

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

25th Legislative Day

March 2, 1995

Speaker Ryder: "The House will be in order. The Members will be in their chairs. Representative Ryder is in the Chair today. The Chaplain for the day is Pastor JoAnn Randall of the First Church of Christ Scientist of Kankakee. Pastor Randall is the guest of Representative Steve Spangler. Guests in the gallery could rise for the invocation."

Pastor JoAnn Randall: "Good afternoon. Representative Spangler, I thank you and the Illinois House of Representatives for your kind invitation to open today's Session of the House. We thank our heavenly Father for his inuring guidance and constant care. For his gracious guidance and safe keeping of our beloved nation, including it's citizenry and it's Democratic form of Government. In the new testament James writes, every good gift and every perfect gift is from above and cometh down from the father of lights with whom is no variableness, neither shadow of turning. Of his own will beget he us with the word of truth that we should be a kind of first fruits of His creatures. Where for my beloved brethren, let every man be swift to hear, slow to speak, slow to rath. For the rath of man worketh not the righteousness of God. Following James council to acknowledge God and the surety of his goodness will expedite, purify, strengthen and prosper the work of today's assembly. We pray that each Legislator will listen for God's voice and act in accordance with his direction. We also pray for every staff member as well as for those who represents the diverse interest of the citizenry of this state. We pray for the prospering of the fellowship which results from recognizing our Creator and collective, and our collective relationship to Him. The founder of the Christian Science Church, Mary Baker Eddy writes, 'one infinite God good unifies men and nations, constitutes the

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brotherhood of man. Ends wars, fulfills the scripture. Love thy neighbor as thy self. Annihilate paganism and Christian idolatry. What ever is wrong in social, civil, criminal, political and religious codes equalizes the sexes. Annuls the curse on man and leaves nothing that can sin, suffer, be punished or destroyed. In this spirit God, let today's Session be governed by a willingness and swiftness to hear Your word. Grant all here today, the open hearts to listen for Your will in what others express. Enable us to follow James Council, to be slow, to speak, unwilling to react and to temper our words with healing reconciliation. Our prayers today are in affirmation that we do trust God to guide the affairs of this Assembly. The Lord bless thee and keep thee. The Lord make his face shine upon thee and be gracious unto thee. The Lord lift up his countenance upon thee and give thee peace. Amen."

Speaker Ryder: "We'll be led in the Pledge of Allegiance today by Representative Granberg."

Granberg - 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 Ryder: "Roll Call for Attendance. Excused absences? The Chair recognizes the Lady from Cook, Representative Currie for the purposes of reporting any excused absences on the Democrat side. Representative Currie."

Currie: "Thank you, Speaker. I hope the record will reflect that Representative Martinez is excused today."

Speaker Ryder: "The journal will so indicate. The Chair recognizes Representative Cross for the same purpose."

Cross: "Thank you, Mr. Speaker. Will the journal please reflect that Representative Tenhouse is excused today."

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Speaker Ryder: "With leave of the House, the journal will so reflect. Mr. Clerk, take the record. There are 116 Members answering the roll call and a quorum is present. The House will come to order. Committee Reports."

Clerk McLennand: "Committee Reports. Committee Report offered by Representative Noland, Chairman from the Committee on Agriculture and Conservation, to which the following Bills were referred, action taken on March 1, 1995, reported the same back with the following recommendations: 'do pass' House Bills 988, 1486; 'do pass Short Debate' House Bills 1093 and 1092; 'do re-refer' House Bill 1457. Committee Report offered by Representative Balthis, Chairman from the Committee on Cities and Villages, to which the following Bills were referred, action taken on March 1, 1995, reported the same back with the following recommendations: 'do pass' House Bills 517 and 1125; 'do pass as amended' House Bill 572; 'do pass Short Debate' House Bill 935. Committee Report offered by Representative Ackerman, Chairman from the Committee on Public Utilities, to which the following Bills were referred, action taken on March 1, 1995, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 753; 'do pass as amended Short Debate' House Bill 507; 'be adopted' House Resolution 6 on Consent Calendar. Committee Report offered by Representative Saviano, Chairman from the Committee on Registration and Regulation, to which the following Bills were referred, action taken on March 1, 1995, reported the same back with the following recommendations: 'do pass as amended Short Debate' House Bills 182 and 817. Committee Report offered by Representative Wait, Chairman from the Committee on Transportation and Motor Vehicles, to which the following

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Bills were referred, action taken on March 1, 1995, reported the same back with the following recommendations: 'do pass' House Bill 878; 'do pass Short Debate' House Bill 1048.

Speaker Ryder: "Mr. Clerk any messages from the Governor?"

Clerk McLennand: "From the Governor...Executive order #2, in Executive order changing the name of the Department of Conservation to the Department of Natural Resources and transferring to it certain powers of the Department of Energy and Natural Resources, the Department of Mines and Minerals, the abandoned mines, lands reclamation council and division of water resources of the Department of Transportation. Received March 1, 1995."

Speaker Ryder: "Mr. Clerk, any further Committee Reports."

Clerk McLennand: "Committee Report offered by Representative Krause, Chairman from the Committee on Health Care and Human Services, to which the following Bills were referred, action taken on March 2, 1995, reported the same back with the following recommendations: 'do pass' House Bill 653; 'do pass Short Debate' House Bills 824, 942, 1321; 'do pass Consent Calendar' House Bill 921; 'do adopt Short Debate' House Resolution 6; 'do re-refer' House Bill 1269 to rules.

Speaker Ryder: "We'll now proceed to page 2 of the Calendar. House Bills, Second Reading. Mr. Clerk, please read House Bill 8."

Clerk McLennand: "House Bill 8, a Bill for an Act that amends the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee. A fiscal note has been filed on the Bill, where the Bill is amended."

Speaker Ryder: "Any Motions on the Bill?"

Clerk McLennand: "No Motions."

Speaker Ryder: "Third Reading. For what purpose does the Lady

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from Cook, Representative Currie rise?"

Currie: "Thank you, Speaker. I have a parliamentary inquiry. In several committees where I've been present, the Chairs of the committees have sent on their own Motion, say so what have you, have assigned Bills to subcommittee. I can find no place in the rules in which the decision to send a Bill to a subcommittee is a decision to be made by the Chair rather than by vote of the committee. In the past you have sometime suggested, the Chair has suggested that inquiries about committee procedures be raised in committee and when we've raised those questions the Chairs have never been able to point out a rule that would warrant the procedure I described. And since it's been happening in several committees, I thought it was a legitimate inquiry for House floor consideration."

Speaker Ryder: "Representative, the Chair has indicated on previous occasions that those inquiries are to be solved in the committee. However, since you raise the question on the floor I'll take that under advisement and will attempt to get back to you on that. Thank you. Mr. Clerk, continuing in the order of Second Readings. House Bill 340."

Clerk McLennand: "House Bill 340, a Bill for an Act that amends the Township Code. The Bill has been read a second time previously. A fiscal note and a state mandates note has been requested on the Bill."

Speaker Ryder: "Has a fiscal note been filed?"

Clerk McLennand: "No, they have not been filed."

Speaker Ryder: "Then the Bill shall remain on Second Reading. House Bill 505."

Clerk McLennand: "House Bill 505, a Bill for an Act that amends County Codes. Second Reading of the Bill. No Amendments,

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and the request for state mandates note and fiscal note have been withdrawn."

Speaker Ryder: "Any further Motions?"

Clerk McLennand: "No Motions."

Speaker Ryder: "Third Reading. House Bill 513."

Clerk McLennand: "House Bill 513, a Bill for an Act that amends the Township Code. Second Reading of the Bill. No Amendments. A fiscal note and a state mandates note has been requested. They have not been filed."

Speaker Ryder: "The Bill shall remain on Second Reading. House Bill 525. Out of the record. House Bill 567."

Clerk McLennand: "House Bill 567, a Bill for an Act that amends Water Metropolitan Water Reclamation District Act. Second Reading of the Bill. Amendment #1 was adopted in committee. No Motions filed. A fiscal note has been requested on the Bill as amended."

Speaker Ryder: "On that the Chair recognizes the Gentleman from Will, Representative Wennlund. For what purpose do you rise, Sir?"

Wennlund: "Thank you, Mr. Speaker. Pursuant to chapter 25, ILCS section 50-3, I move that the fiscal note Act be ruled inapplicable."

Speaker Ryder: "Motion...Representative Wennlund moves that the fiscal note Act be inapplicable. Is there debate. The Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker. Have the...have any appraisals been filed with the Clerk relative to House Bill 567?"

Speaker Ryder: "Mr. Clerk."

Clerk McLennand: "No appraisals have been filed."

Speaker Ryder: "Mr. Lang."

Lang: "Well, my understanding is, and excuse me Mr. Speaker, I don't have the rule in front of me, but my understanding is

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that matters such as this, appraisals need be filed before a Bill goes to Third Reading. Could I ask you for a ruling please?"

Speaker Ryder: "Just one moment please. Representative Wennlund takes this Bill out of the record. We'll be back to you, Sir. House Bill 587, Mr. Clerk."

Clerk McLennand: "House Bill 587, a Bill for an Act that amends the Illinois Uniform Transfers to Minors Act. Second Reading of the Bill. No Amendments. A fiscal note has been requested on the Bill."

Speaker Ryder: "The Chair recognizes the Gentleman from Champaign, Representative Johnson."

Johnson, Tim: "To the same provisions of the statutes, I would move that the fiscal note be ruled inapplicable. If there's any Bill in the entire Session of either General Assembly that a fiscal note is clearly inapplicable to is this one. There's nothing to do with anything that can remotely affect any fiscal impact of this state. It simply be a minor change in the...in the law and age has nothing to do in any way with anything that had a fiscal impact."

Speaker Ryder: "The Sponsor has moved that the fiscal note is not applicable. On that, is there discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg, Sir."

Granberg: "Would...would the maker of the Motion yield please?"

Speaker Ryder: "Ladies and Gentlemen of the House, I will ask your attention on this matter? The Gentleman has asked the maker of the Motion would yield. He has indicated that he will. Representative Granberg."

Granberg: "Representative Johnson, I'm sorry I couldn't hear you because of the noise. But, did you cite a statute of specific citation on when your referencing your Motion that

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the fiscal note be inapplicable?"

Speaker Ryder: "Representative Johnson."

Johnson, Tim: "I move that the fiscal note is inapplicable. The fiscal note is inapplicable."

Speaker Ryder: "Representative Granberg."

Granberg: "I'm sorry, I misunderstood. I thought Representative Johnson was citing some authority when he made that Motion earlier and I did not hear what that was. Did he...did he or did he not say that. I just want to make sure I understood that, Mr. Speaker."

Speaker Ryder: "Is that the form of a question, Representative Granberg."

Granberg: "Yes, Sir."

Speaker Ryder: "Representative Johnson."

Johnson: "If you want the citation, it's 25ILZS50/3. But it's inapplicable. I tried to discuss it with you, but you were otherwise predisposed and it wasn't your fault or mine. I think this was just filed inadvertently. No one could possibly believe that the Fiscal Act, the Fiscal Note Act is applicable to this ill."

Speaker Ryder: "Representative Granberg."

Granberg: "Mr. Speaker, to the Motion."

Speaker Ryder: "To the Motion."

Granberg: "I believe in...I believe it does in fact, this Motion is not appropriate because it does have a fiscal impact because it deals with the amount of property put into probate. On the size of the estate, it necessarily does have an impact in that matter. I would oppose the Gentleman's Motion. This is not an emergency item. We have time to deal with these measures and let's slow the process down and deal with them on the merits. There is no reason to run roughshod over the Members in their request."

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Let's deal with each piece of legislation on the merits as they come before the Body, and I would rise in opposition."

Speaker Ryder: "Thank you, Mr. Granberg. The Motion is, 'Is the Fiscal Note Act inapplicable?' Those who believe that the Fiscal Note Act is not applicable should vote 'yes'; those who are opposed should vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this Motion there are 63 voting 'yes', 52 voting 'no'. The Motion does succeed. Third Reading. Mr. Clerk, House Bill 784."

Clerk McLennand: "House Bill 784, a Bill for an Act that amends the School Code. Second Reading of this Bill. Floor Amendment...No Committee Amendments. Floor Amendment #1 has been referred to rules. A fiscal note has been requested."

Speaker Ryder: "Has a fiscal note been filed?"

Clerk McLennand: "A fiscal note has not been filed."

Speaker Ryder: "The Chair recognizes the Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Would Representative Granberg be willing to answer a question. I believe he signed the request for a fiscal note."

Speaker Ryder: "The Gentleman indicates that he will."

Black: "Yes, Representative Granberg this Bill we've seen before a year ago got hung up in the Senate, broad bipartisan support. I'll be glad to try and get a fiscal note for you if you really want one. I just don't know whether you are after this particular Bill or just wanted to slow the process down."

Speaker Ryder: "Representative Granberg."

Granberg: "Well Representative Black, we always deferred to your

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expertise in these matters and I always join with you on these meritorious Bills. However, we do feel that because we deal with the handicapped access and what that defines. We do feel that a fiscal note would be appropriate at this point Sir."

Speaker Ryder: "Representative Black."

Black: "Yes, thank you very much. There is no question that there will be a fiscal note with this Bill. The only question is whether we're going to make these decisions as a General Assembly or whether the State Board of Education will continue to deny use of life safety bonds to meet ADA. So, sure I'll be glad to get the...I'll ask the State Board to give me a fiscal note. All right we'll just hold the Bill."

Speaker Ryder: "The Bill shall remain on Second Reading. The Chair would return to House Bill 567. Mr. Clerk, what's the status of that Bill."

Clerk McLennand: "House Bill 567 has been read a second time previously."

Speaker Ryder: "The Chair recognizes Representative Wennlund for the purposes of a Motion."

Wennlund: "Thank you, Mr. Speaker. Pursuant to chapter 25 ILSC section 50-3, I move that the Fiscal Note Act be ruled inapplicable to this Bill. Which deals clearly with annexation of property that is not owned by the State. There is no transfer involved whatsoever in the Act. It's merely inapplicable because there is no fiscal impact whatsoever to the State of Illinois."

Speaker Ryder: "The Gentleman has made a Motion that the Note Act is not applicable in this circumstance. The Chair would respond to Representative Lang under Rule 55(b), that the appraisal is not required to move to Third Reading, 55(b)

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Representative Lang. Is there discussion on the Motion. The Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker, and thank you for the response to my inquiry. I think Representative Wennlund's Motion is, is not a good one. Clearly if we're expanding the water reclamation district there's got to be some fiscal impact and accordingly I would recommend 'no' votes."

Speaker Ryder: "Any further discussion? Seeing none, we'll move to a vote. Those who wish the Note Act to not apply on this Bill should vote 'yes'; those who oppose should vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the roll. On this Motion there are 63 voting 'yes', 53 'no', and the Motion does apply...the Note Act does not apply. Any further notes filed on this Bill, Mr. Clerk?"

Clerk McLennand: "No further notes."

Speaker Ryder: "Third Reading. Page 2 under House Bills, Third Reading. We will start from where we left off yesterday. Next in that order is House Bill 598. House Bill 598."

Clerk McLennand: "House Bill 598, a Bill for an Act that amends the School Code. Third Reading of this House Bill."

Speaker Ryder: "The Chair recognizes the Sponsor of the Bill, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This House Bill 598 provides that POW, MIA scholarships may be used by a spouse or a child with regard to age. The current law limits that age to not older than 26. Requires...for the Bill further requires that scholarship recipients to meet all the examination and academic standards. Includes the maintenance of minimum grade levels of that maintained by students enrolled in the relevant Illinois institutions of

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higher learning. If any of you are familiar with the POW, MIA scholarship they are available to the children of eligible veterans or service persons who meet all of the necessary entrants requirements. The...the scholarship provides that the recipient can get up to a four year full time enrollment at an Illinois public institution of higher learning and at his current choice. The recipient is required to begin using the scholarship by his 26th birthday. Many people in today's society haven't had an opportunity to start college by their 26th birthday for whatever reason. In addition the course of study must be completed in the 12th year from the initial term that they enroll. It's a Bill that's not going to cost the State of Illinois much money because there aren't many people that qualify for it, but if it was only one person that person's family has sacrificed enough and I think that just because their over 26 they shouldn't be denied a benefit of this nature that was intended for the purpose of rewarding these families. I move favorable consideration. I move 'do pass' and would be glad to answer any questions."

Speaker Ryder: "This Bill is on Short Debate. The Chair recognizes the Gentleman from Kankakee, Representative Novak."

Novak: "Yes, Speaker I wish to take this Bill off of Short Debate, with a requisite show of hands from my side of the aisle."

Speaker Ryder: "The Chair recognizes the Motion and the requisite number of hands of your friends, limited though it may be. Proceed."

Novak: "Thank you, Mr. Speaker. Representative Stephens, how much is this Bill going to cost? What is the...what is the dollar figure on this as far as when we remove this 26th

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birthday limitation?"

Speaker Ryder: "Representative Stephens."

Stephens: "The best of our knowledge, it's going to cost between nine and ten thousand dollars."

Speaker Ryder: "Representative Novak."

Novak: "Nine and ten thousand dollars a year, or is that...apply to one person or what. So, it's really kind of hard to...hard to determine whose going to take advantage once we eliminate the 26th...26th birthday restriction, correct?"

Speaker Ryder: "Representative Stephens."

Stephens: "It's not as hard to determine as you might imagine because we don't have that many POW, MIA families. They are all documented here in Illinois. The department assures me that the total cost of this legislation, the total cost is estimated at \$9 to \$10,000."

Speaker Ryder: "Representative Novak."

Novak: "Okay, I understand that. Thank you. I think we've revisited this issue before. Let me ask you this question, because I think a number of years ago Representative Mike Curran was trying to get a Bill like this passed. But, is this Bill being filed for a specific individual?"

Speaker Ryder: "Representative Stephens."

Novak: "Is that the reason..."

Stephens: "It's being filed at the request of the...of the department. However, you should be aware that low and behold there is a gentleman by the name of Charles Harris who lives in my district, or at least did. I think he still does, in the City of Mascoutah in St. Clair County. Whose father has since passed away and I think Charles can take, would benefit from this Bill. And if that's so, I think his family deserves that and has earned it and I wish

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him well."

Speaker Ryder: "Representative Novak."

Novak: "I'm...I'm not...I wouldn't at all criticize that. I support the Bill, but I was...just for the record I want to know why the Bill is there. So, this Bill is being filed for a constituent and any other...any other eligible people in future years. Correct?"

Speaker Ryder: "Representative Stephens."

Stephens: "Representative Novak, if you're going to ask me questions please listen to my answers. I told you that the Bill was filed at the request of the department and that yes in deed...later found out that it would benefit one of my constituents. I may find out that it benefits one of your constituents. I don't know that. But the purpose of the Bill being filed was at the request of the department."

Speaker Ryder: "Representative Novak."

Novak: "Representative Stephens, I listen very inattentively to what you say all the time. I understand that. Well, I'm just saying that this Bill is going to benefit a constituent...and there's no problem with that, okay. I intend to support it. But I just wanted it for the record that this Bill is...this issue has been discussed in prior years. I support this measure. I think we should...take this 26, 26th birthday restriction off."

Speaker Ryder: "Further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Hoffman."

Hoffman: "Will the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates that he will."

Hoffman: "Representative, with regard to scholarships for veterans. How does this relate to that? Wouldn't these individuals already be eligible for the veterans scholarship and could get it under that?"

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Speaker Ryder: "Representative Stephens."

Stephens: "For a veteran's scholarship, not necessarily. These don't...these are not veterans necessarily. These are children of POW, MIA."

Speaker Ryder: "Representative Hoffman."

Hoffman: "It's my understanding that this provision would make it consistent with other veteran scholarship programs. Is that...that's the intent to make it...make it uniform throughout the entire state when it comes to not only MIA, POW scholarships but other veteran scholarships. Is that correct?"

Speaker Ryder: "Representative Stephens."

Stephens: "I'm not certain of that, but I...it's my impression too Representative."

Speaker Ryder: "Representative Hoffman."

Hoffman: "As you know and...and you and I worked together on this insuring that the Veteran Scholarship programs are properly funded and it's a tuition funding was put in place. Do you know in the Governors proposed budget, is there money in there to fully fund the scholarships programs. I honestly don't know for veterans in the State of Illinois."

Speaker Ryder: "Representative Stephens."

Stephens: "Representative Hoffman, if your referring to the IBG, you probably ought to direct your question to the Chair, because he is much more familiar with the Governors budget than I am. I didn't get a chance to read that section since Wednesday morning, but I...I assume that since the...it's...I certainly know that the Governor funded it to the level that the Board of Higher Education requested it and I don't know what that dollar amount is. I hope it's enough to fund the program entirely."

Speaker Ryder: "Representative Hoffman."

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Hoffman: "Yes, just...just to make a brief point. I think this is a good Bill and we should vote for it. The concern has always been in thought in the past is that these grants for veterans that go to higher education has not been fully funded. I think that we need to make sure that..."

Speaker Ryder: "Representative Hoffman, please... This is Third Reading and I would ask the House to give the Representative your attention please. Representative Hoffman, I apologize for interrupting."

Hoffman: "Thank you, Speaker. I think that everybody knows whose been in the General Assembly for the last few years that Veteran Scholarships or Veteran Grants in this state have not been fully funded. What that has done it is...it is required universities and junior colleges as many times to eat the costs of these Veteran Scholarships. We work very diligently and very hard to insure that more money was put into the Veterans Scholarships. I'm going to vote for this Bill. I think it's a good Bill, but at the same time I think we in the General Assembly need to make sure that we're going to have these very worthwhile programs, that we fund them properly. At this time, I'm not sure that, that full funding for Veteran Scholarships is put in this budget. I haven't seen...I would hope that whatever we pass out of this House has full funding for Veteran Grants and Veteran Scholarships."

Speaker Ryder: "Any further discussion? Seeing none, Representative Stephens to close."

Stephens: "Just briefly, this is the right thing to do and in further response to a previous question, the Governor increased this years funding by, for IBG by 4.7 million to my knowledge. I think that's a major step in the right direction. Close the gap tremendously over previous years."

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I move favorable adoption of House Bill 598 and ask for your 'yes' vote."

Speaker Ryder: "The question is, 'Shall House Bill 598 pass?' All those in favor vote 'aye'; those opposed vote 'nay'. The voting is open. This is final action. 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 'ayes', no 'nays', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 632."

Clerk McLennand: "House Bill 632, a Bill for an Act that amends the Illinois Funeral or Burial Funds Act. Third Reading of this House Bill."

Speaker Ryder: "The Chair recognizes the Gentleman from Cook, Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Ladies and Gentleman of the General Assembly. This is a, a Bill that amends the Naprapath Practice Act. This was...this was passed last year out of committee on agreed Bill list. It passed to the Senate and it...it got caught up on a christmas tree there and didn't go any further. This is simply cleanup language that put's everything in uniformity under other Licensing Acts. It passed committee ten to nothing and I would ask for a positive vote on it."

Speaker Ryder: "This Bill is on Short Debate. The Chair recognizes the Gentleman from Washington, Representative Deering."

Deering: "Well, thank you Speaker. I request with my colleagues a requisite number of hands to take this off of Short Debate."

Speaker Ryder: "We're just checking out the number of your friends Representative Deering. So far, your doing better

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than the previous fellow. The Bill is removed from Short Debate."

Deering: "Yes, thank you, Speaker. Representative, a question. I see here that it say's that it provides that a subsequent conviction for practicing naprapathy without a license is a Class IV felony. Is that new language?"

Speaker Ryder: "Did you ask...did you wish the Gentleman to yield for questions Representative Deering? Will the Gentleman yield? He indicates that he will. Representative Saviano."

Saviano: "I...I didn't hear his question...that's. I can't...I can't hear."

Speaker Ryder: "Again the Chair will ask you to give the Representatives your attention. Please hold down the level of the conversations. I'll ask the conversations that are in the...in the front and in the aisles to please go the rear of the chamber. Representative Deering would care to restate your question?"

Deering: "Thank you, Mr. Speaker. To the Sponsor. In the digest it says that if you get a subsequent conviction for practicing without a license it's a Class IV felony. Is that new language or was that part of the language that we adopted in 1995?"

Speaker Ryder: "Representative Saviano."

Saviano: "That is new language."

Speaker Ryder: "Representative Deering."

Deering: "Yes Representative, how come this couldn't of been a misdemeanor? I mean, does this warrant being a felony?"

Speaker Ryder: "Representative Saviano... We're you finished Representative Deering? Representative Saviano."

Saviano: "Representative, that's the standard penalty for Regulatory Bills. This...I...all the language here, in

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this Bill, in the Amendment that we placed on this Bill brought everything in conformity regarding naprapaths with all other licensing provisions. In other professions. This is a result of a...a court case. We wanted to bring the naprapaths in line with all the other Licensing Acts that we have."

Speaker Ryder: "Representative Deering."

Deering: "Thank you, Representative. I would...I just had a concern about that. I supported this legislation in the past and plan on doing it, but that was a concern of mine and you've answered it. Thank you."

Speaker Ryder: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Burke. Representative Burke."

Burke: "Thank you, Speaker. I rise in strong support of this Bill. Having been the Sponsor of this legislation four years ago, I frankly never thought we'd get to this day. It's been tossed around back and forth. It's very first consideration was given unanimous consent in both the House and Senate and since that point through technical difficulties the Bill has been held up. So, I would ask all the Members whether they are familiar or not with the practice of naprapathy in this state. There are 1200 practicing in the naprapathists in Illinois and we, myself and all those Members want to thank Representative Saviano for his shepard-ship of this matter and ask for your favorable consideration? Thank you."

Speaker Ryder: "Any further discussion? The Chair recognizes the Gentleman from Clinton, Representative Granberg."

Granberg: "Will the...will the Gentleman yield?"

Speaker Ryder: "The Gentleman indicates that he will."

Granberg: "Representative Saviano, I've...I've been told that you

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have a great interest in this subject matter, but...will you refresh my memory, what is...can you explain what the Naprapathic Practice Act deals with?"

Speaker Ryder: "Representative Saviano."

Saviano: "Well...Repre...Representative Granberg, I would probably be depriving my colleague Representative Burke if I didn't let him explain this, because he has a deep, deep concern for this and I'm going to refer to Representative Burke."

Speaker Ryder: "Representative Granberg."

Granberg: "Yes, Representative Saviano, I've been told by a number of Representatives and interest groups that this is your area of expertise and I thought you had a great deal of expertise in this matter and they say you have a great deal of practical experience. I would just like to know what this deals with?"

Speaker Ryder: "Representative Saviano, I think there was a question in that statement if you care to answer it."

Saviano: "Yes, I'll answer it. You know as...as the Chairman of this committee you become a jack of all trades, a master of none okay. That's why I yield to Representative Burke who is a master of this one."

Speaker Ryder: "The Chair recognizes Representative Burke. For what purpose do you rise Sir?"

Burke: "Mr. Speaker, point of personal privilege. I believe my name was mentioned in debate."

Speaker Ryder: "Yes, I believe that it was. Please state your privilege."

Burke: "And if Representative Granberg persists in this line of questioning. I'd like to recommend that I could give him a naprapathy treatment in the alley, but I'd be very happy to answer any further question he would have respective of the

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practice of naprapathy."

Speaker Ryder: "Mr. Burke, does that complete your privilege. So concluded. Representative Granberg, were you completed?"

Granberg: "I have one question."

Speaker Ryder: "Representative Granberg."

Granberg: "Well Representative Burke, I...I... So, I thought Representative Saviano was the expert in this...this field, but in that case can you just explain...I believe you and...have worked on this matter for, for the last Session or two Sessions. Can you just briefly explain what this does to change that. So, there has not been any legislation that has gone to the Governor on this matter?"

Speaker Ryder: "To whom was you...the question directed Representative Granberg."

Granberg: "Representative Burke."

Speaker Ryder: "With leave of the House, we'll allow Representative Burke as a hyphenated Co-Sponsor and with leave of the lead Sponsor, we will allow Representative Burke to respond. Representative Burke."

Burke: "Thank you, Speaker. I believe the question was what is different in this Bill than had been introduced four years ago, because that's when this matter began. My very first Bill was the licensure of naprapathy in Illinois, and since that time the department has made recommendations for certain technical changes that would permit the Governor to enable the legislation."

Speaker Ryder: "Representative Granberg."

Granberg: "Thank you, Representative Burke. I knew you had worked on this previously and I did not know if that had actually gone to the Governor in a previous Session or not. I did not hear your earlier comment, and so this is the legislation continuing on the same practice as your

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original legislation four years ago?"

Speaker Ryder: "Representative Burke."

Burke: "Thank you, Speaker. Yes Representative, that is correct. The matter had been turned to the Governor and due to very technical problems with the legislation. He wasn't able to sign. The very first time this Bill was introduced, it did receive unanimous consideration, unanimous consent by both the House and Senate. And it's at this point that we are finally making those technical changes that will enable the Governor to sign the legislation."

Speaker Ryder: "Representative Granberg."

Granberg: "To the Bill, Mr. Speaker. Representative Burke explained the Bill. I had thought that there might of been some changes because of Representative Saviano's expertise. So, that's why I wanted to ask him some questions. But, apparently that is not the case and I would...I supported this Bill previously when Representative Burke was the Sponsor and I will do so again. Thank you."

Speaker Ryder: "The Chair recognizes the Gentleman from Cook, Representative Laurino, welcome."

Laurino: "I thank you, Mr. Speaker. Representative Saviano, I was conferring with one of my esteemed colleagues to my right, Representative Kotlarz and we wondered as opposed to a class IV felony, why did you choose that as opposed to a five or a three?"

Speaker Ryder: "The Gentleman indicates he'll yield to that question, I think. Representative Saviano."

Saviano: "As I stated before, the class IV felony brings it in line with the same regulatory penalties as all the other license professions."

Speaker Ryder: "Representative Laurino. Apparently one question, and one answer was sufficient. Is there any further

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discussion? The Chair recognizes the Gentleman from McLean, Representative Brady."

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

Speaker Ryder: "The Sponsor indicates that he will yield."

Brady: "Representative, I'm sorry I...just a couple of questions on this. Can you tell me where this Bill originated and the purpose of it."

Speaker Ryder: "Representative Saviano."

Saviano: "The Bill...the Bill originated from the naprapaths. The Department asked that we provide this cleanup language to put the profession of naprapaths in uniformity with all the other license professions. So, we addressed all the different concerns and in naprapaths are put in uniformity with...with the presently license professions."

Speaker Ryder: "Representative Brady."

Brady: "Who will regulate the licensing fee?"

Speaker Ryder: "Representative Saviano."

Saviano: "Who, you said who regulates the licensing fee. Well the fee itself imposed that...that the amount itself imposed by the profession. If you remember the last day of the 88th General Assembly, we passed a dedicated Fund Bill which requires these funds to be placed in the dedicated fund under naprapaths."

Speaker Ryder: "Representative Brady."

Brady: "So, the...the fees are paid by the professionals into a dedicated fund and this money is then only to go toward the cost, the state incurs by licensing naprapaths?"

Speaker Ryder: "Representative Saviano."

Saviano: "That's the intention of a dedicated fund, yes."

Speaker Ryder: "Representative Brady."

Brady: "Thank you."

Speaker Ryder: "Any further discussion? The Chair recognizes

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Representative from Kendall, Representative Cross."

Cross: "Will the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates that he will."

Cross: "Representative, under the scenario of someone holding them self out in this capacity, there are...saying that their naprapthists, naprapathys their not licensed, what happens. If they say they are but their in reality aren't licensed. What are the consequences?"

Speaker Ryder: "Representative Saviano."

Saviano: "Mr. Speaker, we're going to look this up for a second."

Speaker Ryder: "Representative Cross."

Cross: "Thank you, Mr. Speaker. I'm going to wait till I get the answer. I understand he's going to look it up. I'm in no hurry."

Speaker Ryder: "Representative Saviano. Do you, given the great group of advisors that are surrounding you. Do you have the answer to the question...asked by Representative Cross."

Saviano: "We're still in conference here."

Speaker Ryder: "You are using Representative Cross's time. I want you both to be aware of that. Representative Saviano."

Saviano: "Representative Cross, just so we know exactly what we're dealing with, you want to repeat the question."

Speaker Ryder: "Representative Cross."

Cross: "If someone holds himself out in this capacity, I don't have to pronounce the word again. what happens if they don't have a license? I'm running out of time, Representative."

Speaker Ryder: "Representative Saviano."

Saviano: "Well, I...I think this is the third time...I wanted to make sure that the wording of your question wasn't any

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different from the questions that were answered on the other...asked on the other side of the aisle. But, if you practice without a license it's a class IV felony, just like any other license profession. Does that answer your question?"

Speaker Ryder: "Representative Cross."

Cross: "Representative, that was my question and I...I like, I appreciate your answer. Thank you, for being honest."

Speaker Ryder: "Any further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much Mr. Speaker. I...I'm somewhat outraged that Representative Cross, so much of Representative Cross's time was taken up by the Sponsor huddling with a...a veritable menagerie of staff back there and I just want to make sure that Representative Cross has his full five minutes to ask questions. I know that he was concerned earlier that...Mr. Saviano, Representative Saviano should be able to spell naprapath and I don't think that was ever answered. So, I am prepared to yield my five minutes to Representative Cross."

Speaker Ryder: "Representative Black you are not recognized for that purpose. Your outrage is noted. Any further discussion? Seeing none, the Chair recognizes Representative Saviano to close."

Saviano: "Thank you Mr. Speaker, Ladies and Gentleman. I appreciate the thorough debate that we enjoyed this afternoon. I would ask for a favorable vote. Thank you."

Speaker Ryder: "The question...the question is, 'Shall House Bill 632 pass?' All those in favor vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. Representative Lang, for what purpose do you seek recognition? Have all voted who wish? Have all voted who

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wish? Have all voted who wish? The Clerk shall take the record. On this question there are 116 'ayes', no 'nays', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 660."

Clerk McLennand: "House Bill 660, a Bill for an Act that amends the Higher Education Student Assistance Act. Third Reading of this House Bill."

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentleman of the House. House Bill 660 is a very simple Bill. It simply changes the membership on the Illinois Student Assistance Commission and provides that here after that commission shall consist of one representative of the public community colleges in Illinois. Let me explain what the...what the current provision are for that Illinois Student Assistance Commission. There are nine members appointed by the Governor, and presently the commission consists of one representative of the public institutions of higher learning in Illinois. One representative of the private institutions of higher learning. One representative of the public high schools and five citizens of the state who are chosen for their general knowledge and interest in higher education. There is also one student member selected from nominations submitted to the Governor. This Bill does not increase the number of people serving on the student assistance commission. It simply reduces by one, the number of unaffiliated members on that board. So that now there would be one person there to represent the interests of public community colleges. That's all the Bill does and I would be glad to try to answer any questions."

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Speaker Ryder: "The Chair recognizes the Gentleman from St. Clair, Representative Hoffman."

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

Speaker Ryder: "Sponsor indicates she will yield for questions. Representative Hoffman."

Hoffman: "Yes, Representative who would determine when this would take place? What does the Bill indicate with regard to that?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "The Bill requires that upon the expiration of the term of the next unaffiliated citizen member a representative of the...public community colleges would be appointed to replace that individual. But, nobody's term would be interrupted in mid stream."

Speaker Ryder: "Representative Hoffman."

Hoffman: "Do you know when the next term of a citizen position would, would expire. When that would be?"

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "No."

Speaker Ryder: "Representative Hoffman."

Hoffman: "Is...are they...are these positions yearly terms, two years, three years, how long are they appointed to these positions. I'm just trying to figure out when there would be an opening, when a community college individual would be appointed to...to this board. Because I think it's important. I think it's a good Bill, the concept is good. I'm just trying to, to determine when this is going to occur."

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "It's my understanding from talking to the Illinois Community College Board as well as the Community College Trustees Association, both of which are not only proponents

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of this legislation, but with who brought it to me to ask me to...to Sponsor it for them. That somewhere in approximately a year, or perhaps slightly less than that, somewhere around eight months or so. One of these unaffiliated ISAC commissioners would have a term that was expiring, it is my understanding that that individual has already been talked to and has no desire to continue serving, consequently that there would be nobody who would be unhappy about this and we would...and we would have them, the representation of...our community colleges."

Speaker Ryder: "Representative Hoffman."

Hoffman: "So, this is unlike the recent Bill that we passed as part of the Republican fast track legislation that with regard to the University of Illinois in that...that would interrupt terms. This one and this legislation says that they'll be able, the individual will be able to serve out their entire term prior to the time of appointment."

Speaker Ryder: "Representative Cowlshaw."

Cowlshaw: "Yes."

Speaker Ryder: "Representative Hoffman."

Hoffman: "Just an editorial comment, Mr. Speaker. I just find it ironic that when it comes to the largest university in the state, that we want to cut off the debate, we want to cut off the terms of trustees. Well, when it comes to this which I think is important, I think it's a very good Bill. We allow the individual to at least complete his term. I think, I would hope that in the future we would at least be consistent in this House, with how we're going to...how we're going to manage these types of higher education boards."

Speaker Ryder: "Any further discussion? No further discussion. Representative Cowlshaw to close."

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Cowlshaw: "I urge an affirmative vote."

Speaker Ryder: "The question is, 'Shall House Bill 660 pass?'

All those in favor vote 'aye'; those opposed vote 'nay'.
The voting is open. This is final action. 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 'ayes', no 'nays', none voting 'present'. And this
Bill, having received the Constitutional Majority, is
hereby declared passed. Mr. Clerk, returning to the
beginning on House Bills, Third Reading. Please read House
Bill 119."

Clerk McLennand: "House Bill 119, a Bill for an Act that amends
Certain Acts in Relation to Vital Records. Third Reading
of this House Bill."

Speaker Ryder: "Th Chair recognizes the Gentleman from Vermilion,
Representative Black."

Black: "Yes, thank you very much Mr. Speaker. House Bill 119, I
had last year...it passed out...I'll be glad to answer any
questions you have."

Speaker Ryder: "Any further discussion? This Bill is on Short
Debate. The Chair recognizes the Gentleman from Kankakee,
Representative Novak."

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

Black: "Mr. Speaker, I..."

Speaker Ryder: "I think... Excuse me, I think the Gentleman
indicates that he will yield. Did you wish to ask a
question, Representative?"

Novak: "Yes, Mr. Speaker I wish to ask a question."

Speaker Ryder: "Then you may ask a question, Representative.
Please proceed."

Novak: "Representative Black can you explain the, the nature of
this Bill."

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Speaker Ryder: "Representative Black."

Black: "Yes, thank you very much Mr. Speaker. I understood your first question, clearly. But, I'll do that. House Bill 119 amends the Vital Record Act and the Adoption Act. It provides that if an adoptive person applies to amend the name on his or her birth certificate, the state registrar of Vital Records shall amend the birth certificate, if the person provides documentation or other evidence supporting that application. If it seemed sufficient if it had been submitted in support of an application by a person who had not been adopted. I had this Bill last year, it got out of committee unanimously in the crush of business we didn't get around to the Bill on third...Third Reading. This Bill comes to me from a constituent who is an adoptive individual who wanted to change her name and when she went to the court house in the county of Vermilion, she encountered, I don't know the word. She found it more difficult to have a petition to change her name than a person who had not been adopted would have found it...to do that. She didn't think that was fair and when we ran this last year, we didn't encounter any opposition. It just didn't get called on Third Reading. So, that's all we were attempting to do."

Speaker Ryder: "Representative Novak."

Novak: "One more question, Representative Black. This...does this have any affect on increasing duties or decreasing duties in the County Clerk's office? I'm sure it doesn't."

Speaker Ryder: "Representative Black."

Black: "No, we...the...whatever we have here is entirely silent on fees, dues, etc. It would certainly not be my intent."

Speaker Ryder: "This Bill is on Short Debate. Representative Black to close. Representative Black."

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Black: "Thank you very much. This Bill has received two hearings last year and extensive hearing in committee and this year as well. I wasn't...I'm not aware of any opposition last year. I'm not aware of any opposition this year. Those people in Vital Records have told me that this is a relatively minor cleanup to treat people the same as to whether or not they are an adopted individual or...or want to change their name and...that their parents, whether their natural or biological parents. It's just treating people the same, the same kind of evidence would...apply for, both adoptees and those who are not adopted. I certainly don't see anything wrong with the Bill and I would ask for your favorable consideration of House Bill 119."

Speaker Ryder: "The question is, 'Shall House Bill 119 pass?' All those in favor, vote 'aye'; all those opposed vote 'nay'. The voting is open. This is final action. 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 'ayes', no 'nays', none voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Representative Hartke, were you seeking recognition for some reason, Sir? Thank you. House Bill 202. Out of the record. House Bill 203. Out of the record. House Bill 206. Out of the record. House Bill 355."

Clerk McLennand: "House Bill 355, a Bill for an Act that amends the Medical Practice Act of 1987. Third Reading of this House Bill."

Speaker Ryder: "The Chair recognizes the Sponsor of the Bill, Representative Leitch."

Leitch: "Thank you very much Mr. Speaker and Ladies and Gentlemen

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of the House. House Bill 355 is a very important Bill to those of us with...in communities who have free community clinics that serve the indigent and the poor and...and the people who are in dyer need of health care. In these clinics presently, doctors volunteer over 200 of them in the case of Peoria to practice for free in the...in these clinics and a great deal of good has been accomplished through these clinics. What House Bill 355 proposes to do is to extend the immunity from doctors who are practicing from, for free in the clinics and extend that to specialists and to hospitals and to other providers. It's very common that...that in the visits to the clinics. There are problems that are discovered and it's only appropriate to provide this free care that we extend this immunity to specialists and to hospitals so that these individuals can get the very best of care that's available. And, it's a simple Bill and I would ask your consideration."

Speaker Ryder: "Any further discussion? The Chair recognizes the Lady from Cook, Representative Flowers."

Flowers: "Mr. Speaker, will the Gentleman yield?"

Speaker Ryder: "The Gentleman indicates he will yield for questions. Representative Flowers."

Flowers: "Representative Leitch, is this Bill constitutional?"

Speaker Ryder: "Representative Leitch."

Leitch: "Well, I'm certain that it is constitutional. We're already...practicing this in the free clinics and this is a simple extension of that practice to another setting."

Speaker Ryder: "Representative Flowers."

Flowers: "What is the difference between...why is this Bill necessary in regards to current law. What is current law now? In regards to this matter."

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Speaker Ryder: "Representative Leitch."

Leitch: "Current law provides this immunity in these free community clinics. This law is necessary to extend the immunity to specialists, health...hospitals and other health care providers when individuals are referred to those settings from the community clinic itself."

Speaker Ryder: "Representative Flowers."

Flowers: "Representative Leitch, we just passed tort reform putting a cap on liability as far as how much a person could sue for. And so with this particular piece of legislation...it seems like to me what we're doing here is setting up a two tier system and with one tier you can put a cap on how much you can be sued for and in this particular tier where it's...we're talking about poor people and because a doctor works in a free clinic he's not liable. Is that correct? We cannot sue him at all. Is that correct?"

Speaker Ryder: "Representative Leitch."

Leitch: "Yes. As we discussed in, in committee that is true."

Speaker Ryder: "Representative Flowers."

Flowers: "Representative Leitch, if...is it true that new doctors that come into this state to practice their given tax breaks?"

Speaker Ryder: "Representative Leitch."

Flowers: "Debt forgiveness, and other incentives for setting up shops in areas where there are physician shortage. Is that true?"

Speaker Ryder: "The Chair apologizes for interrupting. Representative Leitch."

Leitch: "I don't know, that's...whatever is totally unrelated to this Bill."

Speaker Ryder: "Representative Flowers."

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Flowers: "Representative Leitch that is related to this Bill, because right now we're giving them free services, free tax breaks, free incentives, free tuition waiver and now if they do something to a patient, there's no liability at all. What's the incentive for a doctor to be a good doctor? What happened to the Good Samaritan Act? Can you please explain that to me?"

Speaker Ryder: "Representative Leitch."

Leitch: "Yes, the purpose of this Bill actually is to create even more good samaritans as you would put them. Presently, these doctors are volunteering their time to provide health care to people who need it the very most in our society who will have...who come to them very often. In fact, probably in every case with no medical file, no medical background who just come in off the streets and come to these clinics often because it's a far more comfortable place to come then to just show up in the emergency room and it's not unusual to find in these instances that some of these individuals have more serious problems then should be or can be dealt with in the clinic and so they are then referred to...to hospitals, and to specialists. And, I think it is only reasonable and only fair as an important incentive to hospitals and to...to specialists that they have this incentive to make this a seamless transaction and take care of these people who need it, need it the most."

Speaker Ryder: "Representative Flowers, you have 46 seconds."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. To emit these...to prevent these changes in the law, knowingly let the medical profession set up a two tier health form, health care system here. One that is competent for the rich. The other is incompetent for the poor. I don't think that's the message that we want send out from this

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Illinois House of Representatives. I would truly urge a 'no' vote in regards to House Bill 355. Thank you very much."

Speaker Ryder: "Representative Lange."

Lang: "Thank you, Mr. Speaker. I'm joined by sufficient number of my colleagues to take this Bill off of Short Debate. There are sufficient hands up to do that..."

Speaker Ryder: "Representative, we don't show on the calendar that it was on Short Debate. However, since you did seem to acquire sufficient friends to raise their hands, I recognize you for the purpose of continuing debate."

Lang: "Thank you, Mr. Speaker. Will the Sponsor yield for a couple of questions?"

Speaker Ryder: "The Sponsor indicates that he will."

Lang: "Thank you. Representative, not too long ago last Session or the Session before, we put this original immunity on for doctors and free clinics for indigents, is that right?"

Speaker Ryder: "Representative Leitch."

Leitch: "Yes. We were finally able on this state to be able to get this limited immunity so that we could finally in this state create some health clinics to help the indigent in our communities on a volunteer basis where doctors could serve and volunteer for free, working for free."

Speaker Ryder: "Representative Lang."

Lang: "Thank you. Just so I understand. This Bill adds certain categories of health care providers that would now fall under the immunity provisions?"

Speaker Ryder: "Representative Leitch."

Leitch: "Yes."

Speaker Ryder: "Representative Lang."

Lang: "And, so hospitals and other health care providers that you list in subsection (e) were not included under the original

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proposal?"

Speaker Ryder: "Representative Leitch."

Leitch: "No, they were not. However, many...in many instances these individuals were...were referred to specialists and to hospitals given the severity of their issue and in fact in the last three years in Peoria over \$2 million has been in patient care by the hospitals alone has been absorbed by them at their risk."

Speaker Ryder: "Representative Lang."

Lang: "Who are the other health care providers that you refer to in the Bill?"

Speaker Ryder: "Representative Leitch."

Leitch: "Those are the nurses and the other providers who are ancillary to presenting the treatment itself."

Speaker Ryder: "Representative Lang."

Lang: "Well, that's not much of an answer. Give me an example of a few of the other health care providers that you're referring to in subsection (e), please?"

Speaker Ryder: "Representative Leitch."

Leitch: "Well, I would think if a...if a skilled nurse was working along side a specialist that, that individual would also be included."

Speaker Ryder: "Representative Lang."

Lang: "Thank you. You refer then to providing further...advice to a patient upon referral. So, the...so a doctor or a nurse or other health care provider that was not at a free clinic who received a referral from someone who was but then also be immuned."

Speaker Ryder: "Representative Leitch."

Leitch: "I'm sorry I couldn't hear the Gentleman's question."

Speaker Ryder: "Please give the Gentleman your attention. Please take the conversations out of the aisles into the back of

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the chamber. Representative Lang."

Lang: "Thank you. Your, your Bill seems to indicate that along with the immunity to the...to the health care professionals at the free clinic for indigents that any one out of that free clinic who may not be at a free clinic who has one of those patients referred to that person is also immune. Is that what this Bill does?"

Speaker Ryder: "Representative Leitch."

Leitch: "I'm not sure. Let me say this, I'm not sure I still understand your question. But, if there were an individual in the free clinic who has been taken care of and then referred to a specialist for care, that specialist would be immune."

Speaker Ryder: "Representative Lang."

Lang: "What if it's not a specialist. What if it's just a hospital for further treatment?"

Speaker Ryder: "Representative Leitch."

Leitch: "The hospital would be immune."

Speaker Ryder: "Representative Lang."

Lang: "Well, why would the hospital...why do we want to make the hospital immuned?"

Speaker Ryder: "Representative Leitch."

Leitch: "Because the hospital is treating a person who in very often does not have any medical background. There are no records, it's a person just off the street who needs...needs care and has been referred there by virtue of the severity of that individual's condition to the hospital and the hospital would be taking care of that person for free through the clinic itself."

Speaker Ryder: "Representative Lang."

Lang: "Thank you, Mr. Speaker. To the Bill. I was prepared to support it until we went through that last section. I

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think we should provide this immunity that we originally provided in the free clinics so that we can get the indigent taken care of. However, when you...when you take this beyond that and take it to other providers..."

Speaker Ryder: "Representative Lang please bring your remarks to a close. Thank you."

Lang: "Thank you. When you take it beyond that and take it to other providers that may be doing any number of medical activities regarding this patient that may not even relate to the activities at the free clinic, then we're going to far with this immunity. So, if we kept it at the free clinic I'd be prepared to support this legislation. Since we go beyond the free clinic, since other medical activities mother, other procedures might be performed on this patient by the expert or by the...the physician or hospital to whom the patient was referred, then it seems to me we're going beyond what we need to be doing to protect these people to help the indigents and therefore I would recommend 'no' are present votes."

Speaker Ryder: "The Chair recognizes Representative Phelps."

Phelps: "Thank you Mr. Speaker, Ladies and Gentleman of the House. Will the Sponsor yield?"

Speaker Ryder: "The Sponsor indicates that he will."

Phelps: "Representative Leitch, as for as I am of understanding of this Bill, there's just been Amendment #1 placed on...is that...that's all on the Bill?"

Speaker Ryder: "Representative Leitch."

Leitch: "Yes."

Speaker Ryder: "Representative Phelps."

Phelps: "And was that done in committee or was that on Second Reading? I could not recollect."

Speaker Ryder: "Representative Leitch."

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Leitch: "Committee."

Speaker Ryder: "Representative Phelps."

Phelps: "Representative Leitch, further. Is there anything in the Bill, and I'm looking at it now, so apologize if I haven't recognized it. That includes anything about clarification about informing the patients when their brought into the clinic and their referred to a specialist. Are they informed that you are now going to a specialist and that if anything happens this doctor is voluntarily giving his services and that if there is anything wrong or whatever you would not be able to challenge the actions."

Speaker Ryder: "Representative Leitch."

Leitch: "Yes."

Speaker Ryder: "Representative Phelps."

Phelps: "Can you point that section to me, please?"

Speaker Ryder: "Representative Leitch."

Leitch: "I think it's already in the Bill. It's the original section."

Speaker Ryder: "Representative Phelps."

Phelps: "So, that was not in the Amendment that you included. It was already in the original section?"

Speaker Ryder: "Representative Leitch."

Leitch: "No."

Speaker Ryder: "Representative Phelps."

Phelps: "Do you feel Representative that now that we've made some aggressive moves and I agree in doing a lot of this and moving welfare to work, the transition. Let me give you a scenario. What if a person is on public aid status, the next day or so he, he finds himself with a job, told to come to work. He gets injured, he is in a coma and taken to the clinic, no one can clarify from the public aid department or anywhere, what status if he's on public aid

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or if he's on the job and it's...anything's covered in the way of health care. But yet the clinic is the most successful like in Southern Illinois so often is. Where does...where does he stand with treatment, liability and how quick and that doctor and that hospital act, or clinic?"

Speaker Ryder: "Representative Leitch."

Leitch: "I think in the circumstance you sight, I don't think that person would be at the clinic. If their in the...kind of condition you described I suspect they would be going immediately to the...the hospital and would not be included in this, under this issue."

Speaker Ryder: "Representative Phelps."

Phelps: "I hope that would be true perhaps in upstate, but downstate where we have 75, 80 miles travel. Someone makes a decision, from Mound City we can't take this person to Carbondale. We've got to take them to the clinic. It's very possible it can happen downstate. So, that's why I raise a concern. I supported your Bill in the committee, and yet...one last question. In the committee when we asked questions about this, I don't remember, would the hospitals, it was made clear that they were included in this immunity? That was made clear in the committee. Thank you very much."

Speaker Ryder: "The Chair recognizes the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. What this Bill simply does is provide a stop gap. If an indigent child is brought into a free medical clinic and the doctor, the family physician at the treating medical clinic, the free medical clinic says your boy has an eye infection, he needs to see an, an ophthalmologist

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now. Now, I know doctor so and so will treat this physician, this child free but he needs to treat him at his office where he has this sophisticated equipment to look into the eye and determine the nature of the infection, or the nature of the injury. He can't do that at the free medical clinic because they don't have all the optical stuff that's needed to properly treat this child. So, the doctor at the free medical clinic refers him to the ophthalmologist who then treats the child free of charge. To impose liability on that treating specialist position. In this case the ophthalmologist will be to end the very purposes for which these free clinics were established. I have a clinic, the Will Grundy Medical Society staffs. The Will Grundy Medical Society has successfully staffed a free clinic to treat indigent clients. This saves everybody money. The state has a back log of medical bills for those medicaid patients. Here you get quality specialist treatment and the only way your going to be able to convince the physician, who has no incentive to treat for nothing that ophthalmologist, that specialist who has no incentive what-so-ever to treat for nothing because he's not getting paid. If you remove a shield from a liability from him by voting against his Bill your going to be cut..."

Speaker Ryder: "Please...the Chair's fault. I forgot to turn off the clock. Please continue, Representative Wennlund."

Wennlund: "I've been cut off by better. Thank you, Mr. Speaker. So, what your going to do, if you vote against this Bill, your going to cut off specialized expert treatment for certain illnesses that require a specialist like an ophthalmologist or like an OB/GYN. A woman comes into a free medical clinic in her neighborhood, the treating

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physician was a family physician says look, you got a problem but...but I know that doctor so and so whose an OB/GYN will see you in her office, but she needs to see you in her office because she has a specialized equipment to treat your problem there, and she'll do it for nothing. If we don't provide a shield of liability for that free treatment, in the specialists own office then they have no incentive what-so-ever to do it, I don't blame them. That's...nuts and bolts of this Bill. You're going to cutoff specialized treatment for those indigents who would normally, otherwise use a free medical clinic. That's the bottom line, that's what this is all about. If you really want to vote against specialized medical care, for free, not burdening the medicaid system, not burdening the taxpayers of Illinois, then fine vote 'no', and cut them off."

Speaker Ryder: "The Chair recognizes the Lady from Cook, Representative Davis."

Davis, M: "Thank you very much Representative, Mr. Speaker. I really want to thank Mary Flowers for waking a lot of us up. This is on Third Reading and a lot of things have been flying out of here, but this is a Bill I think that you really want to take a look at before you decide how your going to vote. According to our analysis and synopsis, it says this Bill, 355 amends the Medical Practice Act of 1987. It exempts physicians, hospitals and other health care providers from civil damages resulting from acts or omissions in the course of providing treatment without payment to indigent patients that are referred from a clinic. Now here, are we talking about Representative if a doctor doesn't use safe practices and he...he spreads AIDS is that going to be all right, just because these are poor

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people?"

Speaker Ryder: "Does the Sponsor wish to yield for a question? The Sponsor indicates that he will yield. Representative Leitch."

Leitch: "I don't think you could be more wrong about the importance of this Bill and it's ability to serve people who need this more than...and many in society who are indigent who are off the street people to...to understand this Bill is to understand how urgently it is to recruit volunteers to recruit specialists, to bring these people the very best in medical care that we possibly can and it's a very important Bill for that reason and I think if you would look at this more carefully I think you would agree readily that this is a very, very important Bill for all of Illinois."

Speaker Ryder: "Representative Davis."

Davis, M: "The importance of the Bill is certainly not being negated. What we're questioning you on is, are you stating that if a person is indigent and receives medical care then he or she has absolutely no right for civil damages if there's some negligence that occurs or some omission that occurs. You're removing the right that other citizens have simply because this person, himself was not paying for the treatment."

Speaker Ryder: "Representative Leitch."

Leitch: "This person who would be receiving this a... specialist or hospital service for free, yes would not have those other rights, but in our case that's absolutely the last thing on the minds of the people who come in and urgently need help and are usually extremely happy to find a...a port in a storm where they can get the king of specialized care and the help that is so urgent...urgently

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a...necessary."

Speaker Ryder: "Representative Davis."

Davis: "Representative a mother with a child. A mother with her baby in her arms takes her baby to a hospital. She is not a legislator so she doesn't have the money that we have. The child is given some emergency treatment or regular treatment and yet if that treatment is given negligently because this women doesn't have the money we have she has no right for civil damages. She no longer has the rights that the rest of the citizens in the State of Illinois have simply because at that time at that moment, at that point in her history she doesn't have money, therefore she can not sue if her child is not treated."

Speaker Ryder: "Representative please bring your remarks to a close."

Davis: "Giles is given me his time Representative."

Speaker Ryder: "Representative the procedure was established the next person on the list to be recognized if they wish to give you there time they may. Please bring you remarks to a close."

Davis: "Well according to the constitution of the state of Illinois no person shall be deprived of life, liberty, or property without due process of law nor be denied the equal...equal protection of the law regardless to his financial state. This is a very bad Bill vote no."

Speaker Ryder: "Chair recognizes the Lady from Cook. Representative Erwin."

Erwin: "Thank you, Mr. Speaker. I actually rise in support of this piece of legislation we discussed this at length in the Health Care Committee and honestly for well...I know there are a number of examples that have been used in downstate free health clinics. I must say that I am aware

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of several in the City of Chicago that very ably serve a very, very needy homeless population in the City of Chicago. Debras Place which is a homeless place for women would be very very hard for us if they did not have the good service of physicians who donate many, many hours of their professional time to treat homeless women. I think that this is very necessary because I know that even in the homeless population there are very serious issues dealing with AIDS. Dealing with very complicated medical problems where these homeless women do need the attention of specialists and need hospital attention for tests and further work so I strongly support this and I think their Sponsors intentions are very honorable. Some years ago this General Assembly passed a Bill call the Food Samaritan Food Donor Bill which permitted um... grocery stores and restaurants to... to have immunities so that they could donate food that had been thrown away while there are many, many people hungary in this state. So I think we need to be about encouraging professionals to donate their services where possible and I strongly support an 'aye' vote."

Speaker Ryder: "Chair recognized the Gentleman from Cook. Representative Turner."

Turner: "Thank you, Mr. Speaker. Will the Gentleman yield for a question or two?"

Speaker Ryder: "He indicated he'll yield Representative Turner."

Turner: "Representative Leitch I can appreciate a little bit of what you are trying to do here, but I have a couple of questions because in my community I have a...a clinic I'm not certain about the definition of free clinics. This clinic is a clinic that a... what we can a fee for service. And so what happens there is people who cannot pay don't have to pay. I utilize this clinic and I'm charged based

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upon my income so is that considered a free clinic?"

Speaker Ryder: "Representative Leitch."

Leitch: "No that's a very good and important question Representative. Those clinics are not included. These...the clinics that we are describing are clinics that are...that are created where the doctors are practicing for free the...the pharmaceuticals usually donated they're completely a...a...eleemosynary institutions they are not a...a...otherwise."

Speaker Ryder: "Representative Turner."

Turner: "To your knowledge are there any free clinics in the City of Chicago?"

Speaker Ryder: "Representative Leitch."

Leitch: "I believe there are two. I don't know where they are, but I understand there are two. Most of them...a there's on in Joliet there is one in Springfield there is one in Peoria. I know a...I believe there are a total of nine in the state and two in Chicago."

Speaker Ryder: "Representative Turner."

Turner: "Now one other question regarding the qualifications of these doctors. Are these...if, in fact, these doctors are at these clinics because they're being reimbursed because of tuition reimbursement. You know there is a program where if you go to medical school and you decide to come back and work in a impoverished area or an area that has a shortage of doctors the a...your tuition or your loan does not have to be repaid are those doctors who in essence are being paid because their loan is being waived is that considered free their service considered free? Or how would they qualify in this scenario that I just described."

Speaker Ryder: "Representative Leitch."

Leitch: "I don't believe it applies at all. Many of these

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doctors are retired or are otherwise...caring individuals who want to donate their time. I don't think many...I don't know the answer frankly whether the younger ones are involved or not I've never heard of that circumstance coming up...I don't think it applies."

Speaker Ryder: "Representative Turner."

Turner: "One last question and that is do these doctors have to be licensed in the state of Illinois? I mean we have a lot of foreign doctors that are licensed over seas, but not necessarily licensed in this state. Do those doctors have to be licensed in the state of Illinois in terms of being granted this immunity that we wish to lay upon them at this point."

Speaker Ryder: "Representative Leitch."

Leitch: "Yes."

Speaker Ryder: "Representative Turner."

Turner: "Representative...on page well on line 11 of the Bill it says that...they must be licensed to practice treatment of human alines in any other state or territory of the United States and I just wanted to be clear as to that they don't...whether they have to be licensed in Illinois or not."

Speaker Ryder: "Representative Leitch."

Leitch: "Um...in reading it maybe your correct the ones in...the ones I'm familiar with are all licensed in Illinois in fact they are a...represent the leadership in the medical community it's not the other situation you described."

Speaker Ryder: "Representative Turner."

Turner: "I just wanted to thank the Gentleman for his honest answers on this issue. Thank you."

Speaker Ryder: "Chair recognizes the Gentleman from Tazwell, Representative Ackerman."

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Ackerman: "Thank you, Mr. Speaker. I move the previous question."

Speaker Ryder: "The Gentleman moves the previous question. All those in favor of putting the previous...Then we'll have a roll call those in favor of moving the previous question vote 'aye'; those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this motion there are 77 voting 'aye' and 35 voting 'no'. The Motion succeeds the question is put. Representative Leitch to close."

Leitch: "Thank you very much. I think everyone is familiar with the contents of this Bill. It's a very important Bill it does a tremendous amount of good. And especially helps the people who need it the very most urgently and I would ask for your favorable roll call. Thank you very much."

Speaker Ryder: "The question is, 'Shall House Bill 355 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the roll. On this Bill having received 92 voting 'yes' 21 voting 'no' 2 voting 'present' and this Bill having received the Constitutional Majority, is hereby declared passed. Are there any announcements? Are there any announcements? The Chair recognizes a Lady from Cook, Representative Jones for what purpose do you rise?"

Jones: "Yes, Mr. Speaker. I thought we was going to have our rule books this week because the reason why I'm asking is because a we know we can't explain our vote on the floor here, but in committee...in committee...in committee one committee we can explain our votes and then when I go to

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another committee we cannot explain our votes. So that's why I would like to have the rule book if you possibly have it."

Speaker Ryder: "Mr. Clerk."

McLennand: "The rule book is at the printer and it is in line to be printed as soon as he is able to."

Speaker Ryder: "Representative Jones."

Jones: "Can you tell me in committee can we explain our votes in committee? or is that just for the House floor, is it for the committee or what?"

Speaker Ryder: "There is no explanation of vote on the House floor. Representative Jones."

Jones: "What about in committee? Can we explain our vote in committee?"

Speaker Ryder: "I suggest you take that up with the Chair of the committee."

Jones: "I can't hear you."

Speaker Ryder: "The issue should be raised in committee please ask the Chairman of the committee. Chair recognizes the Lady from Cook. Representative Currie."

Currie: "Thank you, Speaker. I just re-raised my parliamentary inquiry of earlier in the day and if you remember when we have asked committee chairs where they were warranted to assign Bills to subcommittee on their own hook none has been able to point to a relevant rule. Which is why I raised this question on the House floor. Are prepared now to give me an answer to that inquiry."

Speaker Ryder: "No. The Chair recognizes Representative Churchill who now moves that the House stand adjourned until Friday March 3, 1995 at the hour of 1:00 p.m. 1:00 p.m. All those in favor signify by saying 'aye'; opposed, 'nay'. In the opinion of the Chairs the 'ayes' have it and

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allowing for perfunctory time for the Clerk the House now stands adjourned until Friday the 3rd of March 1995 at the hour of 1:00 p.m."

Clerk McLennand: "The Perfunctory Session will be in order. Committee Reports. Committee Report offered by Representative Cross, Chairman from the Committee on Judiciary for civil action, to which the following Bills were referred, action taken on March 2, 1995, reported the same back with the following recommendations: 'do pass Short Debate' House Bills 153, 1221, 718, 652, 911, 827, 1319; 'do pass as amended Short Debate' House Bill 1023. Introduction - First Reading of Bills. House Bill 2489, offered by Representative Ryder, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Court of Claims. House Bill 2490, offered by Representative Ryder, a Bill for an Act making appropriations to the Court of Claims. House Bill 2491, offered by Representative Ryder, a Bill for an Act making appropriations to the Supreme Court. House Bill 2492, offered by Representative Ryder, a Bill for an Act making appropriations to the Supreme Court. House Bill 2493, offered by Representative Balthis, a Bill for an Act making appropriations to the State Board of Education. First Reading of these House Bills."

Clerk McLennand: "Introduction - First Reading of Resolutions. House Joint Resolution 30, offered by Representative Daniels. Any further business the House Perfunctory Session is adjourned and the House will reconvene on Friday March 3rd at the hour of 1:00 p.m."

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