

STATE OF ILLINOIS  
93rd GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

39th Legislative Day

4/1/2003

Speaker Madigan: "The House shall come to Order. The Members shall be in their chairs. We shall be led in prayer today by the Reverend Charles Epperly of the Crainville Baptist Church in Crainville, Illinois. Reverend Epperly is the guest of Representative Gary Forby. The guests in the gallery may wish to rise to join us for the invocation and the Pledge of Allegiance."

Reverend Epperly: "Let us pray. Almighty God, on this clear beautiful April morning we ask Your presence as the Illinois House of Representative comes into Session. We ask that You be present here this morning, granting wisdom and guidance as they make decisions both individually and collectively that affect our state. And Lord, we know that this is a difficult time for our country, for our nation, and even our state. Be with our elected officials in the House. Give them perseverance, patience and strength they need to overcome the issues that they're dealing with. And Lord, we would be remiss if we didn't mention the brave men and women who are on the Iraqi War. We place them, each and every one of them, into Your hand for Your care and Your safekeeping along with the civilians over in Iraq. Be with our President and other leaders at this time. Once again Lord, may Your spirit permeate this place today, bringing guidance to Your will what You want to take place for the people of Illinois. And Lord, as the Representatives leave today may they have a safe journey back to their homes. For we do ask this and we do pray this in Jesus' name. Amen."

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

Wirsing: - 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 no House Democrat is excused today."

Speaker Madigan: "Mr. Bost."

Bost: "Mr. Speaker, let the record reflect that the Republicans are all present and ready to do the wor... work of the people."

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

Clerk Rossi: "Committee Reports. Representative Osterman, Chairperson from the Committee on Local Government, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1751 and Floor Amendment #1 to House Bill 1755. Representative Molaro, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #3 to House Bill 1489 and

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Floor Amendment #1 to House Bill 1952. Representative Franks, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 89, Floor Amendment #1 to House Bill 962 and Floor Amendment #1 to House Bill 2995. Representative Burke, Chairperson from the Committee on Executive, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the following recommendation/s: 'do pass Short Debate' House Bill 2439; recommends 'be adopted Floor Amendments 1 and 2 to House Bill 3635. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the following recommendation/s: 'do pass as amended Short Debate' House Bill 3468; recommends to be adopted Floor Amendment #1 to House Bill 2572. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2981. Representative Delgado, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the

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following recommendation/s: 'be adopted' Floor Amendment #2 to House Bill 1843. Representative Holbrook, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action taken on Tuesday, April 01, 2003, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1729."

Speaker Madigan: "Mr. Wirsing."

Wirsing: "Thank you, Mr. Speaker. Rise on a point of personal privilege."

Speaker Madigan: "State your point."

Wirsing: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, today is the youth... what I... it's the 70th District Youth Advisory Committee that is gonna be here today and tomorrow. And we'll getting thumb's nail sketch of how our system works. And then when they get... figure that out, they're gonna tell me how it works. But if we could give them a warm welcome from the Legislature here, they're standing up... up here in the gallery."

Speaker Madigan: "Mr. Brauer."

Brauer: "Thank you, Mr. Speaker. I rise on personal privilege."

Speaker Madigan: "State you point."

Brauer: "I would like to recognize the Springfield Kings of the Springfield Youth Hockey Association, coached by Rik Stone, Sonny Adams, John Flahive, and Jim Shures. They were undefeated league champions of Missouri Amateur hothy... Hockey Association of the Central Illinois Hockey League.

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And they won tournament champions. I would like to recognize them up here in the gallery."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Rules Report. Representative Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 1, 2003, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #5 to House Bill 70, Floor Amendment #3 to House Bill 134, Floor Amendment #2 to House Bill 220, Floor Amendment #5 to House Bill 416, Floor Amendment #2 to House Bill 1091, Floor Amendment #3 to House Bill 2202, Floor Amendment #1 to House Bill 2449, Floor Amendment #1 to House Bill 2573, Floor Amendment #1 to House Bill 2577, Floor Amendment #2 to House Bill 2608, and Floor Amendment #1 to House Bill 3198."

Speaker Madigan: "Mr. Leitch. Did you wish to call House Bill 1843? Mr. Clerk, what is the status of 1843?"

Clerk Rossi: "House Bill 1843, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Leitch, has been approved for consideration."

Speaker Madigan: "Mr. Leitch."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House, 1843 Amendment #2 becomes the Bill. And it's a very, I think, an important Bill for us to consider. The purpose of this Amendment is to require hospitals to ask pregnant women as part of their normal protocol whether

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they will be willing to donate the umbilical cord blood that comes from the umbilical cord itself. It's a very important Bill because already while in very limited number umbilical cord blood is being collected and frozen today, processed and then put on the worldwide registries for bone marrow transplants. Because this material is so universal, so elemental, once it has been processed it is able to serve people of all ethnic groups. As many of you are aware it is almost impossible for African Americans, for Latino's and others who are not Caucasians to find a bone marrow donor in the event that a family member is not available for such a transplant. This material makes available all over the world the opportunity to save thousands and thousands and thousands of lives. In addition to that, there are 48 other different types of lymphomas and cancers where there has been great success in the use of stem cell technology. This is a Bill that is not invasive. It is not controversial because the material, the umbilical cord itself, is already only medical waste. It is just being thrown away. And so it enjoys the support of advocates all across the spectrum with respect to the importance of collecting this important material. Again the... the... under the terms of this Bill it is entirely a voluntary situation. It is one where we would only ask that pregnant women be offered the opportunity to donate this... this material. It is at no cost to them. It is processed on a 24/7 basis. And it is one of the best things that I think we could possibly do in

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this chamber in the area of health care. I know of no opposition. I know of great deal enthusiastic support. And I would ask that we adopt Amendment #2."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. I rise in strong support for the Gentleman's Amendment and commend him for bringing this legislation forward. It's probably one of the most exciting and necessary Bills that we'll see in the area of health care. And I thank also Gretal Kaleel, who's joining us in the gallery, who was one of the first cord... cord blood donors in the State of Illinois at U of I. This procedure that she has taken the initiative to run and promote, once she made her... her presentation to the Illinois Valley hospitals and doctors they started this procedure immediately. It has an effect on, in Illinois of saving about 10 thousand lives. And also the impact since the stem cell is the cord blood cells are universal. They can be used in marrow, in bone marrow transplants. It's a noninvasive procedure. And where it would normally cost about a hundred and thirty to a hundred and seventy thousand dollars per procedure under the Medicaid eligible class. This can be done for about thirty thousand dollars. So it has not only a public health but also a fiscal impact. It is timely. It is not a new procedure. This has been around since 1950. But of the 4 million live births that occur each year in this country only about a thousand of those stem cells are

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taken. So this would bring knowledge and opportunity to those mothers who can give these very vital cells. I have a member of my family, my nephew Alex, who has had stem cell transfer work. And it is known to be the cure for at least 45 known diseases. And it's been one of the major... major courses of treatment in Sickle cell; treating certain forms of anemia. And has... as a universal donor has been able to bridge that line were I, being of one genetic type, could only give to someone of that same range if we were gonna do a normal bone marrow procedure, whereas this is universal. You don't have to be Italian, Spanish, genetically typed. These cells have not been stamped and they can adapt. They're a tremendous asset. I thank Mrs. Kaleel for her work and Representative Leitch for bringing this important legislation to the State of Illinois."

Speaker Madigan: "The question is 'Shall the Amendment be adopted?' Those in favor... Representative Bellock."

Bellock: "Thank you, Mr. Speaker and Members of the House. I just... and rise in support of this Bill. Especially because it does allow... that if the physician or the hospital does not agree with this for religious reasons that they do not have to go forward with it. I think it's an outstanding Bill. And I stand in support. Thank you."

Speaker Madigan: "Mr. Leitch."

Leitch: "I, too would like to thank Mrs. Kaleel for her advocacy and her very mu... her determined efforts on this behalf. I think the chamber also may want to be aware that this will be landmark legislation. To our knowledge, this



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will be the first Bill in the United States that moves this important procedure forward. So, I again, renew my request for an 'aye' vote."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Parke, did you wish to call House Bill 1318? Mr... Mr. Clerk, what is the status of the Bill, 1318?"

Clerk Rossi: "House Bill 1318, a Bill for an Act concerning patient health information. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Parke, has been approved for consideration."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen. The... Bill creates a... an Act that deals with the medical... the responsibility of medical corporations. In my legislative district and a legislative district on the southside, we had a... a medical company decide that they no longer could service patients in my area. And, in fact, the one on the southside ultimately filed for bankruptcy and walked away and left the medical records sitting in a garage on the southside and in a office building in my area. And had it not been for a hospital in that area who owned the property those medical records could have been discarded in a

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dumpster. And... the... thous... literally tens of thousands of people would not no what procedures were done on them, whether or not their children's shot records were taken, whether or not there was any kind of record on mammography examinations, whatever. And this legislation I think, goes a long way in correcting that. I've worked with the Illinois Medical Society and the Illinois Trial Bar to make sure that this legislation meets their concerns. And I think it is a good piece of legislation and ask the Body to support it."

Speaker Madigan: "Well, Mr. Parke moves for he adoption of the Amendment. There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, what is the status of House Bill 1318?"

Clerk Rossi: "House Bill 1318 is on the Order of House Bills-Third Reading."

Speaker Madigan: "Thank you. Mr. Wait, do you wish to call House Bill 1548? Mr. Clerk, what is the status of 1548?"

Clerk Rossi: "House Bill 1548, has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Wait, has been approved for consideration."

Speaker Madigan: "Mr. Wait."

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Wait: "Thank you, Ladies and Gentlemen of the House. Amendment #2 basically consolidates the other Amendment and the original Bill and it came out of the committee unanimously. I'd ask you for your approval."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Beaubien, Mark Beaubien. Mr. Beaubien. Mr. Beaubien, did you wish to call House Bill 218? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 218, a Bill for an Act concerning vehicles. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Mr. Clerk, put the Bill on the Order of Third Reading. Is Mr. Dunkin in the chamber? Mr. Dunkin. Representative Flowers, did you wish to call House Bill 1507? The Lady indicates she does not wish to call the Bill. Mr. Franks, did you wish to call 209? The Gentleman indicates he does not wish to call the Bill. Mr. Lang, did you wish to call House Bill 89, 89? Representative Ryg, Ryg, do you wish to call House Bill 3061? Is Mr. Hassert in the chamber? Mr. Hassert. Mr. Bill Mitchell, Bill Mitchell. Mr. Wait, did you wish to call House Bill 1547? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 1547, has been read a second time, previously. Amendment #1 was adopted in committee. No

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

Speaker Madigan: "Mr. Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yes, Floor Amendment just consolidates two Bills, 1366 and 1547. They both came out of committee unanimously. I'd ask your approval."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Brosnahan, do you wish to call House Bill 2215? The Gentleman indicates he does not wish to call the Bill. Mr. Capparelli, Mr. Capparelli. Representative Collins, Collins, did you wish to call House Bill 1182? You don't wish to call the Bill at all? Representative Flowers, do you wish to call House Bill 2376? The Lady indicates she does not wish to call the Bill. Mr. Forby, House Bill 3407? The Gentleman indicates he does not wish to call the Bill. Mr. Granberg, House Bill 962? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 962, a Bill for an Act in relation to state finance. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Granberg, has been approved for consideration."

Speaker Madigan: "Mr. Granberg."

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Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 provides that the Rend Lake Conservancy District will be audited by the state auditor general. Three different audits will be performed and the cost will be borne by the conservancy district itself."

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

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Miller, did you wish to call House Bill 520? The Gentleman indicates he does not wish to call the Bill. Mr. Turner, Mr. Turner, did you wish to call House Bill 524? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 524, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Turner, has been approved for consideration."

Speaker Madigan: "Mr... Mr. Turner."

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Amendment #1 was an Amendment that was proposed to me by the Cook County State's Attorneys Office and addresses this issue of whether 17-year-olds should remain or be transferred to an adult facility upon their 18th birthday. And I move for the adoption of Amendment #1."

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

Clerk Rossi: "No further Amendments." "

Speaker Madigan: "Third Reading. Mr. Clerk, what is the status of House Bill 89, 89?"

Clerk Rossi: "House Bill 89, a Bill for an Act concerning state collection of debts. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Lang, has been approved for consideration."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. Amendment #2 becomes the Bill. As you know, I've been working for sometime on collecting the state's debt. As of the most recent report of the comptroller, we have \$10.5 billion owed to us by our own taxpayers. This is a comprehensive scheme for centralizing this debt in the Department of Revenue, so that it be collec... collected by real experts. So we can eat into our budget deficit. I would ask your support on the Amendment."

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

Clerk Rossi: "No further Amendments."

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Speaker Madigan: "Third Reading. Mr. Ken Dunkin, did you wish to call House Bill 3429? The Gentleman indicates he does not wish to call the Bill. Mr. Giles, did you wish to call House Bill 1256? The Gentleman indicates he does not wish to call the Bill. Is Mr. Hoffman in the chamber? Mr. Hoffman. Mr. Washington, did you wish to call House Bill 3044? The Gentleman indicates he does not wish to call Bill. Is Mr. Hassert on the floor? Mr. Bill Mitchell. Mr. Daniels on House Bill 1102? The Gentleman indicates he does not wish to call the Bill. Representative Krause, Carolyn Krause, House Bill 3017. Lady indicates she does not wish to call the Bill. Mr. McAuliffe, Michael McAuliffe, on 2573? The Gentleman indicates he does not wish to call the Bill. Mr. Stephens, Ron Stephens. Mr. Wirsing, Mr. Wirsing. Representative Berrios, do you wish to call 2522? The Lady indicates she does not wish to call the Bill. Mr. Boland 3113, 3113. The Gentleman indicates he does not wish to call the Bill. Mr. Brosnahan 1191. The Gentleman indicates he does not wish to call the Bill. Mr. Burke, 1375, 1375. The Gentleman indicates he does not wish to call the Bill. Mr. Capparelli House Bill 132. The Gentleman indicates he does not wish to call the Bill. Representative Feigenholtz, 3021. Mr. Clerk, read the Bill, 3021."

Clerk Rossi: "House Bill 3021, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Madigan: "Representative Feigenholtz."

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Feigenholtz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3021 as amended repeals the family cap policy so that TANF will support every child. This is a Bill that has been negotiated with the Governor's Office and the Department of Human Services. There is agreement on substance. And the Amendment that we adopted yesterday is an agreed phase-in of this change."

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

Black: "Thank you very much, Mr. Speaker. And good morning to you."

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you, Mr. Speaker."

Speaker Madigan: "The Sponsor yields."

Black: "My microphone's broken. Good morning Representative. Will you yield for a question?"

Feigenholtz: "Certainly."

Black: "Representative, did the Amendment on... Amendment #2 become the Bill or just adds to the Bill?"

Feigenholtz: "It becomes the Bill."

Black: "All right. No, I don't think so. It adds to the Bill."

Feigenholtz: "Amendment 1 gutted the Bill, 2 became the Bill."

Black: "Representative, I think if you'll look again, Committee Amendment #1 becomes the Bill. Floor Amendment #2 which is on the Bill simply adds to it. Correct?"

Feigenholtz: "Correct."



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Black: "Okay. That's... as... as amended what... what's the estimated fiscal impact?"

Feigenholtz: "I believe that the initial phase-in will cost about \$300 thousand for FY04."

Black: "All right."

Feigenholtz: "That is the information that I have gotten, Representative Black."

Black: "All right. The... it's my understanding that the... one of the community-based providers dealing with behavioral health care, signed a slip in opposition to the Bill, but I... I have no notes as to why they did that. Do you... do you recall? Did they simply sign a slip or did they testify as to what their concerns were about the Bill?"

Feigenholtz: "No one testified against the Bill, Representative Black. Perhaps it was misfiled. I don't even know the name of the group that you're talking about. If you'd like to tell me, I'd be glad to know."

Black: "I'm trying to find the language in your Bill. If you removed the family cap... I'm trying to see if the Amendment changed that. Because if you repealed the family cap, then you would increase the TANF cash line by about 7 million."

Feigenholtz: "Representative Black, that is not in FY04. That is the long term phase-in."

Black: "So, that would be in the out years?"

Feigenholtz: "Correct. From, I believe '05 through '07."

Black: "All right. Okay, you're right. Floor Amendment #2 is a phase-in then...?"

Feigenholtz: "Right."

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Black: "...of the cap?"

Feigenholtz: "Right."

Black: "And th... and also then the... this... this family cap provision in your Bill would be sunset... is a sunset clause July 1 of '07?"

Feigenholtz: "Well, it wouldn't be sunset, it would be fully rolled out and implemented in '07."

Black: "All right. I'm... I'm having a little difficulty understanding the language. It says the family cap provision would be repealed on July..."

Feigenholtz: "The cap language would be repealed by '07. So..."

Black: "Okay, under the existing, you mean the existing statute or... or what you're amending?"

Feigenholtz: "The exist... the existing statute whi... which has a cap in it."

Black: "Okay."

Feigenholtz: "Would be inoperative as the Amendment reads."

Black: "All right. Thank you very much, Representative. I appreciate you answering the questions."

Feigenholtz: "Sorry for the confusion."

Speaker Madigan: "Representative Mulligan, Mulligan."

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

Speaker Madigan: "Sponsor yields."

Mulligan: "Representative, as the Bill is amended this only includes new children born after the legislation is passed? It does not..."

Feigenholtz: "For 0... right. For '04 it is new children. Yes."

Mulligan: "What do you mean by for '04?"

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Feigenholtz: "Well, the..."

Mulligan: "You presume we're gonna go..."

Feigenholtz: "...the way the phase-in is structured, Representative, the Bill phases in the costs for newborn babies as of January 1st, '04. And that is what we... the only thing we're doing in '04 is we're lifting the cap for newborns."

Mulligan: "Do you find it might be a problem if the Federal Law changes or we are not in compliance with the Federal Law? Do you find that we would have a problem with receiving money?"

Feigenholtz: "Well, they're still discussing reauthorization as you know, so there's no indication whether this is..."

Mulligan: "Well, my feeling is reauthorization will not be until after the next presidential election or around that time and that we will probably continue to reauthorize what's happening now, although that could change depending on the state of the federal budget."

Feigenholtz: "So, right now, Representative Mulligan, this is essentially discretionary to the states."

Mulligan: "All right. And it would only include children that are... are... will be born after the legislation."

Feigenholtz: "Correct."

Mulligan: "It doesn't go back and pick up children that were already there?"

Feigenholtz: "Not in '04, no."

Mulligan: "And it changes no work rules?"

Feigenholtz: "No, it does not."

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Mulligan: "All right. So, we would continue to have to spend so many hours in work and so many hours available for education. Although the current proposal by the President takes out vocational training as a requirement that would fulfill a TANF requirement."

Feigenholtz: "Well, under current law, women with newborns are exempt from work, as you know. But it, aside from those, aside from that fact..."

Mulligan: "But even... even if we're not paying for them now they're exempt anyway?"

Feigenholtz: "Correct."

Mulligan: "All right. So, that... that would make no difference. It's the additional amount of the grant that would make a difference. Have you... have you received any statistics showing the number of newborns in a welfare family as opposed, now, as opposed to what they were before welfare reform started? Has it made any difference that we put the cap on?"

Feigenholtz: "You know, I think that when welfare reform was passed in 1995, much of the intent was to deter welfare recipients from adopting what was considered a welfare lifestyle by bearing children. As you know, I mean you were here for this debate, Representative Mulligan. And a lot of academic studies have shown us that welfare is not the reason low-income women have kids. And that the family cap does nothing to effect childbearing."

Mulligan: "No, I think more education on family planning and other things would make... would make a difference more than

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just saying we're not gonna pay. Because half the people don't know what the benefits are actually until they're confronted with the situation. So..."

Feigenholtz: "I think wer... you know we're working on that."

Mulligan: "Right. And approximate cost of this would be 390 thousand?"

Feigenholtz: "Right. Correct."

Mulligan: "Representative, I'm always concerned since we haven't had the budget address where the money's gonna come from in all of these, but I'm willing to support what I think is a reasonable proposal. My problem is basically the dollars."

Feigenholtz: "Thank you."

Speaker Madigan: "Mr. Meyer."

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

Speaker Madigan: "Sponsor yields."

Meyer: "Representative, does your legislation undo any of the state or federal reform efforts that have been made?"

Feigenholtz: "Mr. Speaker, I can't hear the Gentleman. Can you get some order in the chamber, please?"

Speaker Madigan: "Well, lets try telling the people that it would be for you. So, look at how quiet it's getting. Mr. Meyer speak up a little bit. Shh."

Meyer: "All right. I will certainly do that, Mr. Speaker, thank you. Representative, does your legislation undo any of the state or federal reform efforts that have been put into place?"

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Feigenholtz: "We are proposing the state change in the family cap. But it doesn't change the federal mandate, Representative."

Meyer: "Well... well, one my concerns is we've had a fair amount of good fortune in getting more people back to work. And I'm concerned that your legislation might erode that effort."

Feigenholtz: "Well, I actually think it's quite the opposite. I think that there have been a lot of myths dispelled since we enacted welfare reform in 1995. That really kind of makes this progressive public policy, because of what I just discussed with the former Representative who was asking me questions. I don't think that this undermines anything."

Meyer: "Well, certainly one of the myths that was dispelled is the fact that people wouldn't be able to go back to work and... and provide for their families. But..."

Feigenholtz: "No, we have some..."

Meyer: "...in what way does this help that effort then?"

Feigenholtz: "Well, I think that under current welfare reform one of the things that we've seen are strong work standards and positive work support and time limits that have eliminated possibility of anyone adopting, as I said earlier, the 'welfare lifestyle' that we were all concerned about in 1995. And childbearing essentially has no effect on that. The main..."

Meyer: "Representative, under your..."

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Feigenholtz: "...the main goal is that the child is supported and not living in poverty."

Meyer: "Under your... under your Bill... would... if a family would have... have an extra... another child will they still get extra... extra food stamps?"

Feigenholtz: "This was just a limitation on cash assistance. They're already getting food stamps Representative. They're already eligible for food stamps."

Meyer: "Do they already get additional food stamps if their family increases?"

Feigenholtz: "Yes. It... this is only on the cash grant."

Meyer: "Thank you."

Speaker Madigan: "Representative Feigenholtz to close."

Feigenholtz: "Thank you, Ladies and Gentlemen of the House. I'd appreciate an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Has Mr. Hartke voted? The Clerk shall take the record. On this question, there are 77 'ayes', 31 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Flowers, did you wish to call House Bill 1484? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1484, a Bill for an Act concerning senior citizens. Third Reading of this House Bill."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1484 amends the aging Act. It

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changes the... by making changes in the sections to long-term care. And the Bill as amended has four functions. First, it changes the name of the sub-state long-term care ombudsman program to the regional long-term care ombudsman program. Second, it adds supportive living facilities to the type of facilities covered by the program. Third, it would order the Department of Aging to consult with the office of the state long-term care ombudsman program. Fourth, the Bill would provide a new set of rules to govern the disclosure and the confidentiality of this information. And I'll be more than happy to answer any questions you may have."

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? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Stephens, did you wish to call House Bill 3107, 3107? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3107, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Stephens: "Thank you, Mr. Speaker. We amended this Bill yesterday. Basically, what the Bill does now is allow a



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motorboat pulling a skier to have one person in the boat and one or more skiing as long as they have a mirror to the specifications of the Department of Natural Resources providing that the mirror shall be of a type that recurves and reflects 180 degrees of vision. In other words every... everything behind you. The reflecting portion of the mirrors must be no less than three inches in width and eight inches in length. I think this Bill, for those of us that like to water ski, good Bill, for those of you who don't, still a good Bill. I'd appreciate your 'aye' vote. And I'd be glad to answer any questions."

Speaker Madigan: "The Gentleman 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? Has Mr. Morrow voted? Has Mr. Morrow voted? The Clerk shall take the record. On this question, there are 112 people voting 'yes', 4 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Daniels, did you wish to call House Bill 1662? How about 1822? Thank you. Mr. McGuire. Mr. McGuire, did you wish to call House Bill 2636, 2636? The Gentleman indicates he does not wish to call the Bill. Representative Nekritz, did you wish to call 2995? Mr. Clerk, what is the status of the Bill, 2995?"

Clerk Rossi: "House Bill 2995, a Bill for an Act concerning gubernatorial appointments. Second Reading of this House

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

Speaker Madigan: "Representative Nekritz on the Amendment."

Nekritz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 2995 does two things. Originally, the... it... a... the term of... of an appointee by a lame-duck Governor... let me start again. If... if a lame-duck Governor makes an appointment in the last 90 days of his term, that appointee's term that in office will only extend 60 days into the new Governor's term. And the second part of the Bill... And that affects appointees that are confirmed by the Senate. The second part of the Bill would affect other Governor... gubernatorial appointments that are not confirmed by the Senate and would provide for a six-month probationary appoint... period for those employees and those appointees."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. There being no discussion, the question is, 'Shall the Amendment be adopted?' Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, what is the status of House Bill 2566?"

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Clerk Rossi: "House Bill 2566, a Bill for an Act concerning certain lending practices. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Madigan: "Third Reading. Mr. Osterman, did you wish to call 2356, 2356? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2356, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Madigan: "Mr. Osterman."

Osterman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have before you today House Bill 2356, a measure that requires the sales of firearms at a gun show in Illinois to go through a federally-license firearm dealer, who will conduct an instant criminal background check on the purchaser. Each year in Illinois there are 50 to a 100 gun shows registered with the State Police. There are also many others that are not registered with State Police. These gun shows are supermarkets for firearms and weapons. They are attended by thousands of individuals, in many cases, law-abiding citizens. However, some of these gun shows have been used by criminals and straw purchasers to circumvent the system for conducting federal background checks. At these shows you have federally-licensed firearm dealers selling guns in a booth alongside many times unlicensed dealers or other individuals selling guns that are not federally-licensed. A vital, critical difference between these two individuals

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is that the federally-licensed dealers are required to conduct a federal background check through the Illinois State Police prior to the sale and the non-licensed dealer is not. The Department of Justice study shows that 25 percent of participants selling firearms at a gun show are not federally-licensed. House Bill 2356 seeks to ensure that individuals that sell firearms at a gun show must do thro... do so through a federally-licensed dealer. And that dealer must follow State Law conducting in a instant background check through Illinois State Police. Amendment 1, that was adopted yesterday, defines a gun show to be an event that sells 25... or offers for sale, 25 or more firearms or have three venders that are selling firearms, three booths that are selling firearms... Amendment 1 is designed to more narrowly define the definition of what a gun show. Last year in the State of Illinois instant background checks conducted by the State Police stopped 13 hundred individuals from purchasing firearms, 13 hundred times someone with a criminal background, a domestic abuser or someone with another reason for not being able to own a firearm in the State of Illinois was stopped, 1300 times the system works. How many times did those individuals seek a gun show as a solution to getting a gun? The state and federal system for conducting criminal background checks is put in place to keep guns out of criminals' hands. House Bill 2356 looks to do this in a reasonable, responsible way and ensure that individuals purchasing firearms at a gun show go through a background check prior

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to the purchase. Someone argued that there is no loophole. And I again will appoint to the 13 hundred times last year in Illinois that the State Police stopped the sale. Studies done by... the Bureau of Alcohol Tobacco and Firearms have shown that 20 percent of gun show guns recovered from gun trafficking cases were purchased at gun shows. Another study of prison inmates found that 2 percent of those inmates you... purchased guns at gun shows or flea markets. I also want to point to a comment made by a former lobbyist for the NRA, he said, 'yes, there is a gun show loophole. My fellow gun owners know it, FFLs want to close it and criminals exploit it.' Ladies and Gentlemen of the House, in some parts of our state gun violence has reached epidemic proportions. Communities are under siege, innocent victims are falling, family's torn apart and people left asking why. Last year in Illinois over 700 residents were killed due to gun violence. This measure aimed to keep... is aimed at keeping the guns out of the wrong people's hands by ensuring at gun shows people buying guns do so through an instant background check. Ladies and Gentlemen, this a reasonable, responsible measure that looks to keep guns out of criminals' hands. And I ask for your 'aye' vote."

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

Rose: "Mr... thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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Rose: "Representative Osterman, does the State of Iowa have a similar provision of this?"

Osterman: "No."

Rose: "How about Wisconsin?"

Osterman: "No."

Rose: "Indiana?"

Osterman: "No."

Rose: "Kentucky?"

Osterman: "No."

Rose: "Missouri?"

Osterman: "No."

Rose: "So, what would stop a gangbanger in the City of Chicago from going to Gary, Indiana, and doing exactly what you're talking about?"

Osterman: "Representative Rose, absolutely nothing. But today I woke up as a resident of the State of Illinois. My constituents woke up as residents of the State of Illinois. Your constituents woke... woke up as residents of the State of Illinois. We have issues within the State of Illinois that we need to address. Gun violence is one of those. Gun shows are used by straw purchasers and criminals to sometimes purchase weapons."

Rose: "What would stop a gangbanger in East St. Louis from going across the river and doing the same thing?"

Osterman: "Nothing would."

Rose: "Representative Osterman, you said that last year or I guess it was 2001 there were 1250 call-ins of... that were

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denied through the... is that the automated... call-in line?  
Is that what that is?"

Osterman: "Yes, and I think the number... revised number from the  
State Police was 13 hundred."

Rose: "How many of those were investigated?"

Osterman: "The actual number, I do not know was investigated,  
Representative Rose. But after you asked the question in  
committee I went and talked to State Police. And the  
procedure when that call-in is found that a person should  
not be purchasing a gun, what they do is they notify local  
authorities. And those local authorities will then go and  
do those investigations. It's also my understanding that  
the attorney general goes out and does those  
investigations, as well. So the system, once that...  
background check stops the sale, it doesn't leave there,  
they notify the local authorities."

Rose: "How many of those people are convicted? Do you know,  
Representative Osterman?"

Osterman: "I do not know."

Rose: "Is it in fact already a Class IV felony to lie on your...  
the forms that you submit to purchase a gun?"

Osterman: "Yes, it is."

Rose: "So, of the 1250 supposed denials, we don't have any idea  
of how many of those people were actually arrested or for  
what reasons do we?"

Osterman: "No, we don't. But the State Police passed that  
information on to local authorities. So I would hope,  
Representative Rose, that those local authorities went out

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and sought those individuals, and tracked 'em down and convicted them for those... for trying to purchase those weapons."

Rose: "You would... you would hope but we don't know, is that correct?"

Osterman: "That's correct, Sir. I can try to find that information out. If this Bill goes to the Senate, we can talk to all the local authorities, police and state's attorneys and find out how many of those followed through on that."

Rose: "Well, how about under the federal statutes? How many... how many people have been convicted under the federal statutes?"

Osterman: "That's something I would have to ask ATF, Representative."

Rose: "Isn't it already a crime punishable at ten years imprisonment to transport or receive firearms or ammunition in interstate commerce with the intent to commit a felony?"

Osterman: "I believe it is, yes."

Rose: "And isn't possessing a weapon by a convicted felon also a felony?"

Osterman: "Yes, it is."

Rose: "Well... well, how many of these people... do we have any idea at all how many people were arrested, charged or convicted last year in this state?"

Osterman: "Representative Rose, I don't know the exact number, but you'll be happy to know that last Friday in the City of Chicago there was a federal case that sent a gang member, a



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leader in the gang in Chicago, sent him away for 15 years for illegal firearms possession. So, the system is working in some cases. If you want raw numbers I will continue to work to find those numbers, but the system is working in some cases, Representative Rose."

Rose: "Well, let's talk about this loophole. The whole point of this is that there's no background check done at gun shows, is that correct?"

Osterman: "No, the whole point of this is to say that some people at gun shows that are federally-licensed are conducting instant background checks. Other people that are sitting right along side of them are not con... are not conducting the federal background checks."

Rose: "But don't you have to have a background check to get a FOID card in this state in the first place?"

Osterman: "You have to get a background check conducted by State Police for a FOID card, yes, you do, which is done once every five years."

Rose: "And don't you have to have a FOID card to purchase a weapon?"

Osterman: "I beg you pardon?"

Rose: "And don't you have to have a FOID card to purchase a firearm?"

Osterman: "Yes, you do."

Rose: "So, the background checks already been done when you get your FOID card, isn't that correct?"

Osterman: "Representative Rose, that is correct. But the State Police will point to, as will other law enforcement, that a

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FOID card is readily available by sending a picture through the mail with the application so that the check is done. I will... I will talk about a point where a three-year-old, Chicago police had a FOID card in the name of a three-year-old individual. So, was that three-year-old individual legal to pur... get a FOID card?"

Rose: "So..."

Osterman: "The answer is 'no'."

Rose: "So, what you're saying is the Illinois State Police isn't' doing their job and we outta give them more power to not do their job."

Osterman: "No, no, no. What I'm saying is that there are... there are problems with the FOID card, which they are trying to address through digital imaging and trying to match applications for a FOID to the Secretary of State's license plate. But Representative Rose, there are situations where people commit crimes, they keep possession of the FOID card and they go and purchase these weapons. Those situations do happen, Representative."

Rose: "To the Bill, Mr. Speaker. Ladies and Gentlemen of the House, there are adequate statutes on the book, felony provisions to charge people criminally and put 'em in prison for doing exactly what it is Representative Osterman's trying to make illegal, again. I find it ironic that we have no idea in the entire State of Illinois out of 1250 odd people in 2001 that attempted to purchase a firearm that weren't able to, we have no idea how many of them were investigated, how many of them were charged, how

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many of them were convicted under states statute 720ILCS5/24-3.5. It's right there already, Class IV felony. How about under the federal statutes? We don't know that either. Ten years in prison under the federal statutes, no idea, yes we're gonna go out and make another law to get the bad guys. Well, why don't we use existing law to get the bad guys, Ladies and Gentlemen? This is a bad Bill. I'd urge a 'no' vote. And I'd ask for a verification and insure the requisite number of votes are needed. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. I have an inquiry of the Chair."

Speaker Madigan: "State your inquiry."

Bost: "Does this override Home Rule? And what are the required number of votes to pass this piece of legislation?"

Speaker Madigan: "Mr. Bost, let me return to you."

Bost: "Okay. I wou... would like to speak to the Bill as well, Mr. Speaker."

Speaker Madigan: "Pro... Proceed, Mr. Bost."

Bost: "I don't' know what I can add to what Representative Rose said. But I... I would like, Representative, if... if the Sponsor would yield, I'm sorry."

Speaker Madigan: "Sponsor yields."

Bost: "Do you believe that this legislation will negatively impact other activities that go on around this state as far as the sportsmen are concerned, as far as Ducks Unlimited meetings, pheasants' groups that exist, turkey groups that

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exist? All of those Sportsmen's Caucuses that exist and have quite a few guns that they're sold at these events or auctioned off at these events, do you think this legislation will negative affect those?"

Osterman: "Representative Bost, the Amendment #1 that further defined a gun show is one that I initiated on my own after asking the NRA for input. Members of this House asked for input as well and didn't get an answer. I don't see how it would affect those situations. I don't see how it would affect the Sportsmen's Caucus which, I want to tell the Body, uses an FFL. At the Sportsmen Caucus, when they raffle off guns, they use an FFL. So, if you can explain to me a situation where it would affect it in a negative impact, I'd like to know."

Bost: "All right. My question to you is how many of these events have you attended?"

Osterman: "I have attended the Sportsmen Caucus."

Bost: "Okay, besides the Sportsmens Caucus, which it's always great to have you there. But... but besides that how many Ducks Unlimited banquets you go to a year?"

Osterman: "I have never been invited."

Bost: "There we go."

Osterman: "And I don't know that I will be invited in the future, but I'd like to go."

Bost: "Probably not. Probably not."

Osterman: "Maybe you can invite me down there. But I don't... I honestly don't know. And the reason for the definition in the Amendment the way I drafted it, it was to address that

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issue. So, I mean, we're trying in good faith to say we don't want to hurt Pheasants Forever, white tailed, you know, united."

Bost: "The... the answer there that... that I heard that scares me the most is, I honestly don't know. With all due respect to you, you... you do not deal in the sporting side of... of gun ownership. You do not deal from the side that you look at a very narrow scope, I feel in this legislation. I'm a little bothered by that."

Osterman: "Representative, please, you know those things. You go to those events. I want you to tell me here on the House Floor and share with the Members how this is gonna hurt Pheasants Forever. How this is gonna hurt one of those events. I'm willing to listen as are every Member in this House. If you can tell me and tell everybody here because the NRA has been having e-mails sent, fanning the flame, saying this Bill is gonna put Pheasants Forever out of business, it's gonna hurt, gun shows are gonna close. So, if you can tell me and tell everybody else in this floor how this is gonna hurt it, I'm willing to listen. I think and everybody else will, as well."

Bost: "Thank you. To the Bill. What I will say is that the danger of it hurting those events is a fact, that under existing law you don't see at those events weapons sold, or if you can show me as... as Representative Rose asked for, where exactly these weapons are being sold at these... at these gun shows. Under many of the criteria you have here, 25 or more firearms for sale. At a larger event there

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might be that many for sale. At a larger event for the... Ducks Unlimited, Pheasants Forever, those type events. Folks, as Representative Rose said, we have laws in place. Those should be enforced. The problem is not that we need to create new laws which might make you be able to go back to your district and say, okay, look I... I was the champion for gun laws, which makes you anti-crime. I am opposed to crime. I am opposed to illegal gun sales. I am opposed to anyone who would improperly use a firearm. We have legislation in place that would take care of these problems if it is enforced. Work with us, work together and support our State Police so that they can enforce these. There's no gr... need to create new law. I think that this b... Bill is a very bad Bill. I think it's a... when you look at the... the situation where no state around us has passed these Bills, it's unfair to those people who want to... be in a good, legitimate business... selling guns in the State of Illinois. For those people who want to purchase and own firearms in the State of Illinois, which is still their right, for hunting purposes, for protection of their homes, this just makes it to where we're driving business out of the state, again. I just ask for your 'no' vote."

Parliamentarian Uhe: "Representative Bost, on behalf of the Speaker and in response to your inquiry, House Bill 2356 does not preempt Home Rule and will require 60 votes for passage."

Speaker Madigan: "All right, Ladies and Gentlemen this matter is on the Order of Standard Debate. Mr. Osterman has

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spoken in support of the Bill. Two people have spoken in response. The Chair recognizes Mr. Black, Mr. Black."

Black: "Thank you, Mr. Speaker. I'm sorry for the delay I was meditating. I urge you to join me at 11:30, it's very peaceful. Would the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, I... I'm gonna ask you a question. I... I don't know the answer to the question. There's no trick involved. Is it legal to have a gun show in the City of Chicago or the county of Cook?"

Osterman: "It's my understanding it is not."

Black: "Okay. I... I thought that was probably the case, but I honestly didn't know. I have been to one at the Kankakee County Fairgrounds on more than one occasion. I'm a little concerned about the loophole. What... what... what is the loophole, specifically the loophole, we're trying to close?"

Osterman: "Specifically, Representative, is at the gun show that you were at there's a very good chance that there is a federally-licensed gun dealer who is selling his guns. He is also sitting next to a nonlicensed gun dealer, someone who collects guns, trades guns, what have you. The federally-licensed dealer's required to do an instant background check which usually takes two minutes to do according to State Police, right then and there, before they're able to sell that weapon. The nonlicensed dealers are supposed to view the FOID card, keep track of the paperwork, but there is no instant background check. The

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instant background check, Representative, is what we are trying to accomplish here. And that is the reason we need to have it go through the federally-licensed dealer."

Black: "All right. Under existing law is it legal to sell and/or purchase a handgun at a gun show?"

Osterman: "Yes, it is."

Black: "You're sure?"

Osterman: "Yes, I am."

Black: "It's my understanding that it is not legal for me to purchase a handgun at a gun show. Federal Law prohibits that."

Osterman: "My understanding under State Law is that... and Federal Law, Representative, this is my understanding and the opponents of this legislation who testified in committee that it was legal to purchase a handgun. What you might be caught up on is that there is a 72-hour waiting period for handguns. But many of these gun shows run Thursday through Sunday, so someone, in theory, could come in on a Thursday or a Friday, purchase the weapon put the money down, fill out the adequate paperwork and come back on Sunday and pick up that handgun."

Black: "No... that's something I'll look into. But it appears that the most stringent requirement of this law would be the prohibition of the sale or purchase of a long gun, which I can do at a gun show. I can buy a shotgun, a collector's rifle. I was not aware I could... I was not aware that I can legally purchase a handgun, but if you say that that's the case I'll... I'll certainly believe you. But



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as I understand the... the current situation, if I attend a gun show in Illinois as an Illinois resident and I see a new or fairly new or a... a slightly used Browning semiautomatic shotgun that I may use for sporting clay competition and the price is right, I... I give my FOID card, the transaction is noted, I can leave with the long gun. But under this Bill, as I understand it, if a resident from out of state wanted to purchase the same kind of long gun, shotgun, rifle, whatever, and those aren't generally the ones that we have problems with, then that person would be denied the option of purchasing the long gun under this law, because he would have to follow the applicable laws of... of his state. And if his state did not have a waiting period and his state did not require a firearm owner's ID card then this closes off an out-of-state resident from being able to legally purchase a long gun at... at a gun show. I don't know if that's the intent, but that's the way I interpret it."

Osterman: "No. Let me explain, if I could. You, as an Illinois resident who goes to a gun show and you want to purchase a long gun, under State Law you are required to wait that 24 hours for delivery. So there is, that 24-hour waiting period in place right now. There is a provision in the FOID Act that says that the five surrounding states around us, if they go to a recognized gun show, there is no waiting period. Okay, so that would still be in place with this law. Now, what does it take for someone to be a registered... to go to re... register with the State Police is

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to send a letter, again over 50... 50 to 60 of those go through the State Police and they receive a letter back from State Police saying you're registered, here are the rules that we want you to follow. But if it's a registered... if it's a registered gun show with the State Police someone from Indiana can come over, and unless they have any kind of felony background or something that would preempt them from purchasing a weapon, they could do that. That would remain under this law. This would only get to the instant federal background check."

Black: "All right. Representative, thank you. I... I appreciate your indulgence in answering the question. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. The Gentleman, I think is very sincere in what he's attempting to do. If I'm incorrect on the handgun sale then... then I... I will certainly apologize to the Sponsor and stand corrected. But it's my understanding that... that I... someone just can't walk up at a gun show and purchase a handgun under existing Federal Law. But... but I may be wrong. That's my interpretation. It... It's unfortunate that we get into these situations because there are so many things that if everybody followed the law it wouldn't be a problem. Of course, we may be out of a job. And... and maybe that isn't altogether bad. I'm not sure. But the... the potential for abuse in almost anything is mind-boggling the longer you stay down here. We have... we have people who abuse their privilege to drive. We have people who abuse the privilege of driving and drinking. We have people who abuse various

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drug laws. I... I don't know what the answer is. The statute books continue to expand exponentially since I've been here. And... and we seem to have a volume every Session. There is a federal project, a Federal Law being enforced in Richmond, Virginia, referred to as Project Exile. And that is where the U.S. attorney and the U.S. Government has decided any violation of an existing gun law in or around the community of vir... Richmond, Virginia, there will be no probation. There will be no plea bargaining. There will be no excuses, the letter of the law will be followed. And if the... you mentioned a case where a person who I assume had previous problems with the law had just recently been sentenced to 15 years in the Department of Corrections for the illegal possession of a firearm. My guess is, if that person had run afoul of firearm laws in the past, the penalty could have been ten times as severe under existing State and/or Federal Law. I... I have a extensive file on Project Exile. And I really think as in most cases if aggressive prosecution would follow the violation of an existing law we wouldn't need to continually come here and update and upgrade and add penalties and do all of the sorts of things that we do that simply increase the Illinois statute books. It's the prosecution that I'm concerned with more than I'm concerned with a loophole that I personally haven't seen. It... it may very well exist. And if so, Representative, I certainly understand why you're trying to close it. But until the courts and the judges and the public get serious about no

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excuses, no shrugs of the shoulder, no plea bargains, no let out on your own recognizance. If you violate one of the multitude of existing gun laws no ifs, no ands, no buts, no ors. If you volun... if you simply say I choose not to follow existing firearm laws and regulations then you should expect to be prosecuted to the fullest extent of the law. The problem is that isn't happening. We're giving criminals three, four, five, six chances before the courts finally decide to get that person off the street. When you violate an existing gun law, prosecute them to the fullest extent of the law and I think many of your problems will go away. Continuing to erode what some people regard as an alienable right, others would say is not an alienable right, doesn't seem to do any good. If you look at the cities that have outlawed the possession, the ownership, of certain firearms, New York under the Sullivan Law, it is, I think, illegal to own or possess a handgun in the City of Chicago. If these laws actually worked and were aggressively enforced then those cities should be the safest cities in the country. I submit to you that's not the case. When you bring a law here that will do a Project Exile or simply enforce those laws we have to the fullest and harshest extent of the law, I will join you and vote 'aye'. In this case I'm not sure that the loophole we're closing is in actuality a loophole and will simply inconvenience out-of-state attendees at a gun show and not seriously inconvenience me, as I interpret the existing law. But I... I do appreciate your stand on the Bill. I

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appreciate you answering the questions and your willingness to answer those questions. Thank you."

Speaker Madigan: "All right, Ladies and Gentlemen, this matter in on the Order of Standard Debate. We've had one for the Bill, three in response. There will be, at most, two more in support of the Bill and no more in response. Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Let me make first this point. If you, at a gun show, buy from an unlicensed dealer because you know you can't pass the criminal background check, that's not illegal. No one can prosecute you for that. You bought it. You didn't have to do the background check. And there you are. I think what Representative Osterman is trying to do makes eminent common sense. Most of the time, in most of Illinois, in order to buy a gun you have to meet two requirements. You have to have a valid federal, fire... firearm owner's identification card and you have to pass a criminal background check. There are some places sometimes when you don't need to do the criminal background check, perhaps as many as a hundred a year. Here is a fact, the Federal Bureau of Alcohol, Tobacco and Firearms tells us that more than 20 percent of illegal arms sales in this country happen at gun shows. They happen because people are buying from unlicensed dealers. We know from the Department of State Police that there are many who try to buy from federly... federally-licensed dealers who don't meet the criteria. They cannot pass the criminal background check,

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13 hundred is the number we've heard. Those are facts. If you want to make sure that the only people who are buying are those who are eligible to buy and if you want to make sure that we stop people who don't meet the mark, then closing this loophole and saying to the dealers at these hundred or more shows that happen a year, saying to the unlicensed dealers do the background check, that's a way to make our streets and our communities safer. This is commonsense gun control. It's not pie in the sky. It's not far out. It's reasonable. It's sensible. And it will help us all rest more easily at night. I urge your 'aye' vote."

Speaker Madigan: "This matter is on Standard Debate. We've now had two for the Bill, three in response. Mr. Mautino, are you seeking recognition? We've already had three in response, Mr. Mautino. Mr. Mautino."

Mautino: "Certainly, there's been three in response?"

Speaker Madigan: "Right."

Mautino: "So, then what would be left would be opposition?"

Speaker Madigan: "We finished with the opposition."

Mautino: "Oh, okay. Would... Can I ask a question?"

Speaker Madigan: "Well, that would be considered in response."

Mautino: "I could possibly be in support of this."

Speaker Madigan: "We understand that, Mr. Mautino."

Mautino: "Could possibly."

Speaker Madigan: "Cou... could we do one question?"

Mautino: "Yes."

Speaker Madigan: "One question to Mr. Osterman."

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Mautino: "Okay. No, my question actually, and I apologize in the first part of debate I was gone when the ruling was there. I have three Home Rule municipalities, it's your intention that they would not have to follow this law? They would still be able to conduct their... they would still have the right under our Constitution to name their own laws, they would not have to follow this because it doesn't preempt their authorities. So, my three communities could go on as they have been. And that would be your intention?"

Osterman: "This unlike other Bills that are gonna be talking about preemption, this law... this law would be the law for the whole State of Illinois."

Mautino: "So, that'd be the legislative intent? Would be... I mean from what I understand in the number..."

Osterman: "There are some communities... there are some communities."

Mautino: "...of votes that we're actually taking is my three cities don't have to."

Osterman: "There are some communities that have... that don't have gun shows. Now whether that's by statute or by design, not in statute, but this would be for the State of Illinois."

Mautino: "So... so a city ordinance... okay. So this does preempt then, those three cities. I mean, that'd be your intent, that's for the full state. So, my three Home Rule cities would be impacted?"

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Osterman: "This would not be stopping any gun shows that are going on right now."

Mautino: "But they would have to comply with this provision of the law, which they don't have to right now, under our Constitution."

Osterman: "Under the law of the State of Illinois, there's no background checks, I mean there's no background checks for nonlicensed dealers. So, this basically says that if you're selling a gun at a gun show it's gotta go through an FFL. Does that answer your question, Representative?"

Mautino: "Yeah. I think I'm gonna go back to in response. But first you..."

Osterman: "Thank you, Mau..."

Speaker Madigan: "Mr. Bost."

Bost: "Mr. Speaker, an inquiry of the Chair. According to the parliamentarian this does not override Home Rule. But according to the speaker, or the... the Sponsor of the Bill he just said it did override Home Rule. Now, if the Home Rule community can't use it's own standards then it overrides Home Rule. If they put the federal place... it... and so I... I question the... the parliamentarian."

Speaker Madigan: "Well, you might want to question Mr. Osterman before you question the parliamentarian. The parliamentarian has responded to your inquiry and... and there are no one... no one else seeking recognition, so, I would suggest we go to Roll Call. Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? Has Representative Flowers voted?"



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Has Mr. Parke voted? The Clerk shall take the record. On this question, there are 61 'ayes' and 55 'noes'. There is a request for a verification. We need staff to retire to the rear of the chamber. And we need Members to be in their seats. Staff to the rear of the chamber. Members in their seats. Mr. Hoffman, please take your seat. Mr. Beaubien, please take your seat. Members in their chairs. Mr. Dunkin, please take your seat. Monique Davis in your seat, please. Everyone please take their seat. Mr. Morrow, please take your seat. Mr. Clerk, read the names of those voting 'yes'."

Clerk Bolin: "A poll of those voting in the affirmative: Acevedo; Aguilar; Bailey; Berrios; Bradley, J.; Brosnahan; Burke; Capparelli; Chapa LaVia; Collins; Colvin; Coulson; Currie; Davis, M.; Davis, W.; Delgado; Dunkin; Feigenholtz; Flowers; Franks; Fritchey; Giles; Graham; Hamos; Hoffman; Howard; Jakobsson; Jefferson; Jones; Joyce; Krause; Lang; Lyons, E.; Lyons, J.; Mathias; May; McAuliffe; McCarthy; McGuire; McKeon; Mendoza; Miller; Molaro; Morrow; Mulligan; Nekritz; Osterman; Pankau; Pihos; Rita; Ryg; Saviano; Scully; Slone; Soto; Stephens; Turner; Washington; Yarbrough; Younge, and Mr. Speaker."

Speaker Madigan: "Mr. Rose, any questions?"

Rose: "Representative Brosnahan, I see Representative Brosnahan. Representative Kelly."

Unknown: "Absent."

Speaker Madigan: "Representative Kelly is not voting."

Rose: "Okay. Representative Hamos."

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Speaker Madigan: "Hamos. Hamos has returned."

Rose: "Representative Stephens."

Speaker Madigan: "Stephens. Remove Mr. Stephens."

Rose: "Representative Saviano."

Speaker Madigan: "Saviano. Remove Mr. Saviano."

Rose: "Thank you. That's it, Mr. Speaker."

Speaker Madigan: "On this question, there are 59 'ayes' and 55  
'noes'. Mr. Osterman."

Osterman: "I ask that this Bill be on Postponed Consideration."

Speaker Madigan: "The Bill shall be placed on the Order of  
Postponed Consideration. Mr. Clerk, what is the status of  
House Bill 2532?"

Clerk Bolin: "House Bill 2532, a Bill for an Act in relation to  
firearms. Second Reading of this House Bill. No Committee  
Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Place this Bill on the Order of Third  
Reading. Mr. Wirsing, did you wish to call House Bill  
3036? Mr. Clerk, read the Bill, 3036."

Clerk Bolin: "House Bill 3036, a Bill for an Act concerning  
food animals. Third Reading of this House Bill."

Wirsing: "Thank you, Mr. Speaker. House Bill 3036 simply is  
the creation of a... what is called a Food Animal Institute  
Act, establishing that food animal institute. It's to  
review and encourage research to dis... disseminate  
information from the food... about the food animal industry.  
It provides that the institute is governed by a board and  
set by the Governor and the powers that... that are initiated  
would be established with the approval of the Senate. It

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simply is the intent to... to allow research universities, first of all, here in Illinois, a place to put published research rel... relative to anything that... that addresses the food animal industry here in Illinois. And we see this as a real positive for consumers, for producers, and for the... the agri-industry, as well. And I would ask for a... for support of this Bill."

Speaker Madigan: "The Gentleman 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Slone, did you wish to call House Bill 2-2-1? Mr. Clerk, read the bill."

Clerk Bolin: "House Bill 221, a Bill for an Act in relation to property. Third Reading of this House Bill."

Speaker Madigan: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 221 is a Bill that would set some standards for the Department of Central Management Services in its property leasing activities. We've seen the Bill before, it was actually passed during the Veto Session last year but did not get through the Senate. I'd be happy to answer any questions."

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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? Have all voted who wish? Has Representative Graham voted? Representative Jakobsson. The Clerk shall take the record. On this question, there are 103 people voting 'yes', 13 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Turner, Arthur Turner, do you wish to call 3316? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3316, a Bill for an Act in relation to employment. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Turner, has been approved for consideration."

Speaker Madigan: "Mr. Turner."

Turner: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the Assembly. Floor Amendment #1 clearly spells out who would be the... the... or the community that would qualify for this particular program, if in fact funding is available for it. This is a proposal that was submitted to me by the Department of Public Aid. And I move for the adoption of Amendment #1."

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

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Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Is Mr. Hoffman in the chamber? Mr. Hassert. Mr. Bill Mitchell. Mr. Hoffman, do you wish to call House Bill 2784? The Gentleman indicates he does not wish to call the Bill. Mr. Mathias, do you wish to call House Bill 2-0-8-8? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2088, a Bill for an Act in relation to civil procedure. Third Reading of this House Bill."

Speaker Madigan: "Mr. Mathias."

Mathias: "House Bill 2088 increases the homestead exemptions for purposes of judgments and for purposes of bankruptcy. These exemptions have not been changed in... in many years. As... I practiced law and I don't remember the last time that these laws changed. Basically, for real estate, today the law is \$75 hundred per person, with a maximum \$15 thousand for a husband and wife. And this will be doubled. This does have the support of the Bar Association. And I urge a 'aye' vote."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I rise in opposition to this legislation. The Sponsor and I have had numerous conversations about it. This Bill, as it's written, will give people an opportunity to evade creditors, albeit in a small way. But in our efforts to help regular, ordinary citizens of Illinois, some of whom are out of work, some of whom have financial difficulties, I recognize that and I have a pretty good record on this floor at helping those

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people. However, creditors have a right to be paid, too. This Bill will help people evade their creditors, it's just that simple. And so, I would recommend that you take a good, long look at this Bill and determine whether you want to make it easier for people to avoid paying their creditors. I would recommend 'no' or 'present' votes."

Speaker Madigan: "Mr. Fritchey."

Fritchey: "Thank you, Speaker. To the Bill. This Bill came through the committee, which I chair, and I'm in agreement with the previous speaker. Ladies and Gentlemen, please keep in mind that what we are trying to do is give protection to somebody that has been found by a court to legally owe a debt or an obligation to somebody. So, if you are the creditor and that debt or obligation is to you, what we are trying to... what this Bill would do is say, yes, we understand that you are owed money. There's no question about that, there's no question about how much money that you are owed. But we are going to broaden the protections of that debtor who owes you the money. And we're not doing it as they've done in other states where they say your homestead is completely off limits. So it's not as if we are keeping somebody from being removed from their home, as virtue of a debt. What we are saying is they're either gonna lose their house or not, but the amount of money that they have that you are gonna be able to go after for a judgment, which is owed to you, is now smaller. The purse is smaller that... for you to go after. The Sponsor, I'm sure, is well-intentioned. Although in committee, I'll

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submit, that we really could not elicit a reason of why or what the motivation was that we're trying to protect someone that's been found to have done something that caused a debt to somebody else. It sounds like an innocuous Bill. And if... you know, many days this Bill may have come up for a vote and nobody would've paid attention to it. But I would hope that you would pay attention to it now. It's not good policy. It's not good policy to say that we're going to protect people that owe other people money. And I'd recommend a 'no' vote. Thank you."

Speaker Madigan: "Ladies and Gentlemen, this matter is on the Order of Standard Debate. Mr. Mathias has spoken for the Bill. We have now had two people in response and we have two people seeking recognition. Representative Currie."

Currie: "Speaker and Members of the House, I rise in support of the Bill. This is not a proposal that makes Illinois like Florida or Texas. Representative Mathias isn't proposing that you get to keep a house worth \$2 million if you find yourself in debtors court. It does say that maybe you could keep \$15 thousand of the value of the house, 30 thousand for a family of two. All he's trying to do is to bring, into some reasonable line, the protections that people ought to have in bankruptcy so they don't find themselves on the street, so they don't find themselves without a way to get to work. He's just trying to make, in current dollars, the value of limits that were proposed many years ago, reasonable and rational. I think this is a help to ordinary folks who get into trouble. And I think

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it will, as I say, help them keep a roof over their head, make it possible for them to get to work. This is in no way an extreme proposal, it's reasonable, it's modest. And I am grateful to Representative Mathias for bringing this measure to us."

Speaker Madigan: "The matter is on Standard Debate. Two have spoken for the Bill, two in response. The Chair recognizes Mr. Franks."

Franks: "Mr. Speaker, I'd like to speak in response to the Bill."

Speaker Madigan: "Proceed."

Franks: "Representative Mathias, I understand what you're trying to do here, but... but what troubles me... when you raise the... the exemption limits, what you could be creating is a permanent debtor or a permanent deadbeat. I know you do bankruptcy work and I've done some collection work and we... so we both know what's... what's going on. The vast majority of the judgments that you see that are in the civil litigation arena, most of them I believe, are small claims cases. Which I'm sure you'd agree, correct?"

Mathias: "I assume the majority."

Franks: "And... and the... and right now the limitations for a small claim complaint are \$5 thousand or less. What worries me with the increased... the increased exemptions, such as the car or other things, people who get a judgment in small claims could, by and large, be barred from collecting by people who exert an exemption. If someone, for instance, has \$2 thousand in a bank account, right now,



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how would that work? They can claim a \$2 thousand exemption, correct? In a bank account?"

Mathias: "Well, they... under existing law, they can claim \$2 thousand in all of their property, not just their bank account. It includes their furniture, it includes any asset that's otherwise not specifically stated. So to state that they could just exempt \$2 thousand in a bank account, then their furniture could be taken."

Franks: "Well, they've also got other procedural safeguards, as well. For instance, you can't attach Social Security benefits if it's ma... if you can prove that it came into your bank account from Social Security, correct? So... so there is a larger exemption."

Mathias: "So, if... if someone is on Social Security, certainly they're protected. However, in today's day and age, as you know, with people out of jobs the foreclosure rates are going up. People are being thrown out of their houses with no money. And this at least gives them some money to... to have a fresh start, which is really the purpose of bankruptcy in the first place, as opposed to putting them out on the street with very little money. These... the Bill is not intended to help people... you know, such as the Bills as... as Representative Currie said, in Florida. Where today in Florida or in Texas, you could keep a \$5 million house."

Franks: "Right."

Mathias: "I'm saying a \$30 thousand for a husband and wife, if you owned the house yourself it's only 15 thousand. I don't think that's a lot of money to walk away with from a

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bankruptcy and... and after losing a house that may have a hundred thousand dollars in equity."

Franks: "Rep... I understand your argument, Representative. But in... in reality, when it comes to foreclosure you're dealing with a residential foreclosure and you have a bank who is typically the first mortgagor, the lender. When that lender would foreclose on the mortgage and go to... to sheriff's sale, typically the lender is the one that purchases the property at sale for the amount of the judgment, correct?"

Mathias: "Yes, this Bill in no way affects foreclosures. It will be the same... foreclosures are not included in this Bill. So this will have nothing to do with... in other words, the owner of the property gets no money out of a foreclosure, unless, of course, there's a bidder that bids more than the first mortgage or... or any other liens. That's the current law and will still remain the law even after this Bill."

Franks: "Okay."

Mathias: "Foreclosure is not affected."

Franks: "All right. I was asking because you had brought it up. And I'll just go to the Bill for... in interest of time. I would stand with Representative Lang and Representative Fritchey in opposition. I think... though it's what the... the Sponsor was well-intentioned, I think that the effect on commerce, effect on small business people could be chilling. I re... I... and then we don't want to create a permanent class of debtor or deadbeat. And this Bill would

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go a long way towards accomplishing that. So I'd ask for 'no' votes or 'present' votes."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 84 'ayes', 29 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Bailey, do you wish to call House Bill 506? The Lady indicates she does not wish to call the Bill. Representative Pankau, do you wish to call 1414? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 1414 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Pankau, has been approved for consideration."

Speaker Madigan: "Representative Pankau."

Pankau: "Amendment #1 adds the word 'construction' before the word 'leases' and 'construction' before the word 'equipment' in the Bill. And it's further narrowing of the scope of this Bill that it deals with construction equipment and construction leases. I ask that Amendment 1 be put on the Bill."

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

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Clerk Rossi: "No further Amendments."

Speaker Madigan: "Mr. Will Davis, do you wish to call House Bill 3671? Mr. Clerk, put House Bill 1414 on the Order of Third Reading. And then, Mr. Clerk, on House Bill 3-6-7-1, read the Bill for a third time."

Clerk Rossi: "House Bill 3671, a Bill for an Act concerning emergency care. Third Reading of this House Bill."

Speaker Madigan: "Mr. Davis."

Davis, W.: "Thank you, Mr. Speaker and Members of the House. This Bill, 3671, amends the med... Emergency Medical Services systems Act by deleting the requirement that a plan of corrective process must be instituted before the department suspends, revokes, or refuses to renew a license, designation, or certification. The Bill also eliminates the ability of the department to fine EMS personnel. Ask for an 'aye' vote."

Speaker Madigan: "The Gentleman 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? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Sacia, do you wish to call House Bill 1751? Mr. Clerk, what is the status of the Bill?"

Clerk Bolin: "House Bill 1751, a Bill for an Act in relation to special districts. Second Reading of this House Bill. No

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Committee Amendments. Floor Amendment #1, offered by Representative Sacia, has been approved for consideration."

Speaker Madigan: "Mr. Clerk, is this Bill on the Order of Second Reading?"

Clerk Bolin: "House Bill 1751 is on the Order of House Bills-Second Reading."

Speaker Madigan: "And the Chair recognizes Mr. Sacia on Amendment #1."

Sacia: "Thank you, Mr. Speaker. The Amendment, in fact, does become the Bill. It is driven by the Village of Byron, Illinois. They have a large sum of money in their tort fund, which they intentionally put there and levied there over the past several years wanting to ultimately use the money to build a new library. They ultimately found out that they were prohibited from using tort funds to do that. And that is what is driving this. They need this new library or at least an addition on the one they have. And it's an effort to remove the money from the tort immunity fund to a general fund for a period of one year, specifically, and to the community mentioned already, strictly for that purpose. I would welcome any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hartke: "Mr. Sacia, does this apply just to your township specifically or does it open it up for everyone?"

Sacia: "Specifically, the Bill is written for Byron, Illinois."

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Hartke: "It's my understanding... and... and remembering, we talked about this in committee. Your community voted for this fund. Why did they not vote for some referendum or something rather than the... the tort immunity fund?"

Sacia: "Because they already had the money, which they obtained back when they were a far more wealthy district, due to the nuclear plant that is in their city. They created the funds, in their minds at the time, by putting it into the tort immunity fund thinking that they would ultimately be able to take it out and use it for a building purpose."

Hartke: "What led them to believe that?"

Sacia: "I have no idea, Mr. Hartke, I never got into the specifics. I think they were just simply under the assumption that they could take that money out at another date."

Hartke: "Well, was it not meant for lawsuits and things like that that may occur in the township?"

Sacia: "I've not specifically questioned them on that."

Hartke: "Will this deplete that fund completely?"

Sacia: "Will not deplete it completely, no."

Hartke: "Do you have any idea how many dollars they're wanting to spend for a library?"

Sacia: "They're talking in the vicinity of 2 to 3 million dollars, yes, Sir."

Hartke: "Do you know how many dollars..."

Sacia: "They have over 4 in it."

Hartke: "They have \$4 million in the fund?"

Sacia: "Yes, Sir."

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Hartke: "This will expire after a year?"

Sacia: "Yes, Sir."

Hartke: "All right. Thank you, Mr. Speaker."

Speaker Madigan: "Mr. Lang. Mr. Lang."

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

Speaker Madigan: "The Sponsor yields."

Lang: "I'm concerned about the fact that this might be considered special legislation. Do you have a response to the... to the concern that a piece of legislation that just deals with one entity may be unconstitutional?"

Sacia: "I... I certainly know where you're coming from, Mr. Lang. However, I do not believe that it is special interest legislation. The reason I say that is I think what you're dealing with here is a community that forever reason, was misdirected, did have a good faith intent of raising this money for the purposes that I've already stated and ultimately, have recognized that we goofed. And the only way that they can correct their problem is working through the state."

Lang: "Well, nevertheless, the Constitution prohibits legislation that it applies to just one entity or one group. I understand you're trying to correct an inequity. I don't think I have a problem with what you're trying to do, I'm just concerned about the constitutionality. Have you had anybody take a look at that issue?"

Sacia: "Our chief of staff has been looking into it and has not yet gotten back to me, Mr. Lang."

Lang: "Is your chief of staff an attorney?"

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Sacia: "Yes, he is."

Lang: "I knew that, I was just asking. Well, I'm gonna vote for it. But I... I do think you should, if this Bill gets to the Senate, give some consideration to some way to redraft it so you don't have a constitutional problem later. But I'll support your Amendment, Sir."

Sacia: "Thank you, Sir."

Speaker Madigan: "Mr. Steve Davis."

Davis, S.: "Thank you, Speaker. Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Davis, S.: "Yes, Representative, I've just got a couple of questions because a red flag goes up when I see transfer of funds like this. Do you know the insurance reserve fund... is that a fund that is a taxable fund, such as a tort liability fund, and that the residents are being taxed for that fund only?"

Sacia: "I don't know that I fully understand the Bill... or your question. Would you rephrase it, Sir?"

Davis, S.: "Well, I know that in certain governments you can have a tort liability fund that is separate from the general fund, and separate from other funds that is a fund that is taxable to the residents in the district, okay. So is the insurance reserve fund a fund that was built up over the years through taxation? That's my question."

Sacia: "Yes, it is. That is correct."

Davis, S.: "Okay, so that's a separate tax for the insurance reserve fund. Is that correct?"

Sacia: "They actually did levy for the money, Sir."



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Davis, S.: "Okay. Now, the expansion special reserve fund, is that also a taxable fund?"

Sacia: "I can't answer that."

Davis, S.: "Is that money raised by a special tax for that fund?"

Sacia: "When you say the expansion fund, would... would you clarify that for me?"

Davis, S.: "Well, according to the analysis, you're transferring money from the insurance reserve fund to the district's expansion special reserve fund."

Sacia: "Yes, Sir."

Davis, S.: "So, is the..."

Sacia: "And I... can I..."

Davis, S.: "My question is, is the expansion special reserve fund a taxable fund? A fund that has been built up through tax dollars, through a special tax, for that fund alone."

Sacia: "There is no money in that fund. The purpose..."

Davis, S.: "So this is a new fund... a..."

Sacia: "It's a make-do fund, that's correct."

Davis, S.: "...that they are creating. And so this fund is used for what, infrastructure improvements?"

Sacia: "They will use it strictly for the building of a new or an addition to the existing library."

Davis, S.: "So, the people who were taxed... the people in the district who were taxed under the guise of putting \$2 million into the insurance reserve fund for liability purposes, and now you're wanting to transfer that taxing

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fund into a new fund and use it for building construction.  
It... it... am I getting that clear?"

Sacia: "Mr. Davis, the purpose... they put money in all of the funds with the levy. This particular one, the expansion fund, is peculiar to the Village of Byron and the Village of Byron, Illinois, only."

Davis, S.: "Well... and I understand that. I understand that. I have a problem when we go out and tax the people in a district for one thing and then using the money for another thing. Do... can you understand my concern when I... when I say that?"

Sacia: "I do, Sir. However, again, I would go back to the... what was believed to be the perceived moto... motive of the taxing body. Now, however misdirected or misguided that was, that was their intent."

Davis, S.: "One more question, Sir. Is the expansion special reserve fund going to be required to pay back to the insurance reserve fund? Are they going to continue to tax the people in that district to build that insurance fund back up again?"

Sacia: "Representative Davis, the... the purpose of this is to avoid taxing the citizens in the community. They feel they have the money there, they know they need a library or an addition, and they need to utilize that money for that. There is no intention to go to the citizens in the community and create a tax."

Davis, S.: "To the Bill, Mr. Speaker. I... I will say this, I understand your... your dilemma and I understand what you're

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trying to do for your community and for your community library. And I commend you for that. But I think that we are treading on dangerous ground when we start using one taxing amount of money to fund other improvements and structural improvements because that was not the original purpose of the tax in the first place. So I think that we should think very clearly about what we do with this Bill because it looks to me like we're opening up a whole barrel of snakes on this... on the taxing part of this. So, I'm gonna consider my vote. I don't know how I'm gonna vote on this yet, Representative. So, thank you for your time."

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

Clerk Bolin: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Hannig in the Chair."

Speaker Hannig: "Representative Hamos, are you ready on House Bill 3695? Mr. Clerk, would you call the Bill?"

Clerk Bolin: "House Bill 3695, a Bill for an Act in relation to the mental health. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Hamos, has been approved for consideration."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. This is a very small technical Amendment that was brought to me by the health care association as well as the Illinois Department of Public Aid. I agreed to put it on. We will

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get to the substance of the Bill on Third Reading. I ask for its adoption."

Speaker Hannig: "The question is, 'Shall the Amendment be adopted.' All in favor say 'aye'; opposed 'nay'. The 'ayes' have. And the Amendment is adopted. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Lang, are you ready on House Bill 40? Mr. Clerk, would you read the Bill?"

Clerk Bolin: "House Bill 40, a Bill for an Act in relation to state loans. Third Reading of this House Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, and Ladies and Gentlemen. This is a Bill I've been working on for some time and it stems from a period of time in the early nineties when a constitutional officer of this state chose to try to settle a debt of \$40 million owed to the taxpayers of the State of Illinois for \$10 million. Now, we don't want to go back in time and deal with that, but it did point up that we have a hole in our statutes. We should not be allowing constitutional officers to forgive debt. House Bill 40 deals with this issue and creates a mechanism for dealing with it in the future. I'd ask for your support."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 40. And on that question, Representative Hartke."

Hartke: "Will the Sponsor yield?"

Speaker Hannig: "The Sponsor will yield."

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Hartke: "Representative Lang, I think I heard your comment by saying that this piece of legislation... legislation has a solution to that problem and deals with that issue. But you didn't say how you're going to deal with that issue. Could you spell out some details?"

Lang: "This authorizes the attorney general to investigate and take appropriate action, unless the attorney general determines the loan to be uncollectible. It also requires that any state agency or constitutional officer that has some debt they wish to settle with the State of Illinois, clear it with the attorney general first."

Hartke: "So, this adds the attorney general's authority into, approve or disapprove of the... the debt reduction?"

Lang: "That's correct."

Hartke: "What of the Department of Revenue?"

Lang: "Well, these... this deals with loans that the State of Illinois signs off on, where... where these are loans that are over \$50 thousand. And this deals simply with a situation where... if you'll go back to the early nineties, Representative, where we had a situation where one of our constitutional officers wanted to cut a debt from 40 million to 10 million, it would've been nice to make sure that someone was looking over that constitutional officer's shoulder and to make sure it was a good deal for the State of Illinois. The attorney general, being the highest ranking law enforcement officer in the state, seemed to be the place to put the authority to approve or disapprove these settlements or these negotiations."

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Hartke: "Well, I appreciate what you're trying to do but I... don't you also think that... that maybe the Department of Revenue would also look at this to whether it was a sound loan to start with?"

Lang: "I don't believe that the Department of Revenue signs off on these loans in advance. And you... as you probably know, House Bill 89 will be coming soon that vests in the Department of Revenue substantial powers in terms of collecting debt. But this isn't necessarily about the collection of the debt, which will go to the Department of Revenue if we are passing House Bill 89. This talks about whether debt can be negotiated, reduced, or eliminated. And this says that strictly in state loans of over \$50 thousand, the attorney general would have to sign off before any of that debt could be reduced."

Hartke: "Could you give us an indication of how many of these bad loans are... are being made? I know this is a high profile one but we also had one, I do believe, in Collinsville at a... a motel. We also had one at Eagle Creek, in... in Shelby County, that seemed to go sour on us. What do you... how do you determine the \$50 thousand, that seems like an awful small amount. Has the treasurer made a habit of this type of loans?"

Lang: "I don't... I don't think I have an answer to the question of how many of these there are, nor do I want to discuss the treasurer's activities, relative to loans in the past. I would just simply say that what was attempted to be done with these loans in the early nineties left us all with a

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bad taste in our mouths. We can't go reduce our mortgages by 75 percent merely by asking for it. And this Bill just attempts to put some hoops to be jumped through into the process."

Hartke: "Well, don't you think that maybe in... in this huge loan, that maybe the contract for the loan was somewhat ambiguous as it was written to start with? Maybe the attorney general should be involved in these huge loans, say, over 5 million or 10 million dollars before we put ourselves into this situation. It's my understanding, as long as... in this situation where the... the individual who received the loan did not declare a profit, he was not required to... to pay on the principal or the interest, is that correct?"

Lang: "I'm not sure I heard your whole question, Representative. I'm... I'm sorry. Can you try it again?"

Hartke: "Well, it's my understanding, the loan you're talking about, Mr. Lang, was sort of a sweetheart loan. The... the verbiage in the contract of the loan said that... that if this... this entity did not make a profit within a certain amount of time or on an annual br... basis, they were exempt from paying any interest or principal on the loan. And so, under the circumstances, no matter how much money was taken in, they never seemed to make a profit. So they really were not required by law to... to pay the interest or the principal."

Lang: "Well, that is absolutely correct. And one thing this Bill does is require that all people who would benefit from

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these loans be disclosed. In other words, there couldn't just simply be a trust, we would have to know who those people were. And in addition, there would have to be personal guarantees. So, as you know, today some corporation can borrow money and if the corporation doesn't pay then ya... if the corporation doesn't have any money there's very little that you can do to collect it. Under this Bill, there would have to be personal guarantees signed by those who are the principals of the corporations trying to get these loans so that we could go after the... the principals if the corporation can't afford to pay."

Hartke: "Does your... your Bill require that the attorney general, before we get ourselves into this situation, review some of those contracts and loans? What I... I guess that point I'm getting at is, you know, this is all water over the dam. It's done, it's finished. Well, maybe, maybe not. But at least if we don't prevent this type of sweetheart loan and deal from... from happening in the future, there's no sense in crying about it afterwards. Oh, well, we... we should've done this. Maybe... and that's why I'm asking. Does your piece of legislation require the attorney general to look into the contract so that everything is on the up and up before we sign that contract, before they have an opportunity to, you know, go belly-up and default on the loan?"

Lang: "Well, no, I don't believe it does, per se, Representative. However, I... I don't think we want to put the burden on every state agency to have to refer every



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contract of 50 thousand or more to the attorney general before the signing of the contract. I do think the attorney general's available to review contracts at the request of state agencies, but I still think that we have to rely on the state agencies, the attorneys for the state agencies, and... and other appropriate persons to let the business of State Government operate. But if we require disclosure of the names of principals and if we require personal guarantees, I think we'll be seeing these contracts get cleaned up pretty quickly."

Hartke: "Well, I... I think that's very important and that's a good part of this Bill. And I'm gonna support the Bill but I do believe that... that maybe we ought to require, at some point in time in some legislation, that contracts over \$1 million or \$5 million, pick a number, that the attorney general should... should look and review these contracts."

Lang: "Thank you. We'll look into that."

Hartke: "Thank you."

Speaker Hannig: "The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, I believe your Amendment cleared up most of the questions I had, but let me make sure. One of the... one of the initial concerns prior to the Amendment was if you were... if you were a college student and going to medical school, it's not inconceivable that you would

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accumulate more than \$50 thousand in student loans before you graduated from... from medical school. Your committee Amendment clears up loans that are made by statutorily authorized entities like ISAC, the treasurer's Link deposit. I... I don't have to file anything if I have student loans outstanding for 50 thousand, do I?"

Lang: "No."

Black: "Okay. And if a business wants a... wants a low interest loan and participates in the Treasurer's Link Deposit Loan Program, that... that's fine? There are no hoops you have to jump through other than what's already in place?"

Lang: "That's correct."

Black: "All right. And does the language address DCEO's concerns on... you know, a lot of times we'll make an equipment loan, something goes wrong, the economy turns sour, the company comes back and asks to refinance the loan. That... that's taken care of?"

Lang: "The... one of these Amendments was drafted by DCEO to cover those circumstances."

Black: "Okay. All right. So, all... all that you're after is... and the language about you'd have to disclose all and... any and all political contributions you'd ever made, that's... that's out of the Bill?"

Lang: "Actually, I think it's still a good idea but I deleted it from the Bill to make sure that we could move this along."

Black: "Well, I... I was hoping you would eliminate that because the last time I looked at your contributions, it broke

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down... I mean, the printer broke down. I couldn't print out that many. You know, you... you're so magnanimous with your money. I... I congratulate you."

Lang: "There's no reason to have it if you can't spend it..."

Black: "I..."

Lang: "...Mr. Black."

Black: "I agree. I'll come over and give you my address later. But what... what the Bill now, in its form, does, basically, is to go after those entities or persons who are... and you and I both know they're out there, who chronically abuse the program, take advantage of the programs, enrich themselves at taxpayer expense. We all have short memories, two or three years later they come back and say, 'I've got another great idea, and for half a million I'm... I'm gonna really turn this into something'. Those are the people you're after, right?"

Lang: "That's correct. And I think a really important provision of the Bill, which I'm sure you would support, is the provision that requires personal guarantees. We see all the time corporations borrow money and without a personal guarantee there's no way to collect it if the corporation can't afford to pay. So, if the principals of the corporation are forced to sign personal guarantees, it's much easier to get the money back."

Black: "And if they have any difficulties, like in my area where... where the economy could use a shot in the arm, if... if we really have problems with... with state loans, would you be willing to cosign for us?"

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Lang: "Myself, personally?"

Black: "Yes."

Lang: "Well, if you'll make that part of a Bill that you would introduce, I'll be glad to consider it."

Black: "I... I'm working on that by the deadline. Thank you."

Lang: "Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 40 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. Representative Mautino, for what reason do you rise?"

Mautino: "Yes, just for the... for the Members of the House, we have a young man paging for us today who went down and got a couple of salads and a soda and was wondering who ordered that. Right there. That's all. That's our public service announcement for today. Thank you very much."

Speaker Hannig: "Okay, Representative, thank you. Representative Joyce. Excuse me, Representative Soto. For what reason do you rise?"

Soto: "I rise... I didn't vote on the last Bill, HB 40. And I'd like to be recorded as 'ye... a 'yes' vote. Thank you."

Speaker Hannig: "The... the Journal will so reflect, okay. And Representative Joyce, are you prepared on 3082? Mr. Clerk, would you read the Bill?"

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Clerk Rossi: "House Bill 3082, a Bill for an Act in relation to procurement. Third Reading of this House Bill."

Speaker Hannig: "Representative Joyce."

Joyce: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 3082 amends the prevailing wage provisions. It includes con... state contracts when the Illinois Labor Relations Board decides the prevailing wage. It also adds buildings and ground services, site technicians, and natural... for natural resources. I'd be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3082. And on that question, Representative Black, the Gentleman from Vermilion, is recognized."

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

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

Black: "Representative, let me... I'm trying to make sure I understand what you're doing. When you talk about contracts, there are specific contracts that can and are awarded under existing State Law, where it would be in the taxpayers' best interest to go out for bids. For example, pest control at state buildings, building and grounds maintenance, i.e. lawn care. A lot of... lot of times, particularly around our correctional institutions, we'll go out for bids for someone to mow the grass and take care of the... the facility outside the perimeter fence rather than... we don't have correctional officers that can do it and a lot of our work details, we don't have the staff to run

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that. Now, when I first read this I thought, you're... you're going to make all of these contracts subject to the prevailing wage? I mean, in... in my town, where there might be four or five people who have the equipment to do mowing at a state park for example, if we don't... if we don't have the staff, they might go out for bids through a contractor to mow the common or the, you know, the grounds areas in a state park. Are you... are you telling me that that contract would have to be a prevailing wage contract?"

Joyce: "Representative Black, I believe... would those fall under... under the... those contracts fall under... those vendors be required under... to fall under the Illinois Procurement Code?"

Black: "I'm not sure. I think some of them probably would because, you know, for pest control purposes... my guess is it would be probably a larger company. I don't want to name one on the floor but they might have... they might bid and do all state office buildings in a six, eight, ten-county area and it would be a substantial contract. But most pest control companies that I'm familiar with do not have union workers. I don't... I don't know what they pay their people, I mean, they have to be licensed, obviously, and all of that. But I'm just wondering, if those contracts would be subject to the prevailing wage, then the state, i.e. the taxpayer, is going to pay a much higher amount for a service to be provided than would otherwise be necessary."

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Joyce: "Well, there... you know, there's two principals that... to the... to the Bill. The first is to remove the prohibition in considering state contracts for prevailing wage... purposes. Because right now the Illinois Labor Relations Board cannot consider what state contracts are, so they just take into... in the determination of the prevailing wage, they take into consideration only the amount of money being paid by the McDonalds' or the Wendy's or whatever the minimum wage may be out there and it does not take into consideration any of those contracts that are collectively bargained. And the second provision does extend... expand prevailing wage provisions to include those outside services and site connection... technicians that you were talking about. But I don't know if that effect... and according to the, you know... there was a fiscal note filed on this and they say it'll cost the state nothing. So I don't know if the effect that you're referring to, I would defer to you and your experience and knowledge of this."

Black: "I... I think it's the deletion... it's the provision that deletes collective bargaining agreements between state employees and the state, say that those will not be taken into account by the Department of Labor when determining the prevailing wage rate. That... I'll be very honest with you, that's what has me confused. If... if, for example, you bid to provide a service at a correctional center... well, I'll give you an example. About three years ago, I think, the Danville Correctional Center, it's 20 years old, it needs a lot of maintenance. And ya have a maintenance

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crew, state employees, who do a good job and can do a lot of the necessary day-to-day repair work. But when it comes time to repaint 75 percent of the surface of that area, you go out for bids. Now, I'm trying to figure out, does your... does your Bill say that that... the prevailing wage, based on the contract at that facility is not determined or will not be a determining factor in the... in what the painting contractor will pay? Or it is a factor in what the painting contractor will pay?"

Joyce: "It... all's we're asking to do is to include these contracts, along with all the other contracts that are included in the formula, to put it into the formula so it is calculated, also. Because, you know a food su... a food service technician in the penitentiary... the state penitentiary is a much more different job than someone who is serving behind a McDonalds on Michigan Avenue, so to speak."

Black: "Yeah... I... I don't have a problem with that, I wasn't an enthusiastic supporter in any way, shape, or form of the... I though ill conceived attempt to privatize food services. But be that as it may, your Bill only impacts state contracts, correct?"

Joyce: "That's correct."

Black: "In other words, if a municipality wants to set out... or, wants to bid a major maintenance contract for a piece of city property... Well, I'll give... I'll give you an example. The City of Danville owns a golf course. About six or seven years ago, or maybe longer than that, I can't



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remember, they determined that if they would irrigate the golf course they would get more rounds of play in the late summer. They... I think... I think the city employees did some of the work but... but there are various laws about plumbers and backflow devices and all of that. They may have gone out for bids for part of that, but a lot of it was done by their own maintenance employees. So, if the City of Danville would let a contract to complete the irrigation of a municipally-owned golf course, they're already covered under the prevailing wage, right?"

Joyce: "That's correct."

Black: "I mean, the published prevailing wage in a newspaper of general circulation. But your... does your Bill impact this... Of that example?"

Joyce: "I don't believe it does. But you know what, Representative Black? I'd like to find out the answer to those questions, they're good points. And if... if it pleases the Chair, I'd like to pull it out of the record until tomorrow to find this out."

Black: "I... I'd appreciate that. Thank you very much."

Speaker Hannig: "Okay. This Bill is out of the record at the request of the Sponsor. Representative Jakobsson, are you ready to move House Bill 344 from Second to Third? Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 344, a Bill for an Act concerning higher education. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have

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been filed. No Floor Amendments approved for consideration."

Speaker Hannig: "Third Reading. Representative McGuire, are you ready to move House Bill 3398? Mr. Clerk, would you read the Bill?"

Clerk Rossi: "House Bill 3398 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire, has been approved for consideration."

Speaker Hannig: "Representative McGuire."

McGuire: "I'd like to hold that Bill temporarily."

Speaker Hannig: "The... the Amendment..."

McGuire: "Take it out of the record."

Speaker Hannig: "Okay."

McGuire: "Would you take it out of the record, please?"

Speaker Hannig: "Sure. Out of the record at the request of the Sponsor. Representative Miller on House Bill 3543. Ready to call that Bill on Third? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3543, a Bill for an Act concerning special districts. Third Reading of this House Bill."

Speaker Hannig: "Representative Miller."

Miller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3543 increases from 10 thousand to 25 thousand threshold, to which construction or acquisition of transportation facilities, a Metroptrol... Metropolitan Transit Authority can take place without notice. I ask for a favorable... favorable vote."

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Speaker Hannig: "The Gentleman has moved for passage of House Bill 3543. 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 93 voting 'yes' and 23 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Novak. Representative Novak on House Bill 360. Out of the record. Representative Osterman on House Bill 2526. Do you want us to call that Bill? Out of the record. Representative Steve Davis, would you like us to call House Bill 3562? Out of the record at the request of the Sponsor. Representative Delgado on House Bill 3073. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3073, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 3073 amends the School Code to adjust certain provisions regarding transitional bilingual teacher certification. Persons eligible for employment in transitional bilingual education must hold a valid teaching certificate as prescribed by SBE or meeting the requirements of the section. The Certification Board will issue certificates. The certificates shall be issued...

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issuable only during the five years immediately following the effective date of this Act and therefore... and thereafter, for additional periods of one year upon ISBE's determination that a school district lacks the number of teachers necessary to comply with the mandatory requirements for the issuance. Basically, what this law will do... we're... we need to extend the amount of time a person has their certificate as a bilingual ed, teacher without having their teaching certificate. Until they get their teaching certificate they should not lose that position as a bilingual ed teacher only because their teacher certificate is pending. Obviously, with the teacher shortage and knowing that the teacher's already in a classroom, teaching one language or the other, all they need then is to wait on their certification as a teacher. And I would ask for your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3073. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who 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 Lyons, are you prepared on House Bill 44? Representative Joe Lyons on House Bill 44. Do you want us to call that Bill? Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 44, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Lyons."

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 44 amends the Illinois Vehicle Code, provides that any person who rents a motor vehicle to another must advertise, quote, and charge a rental rate that includes the entire amount including, rather than except, taxes and any mileage charge that the renter must pay. Just to give you a little background before the questions come, maybe I can nip some in the bud. This is a personal initiative that I've experienced, by the number of the Bill you can tell it was filed early in the Session. I lost my car last year, it was stolen in front of my house. I was told to go rent a car, that there was a certain rate that I would be paying. So, I went and rented a car, came back 35 days later thinking I was gonna be paying one amount, was charged another amount, quite a bit higher. My insurance company and the company that rented the car to me neglected to let me know there'd be additional charges in this thing. So, I presented this before the committee, before Representative Brosnahan's Consumer Protection Committee and I, of course, had opposition at the table from the industry who said, 'Well, Joe, can we work with ya on this. Will ya... will ya hold on to this thing on Second so we can at least talk.' I said, of course, I want the problem addressed. I waited seven weeks and I was

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never contacted. I was never given the courtesy of a call on what we would like to do until last week when they gave me the original language in the existing law, which I felt was an insult. Now, I'm still willing to work with the industry on this to address my issue of taxes that are added on that would cripple the average person who doesn't rent a car very often. And I'm willing to work with this issue in the Senate. I told everybody who was on that committee with a letter that I would be willing to work in the Senate, but I'm not gonna wait any longer for them to come up with an Amendment. So, I would ask for your favorable vote on this thing. It's a good consumer protection issue. I'm willing to work with this thing in the Senate and would ask for your 'aye' vote. Be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 44. And on that question, the Gentleman from Cook, Representative Parke."

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

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

Parke: "Representative, one more time. Your intent is to continue to work with the car rental people to find a workable solution, but you wanna move it to the Senate so the dialogue will continue?"

Lyons, J.: "Absolutely, Representative Parke, there's no misgivings about my intention over there and the Senate Sponsor who's gonna take it knows that I wanna continue working with this, with the industry."

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Parke: "Well, I just for the Body... to the Bill, Ladies and Gentlemen. I do understand the concern that the Sponsor has. None of us like to have a... a lack of respect for the Members of the Body. I think that's something that... it ought to be a message that's heard by all those that work within the political and legislative arena that when a Legislator asks for some courtesy of dialogue on an issue that they bring before the Body that those people who are involved should be respectful and respect that and work with it. Having said that, I will just tell the Body that the car rental companies are opposed to this legislation, but I do understand what the Sponsor is doing."

Speaker Hannig: "Representative Lyons to close."

Lyons, J.: "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 106 voting 'yes', 12 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Saviano, are you ready to move House Bill 2572 from Second to Third? Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 2572, a Bill for an Act in relation to property. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

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Speaker Hannig: "The Gentleman from Cook, Representative Saviano, on the Amendment."

Saviano: "Thank you, Mr. Speaker, Members of the House. House Bill 2572, with Floor Amendment #1, makes a technical change in the Cemetery Protection Act. It just clears... clarifies the affidavit of heirship and provides that the rights transferred under the affidavit of heirship are those for ownership and use of the unused rights of interment. We just want to make sure that we protect the... the plot owner who passes away that that person is actually the person who is gonna be buried in that plot. This is a technical change that we're amending this Bill with. And we'd like to get it over to the Senate 'cause we're gonna continue to negotiate additional language for this Bill. I'd ask for your favorable vote."

Speaker Hannig: "And on the Amendment, Representative Hartke is recognized."

Hartke: "The Sponsor yield?"

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

Hartke: "Representative Saviano, is this a big problem?"

Saviano: "I guess in some of the... in the legal scenarios they needed to clarify what affidavit heirship or actually their effect was on the... on the Act. And there's other things that they're gonna be addressing in the Senate. So, we're using this little cleanup as the vehicle to get over there for them to continue on."

Hartke: "And you're working with the comptroller on these issues?"



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Saviano: "The comptroller's involved very, very much."

Hartke: "Thank you."

Speaker Hannig: "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. Representative Molaro, the Gentleman... is Representative Molaro available? You want... want us to call 1171 on Third Reading? Out of the record. Representative Franks on House Bill 3142, from Second to Third? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3142, a Bill for an Act concerning public funds. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Fritchey on 2330. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2330, a Bill for an Act concerning civil rights. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Fritchey, has been approved for consideration."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "Thank you, Speaker. Floor Amendment 2 clarifies some questions that we had with the Bill and I think that

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we make a good Bill even better. I'd be happy to discuss the Bill in more detail on Third Reading. I request its adoption."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? Then, 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. Representative Hoffman on 3635. Would you like to adopt the Amendments and move the Bill? 3635. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3635, a Bill for an Act in relation to land. Second Reading of these... of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the... is IDOT's land conveyance Bill that is done every year. Amendment #1 simply adds certain property to the yearly land conveyance Bill, which it... which it in... include an easement for highway purposes in Grundy County, authorization to proclaim a parcel land in Winnebago County, one in Champaign County, two of them in Sangamon County, the one in Adams County, and one in St. Clair County."

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Hannig: "On the Amendment, 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 Rossi: "Floor Amendment #2, offered by Representative Hoffman, has been approved for consideration."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Yes, Floor Amendment #2 is an initiative of Representative Jerry Mitchell, was contained in House Bill 2223. And what it does is it conveys a parcel of land for a veterans war memorial in his district."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. And on that question, Representative Black is recognized."

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

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

Black: "Representative, there... there is something obviously wrong here. Either my... either my laptop is not correct or there's something I'm not seeing. This Section 75 in Lee County, you... you can't be serious that you're transferring 656 acres of land for a dollar? Or is there something wrong with my laptop?"

Hoffman: "I think it's point... .6... .656. Yeah, maybe you need bigger print."

Black: "That would be very helpful. Now that I have looked through my progressive lenses, I have to have my head tuned three different ways. I did not see the decimal point, and

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I... I couldn't believe that it would be 656. I should've known better. But you're right, I... I see the decimal point. I apologize, thank you."

Speaker Hannig: "And Representative Mitchell, on the Amendment."

Mitchell, J.: "Thank... thank you, Mr. Speaker. Six hundred and... and fifty acres would not be too much to give for a veterans memorial, although my former student, Bill Black, never did do well with decimals. He had a lot of trouble with math and that's why he's such a great orator and not in the science field. However, that's another story. Ladies and Gentlemen, this is something that the... the City of Dixon, with the association of IDOT, has planned. It's a memorial to the veterans and I certainly appreciate IDOT going the extra mile of doing the surveying and putting it on that... on the Bill. I appreciate Representative Hoffman allowing this Amendment to go on there. Thank you, Mr. Speaker."

Speaker Hannig: "On the Amendment, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. And Representative Hoffman, how about House Bill 3511, from Second to Third? Okay. Out of the record at the request of the Sponsor. Representative Connie Howard on House Bill 2386. Representative Howard, would you like us to call that Bill? Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2386, a Bill for an Act concerning HIV/AIDS education. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Howard."

Howard: "Yes, thank you, Mr. Speaker. House Bill 2386 requires that the Department of Public Health fund an HIV/AIDS community service program that would be targeted to the African-American communities in our state. Unfortunately, and I'm sorry I always have to report this, HIV/AIDS is a severe public health threat that's especially troublesome for the African-American community. And to give you examples of why I say this, while African Americans make up only 12 percent of the U.S. population, they account for of 50 percent of new HIV/AIDS cases reported in this country. African Americans have accounted for 35 percent of HIV/AIDS cases since the epidemic began, and it goes on and on. It's the leading cause of death for African-American men, ages 35 through 44. And the... in... in 2002, the rate among African Americans was nearly 10 times the rate reported among whites. I think that somehow we're not getting the message out correctly to the people that I represent in communities across this state. And I would like the state to, therefore, focus on a program, in a pilot form, that would have as its objective trying to minimize the incidence of AIDS. I'd le... like my colleagues to support this effort."

Speaker Hannig: "The Lady has moved for passage of House Bill 2386. Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "She indicates she'll yield."

Black: "Representative, just one question. I haven't had time to scroll through, I apologize. You made this subject to appropriation, correct?"

Howard: "That is correct."

Black: "Thank you very much."

Speaker Hannig: "Okay. The question is, 'Shall House Bill 2386 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', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you rise?"

Black: "Yes, Mr. Speaker, a point of personal privilege."

Speaker Hannig: "Yes."

Black: "You're new in the Chair... not new in the Chair, but... but you don't have the experience that a wise and omnipotent Chuck Hartke does, for example. And I noticed that you sometimes fail to vote yourself on questions of great import to your district and the State of Illinois and, in fact, the entire western world. So, if you would slow down a little bit and have the... let the Clerk help you, then you could vote on these issues. I... you're ruining your voting record, Mr. Speaker. You didn't vote on that last Bill."

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Speaker Hannig: "I noticed that, thank you, Representative Black."

Black: "And so we would... we would be willing to waive the Rules, not today, but maybe tomorrow. But, you do need to vote, Mr. Speaker. So, if you'll just slow down, take a deep breath, and push your switch because a lot of us look for direction from you before we vote."

Speaker Hannig: "Thank you, Represent..."

Black: "And we didn't get any direction from you at all on that one."

Speaker Hannig: "Thank you, Representative. Representative Daniels on House Bill 75. Mr. Clerk, would you read the Bill, please?"

Clerk Bolin: "House Bill 75, a Bill for an Act concerning state finance. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Committee Amendment #1 becomes the Bill and amends the Mental Health and Developmental Disabilities Administrative Act and creates a Community Development Disabilities Services Medicaid Trust Fund. The purpose of this is to make sure that funds are deposited in the Community Development Disabilities Service Medicaid Trust Fund to expand community services for the developmentally disabled community. Currently, any federal participation generated off of the developmental disabilities services is deposited back into the General Revenue Fund to be used for any

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governmental purpose. This would require those funds to be put in this new fund created. This is identical to a fund created for the mental health community previously. And I'd ask your favorable support."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 75. 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 118 voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Joyce on House Bill 2971. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2971, a Bill for an Act concerning state contracts. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Joyce, has been approved for consideration."

Speaker Hannig: "The Gentleman from Cook, Representative Joyce."

Joyce: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 2971 simply cleans up language, instead of making it a mandate it makes it a goal for veterans and set-asides. I'd appreciate its adoption."

Speaker Hannig: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? Then, there being



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none, 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."

Speaker Hannig: "Third Reading. Representative McKeon on House Bill 2203. Would you like us to read the Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2203, a Bill for an Act in relation to minors. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative McKeon."

McKeon: "Thank you, Mr. Speaker. House Bill 2203 clarifies a inconsistency between State Law and the Juvenile Court Act and Federal Law. Each year there's about 20, no more than 30, children of undocumented parents who are either unavailable, have abandoned their child, cannot be located. These are neglected and abused children and Federal Law requires that they be placed under the supervision of the... the state's juvenile court until the age of 18, at which time the... an action can be taken to return them to their country of origin, if their parents or adopted parent cannot be located. I'll gladly answer any questions that the Members might have."

Speaker Hannig: "The Gentleman moves for passage of House Bill 2203. And on that question, Representative Parke."

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

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

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Parke: "There's an organization that's listed as opposed to this, the Cook County..."

McKeon: "No."

Parke: "...Judicial Advisory Council. Are they still opposed to this now?"

McKeon: "I have no knowledge of them being opposed to the Bill."

Parke: "I can't hear you. What?"

McKeon: "I have no knowledge of them being opposed to the Bill, Representative Parke."

Parke: "We show that they are opposed. Do you have any idea... has anybody else expressed a concern about your legislation?"

McKeon: "I'm sorry."

Parke: "Has anyone else expressed concern about your legislation?"

McKeon: "I'm... I'm not aware of their concern. I... I do know that this would allow the juvenile court to handle them under their existing provisions for abandoned or neglected children, which is required by the way, by... by Federal Law. Makes them a ward of the court until the age of majority."

Parke: "If it's required by Federal Law, are we codifying the Federal Law..."

McKeon: "Right."

Parke: "...with this? Who brought this to you?"

McKeon: "Let me take a look here. This came from the Cook County Juvenile Court. And according to my record, there..."

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there are no opponents. But that's... my record may not be correct."

Parke: "All right. Again, what's the genesis? Do you... is this personal experience or have you... did somebody bring this to your attention or did some agency ask you to carry it for them? I'm trying to figure out where it's coming from."

McKeon: "It came... from my understanding, it came from the Cook County Juvenile Court."

Parke: "Cook County Juvenile Court?"

McKeon: "Right."

Parke: "Did they approach you to introduce this?"

McKeon: "They didn't come to me personally, but the origin was there."

Parke: "Thank you."

Speaker Hannig: "Is there any further discussion? There being none, then, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Representative Black, okay. Mr. Clerk, take the record. On this question, there are 118 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2268."

Clerk Bolin: "House Bill 2268, a Bill for an Act to create the Health Care Justice Act. Third Reading of this House Bill."

Speaker Hannig: "Representative Delgado."

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Delgado: "Thank you, Mr. Speaker and Members of the House. House Bill 2268 creates the Health Care Act. We ran this Bill in committee and, basically, what this Bill will do, will create the Health Care Justice Act. The Bill makes several findings regarding crisis in health care in Illinois and declares that the state's policy is to insure that all residents have access to quality health care at costs that are affordable. The Bill will require the state to develop a plan that will provide uniform benefits for all residents through a cost-effective system, implemented by January 1, 2007. It will create a Bipartisan Commission to conduct hearings, develop the plan, and deliver it to the Legislature by February 1, 2006. At that time, we will be looking at finding creative and inexpensive ways to provide insurance to those who need it. And I would welcome any questions."

Speaker Hannig: "The Gentleman has moved for passage of 2268. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I have great respect for the Sponsor. And in a ideal world... in a perfect world, I'd probably be a cosponsor of this Bill. And maybe I'll live long enough to see that perfect world. But Ladies and Gentlemen of the House, if you read this Bill, this is the universal healthcare Bill with an estimated price tag of \$50 billion, \$50 billion. And it creates a Bipartisan Commission of 26 Democrats and 4 Republicans. Now, that's

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about as bipartisan as you can get, 26 Democrats and 4 Republicans. But that... I don't care if it's 30 Democrats, what bothers me is specific language in the Bill. This doesn't call for a study. On page 1 of the Bill, line 26, Section 15, 'Health care access plan. On or before January 1, 2007, the State of Illinois shall implement...', not may, '... shall implement a health care access plan that does the following: provides access to a full range of preventive, acute, and long-term health care services', so forth and so forth and so forth. Again, Ladies and Gentlemen, in a perfect world where we had the funds... I'm not even convinced yet we have the will, but I know for a fact we don't have the... the means to do this. And I think to vote 'yes' for this Bill while it is politically popular, no question about that... I'm not about to go home and campaign and look anybody in the eye and tell you... tell them by January 1 of 2007, the State of Illinois shall implement a universal health care plan. That is not going to happen, not unless miracles... and I still believe in miracles, not as much as I did before I came down here, but it would take... it would take a miracle to develop and implement a universal health care plan for the State of Illinois. I won't even go into some of the problems that this conjures up: people moving into the State of Illinois to take advantage of the plan, how it will be financed, whether or not, in underserved areas, there are even enough medical professionals to carry out such a plan. But when all is said and done, facing the worst fiscal crisis in the State

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of Illinois since the Great Depression, a \$50 billion price tag in three fiscal years... that's all we're... we're going to be... as of next week, we're going to be working on the fiscal '04 budget. Three fiscal years away from the implementation of this universal health care Act. Now, again, I'd like to vote for this. It would certainly be the politically popular thing to do. It would even maybe be the right thing to do if I could look into the depths of my soul and say this is something we can do by 2007. I don't think we can. I don't think that the money is there, I don't think that the plan could be developed in time. In years past, Ladies and Gentlemen, these Bills would get 110 votes and everybody would go home and say, 'I voted for it, I'm for universal health care', knowing that the Senate would kill the Bill, or that if somehow, the Senate sent it to the Governor, the Governor would veto it. And then all the 100 votes would... would disappear and... and somehow it would never be sustained... overridden on a Veto. If you vote for this Bill today, and I respect those who will and respect those who will... who honestly believe we can and will implement this by 2007. I have put my name on two income tax increase Bills in this chamber in the last decade, one of only four Republicans in '92, one of only seven in 1997. I am prepared to do that again at the appropriate time and for the appropriate reasons. But I'll guarantee ya, to actually implement by 2007 a universal health care access plan when hospitals in my district are closing, when doctors who retire are not being replaced, is

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simply not a realistic plan at this time. If this was just a planning commission, I don't have any problem with that and I'd love to serve on it. But the Bill... if you read the Bill, page 1, line 26, Section 15, 'on or before January 1, 2007, the State of Illinois shall implement a health care access plan that does the following' ten things. It'd be great if we could, and maybe we should, but it isn't gonna happen in three fiscal years. We know that, all of you know that. Given the fiscal crisis that we have, we don't even pay our Medicaid bills now. We're having... in the next month we're going to have nursing homes close, homes for the developmentally disabled may very well close. We've had more nursing homes go bankrupt in the last year than in the history of the State of Illinois in any one given year. Why? Are there no patients? Oh, on the contrary, there are plenty of patients. We don't pay our bills. If we can't manage our current Medicaid program, how can we look our constituents in the eye and say, unequivocally, 'well, trust me.' We can't and have not managed our Medicaid program, we're literally bankrupting Medicaid providers from one end of this state to the other. But we can and we will effectively manage a universal health care access plan that a nonpartisan entity has estimated will cost \$50 billion. That's \$3 billion less than the entire FY03 budget. I wish things were different. I wish I could get up here and convince myself that we can do it and that we will do it. But I think the fiscal realities, the planning realities, the medically-underserved realities would

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indicate that this Bill should be a study, not a Bill that says we 'shall' implement the universal health care access plan in less than three fiscal years. I'm sure it will get innumerable 'green' votes, but the responsible thing before the budget address, before we get our Medicaid providers out of debt, before we figure out how to manage our finances, the responsible vote is a 'no' or 'present'."

Speaker Hannig: "The Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "To the Bill."

Parke: "The previous speaker was eloquent in ha... talking about the problems with this Bill. Ladies and Gentlemen, do not be fooled, this is universal health care. And for those of you that think that this is an answer, let me tell you something. I was in England two years ago and I talked and listened while there was a debate going on in the House of Commons. And I talked to people that were in the British Parliament. And let me tell ya, the problems they're having with their health care program, on a universal basis, is a embarrassment to a lot of the people that have to use it. I talked to people in Canada who have universal health care. And they tell me that if they run out of money in a quarter, there are no more medical procedures done in that quarter until the following quarter. These programs create more problems than what the Sponsor is trying to solve. Remember, if you vote for this plan and this Bill, it says this commission will come up with a



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recommendation that must, must be implemented. It doesn't give us any authority once they come up with a plan, we don't have any say in that. You must implement whatever this 30-member commission comes up with. They are, in fact, saying that once you vote for this, as a General Assembly, we don't have a say in it anymore. That is absolutely crazy. I don't understand why that provision would be there. This is supposed to be something that we would want to debate long and hard, whatever the recommendation is. It is estimated that this plan will cost the people of Illinois... the business community of Illinois, who ultimately puts the... the expenses on all of these programs, about \$50 billion, \$50 billion. And to solve a problem that cannot be solved with universal health care. This is something that's got to be hammered out. It's something that we have to work on. But this, certainly, is misguided and ought not to be supported. And Mr. Sponsor... Mr. Speaker, if this gets the required number, I would ask for a verification of the Roll Call."

Speaker Hannig: "And it will be granted. So, we've had one speak in favor, two speak in response. Representative Hartke's recognized."

Hartke: "Thank you very much, Mr. Speaker. You know, this... this piece of legislation or a type of it has been around for... for many, many years. I know that the previous speakers have... have been here as we've tried to establish a universal health care plan for the State of Illinois. Many of us have been around here a long time and we realize that

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we keep putting things off. We can't afford it, we can't do this, we can't do that. This... this piece of legislation, in my opinion, sets out a parameter, some of the things we must do, we should look at. And... and although I know the Bill says, 'shall be implemented', I think the year 2007 is about four years away, that's a long, long time. That's a long time. And until we sit down and actually sit down and... and consciously discuss on some possible avenues to accomplish these goals, we're never gonna do it. You know, there's been all kinds of proposals by various groups, we should do this or we should do that. This would be a... a bipartisan group that would sit down and take a good hard look at it. Now maybe, just maybe, we won't be able to accomplish this. Maybe health care is totally out of control where none of us will be able to afford health care in the future. This proposal says that we should look toward an affordable approach to that problem. I stand in support of the Bill. You know, I know we're in tough economic hard times now, but I'm not sure that this study is gonna cost that much in the short-term. Long-term, I don't know what kind of answers this commission will come up with. But I think we owe it to the people of stil... of Illinois to start to take a look at this issue. So therefore, I stand in support of the Gentleman's Bill."

Speaker Hannig: "Representative Delgado to close."

Delgado: "Thank you, Mr. Speaker. As the previous speakers have mentioned... I appreciate the speaker on my side of the

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aisle clearing up a little bit of things here. How can we put a price tag on something we don't know about yet? Fifty billion dollars? Well, I guess that number was hanging around the rail, because we ran this Bill last year and IDPA said it was gonna be like \$100 billion, no fiscal note. This particular Bill was changed this year so it could create a bipartisan commission to start laying the foundation and the ideas over a four-year period of time. The estimated cost is about \$3 million, as I've lobbying you here on this floor. The 50 billion is, really, pie in the sky. Where... where did that number come from? That must be what we're spending on health care systems now. And by the way, Governor Ryan had an assembly on health care to discuss and many of you were involved on that side of the aisle and on this side of the aisle to develop an assembly on health care so that we could go from KidCare to FamilyCare that was federally funded. And now this is a continuation of that work, in conjunction with what the prior Governor was doing, in addition to what we've been doing, and now in conjunction with what other people are bringing together. I share the fiscal need... or... or my... my nervousness about fiscal. But at the same time, we must be incremental and lay a policy. This doesn't tell ya that we gotta do it, but it lays those parameters. And so, please... that \$50 billion... look in the Calendar. I didn't have to answer the fiscal note, my fiscal note was filed. We didn't have these problems. IDPA said it in committee, we did not know how much this would cost. Well, that's if you

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provide health care for every individual in the State of Illinois. This Bill doesn't do that. Please look at it well. It provides parameters to do the intellectual thing. As Legislators we have to create the committees. We have to have the... the diversity and the cross-section of our state to set down and develop a plan that we can make plausible and palatable to our Governor to find out a way to provide health care to needy children, to provide a way that once those children receive adequate health care, then they're gonna become a better student. And that better student is gonna be on and become a productive citizen that's gonna help those businesses become even more viable in the State of Illinois. This is a commission. And it's not 26 to 4. I would never support a bipartisan commission that would give us 26 Members and the other side of the aisle 4. I would fight diligently with you to make sure that we truly have a cross-section of people. And that is my word, and my word is the only thing I have down here rather than the... the love and the blessings of my wife and children. So, this is about let's looking past our nose to be able to develop a plan in this millennium. Are we that bold or do we want to continue a knee-jerk operation and hide behind the fact that there isn't any money in this budget now? Well, that's why I moved forward and said this money will be realized in 2007, four years from now. Well, I live in Illinois and I'm an optimist. I believe in our great state. And I believe that employers will say, I want to put in a dollar because I want my employee at work. I

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want my employee to be productive, and I want my employee to be healthy. So we, as government must lay this foundation. This isn't a government-run program. I'm the biggest capitalist on this side of the Mississippi, for heaven's sakes. We need to bring opportunity to make sure that the children I once counseled at DCFS, when I tried to find services as I drove around many of your districts trying to find a doctor that could provide a pro bono, free health care for this child. We had to be able to find ways to help that mother who we said we need to get you back from welfare to work. You want her to go to work, well, let's make sure she has health care. 'Cause right now we just put their children on the street because there aren't daycare dollars. So, what this Bill does is bring consciousness back to the State Legislature and say, what is that plan to bring health care to our Illinois taxpayers, the same people that sent us here? What is that plan. Well, I bring you a plan, and that's House Bill 2268. And I would ask for your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2268. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. And the voting is open. There's been a request for a verification, so please, vote your own switch only. 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 62 voting 'aye', and 45 voting 'no'. Representative Parke has requested a verification, so could the staff retire to the

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rear of the chamber and could the Members please be in their seats. And Mr. Clerk, would you read the... the names of those voting in the affirmative."

Clerk Bolin: "A poll of those voting in the affirmative: Acevedo, Aguilar, Bailey, Berrios, Boland, Bradley, Brosnahan, Burke, Capparelli, Chapa La-Via, Collins, Colvin, Currie, Monique Davis, Steve Davis, Will Davis, Delgado, Dunkin, Feigenholtz, Flowers, Forby, Fritchey, Giles, Graham, Hamos, Hannig, Hartke, Hoffman, Holbrook, Howard, Jakobsson, Jefferson, Lou Jones, Joyce, Kelly, Lang, Joseph Lyons, McCarthy, McGuire, McKeon, Mendoza, Miller, Molaro, Morrow, Nekritz, Novak, O'Brien, Osterman, Phelps, Reitz, Rita, Ryg, Scully, Slone, Smith, Soto, Turner, Verschoore, Washington, Yarborough, Younge, and Mr. Speaker."

Speaker Hannig: "Before I start, Representative Turner, for what reason do you rise?"

Turner: "Mr. Speaker, can I get leave to be verified?"

Speaker Hannig: "The Gentleman has allowed Representative Turner to be verified. Representative Parke."

Parke: "Representative Acevedo."

Speaker Hannig: "The Gentleman's in his seat."

Parke: "I'm sorry."

Speaker Hannig: "It's okay. Any further?"

Parke: "Representative Steve Davis."

Speaker Hannig: "Representative Steve Davis. Is the Gentleman in the chamber? The Gentleman is not in the chamber. Would you remove him. Representative Lang, for what reason

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do you rise? Can Representative Lang be verified? Okay.  
Representative Lang is verified. Representative Parke."

Parke: "Representative Jefferson."

Speaker Hannig: "Representative Jefferson. Is the Gentleman in  
the chambers? The Gentleman is not in the chambers. Would  
you remove him, Mr. Clerk."

Parke: "Representative Fritchey."

Speaker Hannig: "Representative Fritchey is in the rear of the  
chamber."

Parke: "Thank you. No other questions."

Speaker Hannig: "On this question, there are 60 voting 'yes',  
45 voting 'no', and 11 voting 'present'. And this Bill,  
having received a Constitutional Majority, is hereby  
declared passed. Representative Hultgren, are you prepared  
on House Bill 1755? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 1755, a Bill for an Act concerning  
special districts. Second Reading of this House Bill. No  
Committee Amendments. Floor Amendment #1, offered by  
Representative Hultgren, has been approved for  
consideration."

Speaker Hannig: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, Members of the House. I'm  
asking support. I'm also in the witness protection program  
as you can see here on the screen. There we go. I am...  
much better. Maybe I like it better the other way. Open  
'em back up. No, I just wanna ask support of Floor  
Amendment #1. This is an Amendment that becomes the Bill.  
It's supported by all the forest preserves throughout the

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state, also, by the park districts. What this does is a recognition that over the last 15 years we have not increased the amount of where the bid requirement falls in. It has been \$10 thousand for the last 15 years or so. This is just increasing it up to 15 thousand. And I'd ask for your support."

Speaker Hannig: "On the Amendment, is there any 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 Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Colvin, would you like us to read 3530? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 3530, a Bill for an Act in relation to local government. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Colvin."

Colvin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 3530 is the Bill offered from the Public Building.. Public Building Commission which simply allowed a raise to the building threshold.. the bidding threshold, excuse me, from 5 thousand to 25 thousand. It hasn't been raised since the 84th General Assembly which is approximately 20 years. And I request an 'aye' vote, please."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3530. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor



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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 90 voting 'yes', and 21 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Mary Flowers, would you like us to call 486? Okay. Out of the record. Representative... Representative Mathias on House Bill 1604. Representative, 1604? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1604, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Lake, Rep... Lake, Representative Mathias."

Mathias: "Thank you, Mr. Speaker. Huse Bill 1604 creates a minimum fine for battery on a sports official which would include a... an official of the game or a coach. There is, of course, a penalty already 'cause it would be a battery, but this would set a minimum fine. And I would urge an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1604. And on that question, Representative Franks."

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

Speaker Hannig: "Indicates he'll yield."

Franks: "Representative Mathias, I appreciate you bringing this Bill forward. Is this the same Bill we had passed, I believe, unanimously in the 92nd General Assembly?"

Mathias: "Yes, it is. Except I added 'coach' to it instead of just 'official'."

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Franks: "So, we're protecting more people..."

Mathias: "Yes."

Franks: "...in this one. Well, to the Bill. I appreciate you bringing this forward. I think it's a very important Bill. I think that Governor Ryan was incorrect when he vetoed this Bill that had passed both chambers unanimously. And I'd encourage an 'aye' vote and we should... this law already should have been on the books. So, we can rectify that now. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey."

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

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

Fritchey: "Representative, I've got the analysis here, but not... I don't have the Bill up right now. So, this extends it to coaches?"

Mathias: "That's correct. That was amended. That was a Floor Amendment."

Fritchey: "And how is a 'coach' defined?"

Mathias: "A 'coach' just means a person recognized as a coach by the sanctioning authority that conducts the sporting event."

Fritchey: "So, an assistant coach, a substitute coach if the coach has a cold and another father is filling in for him because that someone is acting as a coach, but isn't officially ranked... recognized by the sanctioning body. And I know what you're trying to do. I don't know where we... we wanna protect referees, we wanna protect coaches. Do we

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protect the coach's assistant? Do we protect the dad who is a volunteer helper for the coaches who's acting as a coach, but isn't technically the coach?"

Mathias: "I think this is basically the head coach, at least that's my opinion, of course. Because it states it's the coach recognized by the sanctioning authority who probably has appointed that coach."

Fritchey: "Okay. And I'm really not trying to make light of this, but given what you're trying to go after here, why is the head coach entitled to more protection than the third base coach?"

Mathias: "I was a first place coach, so I didn't... really didn't like the third base... I'm sorry. Well, as I said, the Bill last year only included officials. I thought, at least, let's extend it to... to the... to the head coach and if it needs to be amended in the Senate or at a later date, certainly I would... I would not object to that."

Fritchey: "I mean, I'm sure nobody's going to vote against this and understandably so, but I don't know if trying to do this by virtue of the role that somebody has at the event is really the right way to go after this problem. Yeah. We can envision a situation this summer where, yeah, we have another ugly event that happens in front of our kids, but they don't beat up the coach, as I said, you know, they beat up the dad who was helping the coach, who was, ya know, acting as a third base coach, who was just acting as a volunteer helper. You know, maybe the way for us to go about this is to criminalize the activity that happens at

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the event, if it happens in conjunction with or at the location of a sporting event. So, whether it's... you know, to me it's no less egregious if we have one dad go after another dad in the stands at a little league game than for the dad to go after the coach. The problem here is we've got a criminal activity that's taking place. We have a criminal activity that's taking place in front of kids who are in sports because we're trying to set a role model for them and examples for them and they're seeing examples but they're sure as hell not the ones we want them to see. And... Here, I guess, ya know, we can come back and maybe it's a Bill for next year that we say that we know we criminalize the activity, but I would ask you, obviously, you care about this. You cared about it enough to bring it this far. Maybe think about it over in the Senate to really put a whole different spin on this and say what we're trying to do is go after this activity in this circumstance and maybe the way to do that is let's penalize it for where it happens not who happens to be the victim of it. Thank you."

Speaker Hannig: "Representative... Excuse me, Representative Joyce. Representative Molaro."

Molaro: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

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

Molaro: "Thank you. I was... Representative Mathias, I was reading the Bill and it seemed to just talk about fines. So, in other words, I guess this comes under battery

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whereby if the victim happens to be a coach or sports authority thing or whatever, however you define the coach or as the other Representative was talking about. Apparently, then, what you do is you say the judge, in addition to everything else, must impose a thousand dollar fine for the first offense and two thousand dollar fine for the second offense. Is that correct?"

Mathias: "That's correct."

Molaro: "Okay. Well, I don't know... I guess this is a form of a question or maybe it's just a statement. So you can listen to this then see if you wanna respond. I've always had problems in the ten, eleven years I've been down here when we looked to penalties and when we talk about penalties whether they're added penalties or the original penalties and they're strictly monetary. I find that very difficult for me to deal with and I voted 'no' alls my entire career and the reason is and maybe there's no way around it, is that if you have two people and they commit the same offense... so let's say there's two people who beat up on a coach or whatever they do to this coach. Okay. And they're in their 20s or 30s. One happens to be someone who makes \$200 thousand a year and the other one happens to be someone who makes 30 thousand a year. So, a person writing a thousand dollar check, he just writes the check. The other one can't write the check. He would have to have time to pay. It would affect his family. I always thought that when we put fines as the only way, we should put a thousand dollars or 20 hours of community service, a

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thousand dollars or 40 hours of community service. Because if you have money, I'd rather give a thousand any day of the week than have to go paint walls in a latrine for 40 hours. But if there's no other way, I don't want to hurt a family because the son or the father or maybe even a daughter or a mother if they get carried away, then it hurts the family. There should always be a way that if it's not fined, you can do community service. Yes, put teeth, but I think if you're gonna put teeth, you should always have an option for, you know, community service. So, I would like to know your thoughts on that as it goes to the Senate, if the Senate... a Senator would think maybe we should add that, would you consider that if it ever came back?"

Mathias: "I have no problem when I talk to a Senate Sponsor about making an alternate for community service."

Speaker Hannig: "Okay. 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Nekritz, would you like to move a Bill, 2187 from Second to Third? Okay. Out of the record. Representative Winters, on House Bill 230, would you like us to call that Bill? Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 230, a Bill for an Act to amend the Agricultural Areas Conservation and Protection Act. Third Reading of this House Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 230 is a basically a rewrite of the Ag Areas Act. It was first passed by Senator Maitland approximately 20 years ago. We have a number of ag areas around the state and in 23 different counties containing about a hundred and twenty thousand acres. We're trying to revamp it, make it a little bit more transparent and easy for farmers to understand. Would be happy to answer any questions on the Bill."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 230. Is there any discussion? Then 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 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Rose on 3387. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3387, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Rose, has been approved for consideration."

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Speaker Hannig: "Representative Rose."

Rose: "Thank you, Mr. Speaker. Floor Amendment #2 makes a technical change to this Bill which would actually make it only applicable to a second or subsequent violation for the offense of manufacturing crystal methamphetamine, transportation and possession of the precursor materials. This is an agreement I made in committee to hold it on Second until such a time as we can get an Amendment drafted that would make it only apply to second and subsequent offenses. I'd ask for its adoption."

Speaker Hannig: "On the Amendment, is there any discussion? Then 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."

Speaker Hannig: "Third Reading. Representative Novak, would you like to adopt the Amendment on House Bill 1489? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1489, a Bill for an Act in relation to taxes. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #3, offered by Representative Molaro, has been approved for consideration."

Speaker Hannig: "Representative... The Gentleman from Kankakee, Representative Novak will handle the Amendment. Representative Novak."

Novak: "Yes. Thank you, Mr. Speaker. Floor Amendment #3, offered by Representative Molaro, it is an initiative of



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Maria Pappas, the Treasurer of Cook County. It amends the Property Tax Code to make ineligible for bidding or for receiving a certificate of purchase at a scavenger sale anyone that twice during the same time or the immediately preceding scavenger sale under Section 21-260. According to the Cook County Treasurer's Office, House Floor Amendment #3 is an agreed Amendment between the Treasurer's Office and the various bar associations. I know of no opposition to this Amendment. Move for its..."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. And on that question, Representative Meyer."

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

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

Meyer: "Thank you. Representative, is this a fee increase?"

Novak: "No, it is not. This Amendment is not a fee increase."

Meyer: "So, there are no fees whatsoever associated with this... this Amendment?"

Novak: "Correct, not with this Amendment."

Meyer: "What about the Bill itself?"

Novak: "There is a fee in the underlying Bill."

Meyer: "Okay. Thank you and... for your response."

Novak: "Thank you."

Speaker Hannig: "All those 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."

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Speaker Hannig: "Third Reading. Representative O'Brien on House Bill 1281. Do you want us to move that to Third? No. Out of the record. Representative Rita on House Bill 710. Would you like to adopt the Amendment? Representative Rita."

Rita: "I'd like to withdraw the Amendment."

Speaker Hannig: "Okay. Mr. Clerk, read the Bill, please."

Clerk Bolin: "House Bill 710, a Bill for an Act in relation to railroads. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Rita, has been approved for consideration."

Speaker Hannig: "The Gentleman from Cook, Representative Rita."

Rita: "Yeah. Yes, I'd like to withdraw the Amendment."

Speaker Hannig: "Okay."

Rita: "We're still in negotiations..."

Speaker Hannig: "Okay."

Rita: "...talkin' with the railroad."

Speaker Hannig: "Amendment #1 is withdrawn. Are there any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hannig: "Now, Representative, would you wish to keep the Bill on Second or on Third?"

Rita: "Yeah."

Speaker Hannig: "On Third?"

Rita: "Third."

Speaker Hannig: "Okay. Third Reading. Representative Younger on House Bill 2607. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2607, a Bill for an Act in relation to human services. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Younge, has been approved for consideration."

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

Younge: "Did... did the Clerk say Floor Amendment #2?"

Speaker Hannig: "On Floor Amendment #2, yes."

Younge: "Yes. Floor Amendment #2 is an Amendment of the Department of Human Services. And it changes the Bill which is the state advocacy program for homeless, mentally ill, and disabled people. And it changes the request from a division of advocacy in the Department of Human Services to a staff position that would fulfill the functions of this Bill. Also, it would require the Illinois Housing Development Authority to put certain in its tenants' selection plan to have a certain amount of units for the mentally ill and homeless. And I move for the adoption of the Amendment."

Speaker Hannig: "And on the Amendment, Representative Meyer."

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

Speaker Hannig: "She indicates she'll yield."

Meyer: "Representative, with the adoption of this Amendment does this remove all of the concerns that had been previously voiced in committee?"

Younge: "Yes. This is the Amendment of the Department of Human Services and it removes all of the concerns."

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Meyer: "And both parties have agreed with this Amendment, then?"

Younge: "Yes."

Meyer: "Thank you."

Speaker Hannig: "All those 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."

Speaker Hannig: "Third Reading. Representative Millner, would you like us to read House Bill 2229? Mr. Clerk, would you read that Bill."

Clerk Bolin: "House Bill 2229, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hannig: "Representative Millner..."

Millner: "Yes, basic."

Speaker Hannig: "...the Gentleman from Kane."

Millner: "...Basically, what this piece of legislation does, it prevents putting lens coverings over your lights or tail lights which would block the flow of light which would create a hazard. For example, if you're driving down the highway, the driver may not see a pedestrian because it's dark, might not see hazards in the road, other vehicles might not be seen. So, it would not allow for covering of your lights when lights are required at nighttime."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2229. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lou Jones, would you like to adopt the Amendment on House Bill 1091? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 1091, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Jones, has been approved for consideration."

Speaker Hannig: "Representative Lou Jones."

Jones: "One minute, Mr. Speaker. Thank you, Mr. Speaker, Members of the House. Amendment #2 of House Bill 1091..."

Speaker Hannig: "Representative, it's Amendment #1."

Jones: "Take it..."

Speaker Hannig: "I think #1 and 2 have both been approved, but the question right now is... is Amendment #1. Do you wish it to be adopted or do you wish to withdraw it?"

Jones: "I don't... I don't have Amendment #1."

Speaker Hannig: "Why don't you take the Bill out of the record. Get it... get it straightened out with the staff and then we'll come right back to it. Okay, Representative? So, Representative Lang... Representative Lang, would you like us to call House Bill 2319? Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 2319, a Bill for an Act in relation to courts. Third Reading of this House Bill."

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Speaker Hannig: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an initiative of the Illinois Hospital Association. Many times when indigent, mentally ill people are in hospitals, the hospital needs to take it upon themselves to have people committed and they file the paperwork and have been spending the money for the appropriate circuit clerk fees. In some counties there are no fees and some counties there are fees and in the counties that have fees, sometimes they're uneven and sometimes they're waived and we have a very uneven approach here. Suffice to say, this is costing hospitals a significant sum of money to have indigent, mentally ill people are committed where it's appropriate. This Bill would do away with those fees. There's been no opposition in committee. The circuit clerks have not been opposed. It's a good Bill and I would recommend your support."

Speaker Hannig: "And on that question, the Gentleman from Will, Representative Meyer."

Meyer: "Thank you, Mr. Speaker. Mr. Speaker, are we on Third Readings, now? We've been jumping back and forth between Second and then Thirds and Second and Thirds. It's kinda confusing sometimes to some of the newer Members and if we could have some kind of indication..."

Speaker Hannig: "Representative, I've been trying to work off a priority list and some of those Bills are on Second and some of those Bills are on Third. And..."

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Meyer: "I understand that. If we could have an indication though so that it calls attention to our Members so that we might better keep track of it, I'd appreciate it."

Speaker Hannig: "Thank you, Representative. On House Bill 2319, is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Franks on House Bill 237. Representative Franks, would you like to call House Bill 237? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 237, a Bill for an Act in relation to taxation. Third Reading of this House Bill."

Speaker Hannig: "Representative Franks."

Franks: "Thank you, Mr. Speaker. This Bill was a creation of my county treasurer, Bill LeFew, in McHenry County. And what he was trying to do was to... he's been accepting early tax payments and he wants... and there was no provision though in the Code to allow for it. So, he wanted to amend the law to allow for early acceptance of tax payments. And I'll be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 237. Is there any discussion? The Gentleman from Kankakee, Representative Novak."

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

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

Novak: "Mr. Franks, has the county treasurer's position... has the county treasurer's association taken a position on this Bill?"

Franks: "Yes. They've been... they're against the Bill."

Novak: "Why is that?"

Franks: "I think... When I talked to Mr. Foster, I... it was my impression that they didn't... they were worried about the extra work. But this is not mandatory. This is permissive and..."

Novak: "Does this... does this... Do you give the county board authority to allow the treasurer to do this then? Is that it or what? Do they have to adopt an ordinance?"

Franks: "I think all it says is, this does not prohibit a county treasurer from excepting early tax payments."

Novak: "But is there anything in the Bill, Mr. Franks, that authorizes the treasurer through some action of the county board? I mean, you know, if you're gonna accept... I was a former county treasurer and a lot... some of my constituents would like... the ones that were financially off, better off, would like to do it towards the end of the year so they can bump up their tax deductions."

Franks: "Absolutely."

Novak: "You know."

Franks: "It's for tax planning purposes."

Novak: "Correct. And unfortunately, we couldn't do it at that time, as well, but if a county treasurer's gonna do that,



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obviously, there's gotta be some type of a... an administrative cost to them. Is there..."

Franks: "I asked about that and he says it doesn't cost anything because it just... they use the same computer programs..."

Novak: "Uh huh."

Franks: "...and then they just distribute it. He says there's absolutely no cost. He just does it as a service."

Novak: "Okay."

Franks: "And there was... I got a letter and I'm sorry I don't have my file, but I had a letter from my county treasurer as well as one other county treasurer encouraging this Bill."

Novak: "Okay. One other question, when you collect the taxes for the previous year and you make your tax distributions to the taxing bodies let's assume this becomes law and your treasurer collects maybe a hundred thousand dollars in early tax payments for the 2004 tax year. Would... would those early tax payments be included in the distribution for the 2003 tax year?"

Franks: "No, it'd be for the next year."

Novak: "It would be put in escrow?"

Franks: "Right."

Novak: "Is there any requirement that those early tax payments would be... would have to... would have to earn interest? You know, you're lookin' at it..."

Franks: "Yes. It does say here there will be interest. Because if you look at subsection (a)."

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Novak: "Okay."

Franks: "It'd be col... 'taxes collected and interest earned.'"

Novak: "Okay. Thank you."

Speaker Hannig: "The Gentleman from Lake, Representative Sullivan."

Sullivan: "To the Bill."

Speaker Hannig: "To the Bill."

Sullivan: "I wanna... I wanna thank Representative Franks for bringing this Bill forward. This is a protaxpayer Bill. The County of Lake presently utilizes this system. This will just make it more legal for us to do it. And I support this Bill and urge an 'aye' vote."

Speaker Hannig: "Representative Franks to briefly close."

Franks: "Thank you, Mr. Speaker. And I appreciate the comments of the previous speaker, as well."

Speaker Hannig: "Excuse me, Representative. Representative Black, did you wish to ask a question? Perhaps the Speaker didn't see your light."

Black: "Yes, I would. I... it's your call, Mr. Speaker."

Speaker Hannig: "Yeah."

Black: "My late... my light came on very late..."

Speaker Hannig: "Why don't you... why don't you..."

Black: "...and I apologize."

Speaker Hannig: "Why don't you proceed..."

Black: "All right. I was meditating."

Speaker Hannig: "...and then we'll let Representative Franks close."

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Black: "I'm trying to meditate with great frequency lately. I apologize."

Speaker Hannig: "We're always a little late on the button..."

Black: "Yes."

Speaker Hannig: "...you and I, so thank you, Representative."

Black: "Representative, when I was indisposed, I was trying to follow the conversation. So forgive me if I ask questions that have already been asked. Number one, I'm trying to... I'm trying to imagine a scenario where a taxpayer... I'll just use me as an example."

Franks: "Sure, sure."

Black: "I pay my property taxes on the last applicable day."

Franks: "Okay."

Black: "Why would I want to pay them early?"

Franks: "You might want to do it early for tax purposes because if you're... if you're one who make... let's say you're gonna make a lot more money this year than next year."

Black: "Well, no because we froze our salaries..."

Franks: "That's right."

Black: "...as you recall."

Franks: "But some people might have a second job or they might sell some property..."

Black: "I'm looking for one, if you can help me."

Franks: "All right. We'll talk afterwards. We'll help you out. And it's just a tax planning principle because the tax itself is already accrued, because the way we do it in this state is for 2002 taxes, at least in my county, you have to pay 'em in June of 2003 and then also September for

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the second installment. So, we already have that obligation. What we're trying to do is to allow people who may wish to tax plan and to save some money in the long run is to pay these taxes at the end of... let's say December 31 and that way they can write it off on this year's taxes. It's just a tax planning tool."

Black: "All right. And that... that brought up the question that I really wanted to get to. Will the Internal Revenue Service allow you to do that?"

Franks: "Sure."

Black: "All right."

Franks: "I mean, you could do it right now because there's already a tax incurred."

Black: "In other words, when I get my tax bill it's in two installments."

Franks: "Right."

Black: "And if I choose to pay it on the due date of the first installment, it's all in one calendar year, but where I'm confused is, you're not saying that I... I can use this year's tax bill and say, well, it's gonna be about the same. I'm gonna pay two years and then try to convince Uncle Sam I'm gonna write off two years of property tax in one return."

Franks: "Well, it depends on how you do it. I mean, you only can do that once. You know how... like if you pay... Let's say you're paying your mortgage and instead you do... instead of paying January's payment on January 1, you make that payment December 28. You can write it off in this calendar

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year. Okay? Because it's already been incurred. But you wouldn't be able to do that again be... you..."

Black: "Okay."

Franks: "You understand?"

Black: "Yeah."

Franks: "Because you always have 12 months in a year. You're not gonna get that thirteen month... that thirteenth month."

Black: "All right. So, it... you're not setting up a situation where somebody had a lot of stock and dividend income in a year, they could get this brilliant idea and say, I think I'll just pay two year's worth of property taxes."

Franks: "No, no. It's for stuff that's incurred."

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

Speaker Hannig: "Representative Kurtz."

Kurtz: "Well, also there is a altruistic element to this. A couple of years ago, the assessor... a different... several assessors of different townships didn't come through with the money and yet, the school districts were very dependent on payment of property tax and a lot of us felt and said to Bill LeFew, we would be glad to pay ahead of time just to be... make sure the school districts were given their just due. Thank you."

Speaker Hannig: "And now, Representative Franks to close."

Franks: "I appreciate all the folks who stood up and spoke on this Bill. I think it's a good tax planning tool and as Representative Kurtz also said, it could al... besides good business, it could also be good morals. So, I'd encourage everyone to vote 'yes'."

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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... Representative Hoffman, do you wish to vote? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', 4 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, would you read House Bill 2784."

Clerk Rossi: "House Bill 2784, a Bill for an Act in relation to civil procedure. Third Reading of this House Bill."

Speaker Hannig: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2784 is designed to address the Illinois Supreme Court's holding in the Unzicker v. Kraft Foods case. In the case, the Supreme Court held that law... changed the law regarding... the longstanding law regarding joint and several liability and indicating that it was ambiguous. Essentially, what they indicated was that... they indicated that the Legislature by including the phrase, 'third-party defendant who could've been sued by the plaintiff' intended specifically... did not intend to specifically exclude the plaintiff's employer. We all know under current law you cannot sue a plaintiff's employer civilly simply because of the redresses under the Worker's Compensation Act. I would ask for an 'aye' vote."

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Speaker Hannig: "The Gentleman's moved for passage of House Bill 2784. And on that question, the Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "Indicates he'll yield."

Black: "Representative, staff indicates that this... the Amendment... the language in the Committee Amendment is in response to a Supreme Court decision... Illinois Supreme Court decision. I'm not familiar with that. What did the Illinois Supreme Court rule that's so evidently egregious that we need to correct it by legislation?"

Hoffman: "Yes, the Supreme Court... your staff is correct. The Supreme Court held in the case of Unzicker v. Kraft Foods that the leg... that the joint and several liability statute in Illinois was ambiguous with regard to whether or not an employer could be included in determining the amount of fault with regard to joint and several liability. The term in the previous legislation was the phrase, 'third-party defendant who could've been sued by the plaintiff.' They indicated that an employer could've been sued, therefore they should be included when making a determination of the breakdown for the purposes of joint and several liability, when in fact everybody knows that as a practical matter you cannot sue a employer in... in court... in civil court because your redress if an individual's injured... on the employer your redress is through the Industrial Commission and the Worker's Compensation Act."

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Black: "Does this not strike... correct me if I'm wrong, with your legal background. But years ago we spent some time on the House Floor debating joint and several liability and it seems to me that what this Bill does, it says under certain conditions, although I may be 1 percent liable or at fault under certain cases, since I'm a deeper pocket I may become... even though my... I'm only 1 percent liable, I may be forced to pay the entire judgment because the party found at fault doesn't have as deep pockets as I do."

Hoffman: "No, that isn't correct. I believe in 1983... that was the case prior to 1983. In 1983 we passed the current law and the current Section 2-1117... 1117... 2-1117, that indicated if you're under 25 percent liable... if you're found to be under 25 percent liable then you only pay that percentage. So your scenario of an individual being 1 percent liable, you would only pay that 1 percent. This does not change that fact."

Black: "Again, relying on staff, they have a sentence here that says, 'under the Unzicker decision, the plaintiff and plaintiff's attorney would receive \$7,880 in that case, but with this language change then the plaintiff's attorney would receive the entire case amount of \$788 thousand from the third-party defendant that was only 1 percent liable.'"

Hoffman: "The reason... and I'm not as familiar with the fact pattern of the Unzicker case, I do know the practical result however. And the practical result has been that an employer has been able to be utilized and the fault of the employer has been able to be utilized when making a



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determination regarding joint and several liability. And we all know that under Illinois law, as a matter of fact, it would probably be malpractice or you could get an ARDC complaint, it would be in bad faith to... if you were a plaintiff's... plaintiff's attorney and you were to include an employer into an action in civil court."

Black: "All right. Representative, thank you. As always, I appreciate your forthright answers. Mr. Speaker, to the Bill, as amended. And again, I'm at a disadvantage, I'm not an attorney, but it appears to me that we're changing because of a recent Illinois Supreme Court ruling in the case that we referred to earlier the principle of several liability that has been around for some time. A defendant who is found less than 25 percent liable for a personal injury lawsuit should only pay a portion of the entire judgment awarded. Now, the Illinois Supreme Court upheld this principle in the 2002 case previously cited, Unzicker v. Kraft Foods. The legislative intent for several liability was clearly stated by then State Representative now Appellate Court Justice Al Greiman during a 1986 floor debate and I quote, 'We have heard from people all across the state that we are concerned that we are minimally liable, 5, 10 percent liable, 15 percent liable and we get stuck for the whole thing, so we have said there should be a threshold. If you are less than 25 percent, then you should only pay your share. The minimally liable are no longer liable for any more than their share.' 84th Illinois General Assembly, House proceedings, June 30,

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1986. As we understand this Bill as amended by Amendment #1, this would exclude a plaintiff's employer from who could be sued by the plaintiff. Now, if you do this in certain cases where the plaintiff's employer was found 99 percent responsible for an injury and a third party was found only 1 percent responsible then you would be able to seek full damages from the 1 percent of the party that was held liable at that level. In other words, you would be able to get 100 percent of the nonmedical judgment awarded by the plaintiff who is held under the proceedings as only 1 percent liable. I think it goes against what we tried to do back in 1986. I think it again, with all due respect to the Sponsor and all due respect to my colleagues who are lawyers and certainly more experienced in this than I, I think it flies in the face of what many people, pro and con in this issue, are trying to do and that is to make the lawsuit... the civil suit provision subject to a lottery where you're gonna find somebody who either has the assets or the insurance or the deep pockets, therefore you can turn your immediate attention to the party at fault, come back to a party who's minimally at fault and say, okay, you have the resources, you're gonna pay 100 percent of the nonmedical costs in this judgment. And in the case that we referenced this difference is, the party at 1 percent fault would've been responsible for \$7,800 in attorneys' fees and costs. If this Bill becomes law, that 1 percent is now liable for the entire nonmedical judgment of over \$788 thousand. I don't think that's right. I don't think it's

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fair. I had great respect for Justice Greiman when he served in this House. His words were good in 1986, I think they're good today. I think a 'no' vote would be the advisable vote on this issue."

Speaker Hannig: "The Gentleman from DuPage, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker and Members of the House. I... to the Bill. I stand in opposition to this legislation and wanna encourage each of you to vote 'no' on this legislation. I think, for a couple reasons, when you look at the list of people who are opposed to this, this is one more significant cost that will be placed on the backs of businesses here in the State of Illinois at absolutely the worst time for us to do this. This is a significant expense that we've placed on it, as the previous speaker has stated. It opens them up to huge liability by this change. What I think is probably the most compelling reason for us to vote 'no' on this legislation is, when you look at the Bill that this... excuse me, the court case that this Bill was written to overturn, the Supreme Court case, it was a Supreme Court case just last year that was passed and approved, decided by the Illinois Supreme Court. And as you know, our Illinois Supreme Court has five Democrat members and two Republican members. On that Illinois Supreme Court, only one member out of the seven dissented to this decision. By the action we're taking today, we're overturning the decision of the other members of the Supreme Court. I think that's bad public policy. I think

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it goes against what the discussion was back in the mid-'80s when this was put in place, and I think this is something that's being pushed through that we need to take more time to look at. Joint and several liability is a difficult issue. It does have significant costs for businesses, something that's important too for people who have lawsuits out there. But this is the wrong way to do this. I encourage all of you to vote 'no'. Thank you."

Hannig: "Representative Hoffman to close."

Hoffman: "Thank you, Mr. Speaker. To the previous speaker's points, let me just say that this Bill in no way changes what happened in 1986. This Bill still indicates that in order for you to be joint and severally liable you must be over 25... found to be over 25 percent liable. In the Unzicker case and the previous speakers made reference to the Unzicker opinion even in the dicta the Supreme Court indicated that they believed that the wording was ambiguous and they essentially invited the Legislature to re-look at this issue. Here we are, we're saying that an employer for the purposes of determining joint and several liability essentially should not be... their fault should not be taken into account because you can't sue them. Your only redress is under the Worker's Compensation Act. We're not changing the underlying legislation with regard to the percentage under which you have to... threshold you have to meet in order to be joint and severally liable. So I ask for an 'aye' vote."

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Speaker Hannig: "The question is, 'Shall House Bill 2784 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', 47 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Kelly, for what reason do you rise?"

Kelly: "Thank you, Mr. Speaker. On House Bill 1604, I'd like to be recorded as a 'yes'."

Speaker Hannig: "Okay. The Journal will reflect your intentions. Representative Lou Jones. Representative Lou Jones, do you wanna... Okay. Representative Hoffman, do you want us to move House Bill 3162 from Second to Third? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3162, a Bill for an Act in relation to insurance. Second Reading of this House Bill. Amendments 1, 2, and 3 were adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hannig: "Third Reading. Representative Mautino on House Bill 3625. Would you like to move that to Third? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3625, a Bill for an Act concerning schools. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Do you want that out of the record, Representative? Representative Mautino."

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Mautino: "That Bill was awaiting an Amendment. Was the Amendment on?"

Speaker Hannig: "No. So, why don't we hold this on Second Reading."

Mautino: "Put that on Second, please."

Speaker Hannig: "Okay. Out of the record. Representative McGuire. Representative McGuire, would you like us to move House Bill 3452 from Second to Third? Would you want us to read this Bill? Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 3452 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McGuire, has been approved for consideration."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. Did you say that was approved, the Amendment?"

Speaker Hannig: "Yes. The..."

McGuire: "Okay."

Speaker Hannig: "House Amendment #1."

McGuire: "Thanks very much. Glad to hear that. I'd like to move the Bill to Third."

Speaker Hannig: "You need to adopt the Amendment. The Amendment was approved by the Rules Committee and now it's on the floor to be adopted."

McGuire: "Okay. Let's adopt the Amendment."

Speaker Hannig: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? Then all in favor

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of the Amendment say 'aye'... Excuse me, Representative Black, for what reason do you rise?"

Black: "Thank you very much, Mr. Speaker. I'm confused as to why the Sponsor didn't want the Amendment adopted. Would he yield for a question?"

Speaker Hannig: "The Gentleman will yield."

Black: "Representative, what does the Amendment do?"

McGuire: "The Amendment, Sir?"

Black: "The Amendment."

McGuire: "Subject to appropriation."

Black: "Subject to appropriation. That's the only language in it?"

McGuire: "That's all it says."

Black: "Yeah. Well, I can't get my etch-a-sketch to move, so I'm gonna take your word for it. So, Floor Amendment #1 simply makes it subject to appropriation. Right?"

McGuire: "No, I'm sorry. That's Amendment #2."

Black: "Oh, Floor Amendment #2. What does Floor Amendment #1 do?"

McGuire: "Amendment #1 inserted the term 'information transaction line'. It means the telephone line that meets all the following criteria and then there's a lot of criteria. And that was the... in an Amendment to satisfy CMS. Excuse me, DHS."

Black: "All right. You said there was an Amendment to follow, Amendment #2?"

McGuire: "Yes. Amendment #2 is what I thought we were talking about."

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Black: "Oh, it's still in Rules."

McGuire: "I thought you said it was approved. I must be mistaken."

Speaker Hannig: "Amendment #1, Representative, was approved by the Rules Committee and..."

McGuire: "Okay. Amen..."

Speaker Hannig: "...and you wish that to be adopted at this time?"

McGuire: "Yeah. Amendment #1 is... I'd like to adopt."

Speaker Hannig: "Okay. Is there any further discussion? Okay. 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: "Now, Representative, do wish to hold this on Second for a further Amendment? Okay. So, we'll hold this Bill on Second Reading. Representative O'Brien, would you like to move House Bill 3218 from Second to Third? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3218, a Bill for an Act in relation to criminal law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Phelps on House Bill 1608. Out of the record. Representative Reitz on House Bill 2481. Representative Reitz. Okay. Let's take that out of the record for a few minutes. Representative Mathias, would you like us to move House Bill 2839?"



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Representative Mathias, would you like us to adopt the Amendment and move the Bill? Yes. Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 2839, a Bill for an Act concerning utilities. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mathias, has been approved for consideration."

Speaker Hannig: "Representative Mathias."

Mathias: "Yes. This is a JULIE Bill and Floor Amendment 1 takes away all of the opposition to the Bill regarding notification under the JULIE Act. I ask for your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for House Amendment... for the adoption of House Amendment #1. 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. Representative Winters on House Bill 1533. Would you like to move that to Third? Okay. Out of the record at the request of the Sponsor. Representative Wyvetter Younge on House Bill 2605. Representative Younge, would you like to move that Bill to Third? Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 2605, a Bill for an Act to create the Illinois African-American Peace Brigade. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Hannig: "Third Reading. Representative Reitz, would you like us to move House Bill 2481, Amendment #1? Yeah. Mr. Clerk, would you read that Bill."

Clerk Rossi: "House Bill 2481, a Bill for an Act concerning state employees. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Reitz, has been approved for consideration."

Speaker Hannig: "Representative Reitz."

Reitz: "Thank you, Mr. Speaker. Floor Amendment #1 adds the Secretary of State's Office to the underlying Bill that allows directors in the various departments to issue shields to personnel that are nonpolice in the line of their duty. And this would simply add the Secretary of State's Office and allow them to let the security guards have shields or badges if he deems it necessary."

Speaker Hannig: "The Gentleman has moved for the adoption of Hou... Floor Amendment #1. Is there any discussion? Then 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, would you read House Bill 134."

Clerk Rossi: "House Bill 134, a Bill for an Act in relation to vehicles. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Lindner, has been approved for consideration."

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Speaker Hannig: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I just wanna make sure that Floor Amendment #2 was withdrawn."

Speaker Hannig: "Okay. The... We're looking at House Amendment #3. Mr. Clerk, could you give us the status of Amendment #2?"

Clerk Rossi: "Amendment #2 remains in the Rules Committee."

Lindner: "All right. Thank you. Amendment #3 becomes the Bill. It's a technical change that a... the fee increase of a dollar wasn't put in in one part of the statute and also it exempts motorcycles. It only applies to vehicles."

Speaker Hannig: "The Lady has moved for the adoption of the Amendment. Is there any discussion? There being none, 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. Representative Slone, does the Lady wish to move House Bill 220? Representative Slone, you have an Amendment that's out of the Rules Committee. You'll need to adopt the Amendment. Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 220, a Bill for an Act concerning affordable housing. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Slone, has been approved for consideration."

Speaker Hannig: "Representative Slone."

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Slone: "Mr. Speaker, Ladies and Gentlemen. House Bill 220, the... Oh, are we doing Amendment 1 or Amendment 2, Mr. Speaker?"

Speaker Hannig: "This is Amendment #2, Representative."

Slone: "Well, we haven't adopted Amendment #1 yet."

Speaker Hannig: "Repre... Mr. Clerk, what is the status of House Amendment #1?"

Clerk Rossi: "Floor Amendment #1 remains in committee."

Speaker Hannig: "Representative, why don't you take it out of the record and..."

Slone: "Can we take this out..."

Speaker Hannig: "...check with the staff..."

Slone: "...of the record then? Thank you."

Speaker Hannig: "...and then we'll get back to you. Representative Collins on House Bill 416. Representative Collins. Out of the record. There's an Amendment to be adopted. So, Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 416 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #5, offered by Representative Collins, has been approved for consideration."

Speaker Hannig: "Representative Collins on... on Amendment #5."

Collins: "Yeah. There's just a technical change in... we wanna adopt Amendment #5 and make it the Bill."

Speaker Hannig: "The Lady has moved for the adoption of House Amendment #5. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have

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it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Jones on House Bill 1091. Representative Hamos. Is the Lady in the chamber? Oh, there she is. Representative Hamos on House Bill 2202. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2202, a Bill for an Act in relation to health care. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #3, offered by Representative Hamos, has been approved for consideration."

Speaker Hannig: "Representative Hamos."

Hamos: "Thank you, Speaker, Ladies and Gentlemen. Floor Amendment #3 is... does become the Bill. And it's the Bill that we described in committee with some detail. We had a very good committee hearing on what we hoped to do. We showed a copy of the website that this Bill would create, called the 'Consumer Guide to Health Care,' and the website would include quality data on certain procedures, hospital by hospital, so that consumers could become more involved in planning for their health needs and in fact, in making comparative judgments among hospitals. This really is the new trend in health... in health care. It's to get consumers more involved. And I'm proud to say that this Bill is supported both by SEIU and the Chamber of Commerce. And I ask for your favorable support."

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Speaker Hannig: "The Lady has moved for the adoption of the Amendment. Is there any 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. Representative Bellock, would you like us to move... would you like to adopt the Amendment on 2449? No, okay. Out of the record. Representative McAuliffe. Representative McAuliffe on House Bill 2573. Would you like to adopt the Amendment? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2573 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McAuliffe, has been approved for consideration."

Speaker Hannig: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have Floor Amendment #1 to House Bill 2573 which would provide that the Liquor Control Commission shall not issue a liquor license to a person who sells alcohol for use or consumption on licensed retail premises unless they have the maximum amount of liquor liability insurance coverage. And I ask for the adopting of Amendment #1."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? Then all in favor of the Amendment say 'aye'; opposed 'nay'. The 'ayes' have

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it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hannig: "Third Reading. Representative Washington on House Bill 2577. Representative Washington, would you like us to adopt the Amendment and move the Bill to Third? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2577 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Washington, has been approved for consideration."

Speaker Hannig: "On the Amendment, Representative Washington. Would you explain the Amendment to us, Representative Washington?"

Washington: "Thank you, Mr. Speaker. Mr. Speaker, what the Amendment does is just change the numbers from 2 to 5. And it's... it's a Bill that tries to be inclusive to small government where they hire five people."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? Then 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. Representative Younge on House Bill 2608. Representative Wyvetter Younge. We... you... we have an Amendment pending. Mr. Clerk, would you read the Bill."

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Clerk Rossi: "House Bill 2608, a Bill for an Act in relation to homeless persons. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Floor Amendment #1 is the Amendment of the Department of Human Services and basically what it does is it takes away the sanctions or penalties under the Bill. And also, it takes away the Bill of Rights provisions that the client will have a right not to be forced out of a shelter and also, if the client executes a agreement setting up a savings account that that will be honored. And I move for the adoption of the Amendment."

Speaker Hannig: "The Lady has moved for the adoption of House... of Floor Amendment #1. Is there any discussion? Representative Parke."

Parke: "Mr. Speaker, will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Parke: "I guess I don't under... Representative Younge, what are we trying to solve with your Amendment and does this become the Bill, Representative? Does this Amendment become the Bill?"

Younge: "What I was seeking to do was to get an agreement with the Department of Human Services as to a Bill of Rights and a Bill that they... for the homeless, mentally ill that they could support and this is their Amendment and they support this Bill because of this Amendment."



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Parke: "Yes. But what is it... what are we solving with your Amendment? What are we trying to do? It talks about the right to manage his and her personal finance as a regard to what?"

Younge: "What we're basically trying to do is to establish a Bill of Rights for the mentally ill, homeless population. We have large numbers of people."

Parke: "How can... how can you put homeless and mentally ill people in the same arena. I mean, if they're mentally ill, don't they have to have a guardian?"

Younge: "It is estimated that one-third of the homeless, people who are on the street, are mentally ill. And the effort of the Bill is to provide a Bill of Rights stating what... what protections people who are out on the street subject to abuse many of which or many of whom are women, the rights that they should be protected."

Parke: "Well, but again, how do... if they're ill, how do they make decisions that are valid for their own health and well-being? Shouldn't there be a guardian appointed to make those decisions for these people?"

Younge: "It is my intention to pass a Bill that would provide that the Department of Human Services will serve as like an advocate. There'll be a position that serves as an advocate to help protect mentally ill people."

Parke: "Well, how... if you're gonna do that, how much do you think is gonna cost the State of Illinois to hire a lot... First of all, what is your estimate that amount of a people this will apply to?"

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Younge: "How many people? There are about 12 thousand mentally ill, homeless people in Illinois, about five thousand in the City of Chicago."

Parke: "Does this apply... You said homeless and people with mental illness. Are there or does this just apply to homeless who are mentally ill?"

Younge: "This applies to homeless, mentally ill and developmental disabilities persons."

Parke: "And disabilities, also?"

Younge: "Yes."

Parke: "Do you have any idea how many advocates you have to hire for 12 thousand people?"

Younge: "Well, that is the essence of my agreement with the Department of Human Services is that one staff position will be created in which in the Department of Human Services that will be an advocate for our mentally ill, homeless people."

Parke: "Yes. But how many..."

Younge: "As a way of starting..."

Parke: "...how many..."

Younge: "...the process of making sure that there are programs guaranteeing their rights."

Parke: "Yes, I think that's a wonderful objective here, but how many advocates do you think they'll have to hire?"

Younge: "They will hire one that will be at the..."

Parke: "How can one handle 12 thousand people?"

Younge: "...that only one to... yes."

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Parke: "How can one person handle 12 thousand people, Representative?"

Younge: "Well, one person will handle as much as she or he can. Well, a journey of a thousand miles begins with the first step. The first step is to create an advocacy position so that there can be the beginning of a program of protection for the mentally ill."

Parke: "Okay, Representative. I'll wait 'til the... I wanted... I just want to make sure... This is Amendment 1. Does this become the Bill? You didn't answer that question."

Younge: "Yes."

Parke: "Oh, this does become... All right. Thank you. I'll wait until it's on Third Reading. Thank you."

Speaker Hannig: "On the Amendment, all in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Amendment is adopted. Any further Amendments?"

Clerk Rossi: "Floor Amendment #2 offered by Representative Younge."

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

Younge: "Thank you, Mr. Speaker. Amendment #2 guarantees the right of confidentiality of records. I move for the adoption of the Amendment."

Speaker Hannig: "Is there any discussion? Okay. 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."

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Speaker Hannig: "Third Reading. Representative May. Is Representative May in the chamber? Representative Pankau on House Bill 1414. Representative Saviano. The Gentleman available? Representative Saviano, we have two of your Bills with Amendments out of Rules, 2775 and 76. Would you like those Amendments adopted? Mr. Clerk, would you read House Bill 2775."

Clerk Rossi: "House Bill 2775, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "The Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 to House Bill 2775 in essence shells the Bill. This is part of the health care... Fairness in Health Care contracting package. I would just ask that we adopt Floor Amendment #2 to House Bill 2775."

Speaker Hannig: "Is there any discussion? Then 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 House Bill 2776."

Clerk Rossi: "House Bill 2776, a Bill for an Act concerning insurance. Second Reading of this House Bill. Amendment

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#1 was adopted in committee. No Motions have been filed. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "The Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker and Members of the House. This is also part of the health... Fairness in Health Care contracting package. Floor Amendment #2 shells the Bill. And I would ask for its adoption."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? Then 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. Representative Pankau on House Bill 1414. Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill..."

Speaker Hannig: "Representative Pankau, the Chair was in error. The Amendment was adopted earlier in the day, so... so we'll just... we'll just take it out of the record at this time. Representative Nekritz on House Bill 2995. Would you like to adopt the Amendment? Okay. Mr. Clerk, would you read the Bill. Okay. This was also done? Okay. This is another error that... Bill... Out of the record. Representative Washington on House Bill 3044. Representative Washington, would you like us to adopt the Amendment on House Bill 3044? No? Yes or no? Okay. Out of the record. And Representative Krause on House Bill

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3017. Out of the record. Representative Hassert on House Bill 1729. Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 1729, a Bill for an Act concerning environmental protections. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hassert, has been approved for consideration."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the chamber. House Amendment #1 becomes the Bill. Provides that when dealing with the transfer station permits established shall be defined as the date on which the applicant files such a request for local siting approval. Be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the adoption of Floor Amendment #1. Is there any discussion? The Lady from Cook, Representative Krause."

Krause: "Thank you. Could I just ask... Will the Sponsor... Can I ask what is meant by if the permit... what does that lead to? Does it... If a permit is merely filed, what right does that give to an applicant? I wasn't clear."

Hassert: "What... Representative, what happens when they file... when they do their hearing process, a transfer station has to go through a what they call a local 172 hearing process."

Krause: "Okay."

Hassert: "At the date of when they file, they have to come up with certain fees and whatnot. This... all it does is

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clarify that the date that they file, that everything that they have to meet at that date has been met. And they're established in date..."

Krause: "It doesn't have any..."

Hassert: "...as filing. So, later on, during the process of their filing procedures, if something changes they don't have to meet that process if... something changes during their hearing process."

Krause: "Okay. So, what you're saying is that when they file an application whatever..."

Hassert: "A siting application."

Krause: "A siting application. I'm missing something. What am I missing?"

Hassert: "Well, this is the... the local for transfer stations, drivers' transfer stations."

Krause: "I got..."

Hassert: "They have to file a 172 hearing process which sets up a very specific process on how they... what criterias they have to meet. And what this does is just says the date of their filing for that request is what their criteria they have to meet will be set as of that date. So, some... this new process..."

Krause: "But wouldn't that be the law... I'll talk to you further about it. I'm missing something."

Hassert: "Okay. Thank you."

Speaker Hannig: "Representative McCarthy."

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

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

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McCarthy: "Thank you. Representative Hassert, following up on Representative Krause's question there. From the date you apply, which is when it will be established today, is there anything in statute or Municipal Code or something that says it has to be approved or disapproved in a certain amount of time?"

Hassert: "Being that this is a very precise... a Senate 172 hearing is a very precise and they can only deal with certain subject matters. What... what this Bill basically has does is defined it. The day that they applied... It's a very lengthy application. It's not like the zoning or whatnot. It's a very lengthy application. It has to meet all sorts of Environmental Protection Agency requirements, local requirements and whatnot. All this Bill does is establish that the date that they apply, that sets the parameters of what they're applying for. So, if this hearing process takes six months, maybe to a year to go through the hearing process or longer, something can't change from that date on out that would be... make their application void. So, all this does is they know what rules they're play... you know, playing by that they meet the criteria as of that date and if the criteria changes after that date, then they're subject to the criteria of the date, not afterwards. Does that explain..."

McCarthy: "I mean, but can these decisions be put off for a year or longer than that or are they..."

Hassert: "No, this is... this is similar to a landfill siting that can be somewhat controversial. It can... things can



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change. People can do different things. So, I would assume if they're going through a long and lengthy process, something could change after they file their date which could adversely affect their hearing."

McCarthy: "But... but it could also mean, I'm reading our analysis, that at the time they es... the date is established, there's no resident within a thousand feet."

Hassert: "Right."

McCarthy: "And then by the time they are approved someone has built a couple of homes within a thousand feet. See, you can't... what your Bill says you can't go back and say, well..."

Hassert: "Right."

McCarthy: "...they're illegal because of that."

Hassert: "Right."

McCarthy: "But there is no... there is no... I don't think you answered clearly if I... There is no time frame on this thing as far as from the date they establish until they make their decision? Like if you owned the property around it I mean, I can't imagine a landfill would be less than a thousand feet, but..."

Hassert: "Well, if they applied, they have to meet their criteria. It's already by state statute they have to be a thousand foot setback. So when they apply they know there's no residential homes or whatnot within that thousand feet when they apply. After their application, they get into the hearing process which is a defined period of time that they have to do within, if something changes

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between now and then, they're still... You know, what they're saying is, as we applied, they met that criteria that there's no homes within a thousand feet."

McCarthy: "And we are saying that because of this established date that if there was for some reason or another a residence built within the thousand feet, the company still could be approved by whatever the authority is..."

Hassert: "No. By state statute, they cannot if there... they cannot build these transfer stations within a thousand feet of a residential area. So..."

McCarthy: "But what if..."

Hassert: "...if..."

McCarthy: "What if the residence is built after the established date is what my question is?"

Hassert: "Right now, if... according to the law, they could build it, as of now after the established date. If we put this in effect, then they would say that as the date of the application then if they did build after the fact they wouldn't be subject to..."

McCarthy: "This is..."

Hassert: "...have any say so in the application..."

McCarthy: "Oh, okay."

Hassert: "...or the hearing process."

McCarthy: "So, this would make it less likely for them to build it, actually, then sell it."

Hassert: "Right."

McCarthy: "Thank you."

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Speaker Hannig: "Any further discussion? Then all those 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. Representative Kelly on House Bill 3427. No. Out of the record. Representative May, Karen May on House Bill 3198. Would you like to adopt the Amendment? So, Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3198, a Bill for an Act concerning health facilities. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative May, has been approved for consideration."

Speaker Hannig: "Representative May."

May: "I... I defer to Representative Lang. I'm... this is a favor of him."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. The Amendment simply allows employees covered by a collective bargaining agreement to choose the appeal process that is embodied in the original form of House Bill 3198."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. Is there any discussion? Then all those 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."

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Speaker Hannig: "Third Reading. Representative Kelly, would you like us to call House Bill 2552 on Third Reading? Okay. Out of the record. Is Representative Fritchey in the chamber? Representative Fritchey on House Bill 3518. Take that Bill out of the record, Mr. Clerk. Representative Fritchey, would you like to call House Bill 3518? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3518, a Bill for an Act concerning tobacco. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Cook, Representative Fritchey."

Fritchey: "For those who thought I'd never carry a Bill that's supported by Philip Morris, here ya go. 3518 is an initiative of the Attorney General's Office. It is actually a cleanup for the loophole for the master settlement agreement which will allow the State of Illinois to protect its allocable share of the agreement of... by changing the provisions of what an allocable share formula is. I'd be happy to answer any questions. I request an 'aye' vote. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 3518. Is there any discussion? There being none, then the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no', 1 voting 'present'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed. Representative Moffitt on... you wanna move House Bill 185? I think there's an Amendment out of Rules, is there not? Mr. Clerk, read House Bill 185."

Clerk Bolin: "House Bill 185, a Bill for an Act concerning loans to local governments. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Moffitt, has been approved for consideration."

Speaker Hannig: "The Gentleman from Knox, Representative Moffitt."

Moffitt: "Thank you, Speaker. House Bill 185, the intent of it is to create revolving loan fund for local government. We have more work to do and may end up actually holding it, but we do have an Amendment that provides the Department of Central Management Services shall administer the loan program and that there would be interest on this. So, we'd like to adopt this Amendment and then at the present time, hold it on Second."

Speaker Hannig: "So, on Amendment #2 is there any discussion? Then all those 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."

Speaker Hannig: "Okay. So, and then we'll hold that on the Order of Second Reading at the request of the Sponsor. Mr. Clerk, would you read House Bill 2981."

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Clerk Bolin: "House Bill 2981, a Bill for an Act concerning the regulation of professions. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Saviano, has been approved for consideration."

Speaker Hannig: "Representative Saviano. Representative Saviano on the Amendment. Would you explain the Amendment, Representative."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 to House Bill 2981 simply changes the accrediting commission for acupuncturists. It's... it's a cleanup to change the accrediting name of the commission that oversees the accreditation of acupuncturists. I would ask we adopt Floor Amendment #1 to House Bill 2981."

Speaker Hannig: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? There being none, then all those 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."

Speaker Hannig: "Third Reading. Mr. Clerk, could you read House Bill 3618."

Clerk Bolin: "House Bill 3618, a Bill for an Act in relation to executive agencies. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Burke, has been approved for consideration."

Speaker Hannig: "Representative Lang is recognized on House Amendment #2."

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Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment becomes the Bill. It amends the Ambulatory Surgical Treatment Center Act and the Hospital Licensing Act that provides that payment for services rendered by surgical assistants who are not employees of the facility shall be made directly to the surgical assistants at the appropriate nonphysician rate. I would ask your support of the Amendment."

Speaker Hannig: "The Gentleman's moved for the adoption of the Amendment. Is there any discussion? Then there being none, 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."

Speaker Hannig: "Third Reading. Representative Jakobsson, for what reason do you rise?"

Jakobsson: "Thank you, Mr. Speaker. Please let the record show that it was my intent to vote 'yes' on 3518. My light didn't pick that up."

Speaker Hannig: "Okay. The Journal will show... will reflect your intentions, Representative. Mr. Clerk, would you read House Bill 3044."

Clerk Bolin: "House Bill 3044, a Bill for an Act in relation to public aid. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Washington, has been approved for consideration."

Speaker Hannig: "Representative Washington."

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Washington: "Thank you, Mr. Speaker. Mr. Speaker, House Bill 34 (sic-3044) I'd like to get the Amendment passed. The Amendment was drafted in conjunction with the National Poverty Law Center. And what it does, it deletes all the provision of the original Bill and it brings the Illinois statutes into confluence with Federal Law. This Amendment allows for people who have been in the country less than five years to receive income assistance or medical assistance if they are victims of domestic violence and if such assistance would help them to escape the domestic violence. Also, in accordance with Federal Law, this Amendment includes provision that allows for certain types of people such as Cubans or Haitian nationals, Amerasians from Vietnam, victims of trafficking and families of Hmong Laotians who assisted U.S. troops during Vietnam war. Thank you."

Speaker Hannig: "The Gentleman has moved for the adoption of House Amendment... Floor Amendment #1. And on that question, Representative Stephens."

Stephens: "Mr. Speaker, to the Amendment. I..."

Speaker Hannig: "To the Amendment."

Stephens: "...or to the Sponsor. I just wanted to thank him for writing that Amendment. And I'm sitting here a little bit aghast, the Marines lost another soldier and we found him. He was hanging in the town square. I am just disgusted and I know my colleagues are too with what's going on in the Persian Gulf. We... I hope we'll all just say a prayer to



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get this thing over with, get it over with quickly and bring our men and women home."

Speaker Hannig: "Thank you, Representative Stephens. Is there any further discussion on Amendment #1? Then 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."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 1414."

Clerk Bolin: "House Bill 1414, a Bill for an Act concerning liens. Third Reading of this House Bill."

Speaker Hannig: "Representative Pankau."

Pankau: "Thank you, Mr. Speaker and Ladies and Gentlemen of the chamber. House Bill 1414 allows for mechanic lien rights to leased construction equipment. This is a process that's been going on for a while now. This was originally brought to me by a person who had an interest in a construction company. And as most of you know, major, huge equipment, construction equipment isn't purchased anymore, it's leased. So, we worked with the... all the different players including the home builders which is the Amendment that we put on at the committee level and also with the title companies which resulted in the Amendment that is the second Amendment. I ask for your favorable approval of this Bill because its time has come. It's time that we recognize that large equipment, construction equipment that

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is leased, should have the same rights as those that are purchased. I ask for your favorable approval."

Speaker Hannig: "The Lady has moved for passage of House Bill 1414. And on that question, the Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of the Lady's Bill. She's worked very hard to craft a piece of legislation that as many people could support as possible. This Bill is necessary because very few of the contractors own their heavy equipment now, most of them lease it out and without the ability to lien it, they don't all get paid. This is a very important piece of legislation for the contractors. I think it's fairly written. I think it enables all parties to have a justice in this system of mechanics' liens. And I would strongly urge your 'aye' votes."

Speaker Hannig: "Is there any further discussion? Then Repre... Representative Boland, the Gentleman from Rock Island."

Boland: "Yes. Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Boland: "According to our analysis, the home builders are opposed to this. Is that still true?"

Pankau: "No, that is not true. The first Amendment that was put on at the committee was the suggestion of the home builders. So, they are now neutral on the Bill."

Boland: "Okay. All right. That's all. Thank you."

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

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Pankau: "I ask for your favorable approval of this Bill whose time has come."

Speaker Hannig: "The question is, 'Shall House Bill 1414 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 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative McAuliffe, would you like us to read House Bill 2573 on Third Reading? Mr. Clerk, would you read that Bill."

Clerk Bolin: "House Bill 2573, a Bill for an Act in relation to alcoholic liquor. Third Reading of this House Bill."

Speaker Hannig: "Mr. Clerk, let's take that out of the record for a few minutes. Representative McAuliffe, the Clerk has read House Bill 2573 a third time. Are you... are you ready to proceed with that Bill? Okay. The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have in front of us House Bill 2573 which would provide that the local liquor or that the Liquor Control Commission shall not issue a liquor license to a person who sells alcohol for use or consumption on licensed retail premises unless they have the maximum amount of liquor liability insurance coverage. With the Amendment that was added to the Bill, everyone's either for the Bill or is neutral. And I'd be happy to answer any questions."

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Speaker Hannig: "The Gentleman has moved for passage of House Bill 2573. Is there any discussion? There being no 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 118 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Wait in the chamber? Representative Ron Wait, we got a couple Bills. Representative Leitch, would you like us to call House Bill 1843 on Third Reading? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1843, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hannig: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This is the umbilical cord blood Bill that we talked about a few hours ago when we put on the Amendment. It's the Bill that would require hospitals to put into the protocol the opportunity for pregnant women to donate their cord blood and by doing so save thousands of lives as this blood is processed and used for bone marrow research or bone marrow transplants and cure of a number of different cancers and other important research. So, I would simply ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1843. Is there any discussion? Okay, there being no discussion, the question is, 'Shall this Bill pass?' All

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in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 118 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Washington, would you like us to call House Bill 2577 on Third Reading? Okay. Mr. Clerk, would you read the Bill."

Clerk Bolin: "House Bill 2577, a Bill for an Act concerning public relations. Third Reading of this House Bill."

Speaker Hannig: "The Gentleman from Lake, Representative Washington."

Washington: "Thank you, Mr. Chairman. Mr. Chairman, this Bill, 2577, is a very simple Bill. Its... its Amendment makes the Illinois Public Labor Relation Act applicable to a smaller unit... unit of government with at least five employees compared with the original two employees. The Act currently applies only to government with at least 35 employees. And I urge and hope that my colleagues will find some good reasons, like I have, to support me in this legislation."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 2577. And on that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. As amended, the Municipal League still stands in strong opposition. When you get down to five employees in a local unit of

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government, you're talking pretty much about my district. It would take three employees to sign a card to bring about a collective bargaining agreement. And it isn't that this small util... or small municipality may not want to enter into a collective bargaining agreement, in fact, some of them have already done so as they see the ability to do so and the ability to afford. So many of you come from districts where municipalities have budgets in the six or seven figures, the tens of thousands, the hundreds of thousands or the millions of dollars or they have a tax base that they can spread the tax rate across and raise considerable money. My district has towns of 250 people, up to 3 thousand, 4 thousand, 5, 6 thousand whose total operating budget may be less than \$350 thousand. Now, it isn't that this city wouldn't want to negotiate in good faith, in fact, many of them negotiate but not under the formal parameters of a union contract. They do the best they can. Their employees are generally people who have grown up and lived in this community all of their lives. They may make \$8.50 an hour and all of the respect I have for organized labor and their business agents and their negotiators who are all very, very good at what they do, there isn't any use to come in and try and bargain for \$10 an hour or \$12 an hour or \$13 an hour in a city that operates in a total budget of \$50 thousand. You know, again, it's the one-size-fits-all, even though the Gentleman amended the Bill from two employees, which was absolutely unworkable in my part of the state, to five

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employees, you... you're attempting to organize some of the smallest units of government in the State of Illinois. And what may work very well in Rockford or Chicago or Peoria or Springfield or Champaign-Urbana, may not work in a community of 400 residents. And it's just... I just don't understand why we insist in this Body... all day today we voted for centralized planning, mandatory collective bargaining. You know, the governments that believed in all of that disappeared about eight or nine years ago. It was called the Iron Curtain countries. They've all collapsed. They've all gone the way of the dinosaur. At some point, why can't we learn in this state to let local communities take care of local issues. Why do we continually have to set diminishing thresholds that communities with limited resources, try as hard as they will, try as hard as they might, try as hard as they want to, do not have the financial resources to enter into collective bargaining agreements with experienced attorneys, experienced negotiators, and try to come up with a contract that may be very reasonable by the standards of a Peoria or a Rockford or a Chicago, but are simply unworkable in towns of 2, 3, 4, 5 hundred people, 15 hundred people. If you continue to put these kinds of mandates on local government, all you're doing and keep in mind where local units government get their money. They don't print it. They either come to us for the money, out-of-state taxes or they have to go to the voters to raise property taxes which is a very difficult thing to do. It'll be interesting by this time tomorrow to

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see... I believe there were 95 school tax referendums on today's election. It'll be interesting to see how many of those pass even though many of those school districts and in the Springfield area are in dire financial condition. I would hesitate to say... No, I won't hesitate to say. I'll make ya a bet less than half of those pass. Not because some of the people don't want them to pass, but because the property tax burden in small towns have gone about as high as they can go. And that's the only way to see small communities can meet these ever increasing mandates and ever increasing costs of doing business. And this Body, in its infinite wisdom, 10 or 11 years ago imposed property tax caps and all kinds of legislation saying you cannot just raise revenue willy-nilly. We won't let you do that. You have to go out for a referendum. And why don't we just wait tomorrow and see how many of these school tax referendums pass, how many municipal referendums pass. I don't even know what the genesis of this Bill is. I've never had a labor representative come to me in my district and say, we simply have to organize the community of Bismarck-Henning, 385 residents. Never had a business agent in any union come to me and say, would you help us organize a community of 385 residents. The day that they come and ask me that, might be the day I change my mind on this Bill, but I don't anticipate that happening and I don't anticipate voting for this Bill."

Speaker Hannig: "The Gentleman from Saline, Representative Phelps."



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Phelps: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in total support of House Bill 2577. Just want a lot of you to know, currently in the State of Illinois the only employees that do not have collective bargaining rights are public-sectored employees under the 35 number. All this Bill does is put everybody on the same playing field. If you are an employee of a university or of a school district, you can under... organize in this state with two employees or more. If you are a private-sector citizen and work under the private sector in this state, you can organize with two or more. Right now, the threshold is 35. We are moving that down to five, so everybody can be on the same playing field. This does not make those individuals union members. It just gives them the right to collective bargain just like everybody else. And I urge a 'yes' vote."

Speaker Hannig: "The Gentleman from Tazewell, Representative Sacia."

Sacia: "Thank you, Mr. Speaker. That's Winnebago County, but that's okay."

Speaker Hannig: "It says Tazewell here on the board."

Sacia: "I don't even know where Tazewell is, Mr. Speaker. Apparently, I should."

Speaker Hannig: "First, I get your name wrong. Now, I get the county wrong."

Sacia: "That's okay, Sir."

Speaker Hannig: "It's terrible."

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Sacia: "That's okay. I would just like to speak briefly in opposition to this Bill, as well. All of the communities in the district I represent, which is northwest Illinois and includes some very large municipalities to include Freeport. The general consensus is this is something that can be handled on a local level and the state really should stay out of it, allow them to function as best they can, as well as they can. And the Gentleman from Vermilion said it very well, but he spoke mainly for smaller communities. There are many larger communities that feel very strongly opposed to this, as well. And I would like to encourage all my colleagues to defeat this Bill. Thank you."

Speaker Hannig: "Representative Washington to close."

Washington: "Yes. Mr. Speaker, I just want to reiterate. I'm sure all of us in this room have been in a situation where some of us have hunting that we share and we build a little group around, we have chess, checkers and you get four or five guys together and say, hey, look, I wanna start a club. And I think Rep... the Representative on this side of the aisle said it well. This is to say that this is a democracy and if... if five people wanna get together and say, hey, we need to do better among ourselves and come together around where we're common rather than where we differ, they should be able to choose that, that avenue should be open to them. If they don't go that route, sobeit, but isn't it better to have something and not need it, than need it and not have it? So, on the premise of that, I hope that my colleagues would see fit to give the

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smaller guy an opportunity to make his life better and to make those decisions for him or herself... individual self. And I urge for support of House Bill 2577."

Speaker Hannig: "The question is, 'Shall House Bill 2577 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 72 voting 'yes' and 45 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Wait, would you like us to call House Bills 1547 and 1548 on Third Reading? Mr. Clerk, would you read House Bill 1547."

Clerk Bolin: "House Bill 1547, Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Ladies and Gentlemen of the House. Yeah. 1547 is a Bill that simply would say that resisting arrest we're gonna raise it from a Class IV felony to a Class III. Be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1547. 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 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. And Mr. Clerk, would you read House Bill 1548."

Clerk Bolin: "House Bill 1548, a Bill for an Act concerning minors. Third Reading of this House Bill."

Speaker Hannig: "Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Yeah. House Bill 1548 simply says that it'll be illegal for minors to possess tobacco. Right now, it's only currently illegal to buy or sell, but not possess and this would fill that loophole. Be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of House Bill 1548. Is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I have an inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "Yeah, can we take a break for a cigarette before we do this Bill? Hmm?"

Speaker Hannig: "No smoking in the House chambers."

Black: "All right. Well, all depends on where you are on the House Floor, Mr. Speaker. That's probably one of the reasons I get so upset about this Bill. We're the biggest hypocrites in the world. We smoke all over this Capitol, those who smoke and then they come out here and give me a sanctimonious speech and vote to outlaw tobacco while they're smokin' all over the Capitol including the Senate

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Floor, but I digress. Will the Sponsor yield? Ahh, be quiet over there."

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

Black: "I'm sorry I woke ya up. You know even meditation doesn't help after so many hours of being out here looking for something to do. Representative, what's the definition of a 'minor' in your Bill?"

Wait: "It'd be 18 and under."

Black: "Eighteen and under."

Wait: "Yeah."

Black: "So, under..."

Wait: "Under 18, under 18."

Black: "So, a person of legal age who is able to vote, who is able to marry, who is able to enter into contracts, who is able to own and operate a business, who is able to join the military service. A person 18 years of old."

Wait: "No, I said it was under 18, under 18."

Black: "You said 18 and under."

Wait: "Excuse me, under 18, under 18."

Black: "Well, then... then you're out of sync with the Bill that we've already passed, that says 18 is the limit."

Wait: "Well, I'm just worrying about this Bill, right now, so..."

Black: "Well, all right. To the Bill."

Speaker Hannig: "To the Bill."

Black: "I hope you'll take this, Ladies and Gentlemen, in the spirit that I deliver it. Most of you haven't been here very long, there's 26 of you brand new, you've probably never even looked at the legislative tax handbook. I would

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suggest you get a copy and I would suggest you look at it because what many of you are doing, you're voting on each Bill as an entity, each Bill as a stand-alone entity. I would submit to you, there are very few Bills that you have the... the luxury of doing that. Now, I'm a nonsmoker and I'm not gonna go back into the reasons why. I'm a... I am a confirmed nonsmoker and I'm gonna tell ya, I'm gonna start fussin' with some of you who are not nonsmokers who vote for all this stuff and then go back there in the bathroom and expect us nonsmokers to go back there and hold our breath for two or three minutes to go back in the bathroom while you're back there smokin' everything from cornsilk to cigars to pipes. And in fact, half the time some of you smelled like you... some of it smells like you're smokin' dried up, old athletic socks. Now, I'm getting' tired of the hypocrisy around here. You can back in almost any office of the Capitol and there's people smokin' and puffin' and doing anything they want and when I question 'em, they say, 'well, I'm a Representative, the law doesn't apply to me.' Well, the heck it doesn't. Are you... I'm... I'm getting' sick and tired of the hypocrisy here. Get out your Legislator's handbook and look at... to the section called cigarette taxes. Hundreds of millions of dollars go to pay for children's education in this state from cigarette taxes. And day after day for the last month, we have made it illegal, gonna put you in jail, gonna make it a Class X felony, we're gonna cut out your tongue. No, I'm sorry, Representative Miller said you couldn't do that.

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You know, I don't... I don't know what... I don't know what it's gonna take. I'll say it again. If you don't wanna read the handbook and you don't wanna... you don't wanna take Bills in the macro picture of how this state is financed and the taxes that you vote for and where the money goes, that's fine. That's fine. But I've learned my lesson. I'm not gonna vote for any more cigarette taxes even though I'm a nonsmoker. Then I get beat up for voting for the cigarette tax, while some of you who vote against the cigarette tax, vote to spend all the money and then come down here and say, 'I don't think anybody should smoke.' Drop in a Bill, make the sale, possession, and use of tobacco illegal in the State of Illinois. Drop it in and do it. It's fine with me. I'll vote for it. That's less hypocritical than what we've done in the last month. We've increased the age. Now, we're gonna increase the penalties for possession. You know, it's not unusual in my district for a 16- or 17-year old child to go to the grocery store for their single parent and drive home with a carton of cigarettes in the car. Their gonna get stopped because of the seatbelt violation will probably become a primary violation. The officer's gonna search the car and say, ah huh, a carton of cigarettes That's a Class C misdemeanor. And with any luck at all, I'll find one of the cigarette packs open, then it's a Class A misdemeanor. Now, I gotcha. Now, you can do 90 days in jail. Come on. Where does all this stop? If you really believe in some of the stuff you vote for, then there shouldn't be any more

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cigarette smoke or cigar smoke comin' out of that restroom. And there shouldn't be any more cigarette smoke and cigar smoke coming out of about 55 to 60 percent of the legislative offices in the Capitol and the Stratton Building. That's against the law. And yet, yeah, oh, oh, it's like the British Parliament. Yeah, you tell 'em. You'll go right ahead and do it. You'll go right ahead and smoke, make me have a headache, make my throat get sore, make me wait until I get bladder infection because I don't wanna go back there into the 'Halls of Hades' and smell that stuff, but you'll vote for all of this stuff. You're no more of a confirmed nonsmoker than I am. Oh, why didn't somebody just introduce a Bill to make the product illegal to use, to sell, or to possess in Illinois or repeal the cigarette tax and do without the \$500 million in revenue. You can't have it both ways. Some of you oughta look yourselves in the mirror after you vote on some of this stuff and say, you know what, I'm part of the problem or am I part of the solution. And I kid you not, next time I go back in the restroom and some of you are back there smokin' everything from old Buster Brown shoes to Michael Jordan's jockstrap, I'm gonna start raisin' hell."

Speaker Hannig: "The Gentleman from Cook, Representative Molaro."

Molaro: "Well, thank you, Mr. Speaker. I... I certainly wanna thank the right Reverend Dr. Black for waking us up back here. As you well know, usually this is naptime in the chamber I came from, but that being said I... I did have some



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comments on the Bill. It'll take me a second to remember the Bill that we were talking about, but I'll try to pull back to it. Repre... Would the Representative yield for a question?"

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

Molaro: "I just... You know, I'm gonna vote for the Bill, but I do wanna know that... as you well know, most of the communities have passed ordinances that deal with teens smoking."

Wait: "Right."

Molaro: "They have their own programs. They have, you know, their fines, their systems and all this other stuff. And they're actually brought... the police write... usually they're tickets and it's done by the village prosecutors and the village gets the money. With this Bill, does that usurp that, sorta like what the feds do to us? Is this... would this harm what any of the local municipalities have on their books?"

Wait: "No, and I'm glad you asked that, Representative. No, this does not in any way usurp what the local communities have. There are about ninety or a hundred communities that already have this. And by the way, the City of Chicago already has this. But this does not in any way affect or usurp local control or local dealings with this."

Molaro: "Okay. And then just... I guess, the follow up would be, since I can't say most communities 'cause I didn't check. So, the... what would then be the idea of... I don't wanna use the word 'crime' because let's make sure we're not talking

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about someone committing a crime, it's just that a violation of the tobacco statute. If the local are already doing this, then why are we making this a state issue if so many are already doing it?"

Wait: "Well, probably about three-quarters of the state probably has this, but maybe roughly a quarter of the state does not have it. This would just make it uniform throughout the state. But again, if the local communities wanna make it more restrictive than this, this is a pretty tame Bill, shall we say, compared to what the locals are doing are even more severe than this. This is a minimum level."

Speaker Hannig: "Okay. The Gent... the Lady... Representative Lindner is recognized."

Lindner: "Thank you, Mr. Speaker. Was your program modeled after any one of the 79 municipalities that already have this program?"

Wait: "No, it wasn't. Basically, I looked a lot... a lot of the local ordinances as well as different states. There's about 30 states that already have this, too. And I used an eclectic approach. I... picked a little of this, a little of that, the best of what I thought of out of different programs. I did not model it after one single program."

Lindner: "Okay. I forgot to ask if the Sponsor will yield. Mr. Speaker, Sir."

Speaker Hannig: "He will yield."

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Lindner: "And you're... you're creating a multitiered program of community services. Who... who's gonna provide these and what will they do if they don't have a program?"

Wait: "Well, I'm glad you asked that. As you recall, Representative Moffitt has a Bill going through, deals with teen or peer court and I could spear... and in fact, I talked with our chief circuit judge and I could see that the local judge, they could assign this to a teen or peer court if they didn't want to handle it themselves. Of course, the ultimate decision would be by the local courts system."

Lindner: "All right. So... so, this does... it's... Your legislation said that if there are programs available in that jurisdiction. So, if there are no programs available, what does the person have to do?"

Wait: "That would be entirely left up to the local judge to decide that."

Lindner: "Okay. So, it doesn't mandate anybody to create a program?"

Wait: "No, it does not force you to create a program."

Lindner: "All right. The opponents and proponents of this legislation are an unusual coalition. Can you tell me why the tobacco groups and the business groups are supporting this and the health groups are opposing this?"

Wait: "Well, the health... some of the health groups that talked to me and they said it's kinda unfair to punish Johnny or Susie for this, they're considered to be victims. But I think there's enough accountability to be shared by all people, both the people buying 'em and selling and the

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minors who might try to buy these. It's kind of a tough love program, shall we say."

Lindner: "All right. Thank you, Representative."

Speaker Hannig: "The Gentleman from Cook, Representative McKeon."

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

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

McKeon: "Representative Wait, if I read this Bill correctly, it places minors, particularly those under 17, under the jurisdiction of the juvenile court. Is that correct?"

Wait: "Yes, it does."

McKeon: "And then, those for 17 to 18, obviously, would be the adult court."

Wait: "Right."

McKeon: "Which it raises a problem for me in that when I left law enforcement a number of years ago, I was... worked for the Office of Juvenile Justice and Delinquency Prevention out of Washington, D.C. That I was data collection director for nine states including Illinois and the federal... the Congress passed a law which is still the current law, the 1974 Juvenile Justice Act. Are you familiar with that Act?"

Wait: "A little bit. Probably not as much as you are."

McKeon: "Well, it deinstitutionalized certain offenses and told the states, including Illinois, that if you continued to process noncriminal juvenile offenders in... within the jurisdiction of the juvenile court, you would lose all of your state juvenile justice funding. And those status

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offenses included runaway, truancy, smoking, possession of alcohol and so forth. And what we've seen is over the last decade, Representative, is this sort of sliding back into picking up these noncriminal offenses as under the jurisdiction of the juvenile court, in some cases as yours, the adult court. Did I... Yeah. I just... I've been... I voted for these Bills. I'm gonna vote 'present' on this Bill, but let me tell you why. When we were working on that project nationally, a quarter-million children, a quarter-million children were held in secure detention for offenses that were noncriminal with criminal offenders who were pro... processed through the juvenile courts. You know, the attempt of that federal legislation was to move them out of that system, out of the justice system where they would be processed either as a delinquent in the juvenile court or as a misdemeanor in the adult court. The federal provisions under the 1974 Juvenile Justice Act still exists. No one's made a big issue of it, but I can assure you some of the child welfare groups are going to start making an issue of it. But it does place the State of Illinois, if we continue this practice and as in another House Bill, House Bill 1415, which would recriminalize truancy, that this state is going to lose, my recollection is, about \$44 million a year in federal funds. And this is a national issue. I know many of the states have gone this way. The intent of the legislation, which I think the State Legislators have lost sight of, was to create some sort of noncriminal, non... referable to the juvenile court

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things such as a... an infraction that could be dealt with outside of the juvenile court. And I... ya, know, I know what you're trying to do. I support the concept of what you're trying to do. Yes, it's a problem, but I have a serious problem with recriminalizing these offenses and putting them back under the jurisdiction of the juvenile court. It flies in the face of the movement 15 years ago, the Juvenile Justice Act of 1974 and which is still the Federal Law, as I said before, and does place the state's treasury in jeopardy of losing federal funding. Thank you, Representative."

Wait: "Thank you."

Speaker Hannig: "The Gentleman from Kane, Representative Millner."

Millner: "Thank you, Mr. Speaker. I'd like to rise in strong support of this Bill. The speaker from Vermilion talked about the millions of dollars that the state makes on tobacco products, but what about the untold millions and millions of dollars we spend on health care. What about the carnage the families go through watching their loved ones die of cancer? Our children are very vulnerable and because our kids are vulnerable the time to reach 'em is when they're kids. Today it's illegal for a child to buy alcohol, but it's also illegal for that child to drink alcohol. What kind of message are we sending our kids when we say you can't purchase cigarettes, but it's okay to smoke it? This is a good law. It's a good tool for law enforcement. When I was chief of police of Elmhurst, we

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had this particular ordinance on the books and we took these kids... we gave 'em tickets and they went to this youth court. And what we did was, we gave 'em educational programs where they coulda got a fine, but the point is recidivism. We didn't see these kids comin' back to our court again and that's the key, what this is for. This is good public policy. It makes a difference. And this particular piece of public policy will help prevent children from smoking. Thank you."

Speaker Hannig: "Representative Wait to close."

Wait: "Thank you. Having been a former teacher and a coach, I saw firsthand how important it is to try to stop kids from smoking at a young and tender age. And I know, I'm going around talkin' to a lot of people here, most of you said, that smoke now, said that you got started when you were 14, 15, 16 years old. All the studies show that everything we can do to dissuade somebody from smokin' 'til they get at least 17, 18, 19, in all likelihood, they will not start... stop... start smoking. This is just a further way to ensure... it's kind of a carrot and stick approach and tough love. And it just kind of fills a loophole. Like I say, thirty states have this and around a hundred municipalities have this and as Representative Millner has says, it works very effectively on the local basis. I just ask for your support. Thank you."

Speaker Hannig: "The question is, 'Shall House Bill 1548 pass?' Those in favor vote 'aye'; those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 8 voting 'no', and 2 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Molaro, for what reason do you rise?"

Molaro: "Just as a... I voted 'yes'. Just as a point of personal privilege, I don't know if the Speaker listens to us when he's in his office, but I see our Chief of Staff is out here. One of the things that we didn't decide and thought made sense is, instead of having committees at 8:30 and ya come here at 10, an hour and a half for committees, and you go from 10 to 7, we would come in at 8:30 then from 12 to 1:30 we have committees which would give us a break and we could go to lunch and relax in our office and return phone calls. I was just wondering if you, Mr. Speaker, would pass that on to the Speaker and his Chief of Staff when you have time, 'cause I can't really see way up there. I don't know if the Chief of Staff is there but... I thought that would be a good idea to give us a break from 12 to 1:30 instead of in the mornings. Thank you."

Speaker Hannig: "Thank you, Representative. And Representative Lou Jones on... Are you ready now for House Bill 1091? Mr. Clerk, would you read the Bill."

Clerk Rossi: "House Bill 1091 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Lou Jones, has been approved for consideration."



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Speaker Hannig: "Representative Jones."

Jones: "Thank you, Mr. Speaker. I'd like to withdraw Amendment #1."

Speaker Hannig: "Amendment #1 is withdrawn. Are there any further Amendments?"

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

Speaker Hannig: "Representative Lou Jones."

Jones: "Thank you, Mr. Speaker, Members of the House. Amendment #2 allows the law enforcement 90 days to object to the expungement and if they don't, then the expungement is automatic."

Speaker Hannig: "The Lady has moved for adoption of Floor Amendment #2. Is there any discussion? There being none, then the question is, 'Shall Floor Amendment #2 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. Representative Lou Jones, you want us to call this on Third Reading, now? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1091, a Bill for an Act in relation to minors. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Jones."

Jones: "Mr. Speaker and Members of the House. House Bill 1091 provides for the automatic expungement of juvenile records that are already expungeable by petition. It does not

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expand or reduce the law as to what offenses are expungeable. It simply sets up a mechanism for making the expe... the expungement automatic."

Speaker Hannig: "The Lady has moved for passage of House Bill 1091. Is there any discussion? The Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "She indicates she'll yield."

Parke: "Does this retain the automatic expungement or does this keep it or does it remove it?"

Jones: "Would you repeat that, Representative?"

Parke: "Does it retain the automatic expungement?"

Jones: "As it's written, it..."

Parke: "Let me say it another way. Representative, what are you trying to achieve with your... with your Bill, now? What are you trying to change? What do you see as the problem? Can you give me an example of what's happened maybe in your district or statewide that you're trying to solve?"

Jones: "Right... Representative, right now, you have to file a petition for expungement. This Bill does nothing but make it automatic expungement at the age of 17."

Parke: "Now, this if for adults or is this for juveniles?"

Jones: "Juveniles."

Parke: "And what is considered a juvenile?"

Jones: "They're juveniles until they reach the age of 17."

Parke: "I'm sorry?"

Jones: "They're juveniles until they reach the age of 17."

Parke: "So, it's 16 and under?"

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Jones: "Yes, yes. It only goes to their juvenile record."

Parke: "Can you just tell us one more time? You put Amendment 2 on. What does Amendment 2 do to enhance your Bill?"

Jones: "I just explained Amendment 2 a few seconds ago. It gives the law enforcement 90 days to object to the expungement. And if they don't object within the 90 days, then it's automatic expungement."

Parke: "Okay. And what law enforcement agencies are supporting your legislation?"

Jones: "Right now, I don't have any... any opponents to the legislation. There was some and then I accepted their Amendment and now, everybody's in agreement."

Parke: "Okay. Thank you."

Speaker Hannig: "The Gentleman from Champaign, Representative Rose."

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

Speaker Hannig: "She indicates she'll yield."

Rose: "Representative, this... does this apply... what does this apply to? This apply to what would otherwise be felony crimes if the minor child had been an adult?"

Jones: "It does... it does not excha... it does not change anything that is expugnable now. All this does is make it where you don't have to file a petition to automatic. It does not change anything that is not expungeable, now."

Rose: "All right. But I guess my question is, does this apply to any felony cases?"

Jones: "No, it does not."

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Rose: "Okay. Aren't juvenile court records currently sealed anyway? In other words, if... if someone is adjudicated a delinquent minor, that is not readily accessible to the general public anyway. Isn't that correct?"

Jones: "Right now, their arrest records are... are not sealed."

Rose: "The arrest records?"

Jones: "Not until you petition for 'em to be sealed."

Rose: "So, you're telling me, I could walk into a police department anywhere in the state and file a Freedom of Information Act request to get a minor child's police report, a police report regarding a minor child?"

Jones: "That's the current law."

Rose: "What's that? All right. I guess I just wanted to clarify something you said a minute ago. In general expungement law, if someone is tried for what otherwise would be a felony crime as an adult, that can currently be... that can or cannot currently be expunged?"

Jones: "Would you repeat that, Representative?"

Rose: "Yes. Under current law, if someone is tried for a crime that as an adult would be a felony and they're adjudicated delinquent for what otherwise would be a felony had they been an adult, is that currently expungeable?"

Jones: "No. That's... no. This does not change anything that's not already... All this... all this does is make it automatic."

Rose: "So, you're taking away the discretion of the court system to determine when an expungement should apply or shouldn't apply?"

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Jones: "The court will still decide. All this does... all this does is automatic... Right now... right now, it is not automatic. They have to petition. All this does is make it automatic and then the law enforcement has 90 days to object to the expungement. That's what... that's basically what the Bill does."

Rose: "So, under current law, what would happen, a procedure that would normally be used is that the individual seeking expungement would file a petition and that petition would go to court. Is that what currently happens?"

Jones: "Yes."

Rose: "Okay. So, what you're doing is you're shifting the burden from the individual who'd been adjudicated a delinquent minor to law enforcement. Is that what... is that what you're doing?"

Jones: "There has to be a mechanism to start this and that'll probably be in the courts... in the clerk's office."

Rose: "No, no. But what I'm saying is, you're... you're saying this will happen automatically unless law enforcement objects. Is that... within 90 days."

Jones: "Absolutely."

Rose: "So, what you're doing is you're taking the burden off the individual seeking expungement and placing it on law enforcement."

Jones: "The burdem... the burden is not on law enforcement 'cause they have... they get a chance to within 90 days to object to the expungement."

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Rose: "Right. But by making it automatic, by making the expungement automatic and allowing law enforcement to object within 90 days, what you're saying is, no longer does the adjudicated delinquent have to file a petition. Instead, it's up to law enforcement to somehow magically know that this is gonna happen, keep track of it on a calendar and come runnin' into court and file an objection. The burden clearly shifts."

Jones: "Yes."

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

Speaker Hannig: "To the Bill."

Rose: "Ladies and Gentlemen, I think the Lady has indicated that expungement procedures are currently underway in our court systems throughout Illinois. I think she's indicated very clearly, in response to my questions, that nothing is really changing about what types of crimes are expungeable and what types of crimes are not expungeable. What's changed here or what she's proposing to change is a very clear burden shift from the adjudicated delinquent as the petitioner to law enforcement. They're gonna have to track every adjudicated delinquent and remember where this is at in the system so that 90 days after they get off probation or 90 days after they're case is resolved, they run in and file an objection. I just don't understand what is so hard and what is so tough about putting the burden on the individual who was the adjudicated delinquent in the first place. I'd urge a 'no' vote. Thank you."

Speaker Hannig: "Representative Howard, the Lady from Cook."

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Howard: "Yes, thank you, Mr. Speaker. To the Bill."

Speaker Hannig: "To the Bill."

Howard: "As you all know, I have been attempting to champion the cause of expungement for persons who, I believe, need a second chance, for years. And I was very fortunate, during the past week, to be able to get a ceiling Bill passed through this House. This Bill, as is the case with mine, merely tries to help young people to get their lives together and get back on track. I don't think it's... it's a burden to put on anybody, whether it be law enforcement, whether it be the judicial system, whether it be the courts, whoever. Our young people are very important. They are our future. I don't have... I don't think we should have any problems in taking an extra step to try to make certain that they have some kind of future. I certainly hope that those of you who are of the same mind that I and Representative Jones are, will vote positively for this Bill. Thank you."

Speaker Hannig: "Representative Millner."

Millner: "...Speaker. Will the Sponsor yield?"

Speaker Hannig: "Yes. She indicates she'll yield."

Millner: "Representative, you mentioned that it doesn't include a felony, but as I read it, if you look it says, whenever any person has attained the age of 17 or whatever all juvenile court proceedings remaining to that person have been terminated, whichever is later, the court shall automatically expunge law enforcement records relating to incidents occurring before his or sub... her 17 birthday."

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And if you read on to it, if somebody's arrested for armed robbers and they haven't been taken to juvenile court and have been adjudicated some other way, station adjustment or anything else, that would be included in your Bill. So, armed robbery would be included..."

Jones: "Yeah. If... if they're not con... they're not convicted, you're right."

Millner: "Right. So, they're... so, they're included, but they could be. They could have been guilty, they may have confessed, everything else and there was some form of other... community restitution, there could have been a station adjustment or it could have been some kind of a program that this child was sent to, in the best interest of this child, but yet the child committed the armed robbers. That... that would be included in this Bill."

Jones: "That's correct, but it's not a conviction."

Millner: "So, it would be... so, felonies are included, then? So, if felonies are included, somebody commits an armed robbery, they're not adjudicated, but they're handled some other way, on their 17 birthday automatically that armed robbery is expunged."

Jones: "If they're not convicted."

Millner: "Well, but..."

Jones: "This is not upon conviction."

Millner: "I understand that. I understand that, but the child admitted to it, the whole thing has been taken care of, they were acting in the best interests of the child and the child was not adjudicated delinquent, but some other method



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of handling that child took place. Therefore, that felon now has a clean record automatically without going to the court."

Jones: "Representative, right now, they can get that expunged now. All they have to do is file for a petition."

Millner: "That's correct. They can file it..."

Jones: "All this..."

Millner: "It puts it upon law enforcement to do that. The other issue is..."

Jones: "No, it..."

Millner: "...most people here don't know, juvenile records are sealed. So, if somebody becomes... for example, if they're... becomes 17 years of age, currently, in the State of Illinois, everything prior to that cannot be received unless there's adjudication for some serious offense like a homicide. So, currently, we have this. I'm not sure what this law is going to do other than put more work on law enforcement and it's not gonna change anything that we currently have."

Jones: "Representative, they don't have to track this. If you read the legislation, they are given a notice of this... of the expungement. They don't have to track this."

Millner: "Who's given notice?"

Jones: "The law enforcement."

Millner: "By whom?"

Jones: "By the clerk. They don't have to track this."

Millner: "So, the onus is now on the clerk."

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Jones: "You think... you're saying that the law enforcement would have to track this and keep up with it. They don't."

Millner: "Okay."

Jones: "They are given... if you read the legislation, 'notice of the proposed expungement pursuant to Sections 1 and 2 of... of this Section shall be served upon the state's attorney or prosecutor charged with the duty of prosecuting the offense and the Department of State Police.'"

Millner: "Thank you."

Jones: "They don't have to track this."

Millner: "Thank you. Mr. Speaker..."

Jones: "They're given a notice."

Millner: "...to the Bill."

Speaker Hannig: "To the Bill."

Millner: "We have laws in place already that take care of these problems and why put the onus on the clerk's office, the police agencies? Also, getting... slipping into the cracks that armed robber that might slip out of this particular situation. The law's not needed. There's no reason for this right now. And I urge a 'no' vote. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill."

Speaker Hannig: "To the Bill."

Morrow: "In all my 17 years of being down here in the General Assembly, we've passed a lot of 'get tough on crime' Bills. And there... and the African-American community is tough on

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crime as any other community is. But one of the problems that we have when we pass laws down here is how the Bill is applied by law enforcement. Several years ago, we passed a lot of enhanced penalties and I voted against those enhanced penalties because I felt whether I got robbed in Lake Forest, or whether I got robbed in Robert Taylor Homes, I should be charged with the same offense. And the judge should have the same discretion in penalizing me if I committed that crime whether it in Robert Taylor Homes or in Lake Forest. But I'm gonna tell ya what happens. In a certain community, I commit burglary, I break into someone's home and in certain communities I'm charged with burglary and I'm a first-time offender. Should I... it allows the judge to have some discretion as to whether or not I get probation, community service or do I get a jury trial. But then in certain other communities, I break into a house and I'm charged with residential burglary. Now, I'm not a lawyer, but residential burglary means that you broke into someone's house and someone's life is threatened whether or not someone was in the house or not, because the law enforcement said, we're gonna charge you with residential burglary. Now, I rise in support of House Bill 1091 because a lot of these young people in my community can't afford adequate legal representation and I'm gonna give you an example. We say that we're tough on crime in our schools, zero tolerance. Well, about four months ago, a young man brought a wi... a rifle into a public high school in Skokie. He has gotten off of probation and community

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service. Why? Because his parents had the wherewithal to get him adequate legal representation. Go to another community, where the kid doesn't have parents who have the wherewithal to hire them adequate legal representation and he's represented by a public defender, a public defender who's swamped with 200 to 300 cases and the public defender says, plea bargain, avoid jail time, plea bargain. And the kid says, in order to avoid... avoid jail time, I'll plead guilty to an offense, so I get probation. That's the kind of legal representation many of these young people get out here. So, yes, they have a record on their... a criminal record on them, but they really done nothing wrong. They pleaded to something just to get out of jail, where in other communities, they have legal and adequate representation and they ain't gonna get probation, they get community service. I have no problem with laws that we pass. I have a problem in how they're enforced and the lack of fairness and how they're enforced in separate communities. That's why this Bill is needed. That's why this Bill is needed, because some young people don't have the wherewithal to file for expungement. One of the worst things that we did when we... when we had the Laurie Gan... Laurie Danna situation several years ago, we passed a Bill in order to deal with that heinous crime if we wan... in Winnetka, but we took the ability to allow people to expunge their record and we made a mistake. This is a step to correct the mistakes that the General Assembly did ten years ago. I urge 'green' votes on House Bill 1091."

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Speaker Hannig: "Representative Mathias."

Mathias: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she'll yield."

Mathias: "Representative, I've looked through the legislation and I'm trying to find exactly where in the legislation it states that the... as you mentioned before, that the clerk will serve the notice upon the state's attorney. I don't read that in the legislation. Could you show me where in the legislation it says that the clerk will... will be responsible for the notice?"

Jones: "That's not in the Bill, Representative."

Mathias: "I'm sorry?"

Jones: "It's not in the Bill. That's just a logic... that was just a logical reason that they would... that they would serve the notice."

Mathias: "It's not in the Bill?"

Jones: "No, it's not."

Mathias: "So, where is the requirement that the clerk gives the notice?"

Jones: "It does... it does not say that, Representative, in the Bill."

Mathias: "So, what will make the clerk give the notice? In other words..."

Jones: "Well..."

Mathias: "...will the clerk have to maintain records..."

Jones: "One would..."

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Mathias: "...of all juvenile proceedings and then make a determination when the juveniles will term... turns 17 and then... and then automatically send out records or notices..."

Jones: "Well..."

Mathias: "...rather?"

Jones: "Rep... Mr. Speak... Mr. Speaker."

Mathias: "Mr. Speaker."

Speaker Hannig: "Yes."

Jones: "I'm gonna take this off the record 'til we clear this up."

Speaker Hannig: "Okay. This Bill's out of the record at the request of the Sponsor. Representative Franks. Representative Collins. Representative Collins, did you want us to call House Bill 416 on Third Reading? Okay. Out of the record. Mr. Clerk, would you read House Bill 2485."

Clerk Bolin: "House Bill 2485, a Bill for an Act concerning farmland. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 462."

Clerk Bolin: "House Bill 462, a Bill for an Act concerning the Metropolitan Water Reclamation District. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 1248."

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Clerk Bolin: "House Bill 1248, a Bill for an Act concerning civil immunities. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 1952. Mr. Clerk, on 1248, could you tell us the status of any notes that are pending?"

Clerk Bolin: "A fiscal note and a state mandate's note and a Home Rule note have been requested on the Bill, as amended, and have not been filed."

Speaker Hannig: "Okay. So, the Chair was in error when it said Third Reading. Those Bills will remain on the Order of Second Reading... that Bill would remain on the Order of Second Reading pending the fulfillment of the note's requirement. Well, Rep... Mr. Clerk, would you read House Bill 1952."

Clerk Bolin: "House Bill 1952, a Bill for an Act in relation to property taxes. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hultgren, has been approved for consideration."

Speaker Hannig: "Representative Hultgren on the Amendment."

Hultgren: "Thank you. Floor Amendment... Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 becomes the Bill. This is a language that was passed out of the House last year by Representative Cowlshaw. There's a specific tax levy that was passed in Naperville for the park district in 1997 and there was some problems,

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scriveners' errors, in the notice that was published. And what this does is it clears up the... the money's already been collected, but it's been held for all that period. What this does is clears up those scriveners' errors and allows the park district field to use the money that the levy did approve. So, I'd ask for approval of this."

Speaker Hannig: "The Gentleman has moved for the adoption of the Amendment. On that question, Representative Granberg."

Granberg: "Mr. Speaker, I apologize. I don't want to interrupt the presentation of the Bill, but just very briefly for a point of personal privilege."

Speaker Hannig: "Why don't you hold your point, if you could and we'll adopt the Amendment and go right to you."

Granberg: "Okay."

Speaker Hannig: "Okay. 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 Bolin: "No further Amendments."

Speaker Hannig: "Third Reading. And now, Representative Granberg on a point of personal privilege."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We are honored today to have one of our illustrious former Members join us on the floor, Representative Julie Curry."

Speaker Hannig: "So, Mr. Clerk, could you clarify the status of House Bill 1248 for us."

Clerk Bolin: "House Bill 1248 is on the Order of House



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Bills-Second Reading, was held on the Order of Second Reading pending the filing of notes on the Bill, as amended. The Bill, however, has not been amended."

Speaker Hannig: "So, we'll move that to the Order of Third Reading. Mr. Clerk, would you read House Bill 2200."

Clerk Bolin: "House Bill 2200, a Bill for an Act in relation to public utilities. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read House Bill 2234."

Clerk Bolin: "House Bill 2234, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hannig: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This measure deals with the Property Tax Appeals Board, in relation to business and commercial properties in the county of Cook. This is a measure we have passed in this House at least twice before. It does not eliminate the jurisdiction of the Property Tax Appeal Board rather it sets appropriate standards for PTAB review of the properties that are seeking substantial reductions in... in their valuation. The Bill would establish standards that suggest that the administrative agencies that look at valuation before an appeal goes to PTAB, that is to say the assessor's office and the board of review, are given some weight and it would establish what kind of evidentiary standards PTAB should employ in coming to its final

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decision. I would be happy to answer your questions and I, as long with the school districts and park boards in Cook County, would be happy to have your support for passage of this Bill."

Speaker Hannig: "The Lady has moved for passage of House Bill 2234. And on that question, the Gentleman from Cook, Representative Parke."

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

Speaker Hannig: "She indicates she'll yield."

Parke: "Representative, this does change the three-member board, does it not?"

Currie: "No."

Parke: "It doesn't change it?"

Currie: "Nope."

Parke: "What does it do?"

Currie: "This deals with the Property Tax Appeals Board..."

Parke: "Yes."

Currie: "...and what it attempts to do is to see to it that the standards for review used by the Property Tax Appeals Board would recognize... would show some deference to the earlier administrative proceedings involving valuations of properties in Cook. So, it would establish some evidentiary standards, it would make this a more professional, more official hearing before PTAB."

Parke: "Thank you."

Currie: "This is a measure..."

Parke: "To the..."

Currie: "...that has passed the House before..."

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Parke: "Thank you."

Currie: "...and I hope it will again today."

Parke: "Thank you."

Speaker Hannig: "To the Bill."

Parke: "To the Bill. Ladies and Gentlemen, this is an important piece of legislation. You need to pay attention to this. The teachers union, ED-RED, our... school districts and taxing bodies are for this legislation. The business community, who will be ultimately affected by this legislation, are opposed to it. It's pretty simple. You have to decide which side you're gonna come down on, either side is painful, but make sure you know how you're voting on this. The schools, taxing bodies are for this. The business community's opposed to it. Thank you."

Speaker Hannig: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in very strong support of this piece of legislation. The school districts in my community are gettin' killed by this program. I'm certain that all of the suburban Legislators, particularly the suburban Legislators, are feeling the pinch. The school districts are losing money because of these appeals. You can argue all you want that this... there's some fairness to this system, but the truth is that we have severe financial crises in school districts, even in suburban Cook, where virtually every school district either is having a referendum or is going to have a referendum, and it's all because of PTAB. All right, maybe it's not all because of PTAB, but it's substantially because of PTAB. Something

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needs to be done. Representative Currie has a very strong piece of legislation here. Now, this is where you have to make a decision between bowing to business interests that are only interested in their dollars, and I guess they should be, and between school children. Now, we spend a lot of time on this floor talking about the importance of public school education. This Bill is about public school education. You can say it's about taxes, you can say it's about PTAB, bottom line, it's about kids. And so, you gonna make a decision today as to whether kids are important to you, whether education is important to you, or whether it is not important to you. And so, before you do one of those knee-jerk votes where you say, well, I'm a Legislator that supports business, I have to be opposed to this, I would suggest thinking twice. I would suggest thinking about how this impacts your local school districts, particularly those in Cook County and suburban Cook County. And I would strongly recommend you give serious thought to Representative Currie's legislation."

Speaker Hannig: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. Well, with all due respect to the previous speaker, this Bill's not about kids. This Bill's about fairness. This Bill's about a fair tax policy. If the assessor makes up a value... Put it simply. If the assessor makes up a value out of thin air and says it's right, then the appellant has a chance to say and disagree and they can submit documentation. And if the taxpayer or the appellant does not like that decision of

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the assessor upon review, he can go to the board of review and submit documentation. But if the boards, just arbitrarily, decides that the assessor was right once and is right again, then the third mechanism is needed, that's called the Property Tax Appeal Board. Now, this is related to that. It's not about schools being cut unfairly. In order to win an appeal, you have to show certified appraisals, probably a brief from a lawyer. Those are all proper. They're done all over the country. They should continue to be done in Cook County in a fair way. All three levels of appeals should remain and should exist. It's not about hurting schools because if the original number is faulty and too high or too low it should be corrected by an authority later on. So, I'm gonna urge a 'no' vote on this Bill."

Speaker Hannig: "Representative Novak."

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

Speaker Hannig: "She indicates she'll yield."

Novak: "Yes. Is this... Representative Currie, is this for just Cook County and the suburbs or what?"

Currie: "This... this..."

Novak: "Does this extend all the way... all the way through the entire state?"

Currie: "This prescribes... this prescribes standards for the... the... the treatment in PTAB of properties in Cook County when... when, for example, there is a requested change of a hundred thousand dollars or more it requires the requesting taxpayer to provide certain records before PTAB. And it

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applies an evidentiary standard that recognizes that in Cook we have not only an assessor but also a board of review."

Novak: "I know, but my question was... I understand what the Bill does. My question was, does this... does the authority of this Bill extend outside of Cook County?"

Currie: "No."

Novak: "It does not?"

Currie: "I don't believe so."

Novak: "Well..."

Currie: "No, it does not."

Novak: "So, it doesn't extend to Madison County or Kankakee County or...?"

Currie: "No, for the reason..."

Novak: "Okay."

Currie: "...that the system of valuation in Cook is different..."

Novak: "I know it's different."

Currie: "...and more complicated than the systems evaluation in other counties across Illinois."

Novak: "Okay. Thank you."

Speaker Hannig: "Representative Miller."

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

Speaker Hannig: "The Lady will yield."

Miller: "Representative Currie, I've heard earlier discussion on this dealing with... as opposed... dealing with educational funding if... if this Bill goes through. Can you elaborate a little more on that for me?"

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Currie: "The assessor in Cook County has predicted, based on valuations from the Property Tax Appeals Board, that we might anticipate about a \$650 million annual loss to local governments in Cook County. Much of that money, much of that value, would be dollars that otherwise would be available to school boards to school districts. So, I would argue the passage of this Bill will help make sure that the dollars that fund public education in Cook County are not dependent entirely on dollars from the state treasury."

Miller: "Well, some of our businesses in the south suburbs... suburbs have some concern with your legislation because, as you may know, a lot of businesses... we're losing a lot of businesses to Will County and other areas. And without this appeal process, then they will further deteriorate our economic growth or some stability that we're trying to achieve out in the south suburbs. Can you comment on that?"

Currie: "Sure. This does not take away their rights to appeal. All it says is that when you're appealing these are the standards under which the appeal will be decided. This doesn't take away anybody's right to appeal. It only says let's have appropriate standards for the county of Cook that operate in the Property Tax Appeals Board."

Miller: "Okay. You're saying these standards, in our analysis here, it says that the Bill will level the playing field with taxpayers. I'm not... I don't understand as far as how will that level... how will that level the playing field in

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compared to other areas when we've already, at least in our region, have economic depression versus economic growth?"

Currie: "Now, I'm not sure what the concept of a level playing field has to do with this Bill. This Bill, I think, would provide appropriate requirements and evidentiary procedures in the Property Tax Appeals Board so that administrative decisions below would have some impact and some import."

Miller: "Okay. Thank you."

Speaker Hannig: "Representative Sullivan."

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

Speaker Hannig: "She will yield."

Sullivan: "Representative, there's a... there's a concept at the Property Tax Appeal Board called de novo that we haven't really hit on yet. Your Bill, when I'm looking at this, talks about... Give me two seconds, I'm losing everything."

Currie: "What the... the Bill changes that de novo hearing, that now happens at PTAB, so that the decisions of the assessor and the board of review are given weight as PTAB considers an appeal. There would be a rebuttable presumption that the lower administrative agencies were correct. That's the way we deal with most of appeals from administrative agencies in our laws generally, if this would merely apply that same standard to the work that... that the Property Tax Appeals Board does."

Sullivan: "There is a portion that allows you to bring further reasoning to this process."

Currie: "Yes."



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Sullivan: "Can you explain what that... what... what is the justification and what are the further reasonings to talk about the... the different points?"

Currie: "Well, first of all, it seems kind of crazy to say we'll have an assessor and then we'll have a board of review and then when you get to the Property Tax Appeals Board the decisions that were made in earlier in the chain will have no weight. So, we're trying to correct that by saying that these administrative agency decisions have weight. They can be rebutted, that is to say, you can bring evidence to show they were wrong."

Sullivan: "But at what..."

Currie: "But at least start with the notion that the decisions that were made lower in the food chain have some relevance and some import."

Sullivan: "What is the reasoning that you can rebut the evidence? Are there specific guidelines that allow you to rebut the evidence or they're not?"

Currie: "Yeah. And I think the Bill is clear about what the appropriate standards would be. And, as I say, throughout State Government, throughout everything else I know about, when you have administrative agencies making determinations, you generally, in an appeal, give some weight to the first decision, otherwise you might not bother having them."

Sullivan: "Okay. Thank you."

Currie: "That's all this does."

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

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Speaker Hannig: "To the Bill."

Sullivan: "De novo is a concept that says we're gonna start anew. Which means when you go to the board of review, you present your evidence and then when you come to the Property Tax Appeal Board, you start over. This is a benefit to not only the property taxpayer, but it also helps township assessors. Now, I've been in the assessment business for nine years, so I've dealt with this extensively. To take this away is taking away certain rights. At the time when you're putting through all these complaints at the assessor's level, the assessor at times doesn't have enough time to do the work and sometimes things come up differently. The same applies to the property owner. At times, they don't have enough information to put forth an adequate defense and so after the board of review complaint, you have the ability to go to the Property Tax Appeal Board with new evidence to try to change the complaint. Some of this could be in the form, in the appeal, in the form of a... an appraisal. Sometimes the appraisal doesn't come in time at the board of review level, so you wanna have it at the next level. This is very good information that could really challenge what has happened and to take that away from somebody, I think is unfair. You're taking away certain rights from businesses. So, with that, I would encourage a 'no' vote. Thank you."

Speaker Hannig: "Representative Franks. Okay. Representative Krause."

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

Speaker Hannig: "Yes, she'll yield."

Krause: "Representative, on this legislation and I... it may have been asked already, but unfortunately I was out of the chamber. This legislation addresses the issue of the burden of proof as it would relate to the hearings."

Currie: "That's exactly right."

Krause: "Okay."

Currie: "The burden of proof and the standard of evidence."

Krause: "Okay. And go over again, exactly, what would change under this legislation as to what is currently being done."

Currie: "As with virtually other administrative decisions, this Bill would say that the administrative decision by the assessor and the board of review in Cook County would have some weight when the board of tax appeals is hearing an appeal from those decisions. A rebuttable presumption so that if the taxpayer has information evidence that would show that the earlier, the lower decision was wrong, PTAB would have the opportunity to overturn. So, it takes away nobody's right to go to PTAB. It gives you every opportunity to bring forward your evidence but it does say that there will be weight given to the administrative decisions that happened in the other venues."

Krause: "Okay. Very good. Thank you. To the Bill."

Speaker Hannig: "To the Bill."

Krause: "I rise in strong support of this legislation. I think that the explanation that was given is very clear and it does help and it would help bring back some balance on the

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types of cases that have been filed. What is occurring in Cook County and particularly throughout Cook County and suburban Cook County is that at this time, with the types of hearings that have been going on, we have suffered a number of losses, particularly for the public schools in our area. In the area in which I serve, in the northwest suburban area, we've had to give back over \$121 million arising out of these hearings. What this legislation would do and the benefit that it would bring to us is to help us and give us a more reasonable balance without, as said, taking away any rights but at least give those hearings that were held the administrative right that they're due and in fact, then having the burden of proof put on those that then should have to show a reason why the assessor's office as such should be reversed. This legislation brings a tremendous balance, but it also is of assistance and of a tremendous assistance to those of us in Cook County and very especially to the public schools in our area. I urge very strongly support. Thank you."

Speaker Hannig: "Representative Currie to close."

Currie: "Representative Krause closed for me in the best of all possible ways. Please join us in voting 'yes'."

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 69 voting 'yes' and 42 voting 'no'. And this Bill, having received a Constitutional Majority,

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is hereby declared passed. Mr. Clerk, read House Bill 2531."

Clerk Rossi: "House Bill 2531, a Bill for an Act concerning state employee benefits. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hannig: "Third Reading. Representative McGuire, for what reason do you rise?"

McGuire: "Yeah. Mr. Speaker, I'm sorry I was away from my seat and didn't vote on the previous Bill. I would like to be recorded as 'aye'. Thank you."

Speaker Hannig: "Thank you. The Journal will so reflect. And Mr. Clerk, would you read House Bill 2591."

Clerk Rossi: "House Bill 2591, a Bill for an Act concerning higher education. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 3003."

Clerk Rossi: "House Bill 3003, a Bill for an Act in relation to public aid. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hannig: "Third Reading. Mr. Clerk, would you read House Bill 2221."

Clerk Rossi: "House Bill 2221, a Bill for an Act concerning disabled persons. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Representative Krause, you have on page 37 in the Calendar a Motion in writing to table House Bill 2475. Now, is that... is that your Bill, Representative? And you wish to table it? Okay. So, the Lady moves to table House Bill 2475. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. Representative Mulligan, the Lady in the chamber? Representative Mathias, you have a Motion in writing to table House Bill 3102, is that correct? And that's your Bill? Okay. So, the Gentleman moves that we table House Bill 3102. All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And House Bill 3102 is tabled. Representative Davis on House Bill... William Davis on 3232. Okay. You wanna table... This is... Is this your Bill? And you wish to table it? Okay. So, the question is or the Gentleman's Motion is to table House Bill 3232. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And House Bill 3232 is tabled. And Representative Black, you have a Motion in writing to table House Bill 3546. Representative Black. Representative Black. You have a Motion to Table House Bill 3546."

Black: "Yes, I do."

Speaker Hannig: "And that's your Bill, Representative?"

Black: "That is my Bill."

Speaker Hannig: "And it's your intention... do you wanna..."

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Black: "Yes. I let it sit and it turned into a smoking Bill, so I'd like to table it."

Speaker Hannig: "The Gentleman's moved that we table House Bill 3546. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. Mr. Clerk, would you read the Agreed Resolutions."

Clerk Rossi: "House Resolution 181, offered by Representative McGuire and House Resolution 182, offered by Representative Coulson."

Speaker Hannig: "Okay. Representative... Representative Currie moves for the adoption of the Agreed Resolutions. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the Agreed Resolutions are adopted. Representative Franks, for what reason do you rise?"

Franks: "Point of personal privilege, Mr. Speaker."

Speaker Hannig: "State your point."

Franks: "Just wanted to turn the attention of the gallery up there to Mr. and Mrs. Kirk and Jamie Mottram who were married last night at midnight and they're chosing to spend their honeymoon here. And Kirk's parents came down for dinner and the whole deal. So, if you guys can stand up, we'll give you a hand."

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

Mendoza: "I rise to make an announcement, but I'd also like to say congratulations Kirk and his lovely wife."

Speaker Hannig: "On the announcement."

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Mendoza: "But I'd like to make an announcement to all the Members of COWL that the meeting on substantive issues will be held tomorrow, 8:30 in the morning, D-1. So, if you didn't hear that and somebody else out there did hear that we're meeting tomorrow at 8:30 in the morning, D-1. Please, spread the word to all of the COWL Members. Thank you. Bring your ideas and yourself."

Speaker Hannig: "Thank you. And Representative Mulligan, Representative Mulligan, Representative Rosemary Mulligan. The... You have two... two Motions on the Calendar to table House Bill 2928 and 2935. Is it... Are those your Bills and do you wish that the... have the Motion heard at this time?"

Mulligan: "I'm sorry, say again?"

Speaker Hannig: "You have a Motion in writing to table House Bill 2928 and also, 2935 and..."

Mulligan: "Right. I did that because the Calendar was full and I did not care to amend them. I felt that they were too difficult to amend to make them not flawed and we're passing so much wonderful legislation oughta here, I thought it would help to clear the Calendar. So, those... that's right."

Speaker Hannig: "And those are your Bills, is that correct?"

Mulligan: "Those are my Bills and it's no problem."

Speaker Hannig: "So, the Lady moves that we table House Bill 2928 and 2935. All in favor of the Motion say 'aye'; opposed 'nay'. The 'ayes' have it. And the Motion is adopted. Representative Burke, for what reason do you rise?"



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Burke: "Thank you, Speaker. Just for purpose of an announcement. The Executive Committee will meet this evening right after Session in Room 118. There was some notice that we were gonna meet tomorrow morning. Just so there would be no confusion. The Executive Committee will meet this evening right after Session."

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

Black: "Well, thank you, Mr. Speaker. I apologize. Again, the light was late. I just simply wanted to add my congratulations and best wishes to the newlyweds. And let me just say to them and to every Member of this chamber, after 18 years, Mr. Speaker, I'm still on a honeymoon. I... It just doesn't get any better than being in this chamber on a beautiful spring day. I love it here and I love all of you and now, maybe the smoking boys will let me back in the restroom."

Speaker Hannig: "Thank you, Representative Black. Mr. Clerk, would you read the schedule for the committees."

Clerk Rossi: "The following committees will meet immediately upon adjournment: the Agriculture & Conservation Committee in Room 122-B, the Local Government Committee in Room 114 and the Registration & Regulation Committee in Room 118. The following committees will meet at 5:30: the Elementary & Secondary Education Committee in Room 114 and the Executive Committee in Room 118."

Speaker Hannig: "Are there any announcements? Representative Molaro."

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Molaro: "I would just like to thank the Speaker for responding to my request about afternoon committees so quickly. So, thank you."

Speaker Hannig: "Thank you. And now, allowing perfunctory time for the Clerk, Representative Currie moves that the House stand adjourned until tomorrow, April 2 at the hour of 10 a.m. All in favor say 'aye'; opposed 'nay'. The 'ayes' have it. And the House stands adjourned."

Clerk Rossi: "The designated hour having arrived, the House Perfunctory Session will come to order. Introduction of Resolutions. House Resolution 167, House Resolution 169, House Resolution 171, House Resolution 173, House Resolution 175, House Resolution 176, House Resolution 180 are assigned to the Rules Committee. Introduction of Resolutions. Senate Joint Resolution 3, offered by Representative Hoffman; Senate Joint Resolution 4, offered by Representative Cross; Senate Joint Resolution 24, offered by Representative Cross, are assigned to the Rules Committee. Introduction and First Reading of Senate Bills. Senate Bill 179, offered by Representative Boland, a Bill for an Act in relation to economic development. Senate Bill 332, offered by Representative Saviano, a Bill for an Act in relation to the regulation of professions. Senate Bill 413, offered by Representative Hoffman, a Bill for an Act in relation to alcohol. Senate Bill 1363, offered by Representative Davis, Monique, a Bill for an Act concerning historic preservation. Senate Bill 1997, offered by Representative Winkel, a Bill for an Act concerning the

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Illinois Military Flags Commission. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session will stand adjourned."