure. It's a fair measure. And I ask for your support. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3073?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, on House Bill 3073, there are 62 Members voting 'yes', 51 Members voting 'no', and 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is

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hereby declared passed. House Bill 705. Mr. Clerk, read the Bill. Out of the record. House Bill 2207, Representative Bugielski. Read the Bill."

Clerk Rossi: "House Bill 2207 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bugielski, has been approved for consideration."

Speaker Hartke: "Representative Bugielski on Amendment #1."

Bugielski: "Thank you, Mr. Speaker. Floor Amendment #1, we heard this Amendment in committee yesterday, and we got approval for it to be called out. This is a Bill that the Illinois Land Title Association, we have been dealing with for the entire Session. There is no opposition to this. There is a problem that arises right now for the release of paid mortgages because they are not recorded. When you go to closings, they do not have the proper work, the proper filings with the Recorder's Office; so there was a problem where they were not having this because of the backlog. So they are going to be issuing the release paper at the closings, which is okay by everyone, all the financial institutions and everyone. There's no opposition to this."

Speaker Hartke: "Representative Brunsvold on the Amendment."

Brunsvold: "Well, Mr. Speaker. It's not on the Amendment. I just wanted to ask the Chair, if you happened to lay a piece of chicken on my light switch up there?"

Speaker Hartke: "Yes."

Brunsvold: "Because, evidently, my light's been on for quite awhile, and you must have laid something over my light, because it evidently is not being shown there. I know I'm so far back on the board, but I'd appreciate it if you would move the piece of chicken off my light."

Speaker Hartke: "Representative Franks on the Amendment."

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Franks: "I wanted to ask. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Franks: "Representative, is there a real problem with this? Why do we need this Bill?"

Speaker Hartke: "Representative Burke. Or excuse me, Franks."

Franks: "I asked my question."

Bugielski: "Yes, Representative, there was a large problem with this, and it was with the title companies, when they were going to the closings, that they did not have this, so they're coming out with the certificate of release that they will be issuing. And a lot of us, you know, we did not know... but the industry... it was a well-known fact in the industry itself."

Franks: "I'm reading our analysis here, Representative. And it said, in your Amendment, they're talking about the Amendment. And it says, that the certificate must also state that there was no notice that the amount in the payoff statement was inadequate. Do you see where I'm looking at in the Amendment? What worries me about that is I'm not sure that the lender would know whether there was any inadequacies. Because oftentimes, what I've found is after a payoff letter is provided, there might be outstanding tax liens or something that was not uncovered until the closing."

Bugielski: "All right. There is new language in the Amendment. That was in the original Bill. And... All right. The notice that was already provided for at the payoff was already, you know,..."

Franks: "Right. But when you give a payoff letter, you don't know whether there's going to be any inadequacies, because oftentimes it doesn't show up until later. Here's my point..."

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Bugielski: "In most cases the way we understood it was that the loans were paid off in full, already. It was just that they were not recorded because of the backlog."

Franks: "And I understand that. But what troubles me is when you give a bank, for instance, 60 days to give a release. And maybe after the closing, they find that the title company made a mistake. Okay? And the title company did not show that there was a tax lien. And that what you're going to be saying is, you're going to release that mortgage, even if the title company made a mistake without any recourse for the bank then against that title company. At least, that's how I'm reading the Bill."

Bugielski: "Well, the Amendment increased it from 45 to 60 days to accommodate that."

Franks: "I don't care how many days you're giving. My point is this: If the title company makes a mistake and doesn't show an encumbrance on the title, does not show a cloud on the title, and then you force a bank who finds out subsequent to the closing that there is an encumbrance on the title, and you force them to do a release of mortgage, then they've given up their rights to recover. And I think that's wrong. I think they have to be satisfied that it's been paid off in full before they give the release. Otherwise, they lose their security interest."

Bugielski: "Well, the title company, they're not holding the bank, what they're doing is getting the release from the recorder's office."

Franks: "But what you're releasing is the security interest and the collateral upon which the loan was originally given. And I think you put the bank, then, in a precarious position. I think the bank or the mortgagee..."

Bugielski: "Well, all the banks think that... thought that this

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was great. They all signed off on it. So, yes."

Franks: "And I don't see them, on our analysis as being a proponent."

Bugielski: "Well, they were all at the hearing yesterday. They're fine with it."

Franks: "Were they?"

Bugielski: "Yes."

Franks: "Because what I know in my practice, I don't give a release of a mortgage until I am satisfied that it's been paid in full. And sometimes you find things afterwards. As oftentimes, on the payoff letters that we send, Representative, we say please contact us before the closing in case there's an additional attorney's fees, for instance, if you're in a foreclosure. And I just want to make sure that those mortgagees are protected."

Bugielski: "Yes, they are."

Franks: "Okay. Well, I'll study a little more. Thank you."

Bugielski: "Yes."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2207?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2087, Representative Turner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2087 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative John Turner, has been approved for consideration."

Speaker Hartke: "Representative Turner on Amendment #1."

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Turner, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Floor Amendment takes out the provision in the original Bill. It would have allowed, in fact, would have mandated the transfer of juveniles into adult court for the offense of aggravated battery with a firearm. There were some concern raised that the way the Bill is drafted a juvenile who could be charged with the offense of aggravated battery with a firearm under accountability theory would also, under the Bill by mandate have... or be prosecuted in the adult courts. And with the Amendment we make it clear that the automatic transfers will apply to the perpetrator and not to someone who would be accountable for the crime of aggravated battery with a firearm. Those who are accountable, only, would be subject to transfer under the provisions where the state's attorney would have to go to the court and get permission, of course, as the juvenile would have a right to defend against that. That's what the Amendment does."

Speaker Hartke: "Any discussion on Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2087?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2282, Representative Burke. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2282 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Burke, has been approved for consideration."

Speaker Hartke: "Representative Burke."

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Burke: "Thank you, Mr. Speaker. I would move to table Amendment #1."

Speaker Hartke: "Withdraw Amendment #1. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Burke."

Speaker Hartke: "Representative Burke."

Burke: "Thank you, Mr. Speaker. Amendment #2 deals with the currency exchange industry in Illinois. And the Bill, as amended, deals only with the relationship between currency exchanges and their insurance carriers. And basically, what we're saying is that in current law currency exchanges need to have a thousand dollar deductible. We're asking in this legislation that that be reduced to \$100 just as those of us who use insurance today understand that the premium would be lessened as a result of increasing the deductible. That's what this legislation would provide for. And I'd ask for the favorable approval of the Body."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2263, Representative Winters. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2263 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winters, has been approved for consideration."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker and Ladies and Gentlemen of the

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House. Amendment 1 becomes the Bill. And basically, it's setting up an interagency coordinating committee on transportation looking for innovative projects, particularly in the rural areas, that can be funded to access additional federal dollars. This is a work in progress. We'd like to pass it over to the Senate and continue work on it over there."

Speaker Hartke: "Is there any discussion? Representative Black. Representative Black. He declines. No one else is seeking recognition. The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2263?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2271, Representative Coulson. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2271 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Coulson, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2271, although it becomes the Bill, it is just clarifying language to address the concerns of the opposition so that there is no longer opposition to the Bill."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Black."

Black: "Mr. Speaker, a parliamentary inquiry, after you adopt the Amendment."

Speaker Hartke: "Okay. Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is,

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'Shall the House adopt Floor Amendment #1 to House Bill 2271?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Black."

Black: "Thank you, Mr. Speaker. Parliamentary inquiry?"

Speaker Hartke: "State your inquiry."

Black: "We've been doing a number of Amendments on second... they've been read a second time, getting the Amendment, and then going right to Third. And all of a sudden we stopped. Is it the intent of the Chair just to get them ready for tomorrow?"

Speaker Hartke: "It's the intent of the Chair just to move them all to Third, and we'll call them tomorrow."

Black: "All right. Could I ask you one question, a personal favor?"

Speaker Hartke: "Yes, one."

Black: "Could you ask the building engineer if he could do something about lowering the temperature in this room?"

Speaker Hartke: "Yes, I will."

Black: "Thank you."

Speaker Hartke: "House Bill 2259, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2259. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Hartke: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Amendment #1, this is a rewrite of Chapter 15 of the Highway Code. And in the Amendment, it's the explanation I gave in committee, that everything

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underlined is new language, and everything crossed out is deleted. Thank you."

Speaker Hartke: "Is there any discussion of Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2259?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 1887, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1887 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 Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is... The underlying Bill has to do with a new prevention approach to lead paint poisoning. We have been working diligently with the realtors, with the people who handle the waste disposal industry. And this is a Bill that we've worked out with them for your consideration. And I'll be glad to explain it on Third Reading."

Speaker Hartke: "Is there any discussion? Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, you're saying that this Amendment now has removed the objection of the realtors, the Illinois Realtors?"

Hamos: "Let me say, and let me be very, very honest about this. We have been working very hard with them. And when I asked them what I should tell the Body, they said that their

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objection hasn't been completely cleared up, but they were completely open to us moving on this Bill, moving it over to the Senate, and continuing to have a discussion about it."

Parke: "Will you be working with the Senate Sponsor to try and accommodate the needs of the Illinois Realtors?"

Hamos: "Right. And we really have made commitments to each other that if we could get this Bill out of this House we will continue working on it. We have already made substantial changes in this Bill."

Parke: "What happens if you don't come to agreement in the Senate?"

Hamos: "I think we probably we'll have to come to an agreement or not have a Bill."

Parke: "Well, then I will let that go."

Speaker Hartke: "Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, our file indicate that you agreed to hold this Bill on Second Reading when you presented the Bill in Environment & Energy Committee, pending two Amendments. Do you have another Amendment that you're going to be adding? This is Amendment #2. Will there be an Amendment #3?"

Hamos: "Mr. Black, I'm going to withdraw Amendment #3. Amendment #3 is purely technical, and it's just a definition of 'white goods proponent'. Because we know we are going to continue working on this in the Senate, we've made a decision and because of the lateness of the Session that we're going to put that technical Amendment on in the Senate. But this morning in presenting Amendment #2, the Energy & Environment Committee did pass on this,

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unanimously."

Black: "Did not the Rules Committee release Floor Amendment #3 to come directly to the floor?"

Hamos: "No. They sent it back to committee, and I've run out of time."

Black: "Well, as I'm looking at Amendment #3, it's not technical. You're defining 'white goods', which currently cannot be landfilled. You're defining any device that may contain polychlorobiphenyls, and any florescent, or high-intensity lamp that contains mercury. Now, that's hardly a technical Amendment. That's a substantive Amendment."

Hamos: "Well, Mr. Black, we're talking about Amendment #2, right now. I've been talking to the people who have been working with me on this, including the waste disposal industry. We've all agreed that Amendment #3 is not very important to an understanding of the Bill itself and that we would put that as a definition on in the Senate."

Black: "Representative, my issue is not with what Amendment 2 does, or doesn't, or what Amendment 3 does, or doesn't. My issue relates to what you said to committee. It's my understanding... Our staff understood you to say that you wanted Amendment #2 adopted, and that Amendment #3 should go directly to the floor for consideration. Now, have you changed your mind, or is our staff mistaken in what you told the committee?"

Hamos: "Well, what I went back to the committee for today, was the underlying... was Amendment #2, that I've been working with the realtors on. When I went to committee this morning I also represented to the committee that there was a technical Amendment, that would be Amendment #3, and that I would try to have it come out of Rules and come directly to the floor. But we did not succeed in doing that. But

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Amendment #3 was not that critical, I didn't feel, to consideration of the committee."

Black: "Representative, we have a definite misunderstanding. Would you take this out of the record for awhile and let your staff and our staff get together, on what was said, and what was not said?"

Hamos: "Yes, I'll do that."

Black: "Thank you."

Speaker Hartke: "Take that Bill out of the record. House Bill 3123, Representative Mitchell. Bill Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3123 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Bill Mitchell, has been approved for consideration."

Speaker Hartke: "Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. Amendment #1 clarifies and tightens up some of the language in the Bill. It limits it to population in communities of less than 5 thousand people."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3123?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3538, Representative Kurtz. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3538 has been read a second time, previously. Floor Amendment #1 has been adopted to the Bill. No Motions have been filed. Floor Amendment #2,

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offered by Representative Granberg, has been approved for consideration."

Speaker Hartke: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. The board has been corrected. Representative Kurtz asked me to carry her Bill. Mr. Speaker, Mr. Black alluded to a very serious issue earlier tonight, and that is the fiscal condition of our nursing homes. Our nursing homes throughout the state have been severely under funded. Many have filed bankruptcy. Many more are on the verge of filing bankruptcy. That jeopardizes our friends, our family, our neighbors. What this Bill does is provide the substantive language, in case... in case, the Governor and the legislative Leaders, provide additional funds for our nursing homes at the end of Session. It provides a formula that would initiate a \$98 million increase for all of our nursing homes, 49 million of which would be federal money. This language would be applicable to any additional appropriation. Our nursing homes have not had an increase since 1991. They're using old data that no longer applies. Today, in this year, since 1991-92, the costs have increased by 51%. The Medicaid reimbursement rate has increased, nothing close to that amount, putting these nursing homes in dire... suffering dire consequences. I'd be more than happy to answer any questions."

Speaker Hartke: "Further discussion? Representative Parke."

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

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, why is the Department of Public Health opposed to your Amendment?"

Granberg: "Representative, I can only speculate. I just took this Bill from Representative Kurtz. I would assume that

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they're worried about the fiscal impact."

Parke: "Well, I think you're right, Representative. They're estimating that this is a \$80 million hit."

Granberg: "Representative, I think that is actually incorrect. The first portion of the Bill is \$80 million. But there's an additional \$18 million in upcoming years. So, the total is actually 98. Forty-nine would be federal money."

Parke: "Do you think that the Department is no longer opposed to this, now?"

Granberg: "No, Representative, they are still opposed, but I think it's because of the fiscal impact. No, because if they were opposed at 80, I'm sure they would be opposed at 98."

Parke: "Now, how are you going to solve this? I mean we're already in a fiscal crisis with it and you want to compound it by doing this. How do you propose to solve it?"

Granberg: "I think, Representative, we're putting a substantive language in, in case the Governor and the four Leaders in the agreement towards the end of Session decide to provide the additional funds for our nursing homes. If they do, then they have these substantive language available to provide a continuing-funding formula, not a short-term fix, which has happened in the past."

Parke: "Well, I guess I understand to some degree what you're trying to do, but it concerns me that you're talking about almost a hundred million dollars, and we don't have the money. So, I just hope the Senate works with you and helps solve this. I mean, it's got to be solved to some degree, but this is a big hit on their budget. And if you're going to do anything like this, you're going to need to find the money for 'em."

Speaker Hartke: "Representative Black."

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Black: "Thank you very much, and Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of this Bill. I've already had a nursing home in my district go bankrupt. This will not be the first. It may have been the first, but I'll guarantee you it isn't going to be the last. We cannot expect these nursing home long-term care operators to take care of our most needy, our most precious, our most fragile possessions in society, our parents, our grandparents, based on a cost schedule that hasn't been changed in over a decade. I know it's going to cost a lot of money, so does the Sponsor of the Bill. That's why we're here. And if we have to change this budget to adequately fund long-term care homes, then that's what we'll do. It's got to be a priority. We cannot, and it will not continue to work. I'm telling you the nursing home closing in my district because of bankruptcy is the tip of this iceberg. There's only 12 county-owned nursing homes left in the state, and mine is in very precarious position in Vermilion County. Yes, it's going to cost money, and yes, it may mean we have to make changes in the budget. But if we don't, you tell me where we're going to put upwards of 5 thousand people who live currently, in nursing homes in this state, who are at risk because we are not even coming close to reimbursing the owners for the actual costs of taking care of our grandparents, or our aunts, or our uncles. If we don't do anything else this Session, this we must do. It's long overdue. I commend the Sponsor. Vote 'yes'."

Speaker Hartke: "Representative Lang to the Amendment. Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of my seatmate's Amendment. You know, there's a

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lot of talk from time to time about the problems at nursing homes. I have been among the people who have sometimes been critical of nursing homes. But this is an appropriate thing to do, what's right is right. Nursing homes take care of many of the most vulnerable people in our society and they are not banks. They have had their rates frozen for a very long time. They have significant difficulty getting qualified people to work at the rates they've been able to pay them. And so if we want nursing homes to improve the service they give, if we want them to improve the kinds of people they're hiring, and be able to be fully staffed, and if we want them not to be suffering at the hands of State Government, Representative Granberg's Amendment is an appropriate one. I would strongly recommend your 'aye' votes."

Speaker Hartke: "Representative O'Brien, do you stand in opposition to the Amendment? Representative Feigenholtz, you had your light on? The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3538?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1954, Representative McAuliffe. Mr. Clerk, read the Bill. 1954."

Clerk Bolin: "House Bill 1954. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. Amendment #1 to the House Bill 1954 is an Amendment that

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simply extends the compliance dates under the original credentialing Bill which we passed a couple of years ago. This Amendment makes the Bill an Agreed Bill. And I would ask you to adopt Floor Amendment #1 to House Bill 1954."

Speaker Hartke: "Is there any discussion to Floor Amendment #1? Seeing that no one's seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1954?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 914, Representative Saviano. Mr. Clerk, read the Bill. ...the record. House Bill 774, Representative Persico. Mr. Clerk, read the Bill. House Bill 774, Representative Persico."

Clerk Bolin: "House Bill 774. The Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Persico, has been approved for consideration."

Speaker Hartke: "Representative Persico."

Persico: "Thank you, Mr. Speaker and Members of the House. Amendment #3 becomes the Bill, and amends the Trust and Trustee Act. Basically, it allows the trustee to invest for total return, provides for an adjustment between income and principal, so that capital gains can be shared between the principal and income beneficiaries. This is brought to me by the Corporate Fiduciaries of Illinois, and it is also supported by the Illinois Bar Association. Would be happy to answer any questions."

Speaker Hartke: "Is there any questions? Any discussion? The question is, 'Shall the House adopt Floor Amendment #3 to House Bill 774?' All in favor signify by saying 'aye';

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

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

Speaker Hartke: "Third Reading. House Bill 705. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 705, a Bill for an Act concerning credit services organizations. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 1356, Representative Berns. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1356. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Righter, has been approved for consideration."

Speaker Hartke: "Representative Righter."

Righter: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment 1 to House Bill 1356 is a compilation of an agreement between the Illinois Community College Board, the Community College Trustees, and the Illinois Speech Language Pathology Association. It provides for the licensure of speech language pathology assistants. Happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1356?' All those in favor signify by saying 'aye'; opposed same sign (sic-'no'). In the opinion of the Chair, the 'ayes' have it. And the Motion... the Amendment... And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1492, Representative

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Hassert. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1492. The Bill's been read a second time, previously. No Committee Amendments."

Speaker Hartke: "Out of the record. House Bill 1630, Representative Hultgren. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1630. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hultgren, has been approved for consideration."

Speaker Hartke: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker and Members of the House. This Amendment #1 becomes the Bill. It provides that the Illinois Development Finance Authority shall require the approval of at least nine for all official acts. This is a simple change. A couple of years ago, the Board was increased from 15 to 17. There was an error at that time in failing to set the appropriate level for the majority to 9. It was left at 8. So right now, as it is, only 8 less than a majority can pass something. So this is something that is requested be changed by the Development and Finance Authority. And I'd ask approval."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1630?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2595, Representative Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2595. The Bill's been read a second time, previously. No Committee Amendments. Floor

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Amendment #1, offered by Representative Art Turner, has been approved for consideration."

Speaker Hartke: "Representative Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Amendment #1, basically, allows optometrists, who within a..."

Speaker Hartke: "Is there any discussion on Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2595?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2603, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2603. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative O'Brien, has been approved for consideration."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 2603 would require that second division vehicles over 16 thousand pounds, would have a cover on them. It would be not allowed... prohibited for them to allow garbage or refuse to escape from the bed of the truck while it was on a state highway, or local highway. This is in response to a problem that probably many of my colleagues see every week as they drive up and down 55, where we have garbage haulers going to the landfill in Pontiac, Illinois, who allow garbage to come out of their trucks, because they refuse to put the nets on them causing a tremendous problem in my district. And I

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urge for adoption of this Amendment."

Speaker Hartke: "Is there any discussion of Floor Amendment #1?
Seeing that... Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I've seen more tarp Bills than I can
remember."

O'Brien: "Me, too."

Black: "In this Amendment, do you define 'commercial vehicle'?"

O'Brien: "It is defined. It's defined as, 'either a vehicle or a
combination of vehicles that have a gross vehicle weight
rating of 26 thousand one pounds or more, a vehicle
designed to transport 16 or more persons, or vehicle
transporting hazardous materials, and are required to have
the haz mat placard on it'. It doesn't include
recreational vehicles, Department of Defense vehicles,
firefighting and other emergency equipment, or other
government vehicles."

Black: "Representative, did you make a statement in committee
that you would not call this Bill, you would extend the
deadline, continue to work on this, so it only affected
garbage trucks?"

O'Brien: "You're correct. I'm actually... I was not... I had my
own committee meeting last night. Representative Hoffman,
Chairman of Transportation, was kind enough to present the
Amendment for me. And that is my commitment. I do want to
have the... I just want to have the Amendment adopted on
the floor. But I will not move the Bill to Third Reading,
or seek to have it called, prior to this deadline."

Black: "All right. All right. So... and I have your word you're
not going to move this Bill, because there's some things on

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here I really don't understand. I see an 8 thousand pound load limit vehicle, which is a pickup truck, and I really have a problem with that. So, you want the Amendment on the Bill, and then you're going to hold the Bill?"

O'Brien: "Yes. As you might be aware, Representative Black, I too, have voted against similar tarping Bills..."

Black: "I understand. You've always been a person of your word, and I... it's good enough for me. Thank you."

O'Brien: "Thank you."

Speaker Hartke: "Further discussion on the Amendment? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2603?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Leave that Bill on Second Reading. House Bill 2740, Representative Scully. Out of the record. House Bill 2834, Representative Collins. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2834. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Collins, has been approved for consideration."

Speaker Hartke: "Representative Collins, explain the Amendment."

Collins: "The Amendment says, that it amends the State Finance Act, the Vital Records Act, the Illinois Marriage and Dissolution of Marriage Act, by providing that a heirloom marriage certificate shall be issued by the State Registrar of Vital Records upon request, and upon payment of receipt, to be determined by the State Registrar."

Speaker Hartke: "Is there any discussion? Seeing that no one is

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seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2834?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2835, Representative Giles. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2835. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Giles, has been approved for consideration."

Speaker Hartke: "Representative Giles on Amendment #2. Out of the record. House Bill 2847, Representative Jones. Lou Jones. Representative Lou Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2847. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lou Jones, has been approved for consideration."

Speaker Hartke: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. Amendment 1 to House Bill 2847 simply removes the juvenile part out of a Bill that we passed about three years ago, where the inmates in corrections paid a \$2 copay for nonemergency trips for medical. At that time, it included everybody that was incarcerated. This Amendment simply takes out the juvenile, which is an Agreed Amendment with the Department of Corrections."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2847?' All those in

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favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2740, Representative Scully. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2740. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Scott, has been approved for consideration."

Speaker Hartke: "Representative Scott. Mr. Clerk. Mr. Scott."

Scott: "Thank you, Mr. Speaker. Floor Amendment #1 is the same as the Amendment that we saw last year. It would require the videotaping of all custodial interrogations for certain homicides and sexual offenses. It's a product of a lot of negotiations between a lot of entities in law enforcement and prosecution. I can't say that this is something that's supported by those entities, however, because they are still against the concept of mandating the videotaping of these interrogations. I could answer specific questions about the Amendment, and what it does, if you have them."

Speaker Hartke: "...there any discussion? The Chair recognizes Representative Lang."

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

Speaker Hartke: "Sponsor will yield."

Lang: "Representative, you told us you had your last Bill, but you didn't really say you had another Amendment."

Scott: "It's a Scully Bill."

Lang: "So, is this your last Amendment?"

Scott: "I think this is my last Amendment."

Lang: "All right. Just checking. Thanks."

Speaker Hartke: "Further discussion? Representative Durkin."

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

Speaker Hartke: "The Sponsor will yield."

Durkin: "Representative Scott, is there a funding mechanism in this Amendment which is gonna eventually become the Bill?"

Scott: "The Bill would require that funding be given... grants be given..."

Durkin: "Mr. Speaker, could I get some order? I can't hear a word he's saying."

Speaker Hartke: "Shhhhh! Please."

Durkin: "It doesn't help that I'm deaf in one ear, either."

Scott: "The Bill makes provision for grants to be given, Jim, for the purchase of the equipment from the Criminal Justice Information Authority, and from the Police Training Board for the training that would be involved with the officers. There isn't money that's identified in that, but obviously, you know, this is Speaker Madigan's initiative, and his representation has always been through the committee hearings that he would commit to trying to find the dollars to do this."

Durkin: "Do we have any... Do you have any kind of ballpark figure what we think it would cost if we were going to do this? Obviously, up in the collar county areas, I don't think cost is much of a factor. But I know downstate, there's been a, you know, a concern. What do you think that the numbers are? And is it a realistic argument that this is something which is really going to be a economic downside for these downstate communities?"

Scott: "The Criminal Justice Information Authority reports it'll cost \$15.1 million, which includes 13.1 in costs for the equipment, and 5% for the administration of that. The Training and Standards Board estimates that the training costs for the program implemented over two years would be a

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million and a quarter. Both of those figures exclude Chicago."

Durkin: "Okay. Thank you."

Speaker Hartke: "Further discussion? Representative Black."

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

Speaker Hartke: "Sponsor will yield."

Black: "Representative, as far as you know, the Amendment does nothing to mitigate the opposition to the Office of the Cook County State's Attorney?"

Scott: "It mitigates it, but doesn't remove it. In that, if I can take just a second here, Representative. Last year there were a substantial number of meetings that went on with respect to this Bill. And the Bill is substantially different than it was at that time. And a lot of the concerns that were brought forth with respect to the practical application of this Bill have been addressed. And a lot of those issues have been taken care of. Does it remove the opposition? No, because there's an underlying opposition to the concept of mandating that these things be done. So, while we've taken care of a lot of the practical considerations, I don't know that we can remove the underlying opposition to the Bill. Does that make sense?"

Black: "Yes. What doesn't make sense is your moving on to become Mayor of Rockford, and leaving us with a Bill where we have to stand between Speaker Madigan and the Cook County State's Attorney. Very kind of you."

Scott: "Well, I can solve our problem now. Mr. Speaker,..."

Speaker Hartke: "Yes."

Scott: "Could we take this out of the record?"

Black: "Thank you."

Speaker Hartke: "Sure."

Scott: "Thanks."

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Speaker Hartke: "Take this Bill out of the record. House Bill 3231, Representative Meyer. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3231. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Jim Meyer, has been approved for consideration."

Speaker Hartke: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is to an underlying Bill that passed out of committee by a vote of 21-0. It accommodates several suggestions that were made during the committee hearing and it will affect first, second, and third grade, as opposed to... Excuse me K-3rd, as opposed to K-2. And it also moves the effective date of the Bill from 2001 to 2002 to accommodate budgeting. I don't know of any... At this point I don't know of any opponents to it."

Speaker Hartke: "Further discussion? Representative Cross."

Cross: "Inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Cross: "I asked you about two hours ago when we could expect to get out of here, and we haven't even had the decency of an answer. People would like to at least know. Are we going to go 'til 3 in the morning? We going to go until tomorrow morning at 7? Are we going to go 'til 11:00 tonight? Can you, at least, give us an answer?"

Speaker Hartke: "Yes."

Cross: "When? Mr. Speaker, I'm serious. This is ridiculous that you can't even tell 118 adults when we can expect to get out of here. We're not a bunch of kids. This is crazy. We're not a bunch of kids. How about just telling us when we we can expect to get out of here?"

Speaker Hartke: "Mr. Cross, Mr. Lang just asked me a good

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question. Where's everybody been the last week, week and a half, two weeks?"

Cross: "We're not running the place, Mr. Speaker. You're running this place."

Speaker Hartke: "We have about 10 Bills. We have about 10 Bills, of Members,..."

Cross: "And you can't even tell us."

Speaker Hartke: "... that want to run on your side, and our side."

Cross: "I asked you two hours ago when we could expect to get out of here."

Speaker Hartke: "...from Second to Third. We will get those done. As soon as you sit down, we'll go to those Bills and get 'em done."

Cross: "Well are you going to give us an answer, or not?"

Speaker Hartke: "As soon as possible."

Cross: "Give us the time."

Speaker Hartke: "As soon as possible. Representative Giles."

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

Speaker Hartke: "Sponsor will yield."

Giles: "Representative, I know you presented this Amendment in committee and we approved this Amendment. Could you, simply... Could you tell me that... What is the actual note on this legislation, just for the State Board of Education?"

Meyer: "I can't hear it."

Speaker Hartke: "What is the position of the State Board of Education?"

Meyer: "The State Board of Education has been wording with me. They're not opposed to this Bill. They would like to have the wording in there, though, for 2001 to 2002, for the

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accommodation of budgeting."

Giles: "And is this legislation... Is this just for Chicago, or is..."

Meyer: "No. No. This is for everybody."

Giles: "This impacts the entire state?"

Meyer: "The entire state, yeah."

Giles: "Could you... Do you know what the fiscal note on this piece of legislation, Representative?"

Meyer: "The fiscal cost. I don't have a figure for you, right now. Again, I'd be happy to work with you on it. I've heard some figures, but again we don't know how many buses are going out half full, or a quarter full, or a third full, whatever, it might be. Again, I'd be happy to discuss this under the Bill with you. I'd just like to get the Amendment on it, so we could."

Giles: "And that'd be fine. And, I guess, one last question. And I'm not trying to put you on the spot. It may be just something that I overlooked in committee. And that is, does this legislation covers parochial, private schools, as well?"

Meyer: "If I could go back, Representative. The whole point of the Amendment is to certify the Board of Education what the cost is, so that they can determine on a year-to-year basis. That's why we're moving it out, instead of 2001 to 2002. In other words, the school has to go in the year before in order to get the busing. And until you know how many people are going to request that, they have no..."

Giles: "I have it now, Representative. I recall now. Thank you. Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3231?' All those in favor

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signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2263, Representative Winters. Mr. Clerk, read the Bill. Out of the record. House Bill 760, Representative Daniels. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 760. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #4 has been adopted to the Bill. Floor Amendment #5, offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. Amendment #5 becomes the Bill. It's the TIF Bill that makes a couple of changes in the sales tax TIF provision, and also cleans up something in the property tax provisions. It also includes extensions that have been agreed to by school districts. It's for Representative Scully, Representative Wyvetter Younge, and Representative Moffitt. And I would be happy to answer questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #5? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #5 to House Bill 760?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 403, Representative Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 403. The Bill's been read a second

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time, previously. Amendment #1 was adopted in committee. Floor Amendments 3 and 4 have been adopted to the Bill. Floor Amendment #5, offered by Representative John Jones, has been approved for consideration."

Speaker Hartke: "Representative Jones."

Jones, J.: "Thank you, Mr. Speaker. Amendment #5 deals with licensing all gun dealers in the State of Illinois by the Illinois State Police."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #5 to House Bill 403?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1935, Representative Collins. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1935. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Collins, has been approved for consideration."

Speaker Hartke: "Representative Collins on Floor Amendment #1."

Collins: "We already adopted the Amendment."

Speaker Hartke: "Apparently not Floor Amendment #1. Explain Floor Amendment #1 again."

Collins: "We're adopting the Amendment that says that it amends the State Finance Act, the Vital Records Act, and the Illinois' Marriage and Dissolution of Marriage Act by providing that a heirloom marriage certificate shall be issued by the State Registrar for vital records upon request and upon payment of a fee to be determined by the State Registrar."

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Speaker Hartke: "Excuse me. You may have been right, Representative Collins. Representative Black."

Black: "Mr. Speaker, you might ask the Sponsor. It's our understanding she was going to table Amendment 1, and then Amendment 2 would become the Bill. Has that changed?"

Speaker Hartke: "Is that..."

Collins: "No, that's correct."

Speaker Hartke: "Okay."

Black: "You going to withdraw 1, and then Amendment 2 becomes the Bill?"

Collins: "Right."

Black: "Okay."

Speaker Hartke: "The Clerk advises me he does not have Amendment #2. Take this Bill out of the record. House Bill 3097, Representative Daniels. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3097. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 simply guts the Bill. We want to get it over to the Senate for negotiations. And I would ask for you to adopt Floor Amendment #1 to House Bill 3097."

Speaker Hartke: "Is there any discussion? The question is... No one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3097?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1904, Representative

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Saviano. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1904. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. One, just an inquiry. Did we adopt Floor Amendment #1?"

Clerk Bolin: "Floor Amendment #1 has been adopted to the Bill."

Saviano: "Thank you, Mr. Clerk. Floor Amendment #2 is the Amendment which addressed the road builder's concerns. We negotiated it. This makes it an Agreed Bill. And I would ask that you adopt Floor Amendment #2 to House Bill 1904."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1904?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2390, Representative May. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2390. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative May, has been approved for consideration."

Speaker Hartke: "Representative May."

May: "Yes. This Bill amends the School Code, allows the Tax Equivalent Grant to be paid to the school districts, other than Chicago, that have military installations in the

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base(sic-district). This Amendment clarifies several things that we heard from Members of this Assembly. It clarifies that for a school district to get this Tax Equivalent Grant, there need to be students in the district, because there might be military properties that don't have any students on them. And it also clarifies the procedure to be paid in this fiscal year. And the other thing is to be absolutely clear that this wouldn't take any money away from other school districts, we are creating a separate line item. And the monies come from the State Comptroller. And although, we've heard other things moving to the Senate, this Bill, even without the Amendment, has passed the Senate 51-0, and the Senate Sponsor is agreeable to this. So, I ask for consideration."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Amendment #2 to House Bill 2390?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2426, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2426. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Brunsvold, has been approved for consideration."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Amendment #2 actually becomes the Bill and sets down a different definition in the beginning of the Act. So, that's all that does."

Speaker Hartke: "Is there any discussion on Floor Amendment #2?"

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The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 2426?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2565, Representative Berns. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2565. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #2, offered by Representative Berns, has been approved for consideration."

Speaker Hartke: "Representative Berns, Amendment #2."

Berns: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 is a minor one that alters the title to the Bill."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 2565?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Representative Berns on Amendment #3."

Berns: "Mr. Speaker, Floor Amendment #3 makes modifications to the Bill to address the issues raised by the staff."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2565?' All those in favor signify by saying 'aye'; opposed 'no'. In the

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opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 2575, Representative Reitz. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2575. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. Floor Amendment #3, offered by Representative Novak, has been approved for consideration."

Speaker Hartke: "Representative Novak."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 becomes the Bill. This is an initiative of the Illinois Petroleum Marketers Association with the approval of the Illinois Environmental Protection Agency. The original Amendment that was drafted and submitted to Rules had other language in there that has been deleted. So, the only thing in the Amendment simply extends the eight-tenths of a cent gas tax out for ten more years, from 2003 to 2013. It's a bonding program. There is no increase in fees, or anything. The reason why the extra dollars are needed is to simply fund the remediation of a leaking underground storage tank, what we commonly refer to, as the LUST Program, coordinated by the EPA."

Speaker Hartke: "Is there further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2575?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 3231, Representative

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Meyer. Mr. Clerk, read the Bill. Out of the record. House Bill 3373, Representative Pankau. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3373. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Hassert, has been approved for consideration."

Speaker Hartke: "Representative Pankau. Representative Hassert."

Hassert: "Mr. Speaker, this is my Amendment. Thank you. Amendment #2, basically, it's EPA's Bill. They basically are... We're doing this for cleanup language to put us in compliance with the Federal Clean Air Act. And the second part of the Bill is dealing with some definition with the Used Tire Storage Act. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3373?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 1887, Representative Hamos. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1887. The Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Chairman, Ladies and Gentlemen. Floor Amendment #2 was approved for consideration by the committee unanimously. It is the product of some really hard work with the realtors, and with the waste disposal

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industry. The issue has... we will be debating, I think the entire Bill, on Third Reading. And this has to do with lead paint poisoning, environmental hazards. And I ask for your favorable consideration."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 1887?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

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

Speaker Hartke: "Third Reading. House Bill 3224. Mr. Clerk, read the Bill. Shirley Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3224. The Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 2576, Mr. Novak. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2576. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #3, offered by Representative Novak, has been approved for consideration."

Speaker Hartke: "Representative Novak, Amendment #3."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 becomes the Bill. It's based upon a court decision that was rendered by the U.S. Supreme Court in reference to the Solid Waste Agency of Northern Cook County v. The Army Corps of Engineers. It was a court case that was decided in January of 2001, that held that nonnavigable isolated waters cannot be interpreted by the Corps of Engineers as to be navigable waters. What this is, is an initiative from the Illinois Association of Home Builders to provide for a single standard around the

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State of Illinois with respect to the management of wetlands. Be more than happy to entertain any questions."

Speaker Hartke: "Representative Moore."

Moore: "Thank you, Mr. Speaker. Due to the late hour, I will not challenge this in full debate, but when... This is a very bad Amendment. I do not approve of this. And when it is called on Third Reading, I expect it not to be on Short Debate, so that we can fully explore this issue."

Speaker Hartke: "Further discussion? Representative Slone."

Slone: "I agree with what Representative Moore just said."

Speaker Hartke: "Further discussion? Representative May."

May: "Yes. I believe that this Amendment takes away local control. It's very important for Lake County. The IEPA does not have a regulatory program in place for wetlands. There are a hundred unprotected wetlands in Lake County. And I disagree with this Amendment."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill... There is a note filed, it will remain on Second Reading. The question is, 'Shall the House adopt Floor Amendment #3 to House Bill 2576?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. A fiscal note has been requested on the Bill as amended. And the note has not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. House Bill 1935, Representative Collins. House Bill 1935. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1935, the Bill has been read a second time, previously. No Committee Amendments. Floor

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Amendment #1, offered by Representative Collins, has been approved for consideration."

Speaker Hartke: "Representative Collins. Clerk, read the Bill."

Clerk Bolin: "Floor Amendment #1, offered by Representative Collins, has been approved for consideration."

Speaker Hartke: "Representative Collins on the Amendment."

Collins: "Amendment 1935, Amendment #1... House Bill 1935, Amendment #1 amends the State Finance Act, the Vital Records Act, and the Illinois Marriage and Dissolution of Marriage Act by providing that an heirloom marriage certificate shall be issued by the State Registrar of Vital Records upon request and upon payment of a fee to be determined by the State Registrar that must include an additional sum of \$25."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Jones on Amendment #1."

Jones, S.: "Mr Speaker... "

Speaker Hartke: "Shh."

Jones, S.: "I want everybody to hear this. Mr. Speaker, when I have my light on and somebody else got they light on, I don't give a damn who it is, you better call, me because I wanted to speak on that Novak's Amendment. And you actually ignored me. And the next time it happen, I'm coming up there to whoop your ass."

Speaker Hartke: "Representative Black, on Amendment #1. Representative Parke, on Amendment #1."

Parke: "Mr. Speaker, I just simply want to point out that perhaps it's getting too late to continue to do this business. We were all getting tired and I think it's time for us to consider how long you're gonna keep us in Session tonight. Quite frankly, this is getting ridiculous."

Speaker Hartke: "Ladies and Gentlemen, we have one more Bill, Mr.

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Scully's. And then we have one Bill to move from Third to Second. We are now on Representative Collins' Bill. Does anyone care to address Amendment #1? Representative Black."

Black: "Mr. Speaker, all I rise to do is to apologize to Representative Collins. We had made a mistake on our floor file and thought there was a second Amendment. She was kind enough to take the Bill out of the record based on our information, in fact, which was wrong. We apologize to her and we stand in support of her Amendment and her ability to move her Bill to Third Reading. And we apologize for our error on your Bill."

Speaker Hartke: "Representative Brunsvold, on Amendment #1. He's not seeking recognition. The question is, 'Shall the House adopt... Representative Fritchey.'"

Fritchey: "Speaker, I'd just like to yield my time to Representative Jones."

Speaker Hartke: "Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Just an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Mitchell, J.: "Yeah, I made an inquiry earlier of the Chair on House Bill 3224, which does happen to be Representative Shirley Jones' Bill, wanting to move that Bill from Second to Third. The director of the Guardianship and Advocacy Act has stayed all evening and she's still outdoors. I think we could probably do that for her."

Speaker Hartke: "Does anyone care to address Floor Amendment #1? Being none, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 1935?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is

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adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3375, Representative Scully. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3375 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. House Bill 3375. No. Take it out of the record. Mr. Clerk, what is the status of House Bill 2079?"

Clerk Rossi: "House Bill 2079 is on the Order of House Bills-Third Reading."

Speaker Hartke: "Move that Bill back to Second Reading for the purposes of an Amendment. Mr. Clerk, committee announcement."

Clerk Rossi: "The following committees will meet immediately upon adjournment; the Youth & Children Committee... or the Children & Youth Committee in Room 115, the Conservation & Land Use Committee in Room 122-B, the D-1... the Environment & Energy Committee in Room D-1, the Executive Committee in Room 118, the Higher Education Committee in Room C-1, the Registration & Regulation Committee in Room 114. The following committees will meet 15 minutes after adjournment; the Health Care Availability Committee in Room 114 and the Financial Institutions Committee in Room 118."

Speaker Hartke: "The Chair recognizes Representative Flowers. Do you have an announcement?"

Flowers: "Yes, Mr. Speaker. I just want to make the announcement that Health Care Availability will meet immediately after Registration & Regulations. Immediately."

Speaker Hartke: "Representative Currie now moves that the House stand adjourned until the hour of 9:00 a.m., allowing

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perfunctory time for the Clerk. All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the House does stand adjourned until 9:00 a.m."

Clerk Bolin: "House Perfunctory Session will come to order. First Reading and Introduction of Senate Bills. Senate Bill 10, offered by Speaker Madigan, a Bill for an Act concerning telecommunications. Senate Bill 21, offered by Representative Durkin, a Bill for an Act concerning county sheriffs. Senate Bill 22, offered by Representative Barbara Flynn Currie, a Bill for an Act concerning education. Senate Bill 32, offered by Representative Smith, a Bill for an Act concerning sanitary districts. Senate Bill 48, offered by Speaker Madigan, a Bill for an Act concerning corporate fiduciaries. Senate Bill 62, offered by Representative Franks, A Bill for an Act to provide notification regarding employer responsibilities under the federal Worker Adjustment and Retraining Notification Act. Senate Bill 71, offered by Representative Shirley Jones, a Bill for an Act concerning telecommunications. Senate Bill 118, offered by Speaker Madigan, a Bill for an Act concerning judges. Senate Bill 151, offered by Representative Barbara Flynn Currie, a Bill for an Act in relation to public aid. Senate Bill 269, offered by Representative Lang, a Bill for an Act concerning procurement. Senate Bill 385, offered by Representative Daniels, a Bill for an Act concerning counties. Senate Bill 636, offered by Representative Schoenberg, a Bill for an Act regarding schools. Senate Bill 435, offered by Representative Lindner, a Bill for an Act in relation to criminal law. Senate Bill 437, offered by Representative Mendoza, a Bill for an Act in relation to health. Senate

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Bill 447, offered by Representative Kosel, a Bill for an Act to amend the Illinois Dental Practice Act. Senate Bill 500, offered by Representative Mendoza, a Bill for an Act in relation to senior citizens. Senate Bill 603, offered by Representative Franks, a Bill for an Act in relation to economic assistance. Senate Bill 627, offered by Representative Daniels, a Bill for an Act concerning vehicles. Senate Bill 729, offered by Representative Barbara Flynn Currie, a Bill for an Act concerning taxes. Senate Bill 796, offered by Speaker Madigan, a Bill for an Act concerning unemployment insurance. Senate Bill 797, offered by Representative Barbara Flynn Currie, a Bill for an Act concerning prizes and gifts. Senate Bill 921, offered by Representative Schoenberg, a Bill for an Act to amend the Illinois Procurement Code by changing Section 20-10. Senate Bill 1069, offered by Representative Hartke, a Bill for an Act in relation to drycleaning. Senate Bill 1190, offered by Representative Ryder, a Bill for an Act concerning the functions of the State Board of Education. Senate Bill 114, offered by Representative Mulligan, a Bill for an Act in relation to emergency medical services. Senate Bill 163, offered by Representative Tenhouse, a Bill for an Act concerning public aid. Senate Bill 333, offered by Representative Mautino, a Bill for an Act concerning insurance. Senate Bill 356, offered by Representative Stroger, a Bill for an Act concerning environmental protection. Senate Bill 608, offered by Representative Franks, a Bill for an Act in relation to public aid. Senate Bill 1254, offered by Representative Feigenholtz, a Bill for an Act in relation to insurance. Senate Bill 1258, offered by Representative Hartke, a Bill for an Act in relation to property. Senate Bill 1262, offered by

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Representative Daniels, a Bill for an Act concerning airport authorities. Senate Bill 1309, offered by Representative Hoffman, a Bill for an Act concerning telephone solicitation. Senate Bill 1341, offered by Representative Bellock, a Bill for an Act in relation to insurance. Senate Bill 629, offered by Representative Dart, a Bill for an Act concerning animals. Senate Bill 663, offered by Speaker Madigan, a Bill for an Act concerning elections. Senate Bill 694, offered by Representative Tenhouse, a Bill for an Act in relation to utilities. Senate Bill 717, offered by Speaker Madigan, a Bill for an Act concerning workers' compensation. Senate Bill 750, offered by Representative Dart, a Bill for an Act in relation to public health. Senate Bill 832, offered by Representative Tenhouse, a Bill for an Act concerning the Department of Agriculture. Senate Bill 847, offered by Representative Tenhouse, a Bill for an Act in relation to the administration and funding of the Illinois Commerce Commission. Senate Bill 930, offered by Representative Hoffman, a Bill for an Act in relation to public transportation. Senate Bill 933, offered by Representative Smith, a Bill for an Act concerning health facilities. Senate Bill 941, offered by Representative John Turner, a Bill for an Act concerning insurance. Senate Bill 1047, offered by Representative Jim Meyer, a Bill for an Act concerning solicitation. Senate Bill 721, offered by Representative John Turner, a Bill for an Act concerning civil procedure. Senate Bill 1504, offered by Representative Bellock, a Bill for an Act in relation to health care. Senate Bill 1497, offered by Representative Flowers, a Bill for an Act concerning insurance. Senate Bill 38, offered by Representative Lang, a Bill for an Act

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to amend the Property Tax Code. Senate Bill 74, offered by Representative Hultgren, a Bill for an Act in relation to vehicles. Senate Bill 161, offered by Representative Holbrook, a Bill for an Act in relation to public aid. Senate Bill 273, offered by Representative Holbrook, a Bill for an Act concerning vehicles. Senate Bill 394, offered by Representative Slone, a Bill for an Act concerning environmental protection. Senate Bill 531, offered by Representative Parke, a Bill for an Act in relation to transportation. Senate Bill 547, offered by Representative Hartke, a Bill for an Act concerning vehicles. Senate Bill 556, offered by Representative Hoeft, a Bill for an Act concerning education. Senate Bill 575, offered by Representative Joseph Lyons, a Bill for an Act concerning business transactions. Senate Bill 899, offered by Representative Crotty, a Bill for an Act concerning schools. Senate Bill 1024, offered by Representative Hannig, a Bill for an Act concerning vehicles. Senate Bill 1297, offered by Representative Mathias, a Bill for an Act concerning criminal law. Senate Bill 1522, offered by Representative Mathias, a Bill for an Act concerning State Government. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session now stands adjourned."