

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

101st Legislative Day

March 24, 1998

Speaker Hannig: "The hour of 12:00 having arrived, the House will be in order. Members will please be in their seats. Will all unauthorized personnel please retire from the chamber. We will be led in prayer today by Representative Coy Pugh, who is the Assistant Pastor with Fernwood United Methodist Church in Chicago. Guests in the gallery may wish to rise for the invocation. Representative Pugh."

Pastor Pugh: "Let us pray. Eternal God, our Father, we ask that You allow us a moment to pause in Your presence to take a reflection of our lives and allow, oh Lord, our eyes, our eyes which are attracted by beautiful objects like gold and silver and such great things. There is great pleasure, too...also, oh God, and something agreeable to our touch and material things, which have various qualities to please each of our other senses. Again, it's gratifying to be held in esteem by other men and women and to have the power of giving orders and gaining the mastery over them. This is, also, the reason why revenge is sweet, but our ambition to obtain all of these things must not lead us astray from Your will. Amen."

Speaker Hannig: "We will be led in the Pledge today by Representative Arline Fantin."

Fantin - 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 Hannig: "Roll Call for Attendance. Representative Cross, are there any excused absences on the Republican side?"

Cross: "Yes, if the record would please reflect that Representative Biggins is excused."

Speaker Hannig: "Okay. And Representative Currie on the Democratic side."

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Currie: "Thank you, Speaker. Please let the record show that there are no excused absences among House Democrats."

Speaker Hannig: "Mr. Clerk, take the record. There are 116 Members answering the Roll Call. A quorum is present. Representative Younge, for what reason do you rise?"

Younge: "Thank you, Mr. Speaker. We have a distinguished American here with us today, Dr. Philip Dennis, who is a psychiatrist from Southern Illinois, and he's made major contributions to the mental health of the people of Illinois. Let's welcome him."

Speaker Hannig: "Welcome to Springfield. House Resolution... Just so the Members understand, we're going to do a couple of Resolutions. We're going to move to Second Reading, and then we're going to move to Third Readings today. So that will be the order of business. House Resolution 313, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This is a Resolution asking the Department of Transportation, and they are in agreement with this, to put an appropriate marker at the Rest Center on I-74 just outside Danville, honoring the late Representative Chuck Campbell, who represented Vermilion County for about 18 years. I'll be glad to answer any questions, if there are any."

Speaker Hannig: "Yes, thank you, Representative. Is there any discussion? Is there any discussion? The Parliamentarian informs me, Representative Black, that we need a Roll Call Vote on this. Would you like to close?"

Black: "For those of you who knew Chuck Campbell, I can think of no... He carried IDOT's budget for years when there were 177 Members in the House. An outstanding man, and I think this is a very adequate and heartfelt memorial to him for

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his service to our area. I'd appreciate an 'aye' vote."

Speaker Hannig: "The question is, 'Shall House Resolution 313 be adopted?' 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 111 voting 'yes' and 0 voting 'no', and the Resolution is adopted. House Resolution 314, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. House Resolution 314, for those of us who live on the Indiana border, those of you bordering Wisconsin were spared what we're going through because Wisconsin and Illinois made an agreement on our income tax reciprocity, and Indiana and Illinois have not been able to do that, and the Department of Revenue therefore revoked the income tax reciprocity with Indiana. This is a real bookkeeping nightmare for employers, not to mention that now residents in my district who work in Indiana will have to file in both states. What this Resolution does is to, and I'm joined with Representative Ryder in this, is to urge the Department of Revenue to study this issue and hopefully resolve it in the very near future, because it is causing some consternation, not only on the part of individuals, but businesses, on the Indiana/Illinois border. I would be glad to answer any questions you have."

Speaker Hannig: "And on that question, Representative Clayton is recognized. The Lady does not seek recognition at this time. Is there any discussion? There being none, Representative Black, to close."

Black: "Thank you. I'd appreciate an 'aye' vote."

Speaker Hannig: "So the question is, 'Shall the House adopt House Resolution 314?' All in favor vote 'aye'; opposed 'nay'."

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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 the Resolution is adopted. Now I think Representative Clayton... Representative Clayton. Representative Clayton, do you seek recognition now? You have someone you'd like to introduce?"

Clayton: "Yes. Thank you very much, Speaker. We're very privileged to have with us today, Maria Angela Redo, age 14. She attends St. Ann School in Barrington and resides in Lake Zurich in my district. She currently is an honors student, and she currently holds the title as Miss Illinois Pre-Teen Queen. Also, holds the title of Miss Illinois Pre-Teen Hostess, Miss Photogenic and came in the top five for talent. She will be attending Carmel High School in Mundelein in September, 1998. I would like for the Members to be able to meet her and recognize her. Thank you, Mr. Speaker."

Speaker Hannig: "Welcome to Springfield. Now we're going to go to House Bills - Second Reading for those Bills that appear to have the Fiscal Notes in order. We'll try to proceed with them. And on that order, we have House Bill 2299. Representative Lawfer. Out of the record. Representative Lopez, for what reason do you rise?"

Lopez: "Thank you, Mr. Speaker. I rise on a point of personal privilege. Today is the Diabetes Alert Day, being March 24th, and the Illinois Diabetes Coalition and Parke Davis is offering a blood glucose and lipid testing for all the Legislators. It's free of cost, so please, it's at the State Capitol, Room 122-B. Room 122-B is a free blue blood glucose and lipid testing. Thank you."

Speaker Hannig: "Thank you, Representative. House Bill 2373,

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Representative Lindner. Out of the record. Representative Myers, for what reason do you rise?"

Myers: "Yes, Mr. Speaker. I rise on a point of personal privilege."

Speaker Hannig: "Yes, state your point, please."

Myers: "Today representatives of the 225,000 Illinois 4-H Members and their adult young... or their adult volunteer leaders are at the Statehouse today attending the 4-H Legislative Connection Program. The youth are here to learn about the legislative process as part of their 4-H Leadership and Citizenship Training. More than 700 of the 4-H youth are exhibiting the results of their 4-H community action initiatives as part of the Illinois commitment to the President's summit on youth and families. The 4-H displays are lined throughout the hallways on the first floor of the Statehouse. As your time permits, I encourage all Representatives to stop by and meet the 4-H members, and let them explain their outstanding 4-H projects. As you may be aware, 4-H is a part of the University of Illinois Cooperative Extension Service, which is located in virtually every city, town and rural area from Chicago to Cairo. I ask that we salute the members, leaders, and staff working with the Illinois 4-H program for their efforts to make positive differences in the lives of young people, families, and communities throughout Illinois. Thank you, Mr. Speaker."

Speaker Hannig: "Okay. Introductions of Resolutions."

Clerk Rossi: "House Resolution 354, offered by Representative Morrow and House Resolution 357, offered by Representative Currie are assigned to the Rules Committee."

Speaker Hannig: "On the Order of House Readings...House Bills - Second Reading is House Bill 2374, Representative Jones."

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Representative Jones. Out of the record. Okay, on the Order of Second Readings, House Bill 2375. Mr. Clerk, read the Bill. Okay. Out of the record at the request of the Sponsor. House Bill 2425, Representative Steve Davis. The Gentleman in the chamber? Is the Gentleman in the chamber? The Gentleman is not in the chamber. Out of the record. House Bill 2436. Out of the record. House Bill 2493, Representative Cowlshaw. Is the Lady in the chamber? Out of the record. House Bill 2509, Representative Myers. Out of the record. House Bill 2553, Representative Scott. Okay, Mr. Clerk, read the Bill. Okay, out of the record. House Bill 2555, Representative Moffitt. Out of the record. House Bill 2557, Representative Beaubien. Representative Beaubien, 2557. Out of the record. House Bill 2560, Representative Hoeft. Doug Hoeft. Is the Gentleman in the chamber. Out of the record. House Bill 2564, Representative Dart. Okay, out of the record. House Bill 2565, Representative Erwin. Do you wish the Bill to be called for a second time? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2565. A Bill for an Act to amend the Board of Higher Education Act. 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. A State Mandates Note has been requested on the Bill and has not been filed."

Speaker Hannig: "Okay. So we'll hold that on Second Reading. House Bill 2570, Representative Hoffman. Okay, out of the record. House Bill 2590, Representative Saviano. Okay, Mr. Clerk, read the Bill. Okay, out of the record. We're going to go back for a second to House Bill 2375."

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Representative Hartke. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2375. A Bill for an Act to amend the Illinois Municipal Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments. Several Fiscal Notes and State Mandates Notes have been requested on the Bill and have not been filed."

Speaker Hannig: "Okay. So we'll hold that Bill on Second Reading. House Bill 2605. Representative O'Brien, 2605. Do you wish us to read the Bill a second time? Read the Bill, Mr. Clerk. Okay. Out of the record. House Bill 2607. Representative Stroger. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2607. A Bill for an Act to amend the Counties Code. Second Reading of this House Bill. Amendments 1 and 2 were adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. Various Notes have been requested on the Bill that have not been filed."

Speaker Hannig: "Okay. So that will remain on Second Reading. House Bill 2614, Representative Ryder. Mr. Ryder. Out of the record. (House Bill) 2624, Representative Lang. Representative Lang. Out of the record. (House Bill) 2625, Representative Brosnahan. Is the Gentleman in the chamber? Out of the record. House Bill 2633, Representative Lyons. Representative Lyons, on 2633. Out of the record. House Bill 2645. Representative Klingler, 2645. Out of the record. House Bill 2652, Representative Kosel. Out of the record. House Bill 2667. Representative Fantin. Is the Lady in the chamber? Out of the... Oh, there she is. Out of the record, anyway. Okay. House Bill 2687. Representative Saviano. Out of the record. And (House Bill) 2688. Out of the record at the request of the

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Sponsor. (House Bill) 2690. Out of the record. (House Bill) 2696, Representative Schoenberg. Okay. Out of the record. (House Bill) 26, I'm sorry, 2710. Representative Mautino. Representative Mautino. Do you wish to have the Bill read a second time? (House Bill) 2710. Read the Bill."

Clerk Rossi: "House Bill 2710. A Bill for an Act to amend the Department of Veterans Affairs Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A State Mandates Note has been requested on the Bill, but has not been filed."

Speaker Hannig: "Okay. So we'll hold that on Second Reading. (House Bill) 2716. Representative Mautino. No, see... That's, that's out of the record. Representative Brunsvold on 2721. Out of the record. Representative Black on 2729. Representative Black, 2729. Out of the record. Representative Hoffman on House Bill 2746. Representative Hoffman, 2746. Out of the record. House Bill 2756. Representative McGuire. Representative McGuire. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2756. A Bill for an Act to amend the Counties Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A Fiscal Note and a State Mandates Note have been requested on the Bill, but have not been filed."

Speaker Hannig: "Okay. So we'll hold that Bill as well. House Bill 2768. Representative Wyvetter Younge. Out of the record. House Bill... House Bill 2802. Representative Holbrook. Out of the record. House Bill 2818. Representative Biggins. Out of the record. The Gentleman's been excused for the day. House Bill 2821. Representative Kubik. Representative Kubik. Jack Kubik on

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House Bill 2821. Out of the record. House Bill 2843.
Representative Scott. Out of the record. House Bill 2844.
Representative Lang. Out of the record. House Bill 2846.
Representative Giglio. Okay. Out of the record. House
Bill 2860. Representative Parke. Out of the record.
(House Bill) 2864. Representative Meyer. Representative
Meyer. Read the Bill? No. Representative Meyer."

Meyer: "Yes. Mr. Speaker, is there an Amendment that you record
as being filed?"

Speaker Hannig: "Mr. Clerk, is there any Amendments filed to this
Bill?"

Clerk Rossi: "Floor Amendment #2 is pending in the Rules
Committee."

Meyer: "I need to hold until that comes out of Rules."

Speaker Hannig: "Very good. Out of the record. House Bill 2885.
Representative Mitchell. Out of the record. House Bill
2909. Representative Silva. Out of the record. House
Bill 2910. Representative Smith. Out of the record.
House Bill 2921. Representative Ronen. Out of the record.
House Bill 2940. Representative Reitz. Out of the record.
And (House Bill) 2944. Representative Reitz. Out of the
record. House Bill 3016. Representative Burke.
Representative Burke, do you wish to call it? Out of the
record. House Bill 3019. Representative Smith. Out of
the record. (House Bill) 3088. Representative Kubik.
Representative Kubik on 3088. Out of the record.
Representative McCarthy on (House Bill) 3126. Out of the
record. Representative Kenner on (House Bill) 3127.
Representative Kenner. Representative Howard Kenner, (House
Bill) 3127. Out of the record. (House Bill) 3128.
Representative Hassert. Out of the record. (House Bill)
3135. Representative Bugielski. Out of the record. House

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Bill 3142. Representative Flowers. Do you wish us to call it? Out of the record. And (House Bill) 3147. Representative Erwin. Do you wish us to call the Bill? Out of the record. (House Bill) 3180. Representative Durkin. Out of the record. (House Bill) 3181. Representative Noland. Representative Duane Noland, 3181. Do you wish to move it? Do you wish to hold it? Mr. Clerk, read the Bill. Okay. I think you have an Amendment pending in Rules, Representative Novak (sic-Noland). So we'll hold the Bill at your request. (House Bill) 3225. Representative Saviano. Out of the record. (House Bill) 3229. Representative Brady. Representative... Out of the record. Representative Myers on (House Bill) 3236. Representative Myers. Out of the record. Representative Hassert on (House Bill) 3256. Out of the record. (House Bill) 3265. Representative Flowers. Out of the record. (House Bill) 3273. Representative Kubik. Jack Kubik. Representative Kubik, (House Bill) 3273. Out of the record. (House Bill) 3286. Representative Myers. Okay. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3286. A Bill for an Act to amend the Nursing Home Care Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. House Bill 3287. Representative Hassert, (House Bill) 3287. Out of the record. (House Bill) 3318. Representative Feigenholtz. Out of the record. (House Bill) 3325. Representative Hartke. Out of the record. (House Bill) 3339. Representative Erwin. Representative Erwin. Out of the record. House Bill 3341. Representative Art Turner. Art Turner. Out of the record. House Bill 3375. Representative Bergman. Out of the

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record. House Bill 3383. Representative Saviano. Representative Skip Saviano. Out of the record. (House Bill) 3387. Representative Pugh. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3387. A Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. Several Notes have been requested on the Bill, but have not been filed."

Speaker Hannig: "Okay. So that Bill will remain on Second Reading. House Bill 3399. Representative Lou Jones. Representative Jones. Representative Jones. Lou Jones, do you wish us to read the Bill? We'll have to hold, but do you want us to read it? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3399. A Bill for an Act to amend the Excellence in Academic Medicine Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration. Several Notes have been requested on the Bill, but have not been filed."

Speaker Hannig: "So the Bill will remain on Second Reading. House Bill 3403, Representative Hartke. Out of the record. Representative Saviano on (House Bill) 3410. Representative Saviano. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3410. A Bill for an Act to amend the Alternate Health Care Delivery Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. House Bill 3415. Representative Saviano. (House Bill) 3415. Okay. Out of the record. House Bill 3427. Representative Mulligan. Representative

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Rosemary Mulligan. Representative Mulligan. Shall we read the Bill or hold the Bill?"

Mulligan: "The Department of Public... Thank you, Mr. Speaker. The Department of Public Aid would like to put a small Amendment on it that would clarify one message, and I need to have it stay there until we... But I'm willing to put the Amendment on at any time. So if the Amendment..."

Speaker Hannig: "Has the Amendment been approved by the Rules Committee?"

Mulligan: "It's been filed, as long as it can come out of Rules. It's very small, and then we could move this Bill, and at least get one Bill taken care of. I'd be happy to do that. But if the Amendment could come out of Rules, we could work on it."

Speaker Hannig: "Thank you, Representative. We'll hold the Bill at this time. House Bill 3446. Representative Schakowsky. Out of the record. House Bill 3447. Representative Silva. Out of the record. (House Bill) 3485. Representative Parke. Out of the record. House Bill 3514. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3514. A Bill for an Act to amend the Illinois Pension Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. House Bill 3515."

Clerk Rossi: "House Bill 3515. A Bill for an Act to amend the Illinois Pension Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. House Bill 3516. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3516. A Bill for an Act to amend the

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Illinois Pension Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, read (House Bill) 3517."

Clerk Rossi: "House Bill 3517. A Bill for an Act to amend the Illinois Pension Code. 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 3519? Excuse me, 35... Representative Saviano, on House Bill 3520. Okay. Out of the record. Okay. Introduction and Resolutions."

Clerk Rossi: "House Joint Resolution 56, offered by Representative Schoenberg, and House Resolution 365, offered by Representative Slone. Rules Committee."

Speaker Hannig: "Okay. Back to Second Readings. Representative Giglio on House Bill 3556. Representative Giglio. Do you wish us to read the Bill? Out of the record. Representative Art Turner on (House Bill) 3559. Out of the record. Representative Burke on (House Bill) 3564. Representative Burke. Would you like us to read the Bill a second time, even though we'll have to hold it for Fiscal Notes? We can read the Bill a second time, but until you have the Fiscal Notes, we will not be able to move it to Third. Okay, so read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3564. A Bill for an Act to amend the Good Samaritan Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. Several Notes have been requested on the Bill, but have not been filed."

Speaker Hannig: "Well, that Bill will remain on Second Reading."

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House Bill 3574. Representative Lou Jones, (House Bill) 3575, I'm sorry. (House Bill) 3575. Representative Jones. Out of the record. (House Bill) 3579. Representative Art Turner. Out of the record. House Bill 3625. Representative Pugh. Do you want us to read it a second time? We won't be able to move it to Third be... because of the Fiscal Notes that are requested, but we could read it a second time. Yes or no? Okay, read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3625. A Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A Fiscal Note and a State Mandates Note have been requested on the Bill, but have not been filed."

Speaker Hannig: "Okay. So the Bill will remain on Second. House Bill 3628. Representative Granberg. Okay. Out of the record. House Bill 3630. Representative McGuire. Representative McGuire. Out of the record. House Bill 3636. Representative McKeon. Okay. Out of the record. House Bill 3741. Representative Boland. Representative Boland. Out of the record. House Bill 3778. Representative Feigenholtz. Sara. Out of the record. House Bill 3835. Representative Lopez. Okay. Mr. Clerk, read (House Bill) 3835."

Clerk Rossi: "House Bill 3835. A Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed. A State Mandates Note and a Fiscal Note have been requested on the Bill, but have not been filed."

Speaker Hannig: "So we'll hold that Bill pending the Notes. Okay. Okay. We have a Motion from Representative Dart to table three Bills, to table three Bills that he is the

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Sponsor of, the Chief Sponsor. That's House Bill 3172, House Bill 3693 and House Bill 3694. Is there any discussion? That's, Representative Black, those are three Bills that Representative Dart is the Chief Sponsor of, that he would like to table. Yes, and on that question, Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. Is the Sponsor on the floor? Yes, I see him. Would he... would he just... It's relatively strange that he would do that at this time. Is there something wrong with the Bills or...that we've invested all this time in these Bills in committee, and I'm just curious as to why he wants to table three Bills? I don't think he's paying any attention to us, Mr. Speaker."

Speaker Hannig: "Representative Dart. Representative Dart. Representative Dart, there's been a question as to why you wish to table these three Bills from Representative Black. Could you... could you address the question, please."

Black: "Could you tell us again a little more slowly what three Bills are you tabling?"

Dart: "Can you just give me one moment to look through my voluminous file here?"

Black: "Yeah, be more than happy to."

Dart: "Thank you."

Black: "I know you were bothered on the floor by Representative Lang. I understand."

Dart: "Yeah. The reason I'm tabling those is cause I have other Bills that are going to do it, and I didn't...You know me, I'm always interested in trying not to have the system clogged up with extraneous Bills of mine. And so it was purely an effort of housekeeping, so that I didn't keep us here any longer than we had to be."

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Black: "A refreshing change of pace from your freshman year, I might add."

Dart: "Freshman year, try the sophomore year."

Black: "What... Can you tell me what the Bills were again, 31?"

Dart: "Yeah. (House Bills) 3172, 3693 and 3694, and I believe 3770."

Black: "Okay. Yes. Mr. Speaker."

Speaker Hannig: "Yes."

Black: "The Motion that you read earlier was to table all of Representative Dart's Bills, is that the Motion? Because we stand in support of that."

Speaker Hannig: "I think it's just those three Bills."

Black: "Oh... just the three, but I thought he read off four."

Speaker Hannig: "The Sponsor informs me it is four Bills."

Black: "Four Bills. Yes, we, we join with the Sponsor. He's a man of great integrity, and we certainly are always in support of any Motion of Representative Dart to table four or more of his Bills."

Speaker Hannig: "And he is the Chief Cosponsor of all these Bills, Representative."

Black: "Yes. We've gone over the Calendar, and four Representatives have approximately 62% of the Bills on the Calendar, which we'll talk about later on."

Speaker Hannig: "Thank you. So the question is, 'Shall these Bills be tabled?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it, and the Bills are tabled. Representative Mautino, for what reason do you rise? Representative Mautino. Representative Frank Mautino, for what purpose do you rise?"

Mautino: "Just a question of the Chair. Would it be against the rules if I introduce the Township Board from Berlin Township in Bureau County, Mr. Chairman (sic - Speaker)?"

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Speaker Hannig: "Only a slight breaking of the rules, so why don't you just endorse it."

Mautino: "Far be it for me to break the rules by introducing the Township Officials from Berlin Township. Thank you."

Speaker Hannig: "Thank you, Representative, and welcome to Springfield. Representative Black, on House Bill 36... I'm sorry, 3844. Do you wish to move that to Third Reading? Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3844. A Bill for an Act to amend the State Treasurer Employment Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Mr. Clerk, do you have some announcements?"

Clerk Rossi: "The Rules Committee is going to meet immediately in the Speaker's Conference Room. The Rules Committee immediately in the Speaker's Conference Room."

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

Hartke: "Just an inquiry of the Chair."

Speaker Hannig: "Yes. What's your inquiry, Sir?"

Hartke: "If the Rules Committee is meeting, will they be considering House Bill 37... or 3878 for me?"

Speaker Hannig: "The Rules Committee will be considering all Bills before the House. Representative Hassert, for what reason do you rise? Okay. The Gentleman does not seek recognition. On the Order of House Bills - Third Reading. House Bill 21. Representative Granberg. Okay. Out of the record."

Speaker Lang: "Representative Lang in the Chair. Under the Order of House Bills - Third Reading, on page 17 of the Calendar, appears House Bill 1072. Representative Wirsing. Mr.

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Clerk, read the Bill."

Clerk Rossi: "House Bill 1072. A Bill for an Act concerning the Department of Human Services. Third Reading of this House Bill."

Speaker Lang: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker. House Bill 1072 deals with the funding of a certain clientele of people who receive a kidney transplant procedure. It is established as a program to pay for drugs prescribed exclusively for the post kidney transplant maintenance, creates Post Kidney Transplant Maintenance Drug Fund as a special fund in the State Treasury. What this Bill is... What this Bill does, it creates that, creates the fund. I'll be glad to answer any questions."

Speaker Lang: "The Gentleman moves for the passage of House Bill 1072. Is there any discussion? Seeing none... The Gentleman moves for the passage of House Bill 1072. This is final action. All those in favor will signify by voting 'aye'; those opposed will vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'yes', 0 voting 'no', 0 voting 'present', and House Bill 1072, having received the Constitutional Majority, is hereby declared passed. House Bill 2091, Representative Cowlshaw. Out of the record. House Bill 2297, Representative Lindner. Out of the record. House Bill 2367, Representative Clayton. Representative Clayton, do you want to call this Bill? Please read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2367. A Bill for an Act to amend the Probate Act of 1975. Third Reading of this House Bill."

Speaker Lang: "Representative Clayton. Take your time,

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Representative. Don't panic, it's just paper."

Clayton: "Thank you, Speaker. This Bill amends the Probate Act of 1975, provides for the designation by the current guardian of a disabled adult of a standby guardian to act on an interim basis as guardian upon the death of the current guardian and in other circumstances for a period of 60 days allowing time for a petition to be filed and another guardian to be appointed. It also provides for the establishment of a short term guardian of the person of a disabled adult to be designated by the current guardian to act as guardian for up to 60 days for health and other reasons. Establishes procedures and conditions for the appointment of these guardians. I'd be happy to answer any questions."

Speaker Lang: "The Lady moves for the passage of House Bill 2367. On that question, is there any discussion? Seeing none, the Lady moves for the passage of House Bill 2367. This is final action. All those in favor will vote 'aye'; those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'yes', 0 voting 'no' and 0 voting 'present'. And the House does... And this Bill, having received the appropriate Constitutional Majority, is hereby declared passed. House Bill 2385. Representative Capparelli. Out of the record. House Bill 2471. Representative Slone. Please read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2471. A Bill for an Act to amend the Park District Code. Third Reading of this House Bill."

Speaker Lang: "Representative Slone."

Slone: "Thank you, Mr. Speaker, Members of the House. This Bill was brought before the House yesterday for an Amendment,

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which now makes it an Agreed Bill between the Park Districts' Association, our local park district and the Wildlife Prairie Park, which is seeking this legislation to help with an issue in our district. At this point, I believe that the amended Bill meets with all the concerns that the park districts have had with the Bill in the past, and I would appreciate a favorable passage. Thank you."

Speaker Lang: "The Lady moves for the passage of House Bill 2471. And on that question, Representative Mautino."

Mautino: "Representative, I didn't... over the noise in the chamber, I didn't hear your last comment. In the earlier Bill, prior to your Amendment, the park districts had a problem with the legislation. Has that been taken care of?"

Slone: "Yes. This is the... a technical Amendment has been adopted that addresses their concerns."

Mautino: "Okay. Now the park districts are all in support?"

Slone: "They're fine with the Bill. Yes."

Mautino: "Okay."

Slone: "Thanks."

Mautino: "Thank you very much."

Speaker Lang: "Representative Black."

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

Speaker Lang: "The Lady yields."

Black: "Yes. Let me follow up, Representative, with the... some questions related to what Representative Mautino was talking about. The Park Districts' Association, as I understand it, are now neutral on the Bill, as the result of your Amendment, and we again thank you for that. But are there any safeguards in the legislation? I know the... the overriding concern when you first brought this Bill to

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our attention was that... it, it... I guess, what safeguard does the public have over a Park District Board that just simply gets an idea, one month, to give away some of its land that it doesn't think it needs for its future without benefit of public input? Is there anything that would give the public notice that the park district is about to give away 50 acres or transfer 100 acres, and then we don't find out about it until after it's done?"

Slone: "Well, Mr. Black, I think that might be a legit...legitimate concern, except that the Park Boards themselves are elected...elected positions. Their meetings are public meetings. The public attends those meetings. Any business that's conducted at those meetings is public business. So to the extent that sunshine can prevent the sort of problems that you're concerned about, I think that those safeguards are already in place in existing law. In addition, the Amendment will require that if the land that might possibly be transferred under this legislation were not to be used or there were to be an attempt to use that land other than in accordance with park or recreational purposes, there would be a reverter to the Park Board. The land would come back to the park district."

Black: "Mr. Speaker, in all due respect to our visitors, and it's wonderful to have them here, I can't hear, and I can't see her."

Slone: "I can stand on my chair."

Black: "This Bill at one time was controversial, and I'd just like to make sure that we're okay on the Bill."

Speaker Lang: "I think your point is well taken, Mr. Black. Could we ask all the visitors that are on the House Floor, as well as Members and staff, to try to tone down your conversations so that we can hear and see the folks who are

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debating these fine pieces of legislation. Mr. Black."

Black: "Yeah. Thank you very much, Mr. Speaker. I do appreciate that. Representative, this was originally introduced by members from your area, under your sponsorship, to try and work something out with the Wildlife Park over by your district. Is that where this Bill came from?"

Slone: "Yes. That's right. Yes."

Black: "So as far as you know, that's the genesis of the Bill. It is not rooted in any other park district problem or...?"

Slone: "No, not to my knowledge and we have... I have talked to the Park Districts' Association person this morning, and he said that he, in turn, had spoken to our Peoria Park District, which did have a problem with the Bill initially, and they're now neutral on the Bill, as well."

Black: "Okay and the only question that's a dumb question is generally one not asked, and I just want to make sure. I think existing law would protect the transferability or the giving away of any land without a record of value, an appraisal I mean, that's an existing law, isn't it?"

Slone: "That... That's correct. Yes."

Black: "Okay. Fine. Thank you very much. I appreciate your cooperation."

Slone: "Thank you, Mr. Black."

Speaker Lang: "Further discussion? Seeing none, Representative Slone, do you wish to close?"

Slone: "Yes, thank you. I would appreciate a favorable vote on this Bill. Thank you very much."

Speaker Lang: "The Lady moves for the passage of House Bill 2471. This is final passage. All those in favor shall signify by voting 'aye'; those opposed will vote 'no'. The Clerk will open the roll. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record."

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On this question, there are 115 voting 'yes', 0 voting 'no', 0 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 2369, Representative Coulson. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2369. A Bill for an Act concerning international commercial arbitration. Third Reading of this House Bill."

Speaker Lang: "Representative Coulson."

Coulson: "Thank you. This Bill creates the International Commercial Arbitration Act, and it provides that the Act applies to any international commercial arbitration in the State of Illinois. It's new legislation that will allow for dispute resolution that is less expensive and complex than court litigation, and it's an important and necessary step in keeping Illinois competitive in the global marketplace. I'd be happy to answer any questions."

Speaker Lang: "The Lady moves for the passage of House Bill 2369. On that question, is there any discussion? Seeing none, all those in favor shall signify by voting 'aye'; those opposed shall vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Hannig in the Chair."

Speaker Hannig: "Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken March 24, 1998, reported the same back with the following recommendation:

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'to the floor for consideration' Amendment 2 to House Bill 2436; Amendment 2 to House Bill 2557; Amendment 6 to House Bill 2506; Amendment 1 to House Bill 2633; Amendment 1 to House Bill 2844; Amendment 2 to House Bill 2864; Amendment 1 to House Bill 2944; Amendment 2 to House Bill 3181; Amendment 2 to House Bill 3415; Amendment 1 to House Bill 3427; Amendment 2 to House Bill 3806. Rules also recommends: 'be adopted' and to the Order of Resolutions: House Resolution 354 and House Resolution 357 and refers to the Order of Second Reading, Senate Bill 560."

Speaker Hannig: "Back on the Order of House Bills - Third Reading. House Bill 2466. Representative Schakowsky. Representative Jan Schakowsky. Out of the record. Representative Lindner on (House Bill) 2297. Representative Lindner. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2297. A Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Hannig: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This Bill was a Bill that had passed both Houses previously. It was part of the original Sex Offender Registration Law. And when that law was declared unconstitutional due to single subject matter, this was left out. It is an exception to the hearsay rule, in that when children testify to a sexual or physical act, it still has to adhere to the statute and the court test. The judge will still decide whether the evidence will be excluded or not, but this Bill said it will not be... shall not be excluded on the basis that it was obtained due to a protocol concerning the Child Advocacy Advisory."

Speaker Hannig: "And on that question, Representative Dart is

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recognized."

Dart: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she will."

Dart: "Representative, you mentioned about how the Act had been found unconstitutional. Was there any reference to this portion of it, or was it just purely the single subject matter?"

Lindner: "No, there was no reference to this."

Dart: "And so, this is just restating this portion of the Act that was overturned, correct?"

Lindner: "That's correct, Representative."

Dart: "Was there any opposition from any of the groups on this?"

Lindner: "The Bar Association at one time was opposed to this. I don't know if they still are or not."

Dart: "Okay."

Lindner: "They offered some testimony in committee."

Dart: "And this was the one... It was last year or a couple of years ago we had this?"

Lindner: "Yes."

Dart: "Okay. And this is a... Is this the one that's modeled after the DuPage County... has their advocacy center?"

Lindner: "I don't know if it's modeled... I mean it's not to establish the advocacy center. It's just to say when that hearsay evidence, it is allowable now under the statute, is obtained by somebody who is in conjunction with the Child Advocacy Center, that it shall not be excluded on that basis only."

Dart: "Okay."

Lindner: "But it will still have to... The judge would still decide, and it would still have to do the time and content test."

Dart: "Thank you."

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Speaker Hannig: "Representative Skinner."

Skinner: "Mr. Speaker, the decorum of the House reminds me of the last carnival I went to. Perhaps you could clear the aisles, and we could actually pretend we're doing the business of the people."

Speaker Hannig: "The Gentleman has asked for some order in the chamber. Could we have some order in the chamber, so the Members can hear the debate? Representative Black."

Black: "Yes. Thank you very much, Mr. Speaker. I think your action is well taken. This Bill has some serious ramifications, and I would imagine Representative Dart asked most of the questions that I have. But in all due respect to the Sponsor and the questioner, I couldn't hear one thing. And if I might, if the Sponsor would yield, and with apologies to the Body, if I ask the same questions, but I simply could not hear."

Speaker Hannig: "Okay. She indicates she will yield, Representative Black."

Black: "Representative, what concerns me about this Bill is, it appears to me that you are letting hearsay be used against someone in a court of law, and I won't even... that hearsay evidence would be admissible. The person would not necessarily have to be in court, and my council would not... I wouldn't get a chance to confront the accuser. I think that's a dramatic change in the Criminal Justice System, as I understand it. If you could set my mind at ease on that, I'd be most grateful."

Lindner: "Yes. And no, Representative, it does not have anything to do with that. There is already a hearsay exception for a child when there is a declaration made concerning sexual...a sexual or a physical act, and this would still have to adhere to the test that is in the statute, that is

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that the time content and circumstances test of reliability. This does not change that statute in any way, so the judge would still decide whether or not this evidence is a hearsay exception. The only thing that this Bill says is that he may not exclude the evidence on the basis that it was obtained as a result of a protocol to do with the Children's Advocacy Centers. And that protocol, that the Legislature legislated several years ago, was that it would be a team effort, and there would be somebody from the State's Attorney's Office and somebody from DCFS that might hear of the child's... these utterances. And so all this Bill says is just because it was obtained by those people, which is mandated by our legislation, that it won't be excluded on that basis, but it will still have to go through all the tests that it does now, according to the statute."

Black: "And what... what would defense counsel's rights be to rebut the hearsay evidence?"

Lindner: "The same as they always are in the statute; I'm not changing that. I'm not changing... I'm not... I'm not creating another hearsay exception. That is already in the statute. All this Bill does is to say that it... the statements would not be excluded if they were heard by one of those people who did the team approach in the Child Advocacy Center."

Black: "All right. It's my understanding that the State Bar has a problem with the Bill. On what grounds are they basing their objection?"

Lindner: "I believe in the committee they were basing their objections on one of the same objections that you just raised. But I don't think it's applicable."

Black: "And it's my understanding that what you're doing

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the...underlying Bill, when this passed and became law, the Supreme Court has subsequently taken its scalpel and decided that we didn't do something that we should have, and so they threw out the entire Bill. It was a single subject matter, wasn't it?"

Lindner: "That was correct. That was the original sex offender legislation which was combined with a subject that was not germane, and that was the reason that they found it unconstitutional. It didn't have anything to do with this..."

Black: "Okay. So..."

Lindner: "...portion, which passed both Houses of the Legislature previously, but was just inadvertently not put in again."

Black: "So this Bill is not...cannot be construed as eroding the defendant's rights in any way, shape or form?"

Lindner: "No."

Black: "You're still adequately protected by right of counsel to cross..."

Lindner: "Yes."

Black: "...and take the hearsay into dispute, et cetera?"

Lindner: "That's correct."

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

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

Durkin: "Thank you, Mr. Speaker. I rise in support of House Bill 2297, and I think it, to make it perfectly clear in the record, that the Sixth Amendment right to confrontation has never been construed as being absolute, and that was... that was stated by our Supreme Court United States approximately 20 years ago in the case of Ohio v. Roberts. If somebody has a question or if they have a problem with hearsay being admitted in the court, what you do is you argue the weight of the evidence. You check, you assess

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the reliability and the guarantees of trustworthiness, which were used to procure that statement. So, I suggest that Representative Lindner's Bill creating the hearsay exception is clearly in line with what we've been doing for a number of years. We have some 30 now recognized exceptions to the hearsay rule, and if any defense attorney is worth his weight, he'll argue the trustworthiness and also will argue its weight at trial. Thank you."

Speaker Hannig: "Representative Lindner, to close."

Lindner: "I would just ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall House Bill 2297 pass?'

All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes' and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Crotty, for what reason do you rise? Representative Maggie Crotty, for what reason do you rise?"

Crotty: "Thank you. I would like to introduce to the chamber this morning...or this afternoon, a former Representative here in the House Floor and a former Senator, Dick Kelly."

Speaker Schoenberg: "Representative Schoenberg in the Chair. Thank you, Ladies and Gentlemen of the House. As part of this week's concierge to the North Shore Program, I'm pleased to bring yet another distinguished constituent of mine whose schedule permits her to address us here in the Illinois House and preceding this, to the Illinois Senate, our own Miss America, Kate Shindle. During Kate's year of service, she has chosen to take advantage of her office as Miss America to articulate a very pressing public health need, that being HIV/Aids intervention. She's currently a

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student at Northwestern University, where she's majoring in theater and sociology. She was recently named honorary board member of the AIDS Policy Center for Children, Youth and Families. She has also been honored by the Ryan White Foundation and the Olender Foundation as America's role model for 1998 for her tireless work in the area of HIV and AIDS prevention among her peers. She's also worked with the Names Project, the Center for AIDS Services, and several hospices. I'd like to now call upon Representative Phelps to continue the introduction."

Phelps: "(Sings) There she is, Miss America."

Speaker Schoenberg: "Thank you, Congressman Phelps. Ladies and Gentlemen, I'm proud to introduce my constituent, Kate Shindle. Kate."

Shindle, Kate: "Thank you, thank you. Thank you and hello, and I'm really grateful to be here today. I'm going to speak for about 10 minutes and in the next 10 minutes, while I speak to you, 111 people somewhere will contract HIV. In the average 40 hour work week, although I'm sure that many of you work far more than 40 hours a week, 26,667 new infections occur. And by this time next year, March 24th of next year, a major change in life-style will be in order for 5,840,000 people, who will be newly infected in the next 365 days, and every single case is completely preventable. I'm truly grateful for the opportunity to speak to you today about what has been defined as the world's most pressing public health crisis. In some ways, it's difficult to define the greatest needs with respect to the HIV/AIDS epidemic because the demands are varying and because all of them are legitimate. But the three areas I would like to address this afternoon are the three which have been garnering a lot of the focus for the last year or

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so: HIV prevention education, Needle Exchange Programs, and Mandatory Names Reporting. The AIDS epidemic, as many of you know, is in the middle of a dramatic shift, and the greatest numbers of new infections are occurring in communities which are underserved or often unprepared to deal with the impact of this epidemic. Women and minorities are seeing the numbers of new infections skyrocketing in their communities, and young people are being infected like never before. Every hour of every day, two American teenagers contract HIV. We need to stop the rhetoric and start taking action. Recognizing that saving lives is of the utmost importance, we need to decimate our inhibitions and take steps to protect our young people and to teach our young people and empower them to protect themselves. It's admirable for us to praise the benefits of abstinence, and it is certainly admirable that so many young people choose to avoid risk behaviors. But the Centers for Disease Control report that by the age of 20, 77% of girls and 86% of boys are sexually active. We need to create a balanced and realistic program which acknowledges the many benefits of abstinence, but also listens to the actions of our youth, educates them on how to make their behavior safer, and then mandates this program on a statewide level, and most importantly, ensures and enforces that this curriculum is being consistently and continuously used. This means talking frankly about the issues and answering tough questions. And when individual communities determine the need, allowing them to distribute condoms as part of a Comprehensive Health Education Program. It has been conclusively proven that Condom Distribution Programs, when carefully monitored, do not increase the onset of sexual activity. If anything, the

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abstinence component of a good program encourages students to delay the onset of sexual activity, while those students choosing to be sexually active anyway, show an increased likelihood to use the proper latex barriers. Yet in spite of that evidence, my last trip to Springfield was marked by a visit to a school where, not only was I not allowed to say the word condom, I was also prohibited from distributing the leave behind pamphlets that I give out in every school because they contain the word condom. They're pretty benign, and I'll leave one here in case anyone wants to look at it later. Is a frank discussion about sex and health any worse than what these kids are seeing on TV every single day? I tell a lot of people all over the country about that experience. It's also time for us to continue our intelligent and substantive dialogue about Needle Exchange Programs. Statistics regarding the prevalence of HIV among IV drug users are astounding. Sixty-three percent of all AIDS cases among women are either directly or indirectly related to IV drug use. Similarly, 58% of pediatric AIDS cases are related to a parent's drug use. Clearly, drugs are killing Americans in more ways than one. Needle Exchange Programs are overwhelmingly effective in stopping the spread of HIV. By providing clean syringes in exchange for used ones, we can easily prevent the sharing of contaminated.... I turned it back on... Needle Exchange Programs prevent HIV from being spread. In Baltimore, the HIV serial positivity rate was reduced by 40% just over the program's three year trial period. And the community benefits as well, because the lifetime cost of treating someone with HIV is estimated to be \$119,000. The cost of running an effective Needle Exchange Program is \$169,000, eliminating a significant

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financial burden on taxpayers. And by providing the opportunity for a one-to-one syringe exchange, we can all but ensure that there are no contaminated needles lying around in the streets or on playgrounds or in other places where kids can get a hold of them and hurt themselves. We are all familiar with the arguments against needle exchange. Quite frankly, the idea that these programs promote drug use is unreasonable and outdated and has been categorically disproven. Seven different independent agencies including the CDC, U.C. Berkeley, Johns Hopkins University, have shown unquestionably that there is no increase in the incidence of drug use in communities where Needle Exchange Programs are in place. In fact, the rate of use can actually decline when staff are able to counsel drug users into treatment. No one wants more drugs on our streets. I know there's been some concern here about the disposal of needles, but that's a pretty simple question, as well. We dispose of used needles the same way we dispose of any other biological or medical waste. Finally, the issue of mandatory names reporting is one which sets off an awful lot of people from every type of interest group. With respect to testing, the most important issue is to encourage people to get tested. In the past, as we all know, names reporting has been a valid and effective way to control the spread of some diseases. But when dealing with an epidemic which still carries as many social implications and hazards as HIV, the threat of names reporting will do nothing but deter people from determining their HIV status and seeking treatment accordingly. Mandatory HIV testing of any kind is really not productive. Instead, we need to look at ways to implement programs which will encourage everyone, children and the public and health care workers,

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to take universal precautions and to take personal responsibility. We must do everything we can to counsel the public toward early detection and treatment. There are no simple solutions, but no one ever said ending a global pandemic would be easy. Finally, I'd like to thank you for increasing funding last year for the AIDS Drug Assistance Program. You made it possible for 3,000 low income HIV positive people to access life extending medications, and you lowered the frequency of dependency on Medicaid. Please continue to support a strong and pro-active Drug Assistance Program. I want to thank you here... I want to thank you for having me here today. It's... It speaks volumes for the hope that we can have, that you would invite me here to bring you this message. Thank you again for your attention and for your support and have a wonderful year and have a wonderful time in Springfield. Take care. Thank you."

Speaker Schoenberg: "Thank you, Kate, for your intelligent and thoughtful remarks on a very important public health issue."

Speaker Hannig: "Back to the Order of House Bills - Third Reading. Representative Phelps on House Bill 2485. Representative Phelps. Okay, the Gentleman wishes to have that Bill out of the record. Representative Tim Johnson on House Bill 2391. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2391. A Bill for an Act to amend the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993. Third Reading of this House Bill."

Speaker Hannig: "Representative Johnson."

Johnson, Tim: "Thank you, Mr. Speaker and Members of the House. This Bill passed unanimously 24 to 0 in Registration and Regulation Committee. The Bill is supported by the State Genealogical Society and the Department of Professional

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Regulation. There's no opposition, and it simply provides a clarification of the law to provide that the Act for private detectives is not required, people who engage solely and exclusively in tracing and compiling their lineage or ancestry to be licensed as a private detective. We believe that is what the law's been all along anyway. The department agrees. The Genealogical Society agrees, but it needs to be enacted into law, and I would ask for a unanimous vote."

Speaker Hannig: "Is there any discussion? There being none, Representative Johnson, to close."

Johnson, Tim: "I ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall House Bill 2391 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 McGuire on House Bill 2581. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2581. A Bill for an Act amending the Illinois Act on Aging. Third Reading of this House Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2581 is a very simple Bill. And now that I've said that, I probably really have your attention. But it really is! It's a Bill that came to me from the Department on Aging, and it has to do with the Governor's Council on Aging. And what it does, it eliminates the prohibition from members being appointed to that board for more than two, three year consecutive terms. That's all that it is. It's for the public members of that body."

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It's not for the appointed members, such as myself. It's for the public members of that body, so that they can serve more than two consecutive, three year terms. I would appreciate your 'aye' vote, and if there are any questions, I'll try to answer it. Thank you."

Speaker Hannig: "And on that question, Representative Lawfer is recognized."

Lawfer: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. What this does is enable some of those people that serve on the council to spend some longer time on that, use the experience that they have developed during that council time, and I plan on supporting that Bill. Thank you very much."

Speaker Hannig: "And so the question is, 'Shall House Bill 2581 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 McGuire."

McGuire: "I'd like to vote 'aye'."

Speaker Hannig: "Representative McGuire."

McGuire: "I say I'm not too bright, I didn't vote myself, I'd like to vote 'aye'. Thank you."

Speaker Hannig: "The record will reflect your intentions, Representative. Representative Tom Ryder on House Bill 2616. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2616. A Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The current purpose of this Bill

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is in the form of a vehicle for quality education issues. The agreement is to pass it to the Senate so that we can continue conversing on this issue. It came out of committee unanimously. I would be glad to answer any questions."

Speaker Hannig: "And on that question, Representative Hartke is recognized."

Hartke: "Mr. Ryder, it's my understanding this is a Shell Bill, correct?"

Ryder: "Yes. Yes."

Hartke: "To be used for the purpose you stated."

Ryder: "Yes, it is. And truthfully, I'm not sure if it's a shell or vehicle, but I need... I'll probably need an interpretation on that, but it's one of the two."

Hartke: "Okay. Thank you."

Ryder: "You're welcome, Sir."

Speaker Hannig: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Gentleman is quite correct. He passed this Bill out of the Education Committee with the intended gesture in which he explained, so we'll be very supportive."

Speaker Hannig: "Representative Ryder, to close."

Ryder: "I thank the Gentlemen for their positive statements and would ask for a favorable vote. Thank you, Sir."

Speaker Hannig: "The question is, 'Shall House Bill 2616 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 105 voting 'yes' and 10 voting 'no', and this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Resolutions. Mr. Clerk, do you have a Resolution?"

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Clerk Rossi: "House Resolution 367, offered by Representative Schoenberg and Coulson.

WHEREAS, The members of the Illinois House of Representatives are proud to honor Kate Shindle, Miss America 1998; and

WHEREAS, Kate Shindle is from Evanston, Illinois, and is a Senior at Northwestern University; Kate is majoring in theater and sociology and plans to pursue a career in musical theater; and

WHEREAS, Kate Shindle is a volunteer for Chicago's Test Positive Aware Network, the NAMES Project, the Center for AIDS Services, and several hospices; she was honored by the Ryan White Foundation and the Olender Foundation for her work with HIV/AIDS prevention among teens; she is an honorary board member for the AIDS Policy Center for Children, Youth and Families; she has worked with Sandy Thurman, the Clinton Administration AIDS Czar, Senators Dick Durbin and Carol Moseley-Braun, and former Senator Harris Wofford, CEO of the Corporation for National Service; Kate Shindle has collaborated with leaders of the Centers for Disease Control, AmeriCorps, the National Minority AIDS Council, the National AIDS Fund, the American Federation of Teachers, and the National Education Association AIDS Project; and

WHEREAS, Miss America takes her education program to the schools throughout the country, spreading the message of AIDS prevention; and

WHEREAS, Kate Shindle travels over 20,000 miles a month fulfilling her duties as Miss America; Kate Shindle takes the time to share the important message that we must stop the spread of AIDS, sharing her message with young people across the country; and

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WHEREAS, The State of Illinois is proud to be represented by Kate Shindle; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we are proud to have Kate Shindle as an ambassador for the State of Illinois; as Miss America, Kate has the opportunity to change lives, and with her very important message, she will do just that when she sets her mind on it, stopping the disease AIDS; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Miss America 1998, Kate Shindle."

Speaker Schoenberg: "The matter of House Resolution 367 is before the full House. All those in favor say 'aye'; opposed 'no'. The opinion of the Chair is the 'ayes' have it. Congratulations, Kate."

Shindle, Kate: "Thank you."

Speaker Hannig: "On the Order of House Bills - Third Reading. Page 19 of the... 29 of the Calendar, excuse me. No, that is 19, I need my glasses. On page 19 of the Calendar is House Bill 2703. Representative Curry. Julie Curry. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2703. A Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Hannig: "Representative Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. House Bill 2703 extends the statute of limitations for the offense of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, and aggravated criminal sexual abuse. It extends statute of limitations from five years to 10 years. It passed committee unanimously, and I'd appreciate the support of this Body."

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

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

Speaker Hannig: "She indicates she will."

Black: "Representative, I'm sorry I was trying to find... How many years are you extending the statute of limitations? I know it's in here, I just can't find it."

Curry: "Ten years."

Black: "And the Bar Association, as I recall, had no objection to that? They thought that was a reasonable length of time?"

Curry: "There was no objection to the Bill filed in committee."

Black: "Okay, fine."

Curry: "And I'm not aware of any at this time."

Black: "As I recall, this Bill got out of committee unanimously, did it not?"

Curry: "It did."

Black: "Fine. I appreciate your indulgence. It looks to me like you've put together a very good Bill, Representative. Thank you."

Curry: "Thank you."

Speaker Hannig: "Let's have a little order in the House, please. Representative Durkin."

Durkin: "Sponsor yield?"

Speaker Hannig: "She indicates she will."

Durkin: "Representative, what is the reason for extending the statute of limitations on this type of case for someone who has become of the adult age?"

Curry: "I didn't get the last part of what he said."

Durkin: "The question is, what has prompted or who brought it to you that we need to extend the statute of limitation on these cases where we are extending it, if I'm not mistaken,

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from five to ten years after a victim has reached the age of 18."

Curry: "This past summer, I met with local law enforcement officials in my district, the county sheriff, local police officials and the State's Attorney's Office in Macon County, and they brought this issue to my attention. They have been involved in a couple of different cases where the statute of limitations had elapsed, and if it had been a little bit longer, they would have been able to put a couple of individuals behind bars for these crimes. And so that's where this Bill originated from."

Speaker Hannig: "Representative John Turner."

Turner, John: "Sponsor yield?"

Speaker Hannig: "Yes. She indicates she will."

Turner, John: "Representative, how does this change the law as currently written?"

Curry: "Changes the limitation from five years to ten years, but there is no limit. There's no reporting period. It gives local law enforcement officials exactly ten years from the time that the crime is reported."

Turner, John: "Doesn't the existing law require a reporting within a certain amount of time, even if there is no charge filed? I think it is six months. Isn't there something in existing law to that effect?"

Curry: "That's correct."

Turner, John: "And does your provision preserve that, your Bill preserve that provision?"

Curry: "No, it does not. No, it does not."

Turner, John: "Why does it not?"

Curry: "Because local law enforcement officials felt that if we started putting exceptions into the law, like if a woman was raped, and she had to report it within a certain amount

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of time, then there would be no limitation there. We're simply giving local law enforcement officials the opportunity to do their job. That means investigate, arrest, and prosecute an individual for such offenses. There is no statute of limitation, for example, for the crime of forgery. Which means you could commit the crime of forgery now, and 30 years from now, you could be prosecuted for that time. We're simply asking that ten years be allowed for the process of trying to arrest and convict an individual for this heinous crime."

Turner, John: "Well, let's say that you, you are referring to me obviously, but I, I'm curious why you would mention forgery. Forgery, obviously, is a situation where you have a document, a document which is physical evidence, physical evidence which would be available, whether it be two years down the road or 25 years or 50 years down the road; and therefore, it makes logical sense in the law why there would be no statute of limitations. Does your Bill then require, like in forgery, that there is some kind of physical evidence in order for the statute of limitations to be extended, as compared to just one word of the victim against the defendant?"

Curry: "No, it doesn't, Representative Turner. But being a former state's attorney, like you were in Logan County, you had the authority to investigate crimes of this nature and determine, based on your ability and the... the investigators involved in this case, whether you should proceed in the case. So, I would really leave it up to local law enforcement officials and their expertise and ability to do the job, and I think that they can do the job, but they have asked me to introduce this legislation to give them more time to collect evidence, evaluate a case

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and determine whether or not it's even advantageous to go forward."

Turner, John: "Well, back to forgery. Do you not see the distinction in a forgery where there is physical evidence? That particular crime as compared to the type of crime you're talking about, where it could just be one person's word against the other. Do you see any distinction there?"

Curry: "Again, in those situations, Representative Turner, the local State's Attorney's Office has the authority and the ability to determine, in either situation, whether or not to proceed with the case."

Turner, John: "Well, there are people out in Washington, D.C. who think that prosecutors and special prosecutors have too much authority. Let me ask you, do you think by making this statute of limitations extending to the point that it is, do you think that it gives too much prosecutorial discretion to the local state's attorneys?"

Curry: "I think it gives them an adequate amount of time to do their job. We're talking about heinous crimes against women. And I would hope, and I know you did in committee, agree with me that giving local law enforcement officials the opportunity to do their job is an important thing in this situation."

Turner, John: "Representative, the crime that we're talking about is not only a crime that can be committed on women, but obviously men as well, is it not?"

Curry: "I agree. I agree."

Turner, John: "Well, let me ask you this. What is the maximum amount...maximum amount of time that a prosecution could still be instituted from the date of the offense? In other words, if it happened, for example, to a young person next year, what would be the maximum amount of time before

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prosecution could be instituted, if we pass this into law?"

Curry: "Well, if they're a minor, it would be ten years from the time they turned 18 years old."

Turner, John: "So, if we had the horrible case where we had a three or four year old, the statute of limitations would be extended to when? Say it happened next year."

Curry: "If it happened next year, they could still have ten years from the time they turned 18 years old."

Turner, John: "I... In some situations then, we could be talking about a statute of limitations in effect of about 25 years?"

Curry: "In some situations, that might be correct."

Turner, John: "Does the law apply the same to the situation where we do have a very young child who is a victim? Does it apply the same for a young victim as it would to a... one who is older, for example, the age of 16 or 17, versus three or four?"

Curry: "Correct."

Turner, John: "That is correct?"

Curry: "That's correct. It would be ten years from the time they turned 18."

Turner, John: "So the four year old, who is a victim, would have until they reached 18 plus ten years?"

Curry: "Correct."

Turner, John: "And 16 and 17 year olds would also have ten years after they reached the age of 18."

Curry: "Correct."

Turner, John: "And why have you not made a distinction there?"

Curry: "We, we simply felt that extending it to ten years was a reasonable request, from five years to ten years, and we tried to do this without any exceptions in the law, to allow, again, local law enforcement officials the ability

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to do their job. My local state's attorney, my local county sheriff, who testified in committee, felt that this was a reasonable amount of time for them to be able to do their job. I don't think that this is unreasonable to ask that this be extended five more years."

Turner, John: "I was under the impress... Excuse me, I was under the impression from the hearing in the committee that your state's attorney actually thought it was a pretty good idea to require some corroborative evidence. Remember that I had suggested that it... the concept of what you are trying to do here is a good one, but perhaps we should put something in the Bill with regard to requiring corroborative evidence. Did your state's attorney not agree with... that would be a good idea, and did you look into doing that?"

Curry: "I think he mentioned to you that... that he thought that that was something that would be acceptable, but he has mentioned to me on numerous occasions that he likes the Bill just the way it is."

Speaker Hannig: "Thank you. Representative Barbara Currie."

Currie: "Thank you, Speaker. I rise in support of this Bill. Under current Illinois statutes, people who have been victims of childhood sexual abuse are permitted to bring civil actions past the point that Representative Julie Curry's Bill would enable criminal prosecutions to be brought. The reason for this is that children who are victims of sexual assault often have difficulty dealing with the trauma of the event, and it may take a little time, even after they have reached the age of 18, to come to grips with the terror of those attacks. As we already permit civil suits to be filed for a very extensive period, it seems to me reasonable to... to contemplate the

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possibility that criminal charges should, in some circumstances, be filed. I think that we would do a disservice to childhood victims of sexual assault were we not to provide for that opportunity. I'm confident that a state's attorney would not be bringing cases if there were not good, strong and substantial evidence that an offense was committed. So, I would urge us to bring the criminal statutes closer in line with our civil statutes in respect to childhood sexual assault and vote 'yes' for House Bill 2703."

Speaker Hannig: "Representative Julie Curry to close."

Curry: "Thank you, Mr. Speaker. I would just ask for a 'yes' vote."

Speaker Hannig: "The question is, 'Shall House Bill 2703 pass?' All in favor vote 'aye'; opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 2580."

Clerk Bolin: "House Bill 2580, a Bill for an Act concerning property conveyance. Third Reading of this House Bill."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an initiative of the Township Officials of Illinois. The intent of it is that it will spell out how excess real estate will be disposed of, it has a value of beyond or above \$200 specifies that it needs to be described and advertised. The... It provides that with the regard to the township real property, the Township Board may accept the high bid or any bid determined to be in the best interests of the township by a vote of 3/4 of

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the Township Board, but in no event that a price less than 80% of the appraised value. This simply spells out how they can handle excess real estate property, has to be advertised, has to be described, has to be an appraised price. Be happy to entertain any questions."

Speaker Hannig: "The Chair would like to announce that a former Member of the Democratic Leadership Team, Represen... former Representative Santiago is with us at this time. Are there any discussions on House Bill 2580? 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 113 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Younge, on House Bill 2732. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2732, a Bill for an Act relating to school construction projects. Third Reading of this House Bill."

Speaker Hannig: "Representative Younge."

Younge: "Thank you, Mr. Speaker. House Bill 2732 amends the School Construction Act. It would provide that if the State Board of Education certifies that there is an amount... an amount in the construction project that is not covered by the grant, the local school district can, if it passes a referendum, increase its indebtedness amount in an amount certified by the State Board of Education. The Bill is, I believe, very carefully crafted, so that the state superintendent has to certify what is the non-grant amount, and there has to be a front door referendum passed before the debt limit can be raised. And the Bill passed

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unanimously in the Elementary and Secondary Education Committee, and I ask for your favorable consideration."

Speaker Hannig: "The Lady moves for passage of House Bill 2732. Is there any discussion? Representative Black."

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

Speaker Hannig: "She indicates she will."

Black: "Representative, I think there's probably a flaw in your Bill. You may want to take a look at it. You may not agree with me, but you're asking the State Board to certify these construction projects as to cost. And it's my understanding they really don't get involved in that. I think your Bill should address the Capital Development Board that would have access to the engineering studies, the blueprints and the actual cost, and then they become, unless I'm incorrect, the Capital Development Board really becomes kind of the clerk of the works on the project. And so by involving the State Board of Education, we may, in fact, be involving somebody who really doesn't know anything about the project and have any idea what it costs."

Younge: "Well, the intention of the Bill is that the State Board of Education, of course, has the facility's plan, and it has the whole project, and it works in conjunction with the Capital Development Board. I think that... since schools are the responsibility of the State Board of Education, it is appropriate to proceed and ask the State Board of Education to certify the cost, and it will work in conjunction with the Capital Development Board, Representative Black. But I think that the... that power, because the project is basically in the State Board of Education, I think that it is appropriate that the Bill be

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worded as it is."

Black: "All right, and I appreciate that, I think it might be a little clumsy in the actual implementation of the Bill. But, you know, we just might agree to disagree on that issue. The other thing I am concerned about, if... if that bonding capacity is going to be exceeded, and excuse me, I have not read the actual language of the Bill, would there then have to be a referendum by the residents of that local district?"

Younge: "Absolutely. There has to be a front door referendum. The voters have to approve and... before the debt can be raised."

Black: "So it... How would you portray this Bill as legislation that would point out a flaw in the cost? In other words, so the district does not proceed with a cost that they, in fact, can't pay for, and they don't figure that out for about a year and say, 'Uh-oh, we don't have enough money.'."

Younge: "No, no. We have a new construction program for schools."

Black: "Right."

Younge: "There are some districts that cannot participate because they have reached their debt limit. This would give them a chance to participate by, if the voters approve it..."

Black: "Okay."

Younge: "That they could raise their debt limit."

Black: "So... But it is an absolute front door referendum then?"

Younge: "Absolutely."

Black: "Thank you very much, Representative."

Younge: "You're welcome."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. Just to rise in support of

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the Lady's Bill. This is not terribly unusual. It is special legislation in one respect, and that is it will probably only affect one district. But the Lady is doing the right thing. This is a front door referendum. It will only affect those voters in that district if they approve that referendum. I rise in support."

Speaker Hannig: "Thank you. So the question is, 'Shall House Bill 2732 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 90 voting 'yes' and 20 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2452. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2452, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Beaubien."

Beaubien: "Yes, thank you, Mr. Speaker. This Bill has received unanimous approval from the Revenue Committee. It deals with a technical correction to the way the Department of Revenue apportions taxes between county... counties. This also represents about a year and a half of work I've done with the Cook County Assessor and the Department of Revenue to try to work on the issue of the equitable apportionment and overlaps in taxing districts, and I'd appreciate your support on the Bill."

Speaker Hannig: "Is there any discussion? Okay, there being no discussion, the question is, 'Shall House Bill 2452 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 111 voting 'yes' and 3 voting

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'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2791, Representative Crotty. Representative Crotty. Out of the record. House Bill 2640, Representative Lyons. Mr. Clerk, read the Bill, House Bill 2640."

Clerk Bolin: "House Bill 2640, a Bill for an Act to amend the School Code. Third Reading of this Bill."

Speaker Hannig: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2640 addresses the unfunded mandate we placed on school districts when we passed House Bill 452. House Bill 452 required that all school districts have a social promotion policy by September, 1998. And what this House Bill will do... will allow those school districts who choose summer schools or after hour remediation, will allow them to apply for reimbursement."

Speaker Hannig: "Is there any discussion? And on that question, Representative Black is recognized."

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

Speaker Hannig: "She indicates she will."

Black: "Representative, what is the genesis of this Bill?"

Lyons: "My superintendents in my district, who... after the passage of the House Bill 452, asked me, 'How are we going to pay for the remediation that the Bill requires?' And asked me, 'If the... We would like to provide that remediation', but it is so costly that a lot of school districts don't. So, what this is encouraging school districts to do is to provide that remediation without the excuse of the... the fact that they can't pay for it."

Black: "Now, is this... When you are talking about the remediation, is it only the remediation caused by our

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mandate that social promotion stop?"

Lyons: "Exactly."

Black: "So, if they have to have summer classes, we're going to send them the money to do that?"

Lyons: "Yes. They can apply for reimbursement if they choose that as remediation. Yes."

Black: "And do you have an appropriations vehicle to follow?"

Lyons: "Yes. We have a \$30 million appropriation that we hope to... is a companion to this Bill."

Black: "Now, Representative, let me just say that I am shocked and appalled that you would bring a Bill to this Chamber that would actually say that what this Body has mandated, we will send the money to carry out. That is so unique and so different that you should be Legislator of the Year. I mean I stand in utter amazement. I am in the company of greatness that we would actually have a Legislator that said since we mandate that you have summer school classes, we're going to send you the money to hold those classes. What a refreshing idea. You have my vote for Speaker or for whatever you want to run for."

Lyons: "Thank you, Mr. Black."

Speaker Hannig: "Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. I rise in strong support of this piece of legislation. You know we have sent so many mandates to school districts, to county governments. This time we are saying 'We will give you the money to run the programs needed to improve students across the state.' If you so choose to use summer school as that vehicle, which will bring kids up to the expected level that we now expect through our IGAP testing, then we will, through legislation, get the money, appropriate the money for you to run your programs without an added burden to property

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taxes and to the local citizens. I think this is an excellent initiative. I'm very proud to be a Cosponsor, and I ask for an 'aye' vote."

Speaker Hannig: "Representative Beaubien. Representative Beaubien. Does the Gentleman not seek recognition? The Gentleman is not seeking recognition. Representative Lyons, to close."

Lyons: "I ask for your favorable support."

Speaker Hannig: "The question is, 'Shall House Bill 2640 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 none voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Connie Howard on 2796. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2796, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hannig: "Representative Howard."

Howard: "Yes, I ask your favorable consideration for House Bill 2796. It provides that a vacancy is created in the office of an elected school board member when he or she is convicted of a violent crime against a child."

Speaker Hannig: "Is there any discussion? On that question, Representative Black is recognized."

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

Speaker Hannig: "She indicates she will."

Black: "Thank you. Representative, this is an outstanding Bill. Do you have a Senate Sponsor for the Bill?"

Howard: "At this point, I am not certain that there is, Representative Black."

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Black: "Let me just... We have a... We, we both are lucky. We have great staff people, and I think they have pointed out a potential flaw in your Bill, and you may want to get it corrected in the Senate. I don't believe anywhere in the language is defined what a violent crime against a child is. And I think if we're to withstand any court challenge, at some point you may want to amend the Bill to make sure that we adequately define what a violent crime against a child is. We have absolutely no problem with your Bill, and we stand in absolute support of the Bill. But at some point, you may want to have your staff look at the definitional language, so that we don't get in trouble with the courts. Because we think you're right on in what you're trying to do, but without that definition, it might be subject to interpretation, and we stand in support of your Bill."

Howard: "I appreciate your suggestion."

Speaker Hannig: "Is there any further discussion? There being none, Representative Howard, to close."

Howard: "I ask for your favorable consideration for this Bill."

Speaker Hannig: "So the question is, 'Shall House Bill 2796 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. Mr. Clerk, read House Bill 2554."

Clerk Bolin: "House Bill 2554, a Bill for an Act to create the Mid-America Intermodal Authority Port District. Third Reading of this House Bill."

Speaker Hannig: "Representative Tenhouse."

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Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I seem to be getting a little bit of flak over here on this side, but this title is somewhat misleading. Basically, all this does is put the Western Illinois area on the same footing as far as the port authorities are concerned. That would include, of course: Havana, Illinois; Illinois Lake Calumet area; LaSalle/Peru; Jackson; Union. We could go on and on. Virtually every area of the state is included, but this was an important issue that was raised, as far as economic development, by folks back home, and it would be a very important issue for us in terms of our economic development in Western Illinois."

Speaker Hannig: "Thank you. And, Representative Ryder, for what purpose do you rise?"

Ryder: "A point of personal privilege, Mr. Speaker."

Speaker Hannig: "Yes, state your point."

Ryder: "On the previous Bill, I intended to vote 'yes' and hit my 'yes' button, and it did not light up there. I wonder if we could have someone check that."

Speaker Hannig: "Yes, and the record will reflect your intentions, and we'll ask the electrician to take a look at your switch."

Ryder: "Thank you, Mr. Speaker."

Speaker Hannig: "And on Representative Tenhouse's Bill, House Bill 2554, is there any discussion? On that question, Representative Hartke is recognized."

Hartke: "Will the Sponsor yield?"

Speaker Hannig: "He indicates he will."

Hartke: "Representative Tenhouse, is there a... is there a cost to this to state government?"

Tenhouse: "No, there is not. Thank you, Representative. No, all

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this... There is no grant involved or anything else. There is no loss of revenues, as far as the state is concerned. What this would really be useful for is the fact that we could become a duty free area in terms of being able to bring in goods as far as the federal tax is concerned. Then we would still pay import fees, but they'd be paid on finished products, as opposed to bringing in raw products. It would be important for us in our area, one of the things that we have...a fledgling...pretty...actually a pretty strong electronics business that's involved, and this would allow them to compete with other communities that can bring them in duty free. But it would be no loss of revenue to Illinois."

Hartke: "Which com...communities would you be comp...competing against?"

Tenhouse: "Well, bas... When we look, the others who have port authority areas. We'll go through it real quickly here. Havana's one; we mentioned Lake Calumet, of course, is the large one in Chicago; Jackson; Union County; LaSalle/Peru; Kaskaskia; Mount Carmel; Seneca; Shawneetown; Southwest Regional Port District in the St. Clair County area; Tri-City Regional Port District, which includes Madison County; Waukegan and White County."

Hartke: "Why would any of those Legislators who represent those areas vote for this then?"

Tenhouse: "Well, they are already...have the same privileges, Representative. All we're doing is putting Quincy on the same footing as those other areas."

Hartke: "And you're confident this won't cost the State of Illinois any money."

Tenhouse: "No, there would not... No, there would be no loss of revenue to the state. We have no granddaughters that are

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involved at this point."

Hartke: "Okay, thank you."

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

Tenhouse: "Thank you, Mr. Speaker. It's an important issue for us in Western Illinois. I would like to point out, too, that it's kind of unique because it's three small communities that are involved. And we're trying to enter into a Tri-State Agreement with Hannibal, Missouri; Keokuk, Iowa; Quincy, Illinois, and it's very important for my region. I would certainly appreciate the help of my fellow Members."

Speaker Hannig: "The question is, 'Shall House Bill 2554 pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes' and 6 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Capparelli on House Bill 2822. Representative Capparelli, 2822? Okay, out of the record. House Bill 2447. Okay, we'll pause for a moment while the Clerk gets the board cleared. We okay? Okay, Mr. Clerk, read House Bill 2447."

Clerk Bolin: "House Bill 2447, a Bill for an act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hannig: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House. Under House Bill 2447, Department of Corrections would have permissive language in statute to establish a pre-release, community-based, supervision program for women inmates and their newborn young children. Housing and services would

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be provided for these women based on their being chosen and being willing to participate in the program. And I ask... if there are any questions on this program, I would be glad to explain it. It's for nonviolent offenders. There would be support services."

Speaker Hannig: "The Lady has moved for passage of House Bill 2447. And on that question, Representative Black is recognized."

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

Speaker Hannig: "She indicates she will."

Black: "Yeah... Representative, it's so hard to hear in here. This Bill does not set up a... any space inside the prison for this to go on. Is it inside the prison?"

Deuchler: "No."

Black: "Where would it be?"

Deuchler: "This is a community based program, as it is envisioned by Department of Corrections. There would be five beds established in the City of Chicago and ten beds in suburban area."

Black: "All right, so..."

Deuchler: "And not within an existing prison."

Black: "All right. But it would be out... outside. Is it only aimed at Dwight or would...?"

Deuchler: "Primarily, because that's where all the women are, but any woman qualifying, by virtual of being pregnant, would be able to apply for this program."

Black: "Okay."

Deuchler: "And be considered."

Black: "Now, since you've provided for five beds in Chicago and ten in the suburban area, then am I to take from that... that this is not like what I am used to, like a halfway

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program, where they go outside and have a transition program for x number of weeks?"

Deuchler: "This is a long term program. It provides for bonding of the infants and their mothers."

Black: "Okay, and I would assume that there are stipulations in the Bill, as to those who would qualify. Do they have to be within so many months of release and had not been convicted of a, say a Class X Felony or something of that sort?"

Deuchler: "The Department of Corrections will be promulgating those...that criteria."

Black: "Okay."

Deuchler: "But it is two years prior to their release and nonviolent crimes."

Black: "Okay. So then, you would also anticipate that these would be very young children, not teenagers, high school age children?"

Deuchler: "The program is envisioned really for newborns; however, children up to one year could be..."

Black: "Okay."

Deuchler: "...included."

Black: "One other question, Representative. This became, not this program, certainly not this kind of program, but some time ago in my district, there was plans for a halfway house where inmates would spend six to ten weeks before rejoining society. And there was quite a brouhaha about lack of public input as to where that halfway house would be. Do you anticipate the Department of Corrections working with city officials as to where they would place these centers?"

Deuchler: "Yes. I believe that the Department of Corrections would work with local nonprofit agencies. And you do know

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that this program is for women and their young children."

Black: "Right. So you wouldn't anticipate that the state would abrogate any local zoning requirements or anything of that sort, that it would meet all applicable community standards, as to location and where it might be placed?"

Deuchler: "Well, this would be based on, certainly, local zoning."

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

Speaker Hannig: "Representative Cross."

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

Speaker Hannig: "She indicates she will."

Cross: "Representative, could you tell us what happens in the scenario with someone who's been sentenced under the Truth in Sentencing Section, assuming that the Appellate Court is reversed, as they should be? I believe that was Representative Turner's Bill, Truth in Sentencing. But if someone's been sentenced under the Truth and Sentencing for murder, would they be eligible to be released to the community under this program?"

Deuchler: "No, they would not, Representative. Nonviolent offenders."

Cross: "I don't see anything in the statute that specifically says that it's limited to nonviolent offenders."

Deuchler: "It certainly is the intent of the Department of Corrections."

Cross: "So, there is certainly the chance that a violent offender, in the discretion of Department of Corrections, could be released?"

Deuchler: "I don't think so. In any discussions that I've had with them, this absolutely is not their intent."

Cross: "Are there specific communities that have been earmarked for this program?"

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Deuchler: "I believe that a statewide RFP was presented and two communities, Aurora and the City of Chicago, have fulfilled the requirements of the RFP and been awarded the initial phases of this program."

Cross: "I'm sorry, Mr... Mr. Speaker, I cannot hear a single thing that she is saying, and it's not her fault; it's the chaos in this place."

Speaker Hannig: "Okay. The Gentleman makes a very valid point. Could we have some order in the chamber? We're debating an important Bill, and we need to have the Sponsor and the Members able to communicate. So, Representative Cross, could you ask the question again?"

Cross: "I'm sorry, Representative. So, all I heard was Aurora and Chicago. That... Those will be the two communities where these prisoners will be released early to have babies or to raise their babies?"

Deuchler: "They will be placed in custody and be wards of the Department of Corrections."

Cross: "Where in the City of Aurora will they be placed?"

Deuchler: "Are you looking for the street address, because I don't have the street number?"

Cross: "I... I'm not looking for the street, Representative. I'm just looking for a... Is there a facility that we anticipate DOC utilizing?"

Deuchler: "Yes. It's a facility that has been used before, for unwed mothers."

Cross: "And I... Has it been approved by the City Council? Is it an issue of... Do we have to worry about zoning locally, or is this just an issue where the Department of Corrections is already... they've already taken care of it?"

Deuchler: "This is taken care of."

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Cross: "And there will be no cost to the local government?"

Deuchler: "No cost."

Cross: "Okay. Thank you."

Speaker Hannig: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of House Bill 2447. I think one of the most compelling reasons to support this legislation is the data on programs like this have revealed that women who participate in this kind of program have a much, much, much lower recidivism rate. These are very tough programs to participate in, much harder, in fact, than doing regular time. The restrictions are very great. The responsibilities and requirements are very great to even participate in a program like this, and the women who emerge from this with their children are unlikely to ever come back to prison. The remarkable success is one that I think should encourage us to support this modest effort to see how it works. This is the kind of alternative sentencing that I think we should be... we should be supporting. And I really congratulate the Sponsor on bringing this legislation to us. I urge an 'aye' vote."

Speaker Hannig: "Representative Lindner."

Lindner: "Yes. Thank you, Mr. Speaker. Will the Sponsor yield? Yes, thank you. Representative Schakowsky, actually, answered many of my public policy questions. But I remember supporting this in committee, and it is my understanding that there are other states who have done this and that it has been very successful and that also the Department of Corrections does have very strict criteria for this program and is also working with the Department of Children and Family Services on this program. Could you comment on that?"

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Deuchler: "That... that is my understanding. Certainly the State of Wisconsin has a similar program, as well as New York State, among the several that I know about."

Lindner: "And they've found what Representative Schakowsky represented, that the rate of recidivism is much lower and that this is also helping to get these babies started out right in life. Is that correct?"

Speaker Hannig: "Representative Hoffman."

Hoffman: "Will the Sponsor yield."

Speaker Hannig: "She indicates she will."

Hoffman: "Representative, this isn't within anything an existing facility... This is an entirely different facility, is that correct?"

Deuchler: "That is correct. This is entirely outside of any Illinois prison facility."

Hoffman: "And who's going to own it, and who's going to run it?"

Deuchler: "It's a nonprofit agency in both cases, I believe, in Chicago. The woman's treatment center and the other facility is being run by Jane Adams Hull House."

Hoffman: "And what happens when the... after the baby is born? What happens then?"

Deuchler: "Under this program? Is that your question?"

Hoffman: "Yeah... Yes, yes."

Deuchler: "Well, if the woman elects to participate in the program, and if Department of Corrections is... accepts her in the program and she signs on to the various aspects, such as, job training, counseling, parenting skills, then the program commences."

Hoffman: "Will the individual be chosen from a written set of guidelines? Does one exist in this Bill, or will they be promulgated by the department?"

Deuchler: "The department is promulgating the criteria."

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Hoffman: "And will we have any oversight with regards to that determination? Obviously, Representative, the concept I understand. I've seen a lot of research regarding it, that it can be effective. But I think we want to make sure, number one, it is people who have served, I guess, a majority of their time, and number two, that these individuals aren't going to be a danger to society in some way."

Deuchler: "Well, JCAR, of course, would be our way of maintaining input and surveillance over this program."

Hoffman: "So, it's your understanding that these regulations would... eventually have to go through JCAR, and they would have to okay the promulgation of the regulations. So there would be a legislative oversight that would ensure that the department doesn't do something like it has done in some other cases and promulgate regulations that aren't reasonable."

Deuchler: "That's my understanding."

Hoffman: "Thank you."

Speaker Hannig: "Representative Durkin."

Durkin: "The Sponsor yield?"

Speaker Hannig: "She indicates she will."

Durkin: "Representative, as I read this, this seems like it's very much akin to what we presently have under Mandatory Supervised Release or what's commonly referred to as parole. If an inmate does qualify under this, and they're part of this program, and they veer away from the, whatever type of program that they have with inside this facility, would there... Is there anything in this Bill which will allow the Department of Corrections to violate the conditions of this pre-release and remand them back to the Department of Corrections, as we do presently with the

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violations of parole?"

Deuchler: "If there is a violation of parole, of course.
Absolutely."

Hoffman: "Thank you."

Speaker Hannig: "Representative Deuchler, to close."

Deuchler: "Just ask for your favorable vote."

Speaker Hannig: "The question is, 'Shall House Bill 2447 pass?'
All in favor vote 'aye'; opposed 'nay'. The voting is
open. Have all voted who wish? Have all voted who wish?
Have all voted who wish? Mr. Clerk, take the record. On
this question, there are 70 voting 'yes' and 35 voting
'no', 6 voting present, and this Bill, having received a
Constitutional Majority, is hereby declared passed.
Representative Brunsvold in the Chair."

Speaker Brunsvold: "On page 18 of the Calendar appears House Bill
2478, Mr. Poe. Out of the record. House Bill 2491, Mr.
Mitchell. Page 18 in the Calendar, House Bill 2491, Mr.
Mitchell."

Mitchell: "Thank you, Mr. Speaker."

Speaker Brunsvold: "Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2491, a Bill for an Act to amend the
Illinois Marriage and Dissolution of Marriage Act. Third
Reading of this House Bill."

Mitchell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
chamber."

Speaker Brunsvold: "Proceed."

Mitchell: "I would like for your approval of House Bill 2491.
House Bill 2491 amends the Illinois Marriage and
Dissolution of Marriage Act. It provides that the court
may grant leave, before or after judgement, to any party
having custody of any minor child/children to remove the
child/children to a new residence within the state, which

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is located outside a 100 mile geographic radius of the residence of child/children at the time of the initial custody judgement, if removal is in the best interest of the child/children. It provides that the burden of proving that removal under this section is in the best interest of the child/children is on the party seeking removal. It provides that removal of a minor child/children to a new residence within the state, which is located within a 100 mile geographic radius of the residence of the child/children at the time of the initial custody judgement, shall not require leave of court. This Bill passed unanimously through committee. It's an initiative that the State Bar's been working on for the last five to six years and solves a problem we have right now with the situation of custodial or non-custodial parents. What the Bill says is that, if you indeed choose to live in Rockford, Illinois, for instance, and you decide to move to Cairo, Illinois, which is a trip of about six and a half hours, you have to at least go to court so that the non-custodial parent can have their say. It puts an undue hardship or burden on that parent that does not have custody to continue to have his/her visitation rights and see the children and be an active part of that family. At the same time, on the other side of the coin, you have a problem if you live in Sterling, Illinois and move to Clinton, Iowa, you have to go to court, and that is only 45 miles. This Bill says that anywhere you move within 100 miles, you no longer have to go to court. So, if someone moved from Sterling, Illinois to Clinton, Iowa, they would not have to go to court in order to make that move. I'd be happy to answer any questions."

Speaker Brunsvold: "The Gentleman's asked for the passage of

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House Bill 2491. And on that question, are there any questions? The Lady from Kane, Representative Lindner."

Lindner: "Will the Sponsor yield for question?"

Speaker Brunsvold: "Sponsor yields."

Lindner: "Yes, Representative, now, right now the present law is that if a woman had custody, and she wanted to move any place in the State of Illinois, she could do so. Is that correct?"

Mitchell: "Representative, the law now says that the custodial parent, be it the mother or the father, that has custody of the child can move anywhere in the State of Illinois. That is correct."

Lindner: "So, this... This law would really penalize the custodial parent because this would limit that custodial parent to moving just 100 miles in the State of Illinois. For instance, if either the man or the woman was the custodial parent and say, lived outside of Chicago and needed to further his/her education to make more money to support the children and wanted to go to the University of Illinois in Champaign, they could not do that. Is that correct?"

Mitchell: "No, Representative, that is not correct. What this Bill does, it says that you must at least go to court on that kind of move that would move that child that far away from the other interested parent, who is interested in helping to be a parent, even though things have happened within the marriage to have them break up. It doesn't say they can't move. It just simply says that the non-custodial parent will have the right to have some say-so and explain to the court what kind of a hardship or burden it would put on them."

Lindner: "Are there groups that are opposing this Bill?"

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Mitchell: "I know of no opposition at this time."

Lindner: "Was the Poverty Law Project opposing this Bill?"

Mitchell: "I'm being informed that the... I'm being informed that the Poverty Law Project is an opponent of the Bill. On the other side of this coin, we amended this Bill simply to take care of part of the objections that we had in the beginning. And one of those objections is that, even if you lived five miles from a state line and would like to move in order to help, let's say the non-custodial parent had a chance at an increase in a job or promotion, which would certainly impact the life of that child/children, then you would still have to go to court in order to do that. Now, the old law doesn't say you can't. The old law just simply says, you go back to court in order to have both sides have an opportunity to discuss the matter before a ruling is made."

Lindner: "But it is true that right now the custodial parent would not have to go back to court if they were going to move any place in the State of Illinois."

Mitchell: "That's correct, even if it means moving them six hours away from the non-custodial parent."

Lindner: "So, that scenario that I posed before is correct, that if somebody in Chicago wanted to go to school in Champaign, under the present law they can do that, but under your law, they would have to petition the court and the non-custodial parent could fight that."

Mitchell: "Representative, only if the entire family was going to move with that child, going to the University of Illinois. It certainly does not stop that child going to the University of Illinois to attend college. To go as a student is not affected in that regard, whatsoever. It's only if the custodial parent's place of residence is

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changing. When you send your child off to school, you are not changing the place of residence of the custodial parent. This only deals with their residence, not the child's residence."

Lindner: "I... I'm still a little confused about this Bill."

Mitchell: "This also... Representative,...this...."

Lindner: "I'd ask the Sponsor to take it out of the record for a little more discussion."

Speaker Brunsvold: "Mr. Johnson."

Johnson, Tim: "Thank you, Mr. Speaker, Members of the House. I realize to a majority of the people in here... this is not a subject matter of tremendous moment; however, I really think it's important to understand what we're doing here. So, let me explain this, and I don't mean to sound like I have a monopoly on knowledge, but I have tried cases at a trial court level and gone to the appellate court. And all right, we may have gone to the Supreme Court on this issue at one point. So, I do know, or have a little bit of expertise in terms of what the law is. Unfortunately or fortunately, depending on how you look at it, the law as it now reads is, really, serves at least at the Appellate Court and the Supreme Court decision, only advisory, notwithstanding the fact that it says the burden is on the person seeking removal. The courts have pretty well uniformly interpreted that to be that whatever the trial court says, and basically the trial court adopts in a number of cases whatever the custodial parent wants to do is what happens, and it's affirmed at an appellate court and Supreme Court level. This doesn't change the law in that regard. So, Representative Lindner making the points that she did, which are well taken, probably in reality are a little off the mark, not intentionally, but simply

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because in virtually every case the... determination of the trial court and oftentimes the wishes of the custodial parent are honored and upheld at a higher level. That's a matter of policy, depending at how you look at it. I'm concerned, frankly, that the law, as strong as it is, is being interpreted by the Appellate Court. And this is Representative Marovitz's language originally or Senator Marovitz is being interpreted so loosely that there is really no burden put on the custodial parent at all, and this Bill doesn't change that. It does interject some common sense, I think, in a state like Illinois, into the law. If... if one is going to move from Galena to Cairo, that's a whole lot more significant move than it is to move from Rock Island to Bettendorf, and yet the guidelines are somewhat different. I have mixed emotions about this Bill because I really hate in some ways to weaken the strength... to weaken the position of non-custodial parents when you cross state lines; on the other hand, the geographic proximity provisions of the Bill and the way it is given to us as... there's certainly no opportunity to amend it at this point, probably make sense more than they don't make sense. So, with mixed emotions about it and certainly I'm not the Sponsor of the Bill, I didn't even know it existed, and I don't mean to steal Representative Mitchell's thunder, but I am more than happy to respond to anybody's questions, even though that's not appropriate under the Rules, because this happens to be one of the few subject matters in this particular area... that maybe I have more expertise in than others. On balance, it makes sense, particularly in a state like Illinois. I would rather have us simply strengthen the language of the existing law. But when you are talking about removing

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children from their family, from their grandparents, from their aunts and uncles, sometimes from grown siblings and others, from one place a long ways away, there ought to be a compelling reason why you ought to have to do that. And to the extent that this law strengthens the ability, and it's still trial court discretion, it's completely discretionary to the extent it does strengthen somewhat that presumption. I stand in support of the Bill."

Speaker Brunsvold: "The Gentleman from Cook, Mr. Lang."

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

Speaker Brunsvold: "Sponsors yields."

Lang: "Representative, I'm interested in the area of agreed orders, so oftentimes in a dissolution case, the parties will agree that someone can move someplace. Does your Amendment address that issue?"

Mitchell: "Representative, in this situation, it does. If there is in fact agreement and there is written notice given by the non...by the custodial parent to the non-custodial parent and there's agreement before, it's simply a rubber stamp, and the move is allowed. It does address it in that way. It also addresses the point of crossing state lines that my esteemed colleague suggested. The State Bar did testify that the relationships state to state, especially those in our boundaries, have improved tremendously. And they don't seem to find they have the problems, as our custodial parents move across state lines. That's why we amended the Bill to add to the fact that even if the move crossed state lines, within that 100 mile radius, it would be allowed. Certainly, if there were still problems state to state, we would not allow that. Certainly, if there were not an alternative to going to court and fighting this out, an agreement in writing, I would not have run the Bill.

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But, yes, to answer your question, it is taken care of."

Lang: "Well, so it's in the Bill? It says specifically in the Bill what happens in the case of an agreed order?"

Mitchell: "It simply provides a procedure for that to be done."

Lang: "So if... if they have an agreed or... if they have an agreement at the time of the dissolution order, does the party that wants to move still have to come back into court?"

Mitchell: "Representative, the only answer we can give you at this time is that there is a procedure, an order for this to happen. I would assume that if that, in fact, was the case at the time of the dissolutionment of marriage, if that agreement were made, probably would have to be tested and established in a court of law for that procedure then to be carried to the extent that you wish or that you are asking about."

Lang: "Repres... Representative, if the parties have agreed on the day of the dissolution that the custodial parent can move that child to any place in the world, should they have to come back to court to ask the judge to approve it at a later date? Should we not, right up front in your Bill, which I agree with in general, should we not say in your Bill that if there is an agreement between the parties that's part of an agreed order, that they do not have to come back to court? Why should we burden them with coming back to court?"

Mitchell: "Representative, you know it's a little tough at the time, with emotions running as high as they are in a divorce situation, to write something in that would stand forever and ever. We're not sure what situations may change down the road. One of the factors that will affect this is any intent specifically stated by the parties in

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any joint parenting agreement, marital settlement agreement, or other written agreement. The court will look at that at any time that they make a judgement in this situation."

Lang: "But you're not understanding my question, Representative. The parties agree today, on the day of their divorce, that the custodial parent should be able to move to Colorado. Why should the custodial parent have to come back to court to approve something the courts already approved?"

Mitchell: "Well, Representative, I think that many times in a divorce settlement, there's a decision made on the amount of child support or spousal support, and quite often we go back to court to change that."

Lang: "But wouldn't that... But wouldn't that be the subject of its own separate hearing? So, if the non-custodial parent agrees on the day of the dissolution that the custodial parent can take little Johnny to Colorado, but if the non-custodial parent has a problem with that later, it should be up to that person to come to court. They've already agreed to it. Why should the custodial parent have to come back to court?"

Mitchell: "Well, first of all, Representative, I again go back to the fact that, number one, it's very difficult in a dissolutionment of a marriage to cover every situation every time. And there are certain times that you go back to court, because of the change in family situations, and this could be the fact here. If that, in fact, were written into the dissolutionment of marriage, I don't think it would take more than a second or two for the courts to decide that."

Lang: "But they still have to hire a lawyer. They still have to come back to court to rubber stamp something the court

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already agreed to. So, I think that is a flaw in your Bill. Let me ask you one other question. What about a situation where it's less than a 100 miles, but they're moving out of state? Let's assume they move from Representative Scott's district in Rockford to Beloit, Wisconsin, less than 100 miles but out of state. Does your Bill cover that?"

Mitchell: "Yes."

Lang: "What does your Bill say?"

Mitchell: "The Bill says that if it's within that 100 mile radius, they would be allowed to move without going back to court."

Lang: "Even if though it's out of state?"

Mitchell: "Even if it's out of state."

Lang: "Even though the people are moving to an entirely different jurisdiction?"

Mitchell: "That's correct."

Lang: "Thank you. Mr. Speaker..."

Speaker Brunsvold: "Mr. Lang. To the Bill."

Lang: "I support the general contention by Mr. Mitchell, that if to contract this arbitrary border which says, if you're going to move over 100 miles, you should come back to court. However, in the vast majority of dissolution cases, there's an agreement between the parties at the time of the dissolution as to all of the issues regarding custody. Sometimes that agreement is that the party would have to come to court if they want to move. Sometimes the agreement is you can move. We'll tell you right now that the non-custodial parent might agree to allow the custodial parent to move anywhere. Now, if they agree to that up-front, they should be allowed to do that. We should not require people to go back to court, to wait in line, to get

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lawyers, to pay fees, to do something that the parties have already agreed to. That's the whole purpose of these agreed orders in the vast number of cases. In addition, Mr. Mitchell has indicated that if they move out of state, but less than a 100 miles, they would not have to come to court, even though they'd be leaving the jurisdiction of the State of Illinois. I think I have a problem with this. So, although I support what Mr. Mitchell wants to do, contract this, this boundary and make people prove that there's a good reason to move their children farther away from the custodial parent, I still believe that there's two flaws in the Bill. One relative is the issue of agreed orders, which certainly the lawyers on the floor here know that most cases have agreed orders. And second, if it's less than a 100 miles, but in a different state, we've created a whole separate problem. So, I support what Mr. Mitchell wants to do. I would suggest he go back to the drawing board. If he's unwilling to do that, by fixing these two matters by way of Amendment, I would suggest 'present' votes on this Bill."

Speaker Brunsvold: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Mr. Sponsor..."

Speaker Brunsvold: "Mr. Skinner."

Skinner: "I wondered if you could tell us when a custodial... when a custodial parent moves from McHenry County to Wisconsin, is the jurisdiction going to change from Illinois to Wisconsin?"

Speaker Brunsvold: "The Gentleman yields."

Mitchell: "No. That does not automatically move the jurisdiction. The jurisdiction still stays here in Illinois, and we have covered that with the State Bar. The State Bar has looked very closely at this same situation."

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If I thought that, and after talking to them, if I felt that that was a real problem, we would not have amended the Bill to add this to it to help out both sides in the situation. The jurisdiction remains in the court that issued the dissolution of marriage."

Skinner: "All right. What if the individual from Lake Forest moves to the eastern shore of Lake Michigan. Will the jurisdiction change from Illinois to Michigan?"

Mitchell: "No. It would not."

Skinner: "How about if the person from Chicago moves down to Indiana. Would the jurisdiction change from Illinois to Indiana?"

Mitchell: "No, Representative, it would not. It would require additional court services in order to move jurisdiction, and that would be a separate issue."

Skinner: "And since you are not an United States Congressman or an United States Supreme Court Justice, how can you guarantee that?"

Mitchell: "Would you repeat your question, please."

Skinner: "Yes. Since you are a State Legislator and not a United States Congressman or a United States Supreme Court Justice, how can you guarantee that the jurisdiction will not change from Illinois to a neighboring state?"

Mitchell: "Representative, within the Bill itself, as is the current law, it states that the State of Illinois retains jurisdiction when the minor child is absent from the state pursuant to this section. I can't guarantee that forever and neither... No one can guarantee any legislation they run now that it will remain exactly the way it is when you pit Federal Government against State Government. Certainly, anything that we do here in the State Government could possibly be changed by action of the Federal

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Government, as we've seen in the past."

Skinner: "Why did you pick 100 miles rather than the more reasonable 50 miles?"

Mitchell: "Well, we really tried to come to something logical. Local attorneys that began work on this and then further working with the State Bar have looked at others. There really is no scientific reason. We just felt that 100 miles translated then two hours drive is something that you could handle. If you got beyond that, it made it really tough on the non-custodial parent to visit the children and take an active part in their life."

Skinner: "I guess the horror story that I can conjure up in my mind is that a non-custodial parent drives four hours for a four to eight hour visit with the... his or her son, gets turned down, that is the son or daughter is not there, drives home. And the question I would ask you is how many weeks do you think that will occur before the non-custodial parent just gives up?"

Mitchell: "Well, Representative, that's happening now, and that's the reason why we've run the Bill. Right now, you could live where you live and if your, hypothetically, if your custodial, former spouse decided to move to Cairo, Illinois, they could do so with no input from you whatsoever."

Skinner: "With all due respect, Representative Mitchell, I don't think many people from McHenry County would consider moving to Cairo, Illinois."

Mitchell: "That's a separate issue, Sir, and I said it was hypothetical. However..."

Skinner: "Of course, they do have a low unemployment rate now, because of the casino, so maybe they would."

Mitchell: "Thank you very much, Representative."

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Skinner: "You're welcome."

Speaker Brunsvold: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I rise in opposition to House Bill 2491. I don't believe there is a need to do as this Bill does, change the burden of proof in a relocation decision from the non-custodial to the custodial parent. While I appreciate the idea that one would not need to go back to court if one were moving within 100 miles no matter when we're crossing state barriers, I think that is an excellent proposal. I strenuously resist the idea that we will change the rules when people are moving in-state. I think everybody who understands what happens in contested dissolution cases is that opportunities to go back to court become the kind of leverages that may end up being not at all in the best interest of our children. So, while there is one good provision in Representative Mitchell's Bill, the change in the burden of proof and the decision that you can't remove children within the State of Illinois without going back to court as you can today, I do not think is good law. In a relocation, the non-custodial parent always has the opportunity to go back to court. But to require it, looks to me as if this is the Lawyers Full Employment Act of 1998. It seems to me, we ought to be more concerned about keeping the family money available to take care of and nurture the child, not to pay high legal bills. So, I would urge a 'no' or a 'present' vote."

Speaker Brunsvold: "The Lady from Cook, Representative Mulligan."

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

Speaker Brunsvold: "Sponsor yields."

Mulligan: "Representative Mitchell, I don't want to beat a dead horse on this, but I am concerned about moving across state

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lines. What if the custodial parent moves across state lines and decides to seek readjustment in child support and instead of filing it in Illinois, she files it then in, say Iowa or Indiana? What would happen then, and could she reestablish where that jurisdiction would be?"

Mitchell: "Representative, according to State Bar Association, we do have Uniform Acts and Reciprocal Acts across state lines now that allow her to do that, which would not change things. She also could come back to the original court to file that same thing. Again, that is within the 100 mile radius, so it would behoove her to come back to the original court to file for that change, and that is filed quite often, which leads us back to another question that was asked. Why would you not have... Why would you have to go to court? I don't think, I don't think that is as major of an issue as we're trying to make it on the floor today."

Mulligan: "Wouldn't it have been easier to just keep it within 100 miles within Illinois and not have it cross state lines?"

Mitchell: "Well, Representative, we did that, but we felt that that really slanted the Bill toward only the non-custodial parent, when we do have a problem that was brought up to us that many times the custodial parent has an opportunity to move across the state line for a job promotion, and they have to go back to court. Why not offer this as, since we have good reciprocal agreements with the states surrounding us, why not offer this as something that would benefit both sides in this particular issue?"

Mulligan: "Is there any opposition to this Bill by any of the groups, like bar groups or parents advocacy groups?"

Mitchell: "The only known opposition that we have at this time is

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the Poverty Law Project. I've also discussed this. There are some concerns. There were some concerns earlier from domestic violence people because they were afraid that it was going to make some changes there. However, those things are taken care of in the court to start with, if you have an order of protection. So, this does not even relate to those particular issues. I also want to clear up one other problem. It does not change the burden of proof to the custodial parent, as was indicated earlier. That remains exactly the same in the law. This only allows the non-custodial parent his time to explain what kind of a problem or a burden it would put on him or her to try to be an integral part of that child's life if they were indeed moved six to seven and sometimes eight hours away at a time when they are trying very hard to be a part of that life."

Mulligan: "Thank you."

Speaker Hannig: "The Gentleman from Whiteside, Mr. Mitchell, to close."

Mitchell: "Thank you. Ladies and Gentlemen, I know that this is... this is an emotional issue. Many of us have been through this situation. We are trying to bring some kind of sense and sensibility to an issue that has long plagued both the courts and the State Bar Association. When we began this project, two local attorneys came to me and said that they had some problems, and one of them was that a client's son's wife in this situation moved six hours away from the entire family, grandparents and parents with no rhyme nor reason. It put a real burden and hardship on the family that was trying to maintain some kind of family closeness in this situation. When we submitted the Bill, the State Bar came back to us and said we're going to oppose it because we've been working on this for five or

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six years. We got the parties together; we looked at an Amendment that both sides felt would help the situation solve many of the problems. This is not a fly by night one year situation. This is a study of about six years of work by a lot of interested people. We truly believe this will help the situation, does not change the burden of proof, does not put undue burdens on either party, only brings some sense to a sad situation at this time. And I would request an 'aye' vote. Thank you very much."

Speaker Brunsvold: "Representative Mitchell's asked for the passage of House Bill 2491. And on that question, those in favor should vote 'aye'; those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourselves. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 77 voting 'yes', 23 voting 'no', 15 not voting. And this Bill, having received a Constitutional Majority, is hereby declared passed. Page 21, appears House Bill 3055, Mr. Novak. Out of the record. On page 19 of the Calendar, appears House Bill 2510, Mr. Brown. The Gentleman from McHenry."

Brown: "Yes, Sir. Thank you, Mr. Speaker. House Bill 25..."

Speaker Brunsvold: "Excuse me. Excuse me, Mr. Brown. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2510, a Bill for an Act to amend the Motor Fuel Tax Law. Third Reading of this House Bill."

Speaker Brunsvold: "Proceed, Mr. Brown."

Brown: "Thank you. Currently the Interstate Commerce Commission funds grade crossing improvements, and they do so without publishing or publicizing which grade crossings they are going to improve, making it difficult for us to find out

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whether grade crossings in our district are targeted to be improved or not. My Bill would require the Interstate Commerce Commission to publish a one year annual plan and a five year project plan, similar to IDOT, and that the plans be reported to the General Assembly."

Speaker Brunsvold: "Mr. Brown has asked for the passage of House Bill 2510. Are there any questions? The Gentleman from Vermillion, Mr. Black."

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

Speaker Brunsvold: "Take your inquiry."

Black: "Why is Kirk Brown, the Secretary of IDOT, presenting a Bill here on the Floor of the House? By what... By what rule is Secretary Brown able to present a Bill here?"

Speaker Brunsvold: "He's even got the same color of coat on that Mr. Brown wears. I've noticed that."

Black: "Where is this Mr. Brown?"

Speaker Brunsvold: "I think he's in the back row. I see a light lit back there under the County of McHenry. Would you like to question this, Mr. Brown?"

Black: "That isn't Kirk Brown. Who is this guy?"

Speaker Brunsvold: "I don't know, Mr. Black. He's on your side of the aisle."

Black: "Well, excuse me. Well, would the mysterious Gentleman yield for a question?"

Speaker Brunsvold: "Mr. Brown, would you yield for a question?"

Brown: "Yes."

Speaker Brunsvold: "Yes. He indicates he will. Mr. Brown, Mr. Black."

Black: "Representative Brown, are you related to Kirk Brown at all?"

Brown: "No, Mr. Black."

Black: "All right, so there is no conflict. How much are you

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increasing the motor fuel tax in this Bill?"

Brown: "There's no increase at all."

Black: "What?"

Brown: "There's no increase at all. All we're doing is a reporting requirement by the ICC for the funds that they currently spend on grade crossing improvements."

Black: "Why, why would you want to do that?"

Brown: "I think it would be incumbent upon legislators to know what grade crossings in their districts were due for improvement. Perhaps there's a grade crossing that you would like improved. You could look at the five year plan, just like you do with IDOT."

Black: "Representative, I don't understand this and many of us have spent a good deal of time, energy and not to mention expense coming down here. I've been here more than a dozen years. We haven't had any problem with the crossing fund, the way it's been since Abraham Lincoln served in the original capitol. You... How long have been down here, Sir?"

Brown: "Sixty-one days and two hours."

Black: "You know, this is part of what's wrong with contemporary society, Representative. No disrespect to you. But here's an issue that we have done very well. This hasn't been any list that I know of, and we've gotten along with it just fine. You've been down here two months, and now you want to change it, and I smell an ulterior motive. If we have a list on these rail crossing funds, then is it your intent, Sir, to move most of the rail crossing fund dollars up into your district?"

Brown: "No, Sir."

Black: "But, what is your intent?"

Brown: "My intention is to require the ICC to publish a list of

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an annual plan and a five year plan for rail crossing improvements and report that list to this Body."

Black: "Well, that's really a problem, Representative. I mean, how can you make a one and five year list of potential railroad crossing hazards? There might be a crossing today where there are no trees, there are no weeds and yet, after El Nino, perhaps a year from now, it would be overgrown in weeds and trees, and I would want immediate action in my district to clean up that railroad crossing. Now you are telling me there's going to be a list. Does that mean if my railroad crossing, which today is fine but a year from now because of El Nino is overgrown and that the vision is obstructed, that I couldn't get that railroad crossing fixed because it isn't on the list?"

Brown: "No, that's not what it means, Representative Black. The ICC, as part of their planning process, would have a contingency fund for those rail crossings that suddenly become a problem."

Black: "And who would they file this with?"

Brown: "With us, with the Illinois General Assembly and with the Governor of the State of Illinois."

Black: "What was the position of the Commerce Commission on this Bill when you had it in committee?"

Brown: "They were neutral."

Black: "Neutral? Had they been opposed at one time?"

Brown: "They had been opposed, yes."

Black: "And the railroad industry, what's left of it... What is their position?"

Brown: "The Bill is, the opponents, or the proponents are the Norfolk and Southern Railway and the Illinois Railroad Association."

Black: "Did the New York Central testify?"

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Brown: "The New York Central ceased to exist in 1966."

Black: "Well, nobody told me. No wonder there hasn't been much traffic in my district lately. I wondered about that. What about the Wabash?"

Brown: "The Wabash was out of business long before the New York Central."

Black: "You're kidding?"

Brown: "No, I'm not kidding."

Black: "What about the Chicago, Eastern and Illinois? They used to serve my hometown."

Brown: "The Chicago, Eastern and Illinois, which is still in existence, did not comment on this Bill."

Black: "Well, I haven't seen them running lately, either. Well, Representative, I thank you for your indulgence in answering the questions. I thought you did a reasonably mediocre job in presenting this Bill in committee, and you've certainly outdone yourself here today. And, Mr. Speaker, to the Bill."

Speaker Brunsvold: "Proceed."

Black: "You know... I... I remember in the good old days when new Members were differential and staff gave them really important Bills to consider, like naming the state fossil or picking the state soil or naming the official state dance or the Bill that I had way, way back on a leash law for cats, which was also a very popular Bill. Now, without any... without any notice, without any notice to those of us who are senior, without any notice of those Members who have dozens and dozens of railroad crossings in their districts, here comes a man riding out of the woods, from up north, telling us that we need a one and a five year list. Well, I'm going to tell you on behalf of my constituents, we've done very well without a list. My fear

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is if we have a list, and I believe he's north of I-80, if I remember correctly, I know what they're up to, Representative, and you should be careful of this as well. That list will be skewed to the northern railroad crossings, where they're still lucky enough to have trains. The trains haven't run in my district in years, and here he is coming up with a list. I think there's much more to this Bill than the Gentleman is letting on. And I... I'm fearful of lists, I resist lists, and I'm not sure that his list is any better than anyone else's list. And unless I'm on the list, I'm not going to vote for this list. Thank you."

Speaker Brunsvold: "Thank you, Mr. Black. Gentleman from Cook, Mr. Lang."

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

Speaker Brunsvold: "Sponsor yields."

Lang: "Mr. Brown, before I go on, I just want to confirm this is your first Bill, correct?"

Brown: "That is correct."

Lang: "Now, the reason that I ask, of course, is that, generally speaking, a person with their first Bill doesn't get a Bill that's quite so intricate and that's quite so detailed. This is an eight page Bill for goodness sakes. Did you write this Bill yourself?"

Brown: "No, I did not."

Lang: "But you have the gall to stand on the House Floor and say that it is your Bill?"

Brown: "Yes."

Lang: "Who wrote this Bill? Who wrote this Bill?"

Brown: "LRB."

Lang: "LRB, LRB wrote the Bill. I know, but did you go to them with the idea? Was this your idea?"

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Brown: "Yes."

Lang: "Now, it says in the Bill that this report that's supposed to go to the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House, et cetera, should be on the first Wednesday in April of each year. Is that correct?"

Brown: "That is correct."

Lang: "Why did you pick the first Wednesday in April?"

Brown: "Because we vote on the appropriations for the Interstate Commerce Commission that we would... we would like to have the report in our hands before we begin the appropriation part of the session."

Lang: "Well, don't you feel that... Don't you feel that we have a problem doing it early in April when income taxes are paid in mid-April? Don't you think you should take it easy on these people and give them a chance to do it after they pay their income taxes?"

Brown: "No."

Lang: "Well, aren't you a consumer oriented person? Do you think just because someone is involved in the Grade Crossing Protection Fund or on the Illinois Commerce Commission that they don't have to pay their taxes? You are not giving them an exemption, are you?"

Brown: "No, we're not."

Lang: "Well, then how the heck are they going to get this done before April 15th?"

Brown: "Representative Lang, just the same as we don't get extra time to file our income tax, the Interstate Commerce Commission certainly can do their appointed duties."

Lang: "Well, all right, let's move on. Why is it that this report is only going to these respective, sort of, head honchos? Aren't we entitled to a copy of it down here on

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the House Floor?"

Brown: "The report also goes to the Illinois General Assembly so that you can tell what grade crossings are proposed for improvement in your district. I'm sure that is a question that's asked in your district office."

Lang: "Well, Representative, I'm reading your Bill, on pages two and three, and I don't see anywhere where it says that the General Assembly is going to get a copy of it. I see that relative to the House, Mr. Daniels will, Mr. Madigan will, but I don't see where I'm going to get a copy, or even you're going to get a copy. How will you know if these folks have done what you're asking them to do if you don't get a copy?"

Brown: "I'm sure that the Speaker and the Minority Leader will share the report with us."

Lang: "You haven't been down here very long, then have you? They don't share a whole lot with us, Sir. I think you may want to rethink this. We don't always get the information we'd like to get. And I know there's many people on my side of the aisle and Mr. Black, for sure, on your side of the aisle that definitely want to read this report. Let's look on page four of your Bill, can we do that? Do you have a copy there, Sir? Do you have that, Sir?"

Brown: "Yes."

Lang: "Now, on line nine, on page four, you referred to 58.4% being deposited as follows. Now, I happen to know that Representative Hartke on our side of the aisle has recalculated this and has determined it should be 58.7%. Are you willing to amend your Bill?"

Brown: "No, I think we can correct that in the Senate."

Lang: "So, do you question the veracity of Mr. Hartke?"

Brown: "No, I..."

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Lang: "I would, if I were you."

Brown: "My first day here, I met Representative Hartke and found him to be a very applicable Gentleman."

Lang: "Well, did you work out these figures yourself, Sir?"

Brown: "No, I did not."

Lang: "Who worked out these figures?"

Brown: "LRB."

Lang: "LRB worked out the figures? Oh, I don't think that's their job."

Brown: "I'm told that it is already current law, the distribution."

Lang: "Well, I know, but it in... It's part of your Bill, you have to know who did all of these things. So, who did these numbers, Sir?"

Brown: "I don't know, and I'm not changing the Bill to... that's not my intent of the Bill. These are numbers that were already in the statute."

Lang: "So, you don't care where these numbers came from. Is that correct?"

Brown: "Yes, I do care where they came from."

Lang: "Well, if you care, then why can't you share it with us? I mean, you should... You know on the House Floor, you're new here, Mr. Brown, but on this Floor, we all share our emotions. We share the genesis of Bills. We share how we get to the bottom line, because we want our colleagues to be comfortable in voting on these pieces of legislation before they go to the Governor. So, would you like to share this with us?"

Brown: "You've totally lost me. What do you want me to share with you?"

Lang: "Well, I would like to know where these numbers came from."

Brown: "The numbers are contained in the current law."

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Lang: "So, but you don't know how the current law got... So, you don't know the historical precedence behind this Bill?"

Brown: "No, I wasn't here..."

Lang: "I would suggest to you, in the future, it would be really important for you to be able to do that. All right, Sir? One other area, how many grade crossings are there in your legislative district?"

Brown: "I do not know."

Lang: "Well, aren't you here representing the 97 thousand people in your district?"

Brown: "Yes."

Lang: "And you're here because you're concerned about the Grade Crossing Protection Fund, correct?"

Brown: "Yes. My district was just south of my district in my county was a site of one of the great grade crossing disasters, several years ago..."

Lang: "Right, right."

Brown: "... And on a daily basis or on a weekly basis we have near misses and grade crossing accidents along the metro commuter line. Grade crossings are of a great importance to McHenry County, and I'm sure they are to your district, also."

Lang: "Well, can you name even one grade crossing in your district by street name?"

Brown: "Yes. I live close to mile post 43 on the Northwestern, which is a walk-up road grade crossing."

Lang: "I've heard about some serious problems with that one. In the future, I would just simply suggest, Sir, that you list all the grade crossings in your district when you're talking about grade crossings, because we need to know how this relates to your district specifically when you propose legislation."

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Brown: "Thank you, Representative."

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

Speaker Brunsvold: "Proceed."

Lang: "Mr. Black posed some very interesting questions, particularly as it relates to the problems of downstate Illinois grade crossings. And although I'm north of I-80, I share Mr. Black's concern about what the heck's going on downstate with their grade crossings. So, I would suggest that Members look very carefully at this legislation. The Sponsor really could not answer any question I asked regarding the genesis of the Bill, regarding specific problems with specific grade crossings in his district, nor could he answer any of my questions about how we can be assured on the House Floor that we'll get a copy of this report. So, I would suggest that we look very carefully at this legislation. Thank you."

Speaker Brunsvold: "The Gentleman from Madison, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Thank you, Representative Cross. We haven't been able to hear much of the debate on this side, because Senator Luechtefeld is over there trying to explain to Representative Reitz why the St. Louis University 'Billikins' lost to the Kentucky Wildcats, and he's obviously not paying attention. Representative Brown..."

Speaker Brunsvold: "The Gentleman yields."

Stephens: "I was hoping you could respond to a few questions. First of all, is it true that you are a member of the Association of Former Intelligence Officers?"

Brown: "Yes, that's correct."

Stephens: "And how did you obtain that membership?"

Brown: "I applied through the internet and sent them a check, and I was able to become a..."

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Stephens: "So, you bought your membership. You bought your membership in the Intelligence Officers Association."

Brown: "Yes."

Stephens: "Hasn't been a great year for you, has it Representative? I mean, January was not a good month. The Packers did not win. You are a Packers fan, is that right?"

Brown: "That is correct."

Stephens: "Do you care to explain to the State of Illinois why you're a Packers fan?"

Brown: "Truth in justice."

Stephens: "Truth in justice, and the Packers got beat. The fact is it hasn't been a very good year for you. You lost the Super Bowl. You've just come from a very tough primary. You were forced to buy your way into the former Intelligence Officers Association, and tell us about that association. Do you have to actually express intelligence to be a member?"

Brown: "Well, Representative, one of the bylaws of the organization, I can't tell you where I've been or what I've done."

Stephens: "Well, that's been obvious by the explanation of your Bill that you can't tell us where you've been or what you've done. Representative, this has to do with grade crossings. Is this an education Bill? Did you check with Representative Cowlshaw about grades?"

Brown: "No, no. It's not an education Bill."

Stephens: "You haven't done your homework then. Right?"

Brown: "Representative Lang pointed that out."

Stephens: "Representative Lang is very good at pointing out when most of us have not done our homework. Representative, you explained that you did not write this Bill."

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Brown: "That's correct."

Stephens: "But, you became the Sponsor."

Brown: "Yes."

Stephens: "How did you convince my seatmate, Representative Jones, to cosponsor the Bill with you?"

Brown: "I didn't convince him. Just..."

Stephens: "He just appeared one day?"

Brown: "I... as an intelligence officer..."

Stephens: "I don't believe that Representative Jones would, has ever presented himself to be an intelligent... oh, intelligence or intelligent?"

Brown: "Yes, 'gence'."

Stephens: "'Gence', I see, gent. Well, Ladies and Gentlemen of the House, I think that we should be reminded on this side of the aisle, this is Representative Brown's first Bill. It has been a tough year for him. The Packers didn't win the Super Bowl. He barely won a primary that he just came out of. He was forced to buy his way into the Intelligence Officers Association, the former Intelligence Officers Association, and he is an Informer Intelligence Officer. I would just remind the Body that this is his first Bill. I think there is absolutely no merit to the Bill. I think there is no reason to feel sorry for him because, although it was a close race, he did win his primary. He's drug my seatmate, Representative Jones, down the aisle on this Bill. I am embarrassed, Representative Jones does nothing about cosponsoring this Bill and I would urge a 'no' vote."

Speaker Brunsvold: "The Gentleman from Kendall, Mr. Cross."

Cross: "Mr. Speaker, I'm sure it goes without saying, we'd like a verification in the event this passes."

Speaker Brunsvold: "Absolutely, we'll verify who this Representative is. Mr. Brown, to close."

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Brown: "Yes, I'd like to thank all the Members who have spoken in support of this Bill, and I would urge a favorable vote. Thank you."

Speaker Brunsvold: "The question is, 'Shall House Bill 2510 pass?' All in favor should vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Congratulations, Mr. Brown. And on that question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Cross, do you persist in your verification?"

Cross: "Now we do."

Speaker Brunsvold: "Thank you, Mr. Cross. On the Calendar, on page 21, appears House Bill 3110, Mr. Scott. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3110, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3110 would amend the compulsory age that children go to school from seven to six. It was brought to my attention by a grade school teacher in Rockford that many children are coming to first grade, basically, unprepared. They hadn't had the ability to go to kindergarten. Their parents had not gotten them into kindergarten, and districts are virtually helpless to do anything about it. So, she suggested, and it was a surprise to me actually, that the compulsory age was at the age that it was. Districts have to provide the space, the materials and the teachers for all kindergarten and above age children, but the children don't have to go until the

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age of seven. That creates some very difficult situations for the children involved. We're talking about a very small issue here. We're talking about a potential of no more than seven or eight thousand children during the last school year spread out over the whole state. That's why the State Board says that the fiscal impact of this legislation would be minimal, and I would appreciate favorable support of this Bill. It passed out of the Education Committee 14 to 2 with one 'present' vote, and I'd be glad to answer any questions."

Speaker Brunsvold: "The Gentleman has asked for the passage of House Bill 3110. And on that question, is there any discussion? The Gentleman from Kane, Mr. Hoeft."

Hoeft: "Thank you, Mr. Speaker. I like the idea of speaking in behalf of this very excellent Bill. Compulsory education Bills were initiated in the State of Illinois in the 1900's in order to protect children. It was from 7 to 16, and there is a gap. The children who start kindergarten and first grade are not covered by this, and parents have the capacity to pull their children in and out of the system during the first two years, the critical years, where they need stability. From a practical matter, as a school administrator, this is an absolute necessity if we are going to start a child properly, maintain a child in the environment. This is an excellent Bill for a prevention of the problems that occur later on and fits very well with Teddy Roosevelt's square deal, when they did start throughout this country, compulsory education to protect our children. I would strongly urge every one of my colleagues to vote 'yes.'"

Speaker Brunsvold: "Any further discussion? And on the question, the Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "The Sponsor yields."

Black: "Representative, why is it necessary to make this a mandate statewide?"

Scott: "Because it goes off of what Representative Hoeft just said."

Black: "I couldn't hear a thing Representative Hoeft said."

Scott: "Well, he made some very good points, as he always does."

Black: "That's true."

Scott: "The problem that you have from a practical standpoint is that parents are very well aware that the compulsory age is seven, and so what happens in a lot of cases where districts find and teachers find that children are maybe starting kindergarten and then stop and then try to come back at a later time. They end up lacking some very needed skills that are involved, that creates, not only a very difficult situation for the rest of the class, but also for the children themselves, which is, theoretically, what we ought to be looking at, I think. And the problem that you have is that parents very often will... I've had teachers tell me that parents will tell them the age is seven. I know the age is seven; there is nothing you can do about it. So, what we're doing is we're funding more now. We've just done this in the last year, funding Headstart programs and funding day care so that children can go to Headstart earlier. And then we're saying, essentially, parents can take a couple of years off, and there's no necessity to bring the children back into school until the age of seven. What that does is leave a terrible gap where they are missing the ability to acquire and hone some much needed skills. So, the educators, the districts themselves, the

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teachers are very much behind this particular initiative."

Black: "How many kids are we talking about? I mean, it's my understanding that if I had a six year old child, and I wanted that child to go to school, I could do that. I'm not prohibited, right?"

Scott: "Right. No, in fact, as I pointed out in my opening remarks, school districts have to provide facilities, teachers, and materials for all kindergarten and above aged children. But, again, they don't have to go until they are the age of seven. Now, here are some numbers. They don't... they don't tell you exactly, but they get to where you're, where you want to go because we don't know, we don't always know how many children are being kept out on purpose by parents and not being asked to go. But, in the last...two years ago, there are one hundred and... 146 thousand, roughly, students enrolled in kindergarten, and last year, 154 thousand students enrolled in first grade. So, if you look at those numbers, you say, well, statewide, the most that, that could possibly be is eight thousand students, on a statewide basis. But that number is not going to be completely accurate because that also includes just natural growth that comes into the state. And the population is growing, and the population of school aged children is actually growing throughout most of the state. So, the number, just looking at statistics from last year, is somewhere below eight thousand students. That's what... and that's on a statewide level, which is why the school, the State Board of Education said that the cost is minimal. But, for those students that, that involves, and for the other students in their classroom, it's a major issue."

Black: "Well, you know, I was looking at the Mandate's Note and the Fiscal Note filed by the State Board of Education, and

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I'm a little disappointed. I mean, that really doesn't tell us anything at all. The Mandate's Note would indicate that it isn't a mandate and the Fiscal Note says that the cost is minimal. Something doesn't compute here."

Scott: "No, it actually does, Bill, and here's why. Because, under the School Code, the way that it stands today, the districts already have to provide the materials, the buildings, the teachers for all school aged children that are kindergarten and above. So, if those children, as you correctly pointed out in your opening statement, want to go to school, they can. Those facilities are already there. So, we're not mandating that districts provide anything more than they already do. So, while there may be a few more children in school, it's something that those districts where those children live already have to have planned for. That's why there may be a mandate, but there may not be any fiscal impact."

Black: "But, the scenario exists - i.e. Eileen... Representative Lyon's Bill earlier in the day, where we mandated no social promotion, and there is obviously a cost to that. Might we not be in a position, a year from now, where we're going to have to come back and appropriate dollars. More students show up for first grade than anticipated, and those districts, I would think, would have every right to come to us and say, 'We didn't anticipate this enrollment increase, and we need more money.'"

Scott: "Well, not really, because they have to anticipate the enrollment right now. They have to do it right now as it is. Think about it from a practical standpoint, too. Obviously, most of the children we're talking about, you're talking about no more than eight thousand statewide; you're talking about most..."

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Black: "But, I mean, is that a hard number, Representative? You're saying eight thousand, but that's a guesstimate, wouldn't you say?"

Scott: "That's a top end guesstimate. My estimation is that it's going to be much lower than that because that would also take into account natural growth and other factors as well. So, I think the number is much smaller than that. But, even using that as an outside figure, that's a statewide figure. Obviously, most of them are going to be located in population centers, where there are many more kindergarten facilities also available, too. So, the impact to any particular district or any particular building is much smaller."

Black: "Alright, now, if we lower the age from the compulsory attendance from seven to six, does that in turn create a ripple effect on the other programs that we have, Children at Risk, Early Childhood Intervention, or does it not have any impact that you can foresee on any of the other programs?"

Scott: "I don't... I don't think it has a large impact and that goes to the point, another point that Mr. Hoeft would have made to you, had you been able to hear what he said. But, but what he was talking about is, right now there's this gap that exists because most of those programs are, they're zero to three programs, and then they're programs up to kindergarten age children. And then they kind of stop, and what you end up with is this two year gap or a year and a half gap, where we've tried to make great strides with children up until that point. And then we just kind of let them go and take a couple of years off, if that's what their parents choose for them."

Black: "Okay, well, for example, in my district, we have a very

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good Headstart program, and refresh my memory, Headstart concentrates on what age, five..."

Scott: "Four and five."

Black: "Four and five?"

Scott: "Right."

Black: "So, that we then might eliminate that one year from Headstart to first grade, I mean so that they could go right on."

Scott: "No, it really... what it would do is it would then reduce the gap by a year between Headstart and first grade, which I think most of us would think is a pretty positive, positive result."

Black: "Alright, now, by doing this, does this have any impact on home schooling? Would then, so, it would have absolutely no impact on home schooling whatsoever?"

Scott: "Intentionally not. We're not doing any... If people want to home school their children, they still have, they absolutely have that right to do it. We haven't changed any of those parameters."

Black: "Okay."

Scott: "Or anything else."

Black: "Well, I appreciate your answers, Representative, and I know there will be additional debate, and I look forward to hearing that. I guess there's something in the back of my mind that says, you know, where and when do we stop? Do we mandate it three, two, one? And I don't want to be ridiculous about it and say, well, someday mandate prenatal instruction, but I mean, there are some people who wonder just how far we're going to go with mandating children's educational programs. I do appreciate the forthright answers and look forward to additional debate on your Bill. Thank you and thank you, Mr. Speaker."

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Scott: "Thank you, Mr. Black."

Speaker Brunsvold: "The Lady from Cook, Representative Monique Davis."

Davis, M.: "Thank you, Mr. Chairman...Mr. Speaker. I rise in support of the Gentleman's Bill. I think it is extremely crucial that we, as Legislators, recognize that children learn extremely rapidly at early ages and many times, if their brain is not challenged by a certain age, there's certain neurological connections that don't take place. We must make sure that it is available for all children, and that is education at an early age. Currently, most six year olds are actually already in school. This Bill is one that I attempted to pass when I first came to the Legislature twelve years ago, and I think it is past time that we do for children what, perhaps, we should have done. I really commend the Sponsor of the legislation, and I'm very pleased to hear the positive support that he is getting from the Members of this Body. This Bill should get unanimous support because our children need to have as much neurological material developed as possible, in order to compete nationwide. Thank you."

Speaker Brunsvold: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to this Bill, not because I believe that children should not be starting school earlier than they typically do right now, but for a couple of reasons that I think are valid. The first is, nearly all of us profess a strong belief in local control. In this case, I think we should let local school districts, but most of all, the parents of these children, decide when they are ready to attend school. To imply that the state

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knows better than parents what should be done for any child, I believe is an affront to the very good job that the vast majority of parents in this state do with their children. The second is that of all the variations in young people throughout the period of public schooling, the greatest variation there may be, may very well be, in fact, the age at which children are truly ready to learn when they start school. I can speak from my own experience in saying that I had one child who was all ready at four. I have a son, who probably wasn't ready at seven, because they were entirely different people, with entirely different personalities and other kinds of characteristics. So, I think this is a local issue. It is not something the state, once again, should be dictating. I think the appropriate vote, if you want to let parents control some of these decisions for their children, the appropriate vote is 'no'."

Speaker Brunsvold: "The Gentleman from Lake, Mr. Beaubien. Mr. Beaubien. The Gentleman from Cook, Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to this. This is... this is big brother at its best. I know what the Sponsors are trying to do in terms of it, but you know, when you have a six year old, and you're the parent, you ought to make the decision. Some of the previous speakers said that most of the children are in school at that age, and that's what it ought to be. But, to tell parents that you must send your child to school at...under age seven ought to be the decision of the parents, not of the state. You know, local control is an argument that we keep saying. The Federal Government has been saying that we, that the Federal Government ought not to be making the decisions for the

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states. Now states are saying now that we should make decisions for the individual citizen. That's wrong. This Bill ought not to be passed and on top of that, I hope the Governor's listening. This is an unfunded mandate to school districts, because if we mandate those that choose to be kept home by their parents, for whatever the reason, all those children now will be in your local school districts, and they will have to be taught. If they're ready, they ought to be taught; but that's a decision that the parents ought to have, not us. I rise in strong opposition to this Bill."

Speaker Brunsvold: "The Gentleman from Madison, Mr. Hoffman."

Hoffman: "Big brother, that... I... to be very honest with you, I... it's unbelievable, unbelievable that anybody would stand up and say, this is big brother at its worst. What are we going to do next? Oh, they don't have to take math. They don't have to take science. Why should they go to school at all? It's all a local decision. It's unbelievable that we are saying, and standing in this day and age on the Floor of this House, stating that we shouldn't allow children, and shouldn't give the opportunity to children to have earlier and earlier schooling. This makes sense. Study after study says it makes sense. Big brother, give me a break."

Speaker Brunsvold: "The Gentleman from Whiteside, Mr. Mitchell."

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

Speaker Brunsvold: "The Sponsor yields."

Mitchell: "Representative, does this, in any way, impact the laws regarding home schooling?"

Scott: "No, not at all, Representative. People who wish to home school should still have that ability. And I have no quarrel with that at all, and it's not part of the

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intent... at all with this legislation."

Mitchell: "So, if you, in fact, don't feel that your child is ready for school, or you, in fact, don't think it's time, you certainly could home school?"

Scott: "Absolutely."

Mitchell: "Okay. So, this has no effect on that whatsoever?"

Scott: "I'm sorry?"

Mitchell: "It has no effect on that, on that situation whatsoever?"

Scott: "No, not at all."

Mitchell: "Okay. Mr. Speaker, to the Bill."

Speaker Brunsvold: "Proceed."

Mitchell: "I rise in support of this situation. Number one, as the husband of a kindergarten teacher and a former superintendent, one of the problems that we have is that attendance patterns are set in kindergarten. Now, in State of Illinois right now, we mandate that every school district has kindergarten. You have to have teachers. You have to have books. You have to have supplies. But, what you don't have to have in the State of Illinois is you don't have to have kids. The kids don't have to come. You have to have the program, but you don't have to have the kids. Or, you can have the kids a couple of days a week and not have them for three days. On next week, you can have them for four days, and then they can go home. In other words, there are no attendance laws, whatsoever, for kids at that age; however, attendance patterns are set. They go into first grade, second grade, third grade, and many times, those attendance patterns are continued, which causes great frustration for teachers after the kindergarten years, let alone for the kindergarten teachers themselves. So, in that regard, this is a good Bill.

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We're not doing anything to change the fact that if you want to keep your child at home, and get them ready for school, you can do so. What we're saying is that the compulsory age for attendance in schools will change by one year, so that we can have the kids for the programs that we've already mandated in the State of Illinois. A few years ago, we changed the rules and said you will have all day kindergarten. You also have to offer the option of half day kindergarten. Now, we keep mandating everything, except you don't have to have the kids there. It's time to put the kids in the program. I think it's a good Bill, deserves a 'yes' vote. Thank you."

Speaker Brunsvold: "The Gentleman from McHenry, Mr. Skinner."

Skinner: "Well, here we are. We know more about when kids ought to go to school than their parents do. I don't think I need to say much more than that. This doesn't deserve to be passed. There is no case that has been made that you have better judgement, Representative, than the parents have."

Speaker Brunsvold: "The Gentleman from DuPage, Mr. Roskam."

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

Speaker Brunsvold: "The Sponsor yields."

Roskam: "Representative, you mentioned earlier that this has no impact whatsoever on home schoolers, but isn't it arguable that you are going to require home schoolers to start home schooling a year earlier?"

Scott: "Yes."

Roskam: "So, it does have an impact on home schoolers."

Scott: "From that aspect, yes."

Roskam: "Thank you."

Speaker Brunsvold: "The Gentleman from Winnebago, Mr. Winters."

Winters: "Thank you, Mr. Speaker. Will the Gentleman yield?"

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Speaker Brunsvold: "The Gentleman yields."

Winters: "One question, Doug, if a parent would choose to hold a child back and send him to kindergarten at age six, full day kindergarten, would that be allowed, or do they have to be in first grade at age six?"

Scott: "No, nothing would change about how those decisions are made, right now. So, if a parent wanted to send the child to kindergarten at age six, they could do that."

Winters: "Okay, and that would be considered the school attendance..."

Scott: "Yes."

Winters: "...as far as this Bill goes."

Scott: "Yes."

Winters: "Because I am aware that in Sweden, they have made a decision, that in many cases, young boys at the age of six are not mature enough for a full day of first grade. They typically send girls at age six, and at age seven, the boys enter first grade. And they stay that way through high school, with the boys typically being one year older than the girls in the same class. And it, in fact, has created less of the developmental disparity between the sexes in schools. So, in my own instance, I had a boy and a girl who were twins, and we saw some major differences in their developmental progression as they were getting ready for school. They did attend the same class, but it would have been my right then, if I had chosen to send my six year old daughter to first grade and my six year old son to kindergarten, if I felt that was in the best interest of my own family."

Scott: "Would have been then, still would be under this Bill. And there's also a provision in the Code that we're not touching at all, that talks about children who aren't

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physically or emotionally ready to handle school, and there can be an exemption for that under that. So, yeah, none of that would change."

Winters: "One other provision that I did notice, and that was attendance at, let me scroll down to it on the computer, attendance at religious education. Do you have any definition of what that would be, that they would be exempt if they were in some form of religious education? I believe it was confirmation classes."

Scott: "Confirmation classes, right."

Winters: "Okay, that's not typically done at age six, however."

Scott: "No, that's, all this law... all this Bill does is change one number, from seven to six. There are other exemptions that are contained within the law that apply to children of different ages. There's working exemptions. There's the confirmation example, and there are other examples or exemptions that would apply to different ages throughout the... because the law deals with the compulsory age being from now, seven to 16, if we change it from six to 16, and there are different exemptions that would flow at different points along that line."

Winters: "Okay. Okay, thank you."

Scott: "Thank you."

Speaker Brunsvold: "The Gentleman from Winnebago to close."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I appreciate all of the questions that were raised here. I do want to try to answer a couple points that were made though. On issue of local control, it's best for the local districts to be able to control, one speaker said, but they can't, because under the law, the way it exists right now, the law is it's seven. There is no opportunity to go younger than that. There is an exemption if the

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children are not physically or emotionally ready. That exists in the law right now. That won't change. The question about the parents being the ultimate arbiters of that, I mean, I have some sympathy for that argument, but if you follow that to its logical extreme, then children would never have to enter school. We've had a compulsory school age on the books for as long as there have been books, and we don't seem to have had a problem with that. The idea that the state somehow sets a minimum age is something that we accepted long ago and that we don't allow people just to opt out of it, because they don't feel like it. The idea that we're spending a lot of money now on earlier and earlier programs, zero to three, Headstart, four to five, other programs, the idea that we would do that is an acknowledgement on our part that it's necessary to help childhood development at an earlier and earlier age. It makes no sense to me, for us as a state, to be spending all that money, and then essentially let it lapse and let it go to waste by letting people out for a period of two years, as we do right now. And somebody pointed out, there's no case that we know better than the parents do and maybe not, and that's a subjective thing. But I'll tell you what there is, is there's case study after case study that shows that the earlier that we challenge kids, the earlier that we have children in a learning environment, where they're able to develop those skills, the better off they are. The children whose attendance patterns in kindergarten are better are better all the way through school and the better they do academically. I think there's case study after case study to prove that. I appreciate the debate we had on the Bill. I think it's time for us to do this, and I think for the number of

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children who will be impacted, I think later in their academic careers, they're going to thank all of us. Thank you very much."

Speaker Brunsvold: "Mr. Scott has moved for the passage of House Bill 3110. And on that question, those in favor should vote 'aye'; those opposed should vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 102 voting 'yes', 14 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Hartke in the Chair."

Speaker Hartke: "On page 21 of the Calendar is House Bill 3257, Representative Hassert."

Hassert: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 3257..."

Speaker Hartke: "Excuse me. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3257, a Bill for an Act to amend the Environmental Protection Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker. House Bill 3257 is just a clarification of a Bill that we passed last year dealing with fly dumping. The legislation we passed last year had to deal with construction debris. In particular, it dealt with the City of Chicago's problem last year, but there were some inherited problems with the Bill as they tried to implement it. This Bill simply directs the generator of the construction debris and the hauler to keep the records. First they have it in a regular manifest. I'd be happy to answer any question. This came out of committee with no negative votes, and the City of Chicago has agreed with

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this legislation."

Speaker Hartke: "Thank you very much, Mr. Hassert. Is there any discussion? Since there is no discussion, Mr. Hassert moves the passage of House Bill 3257. All those in favor signify by voting 'aye'; those opposed by voting 'nay'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3257, there are 116 Members voting 'aye', 0 voting 'no', 0 voting 'present'. And the Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar is House Bill 2050, excuse me, 2950. Mr. Ryder, would you like to call House Bill 2950. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2950, a Bill for an Act to amend the Gasohol Fuels Tax Abatement Act. Third Reading of this House Bill."

Speaker Hartke: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. The... this Bill will extend the sunset which is due to expire on the tax incentives for gasohol. It is an agreed Bill in the sense that the Amendment that was on this was agreed to by all of the consumer groups, as well as the petroleum marketers. It is a four year extension. In addition, there are some reporting requirements and other administrative requirements of the Department of Revenue that have been eliminated, all of which is with the agreement of the parties. I would be happy to answer any questions. Thank you."

Speaker Hartke: "Thank you, Mr. Ryder, who explained the Bill. Is there any questions on the issue? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Would the Sponsor tell us, through what year does this

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exemption go?"

Ryder: "Currently, it goes through '99. We originally wished to add eight years for the exemption. That was not possible and the compromise was four years, so it would be 2003."

Skinner: "And how much is the cost of this subsidy per year?"

Ryder: "If you assume that all factors would remain the same, the subsidy would be approximately \$30 million a year. That assumption, of course, would indicate that farmers would have other markets for the grain that is used for gasohol. I'm not sure that's the case. Currently, with grain prices as low as they are, it may even, the subsidy may be lower. This is simply an additional market for grain."

Skinner: "I would like to know how long it's going to take, how many decades, before we decide whether gasohol, that is the alcohol portion that is added, can be allowed to stand on its own feet and rise or fall based on private enterprise, rather than public subsidy?"

Ryder: "In the event that I had the answer to that question and my crystal ball were clear, I'd be happy to provide it. Unfortunately, I don't have that, so all we're doing is asking for a four year extension of the incentive."

Skinner: "Well, Members of the General Assembly, if I might point out that I'm probably the only one that's run a campaign with a alcohol powered car, back in 1982. It was running on 85% alcohol and 15% water. So, one cannot say that I have not tried to give alcohol a fair chance. But, it does seem to me that at some point, this General Assembly should conclude that taking \$30 million a year and giving it to, basically, ADM, giving it to one company in this state, who controls, the last time I noticed, I think it was 60 to 70 percent of the market of the United States, in addition to the subsidy that ADM receives from the Federal Government,

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is a bit much. If we had... if we could allocate \$30 million a year, we could sell school construction bonds in the amount of over \$300 million and add to the assistance that we're giving local schools. This is a tax break, which last came up, what three years ago, four years ago? Representative Maureen Murphy, I believe, sponsored it at that time, and it's \$30 million. And we're going to spend less than five minutes deciding on whether we ought to multiply that by four more years. That is a total of \$120 million. I think it's time to end the subsidy. We ought to let this industry stand on its own two feet or fall on its own butt."

Speaker Hartke: "Further discussion? The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I think Representative Ryder's Bill is a fine piece of legislation. I've had my light on for ten minutes. I wanted to ask Representative Hassert a question on loading tickets on the previous Bill, but you refused to call on me. I don't know whether you had my light covered up."

Speaker Hartke: "I apologize. I did not see your light, Representative."

Black: "Well, I'll accept your apology. What, did you have various legal briefs covering up the board up there?"

Speaker Hartke: "I don't think so."

Black: "I see. Well, at the appropriate time, you know we're ready to help you with your legislative agenda."

Speaker Hartke: "Thank you, Representative Black."

Black: "Thank you."

Speaker Hartke: "Further discussion? The Gentleman from Kankakee, Representative Novak."

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

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Representative, this extends the exemption for four years. What's the... This is another exemption, right? What's the hit on the treasury every year?"

Ryder: "Representative, in answer to the part of your question that I could hear, it does extend the sunset four years."

Novak: "But, what is the, on an annual basis, what is the cost to the treasury every year?"

Ryder: "Representative, I've indicated that, were this to be required to pay the full amount without subsidy, it would be an additional \$30 million, but that is \$30 million we do not collect now. It is, however, the subsidy that is present to help that agri-industry, both the production of corn and the production of gasohol."

Novak: "Right, I understand that, Representative."

Ryder: "Thank you."

Novak: "Wait, I'm not finished yet, Sir. Is there anything else in this Bill, other than what you stated?"

Ryder: "As I did indicate, there is a requirement that the Department of Revenue has been making some calculations which have not been necessary. They've asked to be excused from doing that, concerning this gasohol issue, and the Bill does exclude that. All reporting requirements, everything else, remains exactly as it is today."

Novak: "Okay, and just for the record, there isn't any language laying around on the page that'll increase the gas tax, is there?"

Ryder: "Oh, no, absolutely not. The Bill is not for that purpose. I would not be calling it for that... to the Bill and will not call the Bill if that's placed on it. It is not for that purpose, nor will it be used for that purpose."

Novak: "Okay. Thank you."

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Ryder: "Not at all."

Speaker Hartke: "Further discussion? Seeing none, Representative Ryder, to close."

Ryder: "I would ask for your favorable support for an incentive that is part of the law, as of today. Something that is helping one of the major industries in the State of Illinois, which is the production of corn and one of the major sources of clean air, which is the using of gasohol in automobiles. If we would have more vehicles using it, I believe we would have more consumption, better opportunities for farmers, and less pollution. I would ask for your favorable response. Thank you."

Speaker Hartke: "Mr. Ryder has asked for the passage of House Bill 2950. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2950, there are 106 Members voting 'yes', 8 Members voting 'no', 1 Member voting 'present'. And the Bill, having received a Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from Cook, Mr. Lang, rise?"

Lang: "Well, thank you very much, Mr. Speaker. You know, this is the first opportunity the Members have had to see Mr. Hartke in the Chair since he introduced that very interesting Bill, and we would kind of like to know, while you're in the Chair, on the public record, Sir, if you intend to move that anti-lawyer Bill out of the Rules Committee? If you are... if you are, we're interested in having it assigned to the Judiciary Committee, Sir, where we can give it a fair hearing. So, what's your plan with that Bill, Sir?"

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Speaker Hartke: "I'll check into that."

Lang: "It's your Bill. Who should know if you don't know?"

Speaker Hartke: "Well, I will have to see if we can't look into consideration to move that thing out of Rules Committee."

Lang: "Well, you've got my vote."

Speaker Hartke: "I have a Motion, yes."

Lang: "Would you like me to substitute on the Rules Committee for someone to help you get that Bill out, Sir?"

Speaker Hartke: "That would be good. The Chair recognizes Representative Mautino."

Mautino: "Just a suggestion, on the matter brought up by Representative Lang. If you'd like to, you could also send that Bill to the Insurance Committee."

Speaker Hartke: "Thank you, Representative Mautino. On page 22 on the Calendar, there appears House Bill 3394. Representative Phelps. Would you care to call that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3394, a Bill for an Act to amend the Illinois Public Labor Relations Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, currently 89% of local government employees are covered by what provides that if a majority of these employees seek to organize a local governmental unit, their employer must recognize their union. Unfortunately, over 33,000 of the Illinois public servants cannot exercise the same right that their counterparts, because they work for bigger governmental units, and even if the worker would want and desires to be organized. This Bill simply allows the local unit of governments that have less than 35 employees, and no more than 10, to be able to request the

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same collective bargaining rights that the bigger local unit of governments have, if 75 percent of the workers show support to unionize. And that's simply, we're asking them to come in line with the bigger local governmental units that are 35 and above now. Appreciate your support."

Speaker Hartke: "Thank you, Representative Phelps. Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I rise in opposition to the Bill. I'm sure it doesn't surprise the Sponsor. But at some point, you have to take a stand. I can understand collective bargaining in the City of Chicago. I don't have any problem with it in the City of Danville or Peoria or Galesburg or Quincy, where you have hundreds of city employees or city workers. They don't know the people on the council very many times, and they must be represented to bargain with that particular government. But I submit to you and to the Sponsor in all due respect, and I do hold him in the highest regard, that when you get down to 10 employees, you're talking about a city of 1500 people, and in most occasions, the mayor is probably somebody's brother-in-law who works for the street department, the police officer is probably the son-in-law of somebody on the city council. They operate completely different than the City of Chicago or Peoria or Springfield. And I realize the Gentleman can say, well, if you get 75% of the people to sign up, and they want to bargain collectively, that should be their right. And I really don't have an answer for that, and I would submit that he's probably correct. But at some point, you have to say, and excuse me if I'm wrong, Representative, but no small community in my

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district has come to me and asked me to implement this Bill, not only those members who serve on the city council. And further I submit to you that it's more and more difficult to even find people who are willing to run and serve on city councils in small towns and villages, and if you tell them they then have to enter into a collective bargaining agreement, that sometimes becomes adversarial, and that city does not have the money to hire an attorney or hire someone to bargain for them, and they are then bargaining with their relatives or their life-long friends, you're not going to get anybody to run for those offices. At some point, you just have to realize that small towns and small villages are different, and I don't think we have to include them in the public collective bargaining law of the State of Illinois. Until you can show me that city councils and village governments and presidents of village boards and the street workers and the police officers and the workers in that city who plow snow in the winter need and want and are requesting representation, I stand in opposition to the Bill. I don't think it's good public policy. I urge a 'no' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Silva. Representative Silva."

Silva: "On that last Bill, 2950, my button got stuck. It was my intent to vote 'no'."

Speaker Hartke: "The record will so reflect. Further discussion? The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Well, you know, Representative Black said that none of his local communities had come and asked for this Bill. I'll go one step further. There's no local employee that's

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come and suggested that there is any need for this Bill, whatsoever. This is quite, to put it simply, just a way to create more dues payers. I guess the House can vote to do that, but I trust the Senate will kill it."

Speaker Hartke: "Further discussion? The Gentleman from Saline, Representative Phelps, to close."

Phelps: "Thank you, Mr. Speaker. I understand the concern that Mr. Black brought up and respect his opinion and know that he's coming from an area of, of thinking that's trying to protect little governments against themselves, I guess. But, I believe it's time that we come into the 21st century, at least, since we're that close. The neighboring states around us that do not have minimum requirements for bargaining unit size, Iowa, Minnesota, Michigan, all local government employees can organize. Wisconsin, which limits police only in certain cities, also has no such size limitations. Workers in the private sector, who are covered by the National Labor Relations Act, face little restriction on organizing based on any bargaining unit size, and the board has ruled that as few as a union of two can organize. I think it's time that we move this along. It's no big deal. Let's just give them the right, when their... the governmental employer refuses to hear a group that voluntarily wants to come forward for bargaining rights. That's going on throughout the state, and I think it's time that we challenge it. We ask for your 'aye' vote."

Speaker Hartke: "The Gentleman has moved the passage of House Bill 3394. All those in favor, signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3394,

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there are 64 Members voting 'aye', 52 Members voting 'no', and the House does declare, and have reached a Constitutional Majority, is hereby declared passed. On page 22 of the Calendar appears House Bill 3612. Representative Ryder, would you like to present that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3612, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Ryder: "Thank you, Mr. Speaker. All of us are familiar with the license plate that was introduced by the Secretary of State called the violence prevention plate. It's a purple plate with a white dove on it. The money is used for violence prevention. They have had a phenomenal success rate in selling these plates. They are very, very popular, but they have reached a plateau, I think, approximately thirty to forty thousand plates. And they now need to expand the base to whom they may sell by authorizing the Secretary of State to issue vanity plates on the violence prevention format. The purpose of this Bill is to allow the Secretary of State to do just that. That is all this Bill will do. In the event that anyone else wishes to ask questions, it is for that purpose and that purpose only. I appreciate the fact that I have very strong support on the other side of the aisle from Representative Feigenholtz, who helped Sponsor the original Bill for violence prevention plates, as well. I would be happy to answer any question."

Speaker Hartke: "The Gentleman has explained the Bill. Is there any discussion? The Chair recognizes Representative Fritchey from Cook."

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

Speaker Hartke: "He indicates he will."

Fritchey: "Will the letters, I don't know if you know this, will

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the letters on these vanity plates be any bigger than the numbers are now? Because I know it's been a concern for a while that the size of the numbers and letters on these plates are very difficult for law enforcement to read."

Ryder: "Representative, I had heard that when the vanity plates came out on the... the conservation plates with the cardinals, and I believe that's been made known to the Secretary of State, I don't recall the reason that they were a bit smaller on that plate. It's my understanding that the Secretary of State has the ability to make the design fit the plate, and I would certainly advocate that they be large letters, fully recognizable for police officers and others in law enforcement. I don't design the plates, and I don't have control over the size of the letters, but I'll certainly convey that thought to the Secretary of State. I, like you, have had difficulty seeing the smaller letters on the cardinal plate."

Fritchey: "I, obviously, appreciate the concept behind the plates and the cause for where the money's going to, but I've had more than a few police officers, just in my own district, say, you know, what are we doing coming out with more and more of these plates when you're making our jobs really difficult? Especially with the violence prevention plate, it has dark letters on a dark background. It makes it real tough, and obviously, we're all out here trying to do the right thing, and this might not be the time for this issue. But, I think, at some point, we're going to have to give some serious thought to redoing all of these plates. Thank you, Mr. Speaker."

Speaker Hartke: "Is there further discussion? Seeing... the Chair recognizes the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I rise in strong support of House

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Bill 3612. As one of the original Sponsors of the violence prevention plate, along with Representatives Ryder and Feigenholtz, I think that these community grants to particularly not-for-profit organizations, school districts, to help with prevention of violence is a terribly important thing. And so I strongly urge that we allow the authority to continue their good work and help them raise additional funds. Just as a footnote, Representative Ryder, I do want you to know that I did look into where most of these plates are purchased, and interestingly, there is a disproportionate number of Chicagoans who purchase the violence prevention plates. And I have urged the authority, while we certainly can't do a dollar for dollar proportionality in terms of where the grants go, I think it should be noted that it is a fee for a license plate. And I urge them to ensure that for those communities where most of the people are buying the plates that there is a good return in terms of our violence prevention programs. So, I rise in strong support of this and would urge everyone to support its passage."

Speaker Hartke: "Further discussion? The Chair... Seeing none, Representative Ryder, to close."

Ryder: "I thank those who've offered their support. I would ask all to support this very worthy issue. Thank you, Mr. Speaker."

Speaker Hartke: "The Gentleman has moved for the passage of House Bill 3612. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The poll is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On the issue on House Bill 3612, 116 Members voting 'yes', 0 voting 'no', and it is hereby declared passed, having received a

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Constitutional Majority. On page 20 on the Calendar appears House Bill 2837, Representative Krause. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2837, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Krause."

Krause: "Thank you, Mr. Speaker. House Bill 2837 addresses an inequity that has occurred to two school districts in Cook County. For the tax year 1995, two TIF's, approved by both, by the City of Prospect Heights and the Village of Niles, were coming off the tax roles. However, under the tax cap legislation, which was passed by the General Assembly, this reassessed EAV would have been simply added to the tax base and would have been accessible by both of these school districts. However, in Cook County, the prior year EAV was still in effect during that tax year; and therefore, the extension calculation could not include these two TIF's. This creates a loss of revenue to each of the districts of about \$250 thousand per year. This legislation provides that in a county of 3 million or more, the 1997 calculation of new property for any school district shall include the restored tax increment value in that district for the 1995 tax year. I ask for your support and would be pleased to answer any questions."

Speaker Hartke: "Is there any discussion? Representative from Cook, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I just want to point out to my colleagues what exactly this Bill does. What this Bill does is to create yet one more exception, one more loophole, in the property tax cap legislation that some people in this chamber took such great pleasure in passing a few short years ago. Since

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passage of those property tax caps in Cook County, we have seen effort after effort by usually Republican Sponsors to create exemptions, to create loopholes. That's exactly what this Bill does. It is, I should tell you, a very tiny little loophole, and I'm sure that the Bill will pass, but I think we should all just notice what we're doing. We apparently thought it was a good idea to limit the ability of local governments to raise the revenue they thought they need to serve their constituents. And having done that, now we're coming back and saying, but no, no, we want to help the tax eaters, after all. That's what this measure does, and I think it's important for you to have a heads-up."

Krause: "If I could..."

Speaker Hartke: "Further discussion? The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of House Bill 2837. Representative Krause has a good Bill here. It deals with two school districts. One is in her district, and one is in my district, the district in Prospect Heights and the district in 219 in Skokie and Morton Grove and Lincolnwood. I suppose one could agree with Representative Currie, if they chose, that this is yet another exception to the tax cap; however, we believe that the result of the tax cap has created a certain anomaly in these two school districts, one that needs to be corrected. So, I don't look at this as an exception from the tax cap. I have been on the floor before arguing against those. But, I do think that when we pass legislation that affects just two school districts negatively in a way that we did not anticipate, that we should correct it by operation of law. So, I applaud Representative Krause for her action,

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and I ask you all for 'aye' votes."

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

Skinner: "I think I've got the Democrat strategy down now. We're going to sound like Republicans, as the Majority Leader just did, talking about tax eaters. Well, we're making progress. When she starts voting that way, we're really going to be pleased. Having said that, I think this is a reasonable Bill. Yes, I do. The value in a TIF district has increased, so why shouldn't the local school district finally get the value from it. Goodness knows TIF districts steal enough money from tax districts, school districts in particular. This seems reasonable to me."

Speaker Hartke: "Further discussion? Seeing none, Representative Krause, to close."

Krause: "Just briefly, Mr. Speaker. I would ask for a favorable vote and do point out that the legislation, as passed on tax caps, does provide that as TIF's come off, that they shall be included, and that it can be accessible. This case was unique because in Cook County, we used in the year 1995, the prior year EAV, and that's why these two school districts lost out. But, TIF's are included and are accessible and access can be had to them. I would ask for a favorable vote."

Speaker Hartke: "The Lady has asked for the passage of House Bill 2837. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2837, there are 67 Members voting 'yes', 44 Members voting 'no', 3 Members voting 'present'. It has received the Constitutional Majority and hereby is declared passed. On

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page 22 on the Calendar appears House Bill 3481, Representative Mautino. Hannig-Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3481, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3481 would allow for the State Board of Education to set the fees for the GED by rule. Appreciate your consideration and answer any questions. Appreciate your 'aye' vote."

Speaker Hartke: "The Gentleman has moved... Is there any discussion on House Bill 3481? The Chair recognizes the gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Did you get all of that, Mr. Speaker?"

Speaker Hartke: "Excuse me?"

Black: "Will the Sponsor yield?"

Speaker Hartke: "Indicates he will."

Black: "Okay, thank you. Representative, if you want to change the price of the GED test, now, do you not have to come to the General Assembly and get that done?"

Mautino: "Yes."

Black: "Good. Given the technological revolution in the job market, particularly in a district like mine where people are having to retrain and 35 years ago, you could get a job without a high school diploma, and those days are gone forever, I'm very fearful of giving the fee setting authority for the GED test to the State Board of Education. Not that I don't love them and trust them, but they could set the fee to a level that would inhibit people in my district from being able to afford to take the test."

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Mautino: "Representative, the intention of this is to cover costs. And what they would like to do is ensure that they have the ability to cover them, because they keep getting continual price increases, and they don't have the flexibility within the statutory limits to do that. That's the problem that's been created. We've seen that as they change and now, I believe, they had a \$200 thousand increase and they are expecting another increase with this testing in 1998 or 1999."

Black: "Alright, but what would, what is the inhibiting factor? Why can't the State Board come to the General Assembly and say you must set the fees higher, and we could debate that."

Mautino: "The problem with that is it takes, once they get the prices set, it takes an additional year. And what we've been doing to cover that cost in the meantime is hitting the regional superintendents for it. So, they've been having to, because we haven't been able to act in a timely fashion, the money comes out of your regional superintendents. That's the problem with the..."

Black: "I thought we addressed that some time ago by allowing regional superintendents to use excess fees that many of them had collected to, I hate to use the word subsidy or subsidize, but subsidize the GED test. I... Had the regional superintendents requested this change?"

Mautino: "Actually, this is a change requested by the regional superintendents, and it's being done jointly with the State Board of Education."

Black: "Well, I have all the respect in the world for the regional superintendents that serve my district, and they do so very well. And I appreciate the fact as to what you're trying to do, Representative, but Mr. Speaker, to

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the Bill. Ladies and Gentlemen of the House, I rise in reluctant opposition to this Bill, and I've given this a great deal of thought, and I've talked to some people in my district. I'm just not comfortable giving the setting of the GED test rate to the State Board of Education by rule. And I understand how JCAR works, and I understand how the rule making process works, and I guess I just have pause, because the district that I represent does have a high number of adults without a high school diploma. And my fear is, that if we put the amount of money that that test will cost into the rule making process, while it may be justifiable, it may price some people out of taking the GED in my district. And I think that is the worst, the absolute worst thing we could do in an era where you absolutely need to encourage people to go back and to take the GED. And I'll tell you, if we have to subsidize the GED, then maybe we should debate that openly and on the floor. But I am not ready at this point to give this rule making authority to the State Board of Education, and therefore perhaps pricing people who desperately need to take the GED, so they can get along with the task of trying to find a job in a society that changes literally every month, and may price them out of being able to take that test. I don't have... I don't get any satisfaction in opposing this Bill, but it's something that it's... I think I'm representing my district that has a high percentage of people who need to take the GED, and I am not ready to relinquish control on what the GED costs. And it's for that reason only that I stand in opposition and intend to vote 'no'."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from DuPage, Representative Cowlshaw."

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Cowlshaw: "Thank you very much, Mr. Speaker. Will the Sponsor yield? I guess he yields."

Mautino: "Yes."

Cowlshaw: "Representative..."

Speaker Hartke: "He will yield."

Cowlshaw: "...Mautino, my understanding is that this increase in cost is going to be quite substantial. Do you have any numbers?"

Mautino: "We don't have any numbers as to the amount. We know it will be very substantial, and we're expecting that in the year 2000."

Cowlshaw: "Now I..."

Mautino: "The reason for that is, they're rewriting the whole test."

Cowlshaw: "I understand. Representative Mautino, I intend to support this Bill, but I share some of the very same concerns that Representative Black just raised. First of all, I would not like to see the day dawn in Illinois when any student who wants to take the GED test could not take it because he or she didn't have the money."

Mautino: "And absolutely, that is not the intention of myself or Representative Hannig..."

Cowlshaw: "Right, but could I ask you, because you're sponsoring this Bill, and I know you to be a very conscientious Legislator, could I ask you to raise this issue with the State Board of Education in a year or so and ask them to make a brief report to the General Assembly on what people have to pay, once they know what that new cost is going to be, and maybe some suggestion, that for people who could qualify as not being able, honestly to afford the cost that the state would some way arrange to subsidize that. That can't be very much money, but it makes a world of

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difference to that individual out there."

Mautino: "I would make that commitment to you, as well, and it is not the determination of the board or the regional superintendents. One of the problems that we're faced with here is with the, and this is not to be making money, what we want to do on this is cover the cost. We know they'll be extensive and in the past, we have had to go back to the superintendents. And if you watch the appropriations process, we have never really fully funded their administrative requests. So, I mean, that's a concern, as well. So, I understand, and I respect Representative Black's statements. I think this will allow us the flexibility to meet those costs and not at an exorbitant level."

Cowlshaw: "Representative, there is a representative from the State Board of Education standing beside you, and I know he can hear this. I would hope that whenever the new fees are established and determined by SBE or the ROE, whatever, that you would please communicate with Representative Mautino and perhaps with me, and let us know what those fees are and whether you would have any suggestions about our trying to do something to be certain that no youngster or oldster, for that matter, can't take this test because they can't afford it. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Kane, Representative Hoeft."

Hoeft: "Thank you, Mr. Chairman. The crux of this problem is one fold. There is only one group of people who makes this test. Education testing in New Jersey does this. They came last year with a 38 percent increase, and they said that this would be implemented within five weeks. There was no way that we could react as a General Assembly,

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because we weren't in Session. We need to have some flexibility in this particular system, so that if this single company again increases the price, that we have the flexibility to increase, also, the expenses. Mr. Chairman (sic - Speaker), could you look up on the board and tell me what time it is?"

Speaker Hoeft: "Four forty."

Hoeft: "Because I want everyone to realize, I think this is a good increase in State Board's power, and this is unique from this Representative. I think this is justified, and I think the State Board will do a good job with this."

Speaker Hartke: "Further discussion? Seeing none, Representative Mautino, to close."

Mautino: "Thank you, Mr. Chairman (sic - Speaker), Ladies and Gentlemen of the House. The issue has been debated, and I appreciate your consideration and 'aye' votes on House Bill 3481."

Speaker Hartke: "The Gentleman has asked for the support on House Bill 3481. All those in favor signify by voting 'aye'; all those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Johnson votes 'aye'. Have all voted who wish? Mr. Clerk, take the record. The Gentleman from Bureau, Representative Mautino."

Mautino: "Yes, Mr. Chairman (sic - Speaker), I'd request to have this Bill listed on Postponed Consideration."

Speaker Hartke: "The Gentleman has asked for Postponed Consideration. On page 21 on the Calendar appears House Bill 3363, Representative Turner. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3363, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of

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this House Bill."

Speaker Hartke: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. This Bill is a very simple Bill. It simply allows for the designation of centennial farms to be extended to both lineal and collateral descendants. Be glad to answer any questions."

Speaker Hartke: "The Gentleman has explained House Bill 3363. Is there any discussion? Seeing none, he has asked for the passage... excuse me. Representative Lawfer, from Jo Daviess County."

Lawfer: "Thank you, Mr. Chairman (sic - Speaker). Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Lawfer: "The definition of collateral is what?"

Turner, J.: "Well, according to the law dictionary, collateral means, 'Designation of uncles and aunts and cousins and non-lineal ancestors or descendants'."

Lawfer: "Okay, that's a little different meaning than I... in other words, I can... The banks will take my uncles and aunts as collateral on a loan, or am I wrong on that?"

Turner, J.: "I couldn't hear you, Ron. Could you repeat that?"

Lawfer: "Often, banks require collateral as substance for a loan. Would that be my uncles and aunts would serve as collateral on my loan on the farm?"

Turner, J.: "Well, that would be a different type of collateral, Representative. You're correct."

Lawfer: "I just wanted to clear that up. Thank you."

Turner, J.: "Thank you."

Speaker Hartke: "Further discussion? Seeing none, Representative Turner to close."

Turner, J.: "Appreciate 'aye' votes."

Speaker Hartke: "The Gentleman has asked for the passage of House

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Bill 3363. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3363, there are 112 Members voting 'yes', 0 voting 'no', 3 Members voting 'present', and the Bill is hereby declared passed. Page 20 on the Calendar appears House Bill 2827, Representative Clayton. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2827, a Bill for an Act to amend the Election Code. Third Reading of this House Bill."

Clayton: "Thank you, Speaker. House Bill 2827 amends the Election Code. It provides that when computing the period in which an act must be performed, and the first or last day is a Saturday, Sunday or state holiday, the period extends through the next business day after that Saturday, Sunday or holiday. It would be effective immediately. This... The implementation of this recommendation will implement the following concerns that have been expressed. One would be, the last day to file a discovery recount always falls on a Sunday, which is five days following the canvass. Two, it would eliminate the concern with regard to the last day for a unit of local government to adopt a resolution to place a referendum on the ballot, and it always falls on a Sunday. And also, the last day to canvass the November 4, 1997 nonpartisan election fell in 1997, fell on a Veteran's Day. So, this would move that deadline to the following business day."

Speaker Hartke: "The Lady has presented her Bill. Is there any discussion? Is there any discussion? Seeing none, she has asked for the passage of House Bill 2827. All those in favor signify by voting 'aye'; opposed 'no'. The polling is open. Mr. Clerk... Have all voted who wish? Have all

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voted who wish? Mr. Clerk, take the record. On House Bill 2827, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Lady from Will, Representative Kosel. For what purpose do you rise?"

Kosel: "Yes, I attempted to hit the 'yes' button on that and this is the second time today that my button did not light. I would appreciate if you would record me as wishing to vote 'yes' and have the electrician check my 'yes' button."

Speaker Hartke: "The record will so reflect, and we direct the electrician to check out Representative Kosel's console. On page 20 on the Calendar appears House Bill, excuse me, page 22 on the Calendar the House Bill 3435 appears, Representative Capparelli. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3435, a Bill for an Act to amend the Hospital Licensing Act. Third Reading of this House Bill."

Capparelli: "Thank you, Mr. Speaker. This is an initiative of the Medical Society. House Bill 3435 amends the Hospital Licensing Act. The Bill provides that part of the process of discharging newborn babies, the hospital may provide the infant's mother with a material prepared and provided by the Department of Public Health. It's instructing a mother how to perform cardiopulmonary resuscitation, that's CPR, in accordance with the American Heart Association guidelines. This Bill is a response to the awareness of dangers and the Heimlich maneuver, which I passed back in 1976. I would appreciate an 'aye' vote."

Speaker Hartke: "The Gentleman has presented his Bill. Is there any discussion? The Chair recognizes Representative Black from Vermilion."

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

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yield?"

Speaker Hartke: "He indicates he will."

Black: "Representative, I notice on our computer and on our floor file as well that the Illinois Hospital and Health Associations are in opposition to the Bill, and I don't know why. They haven't talked to me. Have they talked to you about why they would oppose the Bill?"

Capparelli: "They haven't even talked to me."

Black: "I mean, if I read this correctly, it's a permissive piece of legislation, isn't it?"

Capparelli: "It's permissive. Yes, Sir."

Black: "It says may provide..."

Capparelli: "May provide, it tells you right there, may provide this information."

Black: "Sounds reasonable to me. Let's take... let's be daring and vote for it."

Capparelli: "Thank you."

Black: "Alright."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Hartke: "Indicates he will."

Slone: "Thank you. Mr. Capparelli, do you know what other hospitals are allowed to do this currently? Are they not allowed to under the current law?"

Capparelli: "I'm sorry, I didn't hear you. Would you talk a little louder."

Slone: "Are the hospitals not allowed to distribute this type of information under existing law?"

Capparelli: "I don't know if they're not allowed to, but this would give them the right to do it, if they wanted to."

Slone: "Thank you."

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Speaker Hartke: "Are you finished? Representative Capparelli, to close."

Capparelli: "Would like an affirmative Roll Call."

Speaker Hartke: "On House Bill 3435, the Gentleman has explained his Bill and has asked for the passage. All those in favor signify by saying 'aye'... by voting 'aye'; opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3435 there are 112 Members voting 'yes', 0 voting 'no', 0 voting 'present'. Having received a Constitutional Majority, is hereby declared passed. On page 21 on the Calendar appears House Bill 3129. Mr. Reitz, would you like to present that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3129, a Bill for an Act to amend the Surface Coal Mining Land Conservation and Reclamation Act. Third Reading of this House Bill."

Speaker Hartke: "Mr. Reitz."

Reitz: "Thank you, Mr. Speaker. This Bill has a... two Amendments on it that the Bill initially was going to require a party that once has a departmental decision concerning mining to... They'll have the proof of, burden of proof at a hearing before they can overturn a decision. We also have an Amendment that deals with ethanol and another Amendment that will change the Cooperative Extension Service funding and give it a more stable funding source."

Speaker Hartke: "The Gentleman has explained his Bill. Is there any discussion? The Chair recognizes the Gentleman from McDonough, Representative Myers."

Myers: "Thank you, Mr. Chairman (sic - Speaker). I rise in support of this Bill, especially with the Amendments that

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are on the Bill that would extend the extension program, or change the funding of the extension program to rely on funding from the General Revenue Fund and to increase the county share matching fund. As we've seen from the display in the rotunda today, the 4-H programs are a very large benefit of the Cooperative Extension Service. We need to continue that program. We need to continue to make sure that our citizens of the state are good citizens, and 4-H is one of the better programs in helping develop those good citizens of the state. This funding mechanism would help ensure that cooperative extension remains a viable entity in the state to provide educational programs to adults and youth alike. In addition, it ensures that the counties also receive adequate funding to help them carry out all of their programs. I urge every Member in this Body to support this Bill, and I think that it will pay off in big dividends in the future."

Speaker Hartke: "Further discussion? Seeing none, Mr. Reitz, to close."

Reitz: "Thank you. I'd appreciate your support."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 3129. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Excuse me, Representative Phelps."

Phelps: "Mr. Speaker, I have developed a severe opposition to this Bill. I believe this is Representative Reitz's first Bill."

Speaker Hartke: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3129, it has received 114 'yes' votes, 2 'no' votes, and has received the Constitutional Majority, and hereby declared passed."

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Representative Rodriguez."

Rodriguez: "I intended to vote 'yes'."

Speaker Hartke: "The Chair will so reflect. On page 22 of the Calendar appears House Bill 3484, Representative Currie. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3484, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This Bill does three things. First, it treats children who are wards of the state in a special education program identically, in terms of reimbursement, with children who are wards of the state in a regular education orphanage program. That is, the state will supply 100 percent reimbursement, whichever designation the child falls under. Second, it will require the state to reimburse it 100 percent for these same children at that level, whether the child is placed in a public school building or whether it is placed in another setting, a private program or out of state. And third, the measure would change the make-up of the State Advisory Council on the Education of Children with Disabilities to reflect better the parents of children with disabilities and members of the disabled community generally. The importance of the change is, first of all, to make sure that there is no financial incentive in our state reimbursement program to identify children as in need of special education, even when they don't, and the second part of the Bill is about parity in placement and, as I say, the measure is straightforward and simple. I'm happy to answer your questions, and there is no opposition. I'd appreciate your support."

Speaker Hartke: "The Lady has explained her Bill. Is there any

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discussion? Seeing none, she has asked for the passage of House Bill 3484. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3484, there... received 116 Members voting 'aye', 0 voting 'no', 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 23 on the Calendar appears House Bill 3483, Representative... 3843, Representative Capparelli. Representative Capparelli. Read the Bill."

Clerk Bolin: "House Bill 3843, a Bill for an Act to amend the Peace Officer Firearm Training Act. Third Reading of this House Bill."

Capparelli: "House Bill 3843, the Bill is intended to allow the Illinois Training Standard Boards to waive the firearm training for police officers who are transferred from other states to Illinois. This is not an automatic waiver, because they would still have to pass the written exam, and they would have to also successfully pass the fire range qualifications. This is only for policemen who come from other states. They would waive the 40 hour training period. There is no opposition. It passed out 11 to nothing, and I would ask for a favorable Roll Call."

Speaker Hartke: "The Gentleman has explained his Bill. Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Capparelli: "Yes."

Black: "Representative, I was waiting in committee to present a

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Bill when you were talking about this in Judiciary, and I certainly don't have any problem with the Bill. A couple of points of clarification. I assume that if somebody comes out of the military, and they have been a military police officer, they could petition the board and not have to go through the 40 hours. Wouldn't that be the case?"

Capparelli: "Yes, Sir."

Black: "Now, let's take a scenario where someone retired from the police force, and they've been out of law enforcement for fifteen years, and when they left law enforcement, they were still using revolvers. Now, many of them are using semi-automatic glocks or other higher tech weapons. They would still have to petition, and the Law Enforcement Board could then say, 'No, we would prefer that you take the training. Things have changed since you were a police officer.' Is that your understanding of the Bill?"

Capparelli: "Yes, Sir. Dr. Jurkanin is here and says that's the reason they're having this. They would still have to take a test and to get a waiver and also take the qualifications in fire range."

Black: "Right, so if the board felt that this particular individual had been away from law enforcement and the firearms course too long, things had changed dramatically in 15 years, they could refuse to issue the waiver. Isn't that right?"

Capparelli: "Absolutely, yes. They could waiver."

Black: "Very good Bill, Representative, as the Dean of the House generally always sponsors good legislation. Thank you very much for answering the questions."

Capparelli: "Thank you."

Speaker Hartke: "Further discussion? Seeing none, Representative Capparelli, to close."

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Capparelli: "I would ask for a favorable Roll Call. Thank you."

Speaker Hartke: "The Gentleman has asked for favorable consideration of House Bill 3843. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3843, there 112 Members voting 'yes', 3 Members voting 'no', and having received a Constitutional Majority, House Bill 3843 is hereby declared passed. On page 20 of the Calendar appears House Bill 2887, Representative Kosel. Would you like to call your Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2887, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Kosel: "Thank you. This Bill is written as a revision of a small portion of the Educational Reform Act that we passed last year relating to the Reading Block Grants. Excuse me. The way the law is currently written, a school district's continuation of the Reading Block Grants are tied to the performance of all the district's third grade students. This particular Bill makes it so that the Bill is tied to the improvement of the students that are in the remedial reading program and also allows for a test to be made at the local level that's appropriate for the students, and I'd be happy to answer any questions."

Speaker Hartke: "The Lady has explained her Bill. Is there any discussion? Is there any discussion? Seeing no one seeking recognition, the Lady moves for the passage of House Bill 2887. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill

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2887, there are 116 Members voting 'yes', 0 voting 'no', 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 22 of the Calendar appears House Bill 3407, Representative Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3407, a Bill for an Act to amend the Upper Illinois River Valley Development Authority Act. Third Reading of this House Bill."

Speaker Hartke: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3407 amends the Upper Illinois River Development Authority in the manner in which they distribute bonds. This is one of the developmental regions that's been structured throughout the state. In 1992, we passed legislation requiring the Governor to sign off on the moral obligation for all bonds issued by these development authorities. In doing so, we also included bonds which were not the obligation of the State of Illinois, and so this Bill would make a change that has been agreed to by the Governor's Office, Bureau of the Budget, and I appreciate your consideration and be happy to answer any questions."

Speaker Hartke: "The Gentleman has explained his Bill. Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "He indicates he will."

Black: "Yes, Representative, at one time, the Governor's Office had expressed opposition to this Bill. I believe you said that has been resolved with an Amendment."

Mautino: "Yes, it has. By the Amendment presented in committee,

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it was drafted by CMS and run by the Governor's Office and Bureau of the Budget, and they are all in agreement."

Black: "Okay, run me through the procedure very briefly. As I understand it, now the state is no longer responsible in the case of a default. The state treasury is no longer responsible, correct?"

Mautino: "On these bonds that we're talking about. Any bonds which are issued which will obligate the State of Illinois in any way still, after this legislation, will require the signature of the Governor."

Black: "And if the Governor signs, does that mean the state assumes responsibility for the bond?"

Mautino: "That is, okay, let's be careful here. With what you're discussing, those, that area of bonding is not touched by this legislation. We are still going to require the Governor's signature on any bonds issued by any of the developmental authorities, which will obligate the state morally."

Black: "Okay."

Mautino: "...for repayment."

Black: "Then, I think the issue, then, that we need to focus on - who assumes the full faith and credit clause in case of a default? Would it be the local government or the entity issuing the bonds?"

Mautino: "It would be the entity. It would be the entity."

Black: "And that entity would go back on whom, local taxpayers, the district?"

Mautino: "These would be... the entity itself, and it's a development entity, would go in and determine whether the project, which are, they are going to construct and take these bonds to market for, can fund itself. You would be going back on those who they are issuing the bonds for."

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

Speaker Hartke: "Further discussion? The Gentleman from Jersey, Representative Ryder."

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

Speaker Hartke: "Indicates he will."

Ryder: "Representative Mautino, there was some confusion on our part earlier indicating that there might have been some opposition to this from the second floor. Can you enlighten us, please."

Mautino: "The original Bill, as drafted, was opposed by the Governor. And then after meeting with the Governor and CMS, Steve Riedl, we had an Amendment drafted which would take care of the concerns that the Governor's Office had and now they are in favor of this legislation."

Ryder: "So, the Governor's Office originally had some problems."

Mautino: "Correct."

Ryder: "They met with you, negotiated to a conclusion, and you put on an Amendment in good faith in response to that. And as of now, do you know the position of the Governor's Office?"

Mautino: "Yes, they, the Governor's Office, the Bureau of the Budget, and CMS have all signed off on the Bill, so they're all okay with the legislation as it stands."

Ryder: "Okay. So, they're all, administration's A-OK now."

Mautino: "Yes."

Ryder: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing none, Representative Mautino, to close."

Mautino: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I simply ask for an 'aye' vote."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 3407. All those in favor signify by voting 'aye';

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those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3407, there are 99 Members voting 'yes', 14 voting 'no', 2 voting 'present', and having received a Constitutional Majority, is hereby declared passed. The Chair recognizes the Gentleman from McHenry, Mr. Skinner."

Skinner: "Well, somewhere on this House floor is Maureen Murphy, the Republican nominee for Tax Appeal Board in Cook County. Where is she? There she is, sitting back there next to the Godfather... and former Member."

Speaker Hartke: "Welcome back to the General Assembly. On page 22 appears House Bill 3374, Representative Bergman. Representative Bergman, do you care to call House Bill 3374? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3374, a Bill for an Act concerning school busses. Third Reading of this House Bill."

Speaker Hartke: "Representative Bergman."

Bergman: "Mr. Speaker, House Bill 3374 is similar to a Bill that was passed out of here last year 117 to 0. It creates the Endangering School Bus Transportation Act, which provides that the offense of endangering school bus transportation is committed when a person tampers with a facility of school bus transportation with the intent to cause damage, malfunction, or nonfunction, or knowingly threatens a driver or a passenger with injury or with a deadly weapon, or words or actions intended to induce belief that the person is armed with a deadly weapon. It provides that the offense is a Class A misdemeanor. This Bill was brought about by an incident that occurred last year in Mount Prospect where school children waiting for their school bus were attacked by gang members. Two of them were

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hospitalized. I had the Research Bureau check the statutes, and there's no specific offenses for... penalties for offenses committed on or near a school bus. So, this Bill was created. It has about 40 Cosponsors from both sides of the aisle. It has Members from Chicago, the suburbs, the collar counties and downstate, and I'd like to answer any questions anybody might have on it."

Speaker Hartke: "The Gentleman has explained his legislation. Is there any discussion? Seeing no one seeking recognition, the Gentleman has asked for the passage of House Bill 3374. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3374, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from Vermilion seek recognition?"

Black: "Yes, thank you very much, Mr. Speaker. An inquiry of the Chair, but before I state my inquiry, move the pork chop off my light, will you please. You're covering up my light. And I do have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "I received a... several messages that I was to go to committee at 5:00 to hear an Amendment to a Bill in the Transportation Committee and 5:15, I'm still here. What is the intention of the Chair? Are we to break for 5:00 committees? Do you intend to continue this party until 8:00? What is the intent of the Chair?"

Speaker Hartke: "It's my intention to pass as much legislation as possible to prepare the chamber for the next day, to move Bills in position for passage tomorrow, as well."

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Black: "In all due respect to you, Mr. Speaker, that sounded like a lawyer's answer to me."

Speaker Hartke: "I assure you that is not the case."

Black: "If you could just kind of... if you could just kind of put that answer down, put the hay down where the goats can eat it. Are we going to committee, or are we going to stay here?"

Speaker Hartke: "Soon, we will be going to committee. There are a few Members..."

Black: "Soon?"

Speaker Hartke: "...Soon. There are some Members who have Bills that have to be moved from Second to Third..."

Black: "I'm sorry, meals?"

Speaker Hartke: "Bills. That have to..."

Black: "Oh..."

Speaker Hartke: "...be moved from Third back to Second."

Black: "Now that's spoken like a true downstater. How many more Bills are you going to move?"

Speaker Hartke: "A couple."

Black: "Thank you."

Speaker Hartke: "For what reason does the Gentleman from McLean, Mr. Brady, seek recognition?"

Brady: "Thank you, Mr. Speaker. I intended to vote 'yes' on that last Bill, but my switch was not working correctly."

Speaker Hartke: "Which Bill was that? (House Bill) 3374?"

Brady: "It was the last one."

Speaker Hartke: "(House Bill) 3374, the record will so reflect."

Brady: "Thank you."

Speaker Hartke: "On page 18 of the Calendar appears House Bill 2377, Representative Parke. Representative Parke, do you care to call your Bill? Would you like to... okay. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2377, a Bill for an Act to amend the Barber Cosmetology Esthetics and Nail Technology Act of 1985. Third Reading of this House Bill."

Speaker Hartke: "Representative Parke."

Parke: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2377 will solve a problem that we're finding in some of the major cities as well as throughout the State of Illinois, where we're having women, primarily, from foreign countries coming in, working on our citizens and using equipment that can puncture the skin, which could lead to Hepatitis or even HIV virus being interjected into these people that they're working on. Many of them cannot speak English and, therefore, cannot read the rules and what we're finding is counterfeit licenses are being used to give them reciprocal arrangement. This Bill requires them to take the State of Illinois test to be licensed in the State of Illinois. I'd be happy to answer any questions."

Speaker Hartke: "The Gentleman has explained his legislation. Is there any discussion? Seeing no discussion, he has asked for the passage of House Bill 2377. All those in favor signify by voting 'aye'. All those opposed signify by voting 'no'. Mr. Clerk... The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2377, there are 112 Members voting 'yes', 0 voting 'no', 3 Members voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar appears House Bill 2430, Representative Jones. Representative Jones. Out of the record. On page 18 of the Calendar appears House Bill 2435, Representative Lawfer. Representative Lawfer, would

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you like to call your Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2435, a Bill for an Act to amend the Cemetery Care Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman (sic - Speaker), Ladies and Gentlemen of the House. What this does is tighten the requirements that a privately owned cemetery can use maintenance funds for... Presently, it's pretty loose as far as state statute on how they can use their funds that they have for maintenance. Some of those funds can be used for auditing and administration fees. What this does is require that it first be used for care of the cemetery, such as mowing and maintaining the roads. Another provision of this Bill provides that a privately owned cemetery, when it changes hands, needs to apply for a license within 30 days of that transfer of ownership. I'll be glad to answer any questions that you have in that regard."

Speaker Hartke: "The Gentleman has explained his piece of legislation. Is there any discussion? The Chair recognizes the Lady from Lake, Representative Moore."

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

Speaker Hartke: "He indicates he will."

Moore, A.: "Representative Lawfer, will this legislation affect cemeteries owned by Cemetery Associations?"

Lawfer: "No. This only pertains to privately owned cemeteries, if they're privately owned. It does not pertain to municipal; it does not pertain to fraternal; it does not pertain to any cemetery that's owned by a government entity."

Moore, A.: "A cemetery held by what? I'm sorry, I didn't hear."

Lawfer: "A government entity. Those are exempt from this."

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Moore, A.: "And so, you...it's...it's your intent that it would not cover Cemetery Associations that hold the ownership of the property?"

Lawfer: "Only privately owned Cemetery Associations."

Moore, A.: "Well, I guess I'm not real clear if a Cemetery Association is privately held or not, if the association holds it, ownership. Would that be considered privately held?"

Lawfer: "I... I think it would be if it was considered that they own, you know, the... and govern it. In other words, they are not a government entity, is that correct?"

Moore, A.: "Well, I don't actually know how Cemetery Associations are classified in the statutes. Perhaps someone else could answer that question."

Lawfer: "I would say that if it is a Cemetery Association and it is not either fraternal, is not a religious, is not government, that it would be privately owned."

Moore, A.: "Well, in that case, some of these associations that do hold these cemeteries have... their boards are appointed by the County Board Chairman, and they normally serve as volunteers. And I think that some of the restrictions that you have in this legislation would pose a difficulty on trying to maintain the cemeteries in the way... because there aren't really any paid employees."

Lawfer: "Well, I would say, though, that if there is a...trustees and so on are appointed by a municipality or a township or a county, that they would be considered publicly owned cemeteries. They would not be covered under this. They would be deriving funds from tax money."

Moore, A.: "No, they do not derive any funds from tax money. Their monies only come from the perpetual care fund and also in the purchase in... of cemetery lots. That's the

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only source of revenue that they have. They have no public monies coming in."

Lawfer: "Who owns the cemetery then?"

Moore, A.: "It's my understanding that the Cemetery Association actually holds the cemetery. But the statute in the Cemetery Association portion of the statute, it provides for the ongoing appointments of the trustees to be made by the County Board Chairman from that specific area."

Lawfer: "Representative, I understood your question... or your comments that it is owned by, but if the appointments are made by a government entity, I would assume that it is owned by a... Why would a government entity be appointing trustees to a privately owned cemetery? Well, that's my question."

Moore, A.: "Well, I didn't say it was privately owned. I just said it was the Cemetery Association that owns it, and I don't know if that's considered privately owned or not."

Lawfer: "Okay. I... it's our belief that this is not covered. This only covers privately owned cemeteries, and our understanding is that there is probably less than 100 privately owned cemeteries in the State of Illinois."

Moore, A.: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Rock Island, Representative Boland. The Chair recognizes the Gentleman from Winnebago, Representative Scott."

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

Speaker Hartke: "Indicates he will."

Scott: "Ron, this grew out of a problem in Freeport with a cemetery there, didn't it?"

Lawfer: "Right. There was a problem in Freeport, as well as a couple other... privately owned cemeteries in the state."

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And we researched this, and it appeared that we needed to tighten how the maintenance funds could be used, as well as the requirements for licensing."

Scott: "Okay. I'm just a little confused. I remember that incident because I saw it on the media and some things back home, but my questions go along where Representative Moore was going too. Are the monies that we're talking about, we talk about the cemetery care funds, are those public monies or private monies?"

Lawfer: "On privately owned cemeteries, those are private funds. However, they are audited by the Comptroller's Office, and this Bill is a result of... that we worked with the Comptroller's Office and tightened up the requirements of what these funds could be used for. And if you noticed in the Bill, they are slated in orderance of preference, and only if there's a proper amount of maintenance funds could these funds be used for what you might call administration or other type of fees."

Scott: "So, the problem that we've got is that in this one instance and maybe some others throughout the state, you had a privately owned cemetery that was basically not maintaining their grounds at all and using the funds that they were getting for administration and for salaries and for other things and not taking care of the property."

Lawfer: "That's correct."

Scott: "But the only question that I have is, is why we would differentiate this business from other private businesses. I mean, if this were another kind of business, we'd kind of let courts or standard of care, maybe, or a municipal ordinance take care of it, rather than some kind of state law where we say whether or not the person can... you know, what the person can use the funds for. Is it because that

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they're audited by the Comptroller that you're saying that this gives us the... probably the responsibility to go in and make sure that they're used properly?"

Lawfer: "That's correct, as far as care of maintenance and so on. That is... the definition of that primarily is local, I believe. We have not been able to address that at a state level. However, because of the control of the funds, the auditing of the funds, that is the responsibility of the Comptroller's Office and so on. That's why we've looked at that. These maintenance funds could be used for such things as... and are currently being used for such things as legal fees, CPA's, all those type of things. And in Freeport was an instance where there was not sufficient funds to do both the care of the maintenance of the cemetery, as well as the other things. We felt that the care and maintenance... maintenance of the roads and so on should be top priority, and that's what this Bill does and has the support of the Comptroller's Office."

Scott: "Just one more question then. When you... you amended the Bill in committee, how does the Amendment differ from what you originally proposed? Are you getting less than you were trying to get or did you just figure out a different way to say it?"

Lawfer: "I think we looked at a different way to say it. In other words, originally we looked at it and said only those maintenance funds could be used for care and maintenance. And some... consultation with the funeral directors said 'Hey, if we can take care of the cemetery, if we have extra maintenance funds, then maybe we should be able to use these for legal fees, administrative fees.' And that's what this Bill does at the current time."

Scott: "Thank you very much for your answers."

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Speaker Hartke: "Further discussion? Seeing none, Representative Lawfer, to close."

Lawfer: "This is a Bill that tightens the use of maintenance money for privately owned cemeteries. It also requires that when that ownership changes, that they, within 30 days, apply for a license under the Comptroller's Office. And I would urge a 'yes' vote."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 2435. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2435, there are 116 Members voting 'yes' and 0 voting 'no' and 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 18 of the Calendar appears House Bill 2445, Representative Saviano. Out of the record. On page 18 of the Calendar appears House Bill 2466, Representative Schakowsky. Out of the record. On page 19... on page 19 of the Calendar appears House Bill 2583, Representative Ryder. Representative Ryder. Representative Ryder. Out of the record. On page 19 of the Calendar appears House Bill 2589, Representative Saviano. Representative Saviano, House Bill 2589. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2589, a Bill for an Act amending the Barber Cosmetology Esthetics and Nail Technology Act of 1985. Third Reading of this House Bill."

Speaker Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. This Bill simply provides an in-home care workers exemption for in-home care workers who do various cosmetic services on their clients in-home, and I would ask for a favorable

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vote."

Speaker Hartke: "Discussion on the Bill? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, once again you've ignored my light. The entire chamber was thrown into disarray because you don't control your people on your side of the aisle. They knocked the official portrait of the 90th General Assembly to the floor, broke the glass, broke the glass. I expect that Gentleman to be disciplined."

Speaker Hartke: "I'm sure he will be."

Black: "And furthermore, since it's a damaged portrait, I'll give you ten bucks for it."

Speaker Hartke: "I'll have you negotiate with the House Clerk for that..."

Black: "Well, you know, and you might in all seriousness, Mr. Speaker, you might tell the Clerk, clear that area out down there. When we ran the House, we didn't have all of these hangers on down there."

Speaker Hartke: "Mr. Black."

Black: "It's been an absolute travesty all..."

Speaker Hartke: "Mr. Black."

Black: "...day long..."

Speaker Hartke: "Mr. Black..."

Black: "...It looks like a hog farm at midnight. Get them out of there."

Speaker Hartke: "I'm sure that he has notified the janitors to take care of the situation."

Black: "Clean the glass up, too. You know, you could be liable."

Speaker Hartke: "Mr. Saviano has explained his piece of legislation. Is there any discussion? Serious discussion. Seeing none, he's asked for the passage of House Bill 2589. All those in favor signify by voting 'aye'; opposed 'no'.

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The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2589, there are 110 Members voting 'yes', 3 Members voting 'no', and 1 Member voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar appears House Bill 2637, Representative Winkel. Out of the record. On that same page appears House Bill 2643, Representative Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2643, a Bill for an Act to amend the Veterans Burial Places Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. I bring to you, Ladies and Gentlemen, House Bill 2643. It increases the amount the Department of Veterans Affairs shall pay for the cost of transporting and erecting a headstone or memorial for a United States war veteran from 50 to \$100. Basically, the Federal Government supplies a headstone for those war veterans if they, in fact, request it or if the next of kin requests it. The only cost is the transportation from Washington to his home state of Illinois. It's been \$50 for quite some time. This would raise it to \$100 to help offset that cartage and installation fee. Be happy to answer any questions about this Bill."

Speaker Hartke: "The Gentleman has explained his Bill. Is there any discussion? Mr. Black, you have anything to say?"

Black: "Yes, Mr. Speaker. Could the Sponsor, by the way, two of the last three Bills have been on cemeteries and death. Are we on that order now? Could the Sponsor enlighten us as to why the Department of Veterans Affairs is opposed to the Bill?"

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Mitchell: "Yes, the Department of Veterans Affairs is opposed to this particular Bill, simply because..."

Black: "Why?"

Mitchell: "Well, simply because they're afraid that there will be no additional appropriations, and they're not sure that they could cover the cost from 50 to \$100. But I have assured them that I will work with them to try to increase that appropriation, so that the appropriate money for this fine project can continue."

Black: "As I recall, when my uncle was shipped overseas in World War II, there wasn't an appropriation for that either, but he still went."

Mitchell: "You're absolutely right."

Black: "I'm a little shocked that they're opposed, quite frankly. I intend to vote 'aye'. Mr. Speaker, could you move the picture behind the well, behind the Clerk, so it doesn't get knocked off again. It really has been damaged, if you'll check it out."

Speaker Hartke: "Further discussion? Seeing none, Mr. Mitchell to close."

Mitchell: "Thank you, Mr. Speaker. I only request an 'aye' vote on this fine piece of legislation."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 2643. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2643, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar appears House Bill 2650, Representative Persico. Out of the record. On page 19 of the Calendar appears

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House Bill 2671, Representative Cross. Krause. Mr. Clerk,
read the Bill."

Clerk Rossi: "House Bill 2671, a Bill for an Act amending the
Civil Administrative Code. Third Reading of this House
Bill."

Speaker Hartke: "Representative Krause."

Krause: "Thank you. House Bill 2671 grants discretion to the
Department of Revenue to publish, at least once each year,
the name and address of any taxpayer whose debt to the
state is more than \$10 thousand, it has been unpaid for
more than six months after the date of assessment. The
publication by the department can take the form of a
separate document within the department or on the Internet.
The Department of Revenue is granted rule making authority
to implement these disclosures. And in Illinois, the net
receivables that we believe are outstanding and collectible
are \$279 million. I ask for your support and would be
pleased to answer any questions."

Speaker Hartke: "The Lady has explained the... her Bill. Is
there any questions or discussion on the issue? The Chair
recognizes the Lady from DuPage, Representative Pankau."

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

Speaker Hartke: "She indicates she will."

Pankau: "Representative Krause, I do remember in the Revenue
Committee that there was some discussion on this Bill, and
actually I think I was the one that was asking some
questions about it, and probably more for legislative
intent than anything else. Could you clarify for us
exactly when it is that a person's name and address and
whatever would be published on the Internet?"

Krause: "No, that's fine."

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Pankau: "I think the problem was where someone receives a notice and they just disregard it for six months. I don't think there was a problem with that. But where there was a dispute between the department and a particular person as to possibly timing of things, as to the exact amount, as to what was paid and what still remained, et cetera, et cetera, that those issues would not be publicized. If you could clarify for us, so we all know what would be on there and what isn't."

Krause: "Okay. As was pointed out, there must be delinquent for at least six months minimum and at least \$10 thousand and then 90 days before even there is a disclosure, a public disclosure by the taxpayer, the director sends out a written, certified letter to the individual advising them of the delinquency and then detailing the amount and the nature of the delinquency and that, in fact, then there would be a disclosure. If then, within then a 60 day period, they have not paid it, or if they have not entered into a written agreement for it, or filed an appeal, at that point, the name could be disclosed by the department."

Pankau: "So, the trigger on this is the formal appeal, and so that everybody understands that, there is a trigger mechanism in there at which time it... this process would be triggered."

Krause: "That is correct."

Pankau: "Thank you, Representative, for those clarifications."

Krause: "You're welcome."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Cook, Representative Davis. The Chair recognizes the Gentleman from Peoria, Representative Leitch."

Leitch: "This notice of appeal, excuse me, will the..."

Speaker Hartke: "Sure she will."

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Leitch: "Okay, thank you. On this notice of appeal, is that only, well, which appeals' process would that be?"

Krause: "It would be merely an appeal that they dispute that the tax is due, and then they file a notice of appeal, which, under this legislation then, in fact, the disclosure is not made. The taxpayer's name and address is not disclosed."

Leitch: "But, are you speaking of an appeal to whom? There are two different ways to appeal. Is this an appeal to a hearing officer and then into court or would this be an appeal..."

Krause: "My understanding is that this is an administrative still appeal, not directly to the court."

Leitch: "Well, yes, it begins with an administrative hearing and that process, but there is also another process that is to a different board, the Board of Appeals, which is an internal organization of the Department of Revenue. Is this... does this Bill preclude such a public filing in the event there is an appeal to either board or only to the Administrative Hearing Board?"

Krause: "My understanding is that appeal is based before a court, the department, or the Property Tax Appeal Board."

Leitch: "Only the Property Tax Appeals Board?"

Krause: "Property Tax Appeal Board and appeal to the court and to the department..."

Leitch: "Mr. Chair... Mr. Speaker, I can't hear a word she's saying. Could I have some order please?"

Speaker Hartke: "Let's give the Gentleman your attention."

Krause: "The appeal is under appeal before a court, before the department, or before the Property Tax Appeal Board."

Leitch: "Okay. I have... is there any penalty in this Bill to the Department of Revenue in the event that they publicly post and humiliate somebody who, by virtue of some error,

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is not..."

Krause: "Well, I think though that the way this is written is the rule making is in the department and when we talk to them, as far as laying it out, but we believe that the legislation has precautions in it, notices in it. The right for any type of a protest or written agreement, and we believe with that it should, in fact, protect against a situation that I believe people are concerned with and that is, is that someone who is innocent, in fact, is not embarrassed, and that the person's name is not included in a list because of the length of time that's involved here and the number of notices that are given."

Leitch: "What... why are we doing this?"

Krause: "This legislation is patterned after Connecticut law, and it is for the fact of the number of people here that, in fact, do not pay their taxes and here in Illinois, that amount, after they even removed the uncollectibles, is \$279 million. And the approach is, is that since the majority of people pay, that these type of individuals should be held responsible, and they have just taken the approach of nonpayment and just letting it go away. And this is another approach to attempt to get them to pay, because the honest taxpayers do."

Leitch: "I don't have any problem with those people who are just stiffing the state, having their name show up publicly, but I have very great concern about those who might inadvertently or through some other bureaucratic glitch, find their name on such... such a list."

Krause: "I understand, but I do believe that the legislation with the Amendment has really taken a number of steps to try to protect that and that the director is very sensitive to that issue because of the length of time that's involved

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here, Representative, before someone appears, the amount of money, before they start looking at the person, the certified notice, and then just letting them know that if there is a dispute, their names would not appear."

Leitch: "Well, would you consider putting a sunset on that Bill?"

Krause: "I'd be willing to talk to the, if this passes out, to talk to the Senate on that view, but I..."

Leitch: "Because, I don't know. Perhaps I'm the only one in the chamber, but I've had many, many problems, especially with some smaller business people who I would hate very much to see wind up on a list of this kind. And my concern for the implementation of such a Bill is, is considerable, but thank you very much for answering my questions."

Krause: "Thank you."

Speaker Hartke: "Further discussion? Seeing none, Representative Krause to close."

Krause: "I would request a favorable vote on this legislation."

Speaker Hartke: "The Lady has asked for a favorable vote on House Bill 2671. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 110 Members voting 'yes', 4 Members voting 'no', 1 Member voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, you have an announcement?"

Clerk Rossi: "The House Rules Committee is going to meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Hartke: "On page 19 of the Calendar appears House Bill 2672, Representative Durkin. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 2672, a Bill for an Act to amend the State Comptroller Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. This Bill is an Amendment to the State Comptroller Act in which the Comptroller... Comptroller's asking that they prescribe what they refer to as numerical dating conventions for the presentation of all dates and all documents required to be filed with the Comptroller. This legislation is being introduced in anticipation of the potential year 2000 software crisis. There is no opposition to this Bill. This will pertain to strictly state agencies with respect to contracts, obligation documents, vouchers, grants, any other payments to the state."

Speaker Hartke: "The Gentleman has explained his legislation. Is there any discussion? Seeing that no one is seeking recognition and he's asked for a favorable vote, all those in favor, signify by saying 'aye'; those opposed 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2672, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. Having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar appears House Bill 2747, Representative Hoeft. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2747, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Hoeft: "Thank you, Mr. Speaker and Colleagues. When we wrote the law to... for the purchase of textbooks in the public schools, the year was 1952. We haven't changed that law. Financing of textbooks has changed dramatically. This Bill would allow school districts the flexibility to have a

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purchase lease agreement with companies outside the school district. This was suggested by Chapman and Cutler last year. There appears to be no opposition to this. My school district, the Elgin Public Schools, had... I ran figures with them; last year they would have saved \$100 thousand if, in fact, this Bill had been implemented. This is a good Bill that will give flexibility to our districts."

Speaker Hartke: "The Gentleman has explained House Bill 2747. Is there any discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Hartke: "Indicates he will."

Black: "Yes, Representative, could you tell me why Chapman and Cutler, that preeminent bond council firm, gives a hoot about what we do with textbooks?"

Hoeft: "A hoot is an agricultural question, Sir, and I can't answer that."

Black: "Well, I could put it more in the vernacular, but I don't think you'd like that either. I'm amazed that Chapman and Cutler would be the least bit concerned with how we dispose of textbooks in the State of Illinois. Why would they... Why would they be giving us advice on how to dispose of textbooks?"

Hoeft: "Textbooks are property of the school district. It is a specific law that property cannot be disposed unless it is of no value. Some of these textbooks do have value, and this is the conflict. And the legal department, the State Board, and Chapman and Cutler are saying, 'Hey, this would be a good way of clarifying the law.' And they both, both the State Board legal staff and this well recognized agency

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has said this is good law."

Black: "I spent many a year in a public school, and one year I was in charge of taking out-of-date textbooks and, as I recall, we sold them. And I don't think there's any current restriction on the disposal of personal property owned by a school. I know school districts that I'm familiar with generally have an auction once every other year and sell surplus equipment, used typewriters, equipment that the service life is gone. I mean, I'm not trying to be funny. I was not under the impression that we could not currently sell items of personal property, no longer used or needed for school purposes, that we, in fact, could not sell it."

Hoelt: "The State Board has said that there is a gray area here. The legal department has said that this is needed to clarify this. The question comes down to, what is property that has no value, and that can be challenged. This simply gives the school district the capacity to go into a purchase lease agreement."

Black: "Well, then who's going to promulgate the rules on how the money is handled from said sale? Will that be up to the State Board?"

Hoelt: "This simply gives the school districts the ability to go into a purchase lease agreement, and obviously, the local school board would determine if this is beneficial or not."

Black: "So, your Bill doesn't really address whether or not I can sell used textbooks. It really says that I can lease textbooks. Is that the purpose of the legislation?"

Hoelt: "The Bill says that if you have purchased textbooks and want to give them back to the company for leasing, which will give you the ability to extend the life of those textbooks, or that series for five, six, seven years, you

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can purchase leased books. And this was something that couldn't be done previous."

Black: "Okay, now, the language of the Bill, does it specify what account the money goes into from the sale of assets no longer needed by the school district?"

Hoelt: "No, it does not."

Black: "Could it go into an athletic account or does it go back into the education fund or in the absence of any language, then it would be up to each school board?"

Hoelt: "Purchase lease means that the textbooks are then given back to this company, who then refurbished them. They enhance the numbers and lease them back. It is a financial arrangement which will allow the school district to then take, over the next three years, pay a third of the additional cost over a three year period. This is a way of extending textbook series, extending the utilization of textbooks."

Black: "Could I come talk to you for just a second. Mr. Speaker, could we just hold this Bill... I need about 30 seconds with the Sponsor... just to clarify something."

Speaker Hartke: "Will do."

Speaker Hartke: "Representative Black, are you ready."

Black: "Thank you very much, Mr. Speaker. I appreciate your indulgence."

Speaker Hartke: "Any time."

Black: "I think the confusion was on the lease purchase and sell back rather than the disposal of assets, and I think the Sponsor has clarified that. I think the analysis was headed in one direction and his Bill may be heading in another, and he's cleared that up. I don't have any other questions. Thank you."

Speaker Hartke: "Further discussion? The Gentleman from Cook,

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Representative Scully. Further discussion? Seeing none, Representative Hoeft to close."

Hoeft: "We have, as a General Assembly, pushed for the last few years to de-mandate things for the public schools. This gives them another freedom. It's good for every single school district in the State of Illinois and is something we can be proud of. I'd ask to vote 'yes'."

Speaker Hartke: "The Gentleman has asked for the passage of House Bill 2747. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2747, there are 113 Members voting 'yes', 1 person voting 'no' and 0 voting 'present' and having received a Constitutional Majority, is hereby declared passed. On page 20... Mr. Clerk, for an announcement."

Clerk Rossi: "Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on March 24, 1998, reported the same back with the following recommendation: 'to the floor for consideration' Amendment 2 to House Bill 2306; Amendment 2 to House Bill 2493; Amendment 2 to House Bill 2729; Amendment 2 to House Bill 2818; Amendment #1 to House Bill 2910; Amendment #1 to House Bill 2940; Amendment #1 to House Bill 3180; Amendment #1 to House Bill 3339; Amendment #2 to House Bill 3446; Amendment #2 to House Bill 3556; and Amendment #1 to House Bill 3797."

Speaker Hartke: "On page 20 of the Calendar appears House Bill 3025, Representative Moore. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3025, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Moore."

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Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3025 amends the Property Tax Code. It requires an application for a homestead improvement exemption for a residential structure that's been rebuilt. It must be submitted to the Chief County Assessment Officer with a valuation complaint, a copy of the building permit to rebuild the structure, and any additional information that the Chief County Assessment Officer may require. This is for... suggested by the Cook County Assessors Office, and I would be happy to answer any questions."

Speaker Hartke: "The Lady has explained her Bill. Is there any discussion? Seeing no one seeking... the Gentleman from Winnebago, Representative Winters."

Winters: "A quick look at the... Will the Sponsor yield?"

Speaker Hartke: "Indicates she will."

Winters: "Is this restricted to Cook County only?"

Moore, A.: "Yes, I believe it is."

Winters: "Is there any reason why it is not extended to the other counties of the state?"

Moore, A.: "Well, I think actually, I really don't know the answer to that, but it is only being suggested by the Cook County Assessors Office."

Winters: "Well, it would appear to me that there can be catastrophes in other parts of the state, and we should look next year at extending it if we pass it for Cook County. What's good for the goose could be good for the gander, I believe."

Moore, A.: "If you would like to advance that, Representative, I would probably join in your effort."

Winters: "Okay, thank you."

Speaker Hartke: "Further discussion? Seeing that no one's seeking recognition, Representative Moore to close."

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Moore, A.: "I would just ask for a favorable vote and thank the chamber."

Speaker Hartke: "The Lady has asked for a favorable vote on House Bill 3025. All those in favor signify by voting 'aye'; those opposed by voting 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3025, there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. Page 20 of the Calendar appears House Bill 2748, Representative Poe. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2748, a Bill for an Act amending the Intergovernmental Cooperation Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Poe."

Poe: "I'm not cooking any chickens, so you all can give up. Yeah, we got a, we would like to have permission for two villages to form an Intergovernmental Water Cooperative Act to draw water out of the Sangamon River Aquifer, and it passed out of committee unanimous. If there is any questions..."

Speaker Hartke: "The Gentleman has explained his Bill. Is there any discussion? The Chair recognizes the Gentleman from Winnebago, Representative Scott. The Gentleman will yield."

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

Speaker Hartke: "Yes, he will."

Scott: "To those of us city boys, could you just explain what the Sangamon River Valley Alluvium is?"

Poe: "Yeah, what that is, that's an aquifer that runs, actually, all the way, did I say it wrong again? Aquifer. How's

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that? I'm getting an English lesson here, too."

Scott: "I know what an aquifer is. I was just wondering about the..."

Poe: "Okay, what that is is an underground lake that runs all the way, actually, from Havana all the way back up through Champaign. And there's many other municipalities currently that take water from that for residents and villages and this is, just so this could facilitate this a little quicker than they could by another procedure."

Scott: "Is that the aquifer or the alluvium?"

Poe: "Same thing."

Scott: "Oh, okay. Well, see, I wasn't trying to be funny, I mean, I was..."

Poe: "Okay, I'm sorry."

Scott: "I just, I really didn't know what the alluvium was. The last part of the Bill, you've got an addition there that talks about nothing in the Act prohibiting a joint action water agency from providing water, and it goes on from there. What particular concern are you trying to address with that?"

Poe: "Right now, I think the current law, and I need to get the Amendment, but it addresses the Illinois River, the Missouri River, and Lake Michigan, and this would just add this to that current Act."

Scott: "Okay. Great. Thanks."

Speaker Hartke: "Further discussion? The Chair recognizes the Lady from Sangamon, Representative Klingler."

Klingler: "Thank you, Mr. Speaker. The Village of Chatham is the other village that's involved in addition to the Village of Rochester, and Chatham is in the 100th district. This area is experiencing a great deal of growth, both residential and business growth. However, the problem is that it needs

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to have... be able to have an independent source of water, should there be problems obtaining such water under the current contract. The Villages of Chatham and Rochester have worked together, had the solution so that their rapid growth can continue, and I strongly support this initiative."

Speaker Hartke: "Further discussion? I move my pork chop and see the Legislator from Vermilion is seeking recognition. Representative Black."

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

Speaker Hartke: "Indicates he will."

Black: "Representative, in all seriousness, I have a battle raging in my district over water rights and who has them and how you move water and the rights of private property owners. Is there anything in this Bill that could be construed as abrogating the rights of the private property owner drawing down water, et cetera? Because I think in my district, I think is headed for the courts. And I just want to make sure that there isn't anything in your Bill that might impact the battle that has been raging in my district for about three years on water rights, and how that's handled, and so forth and so on, because all of our surface impoundment areas are having water quality problems and I, you know, whatever you want to do with your district is fine. I just want to make sure that there isn't anything in here that can be construed as limiting the rights of private property owners trying to protect their ground water."

Poe: "No, there's no intent of that. What this is actually, they can actually, individually tap this water now. What this does, is this expedites where they can form a water

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district a little quicker, but they can form a water district later, which would take longer, and tap the same water..."

Black: "And your Bill only addresses water taken from a river, not ground water sources."

Poe: "No, this is from the aquifer."

Black: "From an aquifer? Have you heard from any landowners in the aquifer area? Any concerns?"

Poe: "No, this particular aquifer that runs, actually, all the way to Havana, we had to raise Route 97 because water was running out on top of the ground two years ago. This is one that, like I said, Route 97 goes to Havana, which is the same aquifer. The water is actually oozing out of the top of the ground."

Black: "Has the City of Springfield taken any position on your legislation?"

Poe: "At this point, no."

Black: "Okay, well, I appreciate you answering the questions, but I, many of us in this chamber are going to be facing some very difficult battles on the search for quality and quantity of water. And if you assure me there isn't anything in here that would abrogate anybody's rights in my district, I don't have any problem with it. I just wanted to make sure that there, this isn't going to be landmark legislation that would impact all of us."

Poe: "No, and we're just, currently, like I said, these same things apply to the Illinois River, Michigan... Lake Michigan, and the Missouri River and we're just trying to add the Sangamon Valley Aquifer to that."

Black: "Okay. Okay. Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Poe to close."

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Poe: "I would just like to say this is an important issue in my district and Representative Klingler's and ask for a favorable vote."

Speaker Hartke: "The Gentleman has asked for support on House Bill 2748. All those in favor signify by saying 'aye' or voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2748, there are 114 Members voting 'yes', 0 voting 'no', 1 Member voting 'present', and having received a Constitutional Majority, is hereby declared passed. The Chair would like to recognize former State Representative Bill Edley, great American, in the back. Representative Edley, welcome. On page 20 appears House Bill 2758, Representative Coulson. Representative Coulson, would you like to call your Bill? 2758. Out of the record. On page 20 appears House Bill 2842, Representative Kubik. Out of the record. On page 20, again, appears House Bill 2899, Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2899, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2899 is the number one priority among all of the legislative proposals this spring by a group known as Mothers Against Drunk Driving. The acronym for which, as you well know is, MADD. The people who work with that organization came to me and asked if I would sponsor this Bill, and I was pleased to do so. And I want to also thank my Cosponsor, State Representative Joe Lyons, for being so cooperative in preparing the materials

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that were distributed on your desks today. Every one of you got a red folder that tells you something about this Bill and some of the reasons why it is being proposed. And, Mr. Speaker, if I may ask, please, because Representative Lyons has been such a help, I will be glad to present this Bill and answer any questions, but I would appreciate it if he could close, please."

Speaker Hartke: "Yes, your request will be complied with."

Cowlshaw: "What this Bill does is to require that any sentence imposed on an individual for the offense of reckless homicide, which would in court, of course, include those people found guilty of DUI offenses in which somebody dies, would be required not to serve a small portion of their sentence, but would be required to serve 4.5 days out of every five days of the sentence. I believe that if you look at the materials that were included in your red folder, you will find some examples of cases of DUI offenses when people have died because of that offense. And you will discover that in many cases, although the sentence sounds as though it would be somewhat in keeping with the severity of the offense, in many cases, that individual serves a very small amount of that time. Consequently, I would like to anticipate any question about truth in sentencing. This is not linked to the truth in sentencing portions of the statute. It is intended to stand alone. However, similar to that, it would require 85% of the sentence to be served. I hope you have read these materials. I stand ready to answer any questions."

Speaker Hartke: "The Lady has explained her piece of legislation. Is there any discussion? Seeing no one is seeking recognition, the Chair recognizes Representative Lyons to close."

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Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It is always nice when two people on the other side of the aisle... one from our side of the aisle, one from the Republican side of the aisle, can get together on a piece of good legislation. Suburban, city, downstate, all across Illinois, this serves a good purpose. Some of the powerful statements that were cited in the handout that we gave you, that in the right cases, reckless homicide is still a probationable offense, has not changed, so it still does give the judicial system some discretion here. Also, that the repeat DUI offenders, which MADD, of course, is so concerned about, that is 70% more likely to be involved in a fatal crash that's alcohol related is important for us to consider on this thing. It certainly justifies an 'aye' vote. So, I join Representative Cowlshaw with a strong endorsement of this, both from the Democrats and Republicans. It's a good piece of legislation and ask for your favorable consideration. Thank you."

Speaker Hartke: "You've heard the Representatives present their legislation. They've asked for a favorable vote. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2899, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar appears House Bill 2869, Representative Noland. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2869, a Bill for an Act amending the Public Building Commission Act. Third Reading of this House Bill."

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Speaker Hartke: "Representative Noland."

Noland: "Speaker, Ladies and Gentlemen, House Bill 2869 simply requires public building commissions to conduct an annual audit and present it to the city council or the county board or whoever the authorizing body is that appoints that public building commission. And if they do not provide this annual audit, the city council or governing body, the county board has the ability to go in and have that audit done at the Public Building Commission's expense."

Speaker Hartke: "The Gentleman has explained his legislation. Does anyone care to discuss the Bill? No one seeking recognition, the Gentleman's asked for the passage of House Bill 2869. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2869, there are 113 Members voting 'yes', 0 voting 'no', 0 voting 'present', and having received a Constitutional Majority, is hereby declared passed. On page 20 appears House Bill 2986, Representative Saviano. Representative Saviano. Out of the record. On page 20 of the Calendar appears House Bill 3026, Representative Moore. Out of the record. Excuse me, that's Representative Biggins. Representative Biggins. Out of the record. On page 21 of the Calendar appears House Bill 3068, Representative Poe. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3068, a Bill for an Act amending the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Hartke: "Mr. Poe."

Poe: "Yes. We're bringing in a piece of legislation, Mr. Speaker and Ladies and Gentlemen of the House, that provides grants

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for junior livestock shows... for the Illinois State Fair and the Du Quoin State Fair. And how this would work is, this would be a promotion for junior livestock, production livestock in the State of Illinois. And they would actually, those organizations come in, and this would help draw people from all over the United States into the State of Illinois and bring economic growth. There's going to be a little bit of criteria on how these shows, it depends on how many actual people comes with that show, how many livestock numbers, how long the shows are. And they would actually have to apply for the, out at the Department of Agriculture, and they would issue these grants. These grants cannot be more than \$25 thousand and in many cases, I'm sure it'd be less. And this would bring a great amount of money into the State of Illinois, and I think it dovetails right in with our tourism. I'm getting a little nervous. So, anyway that's the Bill and if there's any questions, I'll be glad to answer."

Speaker Hartke: "The Gentleman has explained his legislation. Is there any discussion? Seeing that no one is seeking discussion, he's asked for the passage of House Bill 3068. All those in favor signify by voting 'aye'; those opposed vote 'no'. The polling is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3068 there are 115 Members voting 'yes', 0 voting 'no' or 'present' and having received a Constitutional Majority, this Bill is declared passed. On page 21 of the Calendar appears House Bill 3048, Representative Durkin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3048, a Bill for an Act regarding enforcement of support orders. Third Reading of this House Bill."

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Speaker Hannig: "Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. This is the LRB's revised rebuild with respect to the sections dealing with the withholding of support. We're consolidating into one Act similar provisions which are contained in the Illinois Public Aid Code, the Illinois Marriage and Dissolution of Marriage Act, the Nonsupport of Spouse and Children Act, and the Illinois Parentage Act of 1984. This is just a way of combining those into one simple Act. It makes no substantive changes to these provisions. This is just a matter of housecleaning for the Legislative Reference Bureau."

Speaker Hartke: "The Gentleman has explained his legislation. Is there any question, any discussion? Seeing no one is seeking recognition, he asks for the support of House Bill 3048. All those in favor signify by voting 'aye'; those opposed vote 'no'. Mr. Clerk, open the record. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3048, there are 115 Members voting 'yes', 0 voting 'no' or 'present', and having received... this Bill, having received a Constitutional Majority, is hereby declared passed. On page 21 appears House Bill 3081, Representative Leitch. Would you care to call that Bill? Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3081, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this House Bill."

Leitch: "Thank you, Mr. Speaker. This Bill is a Bill that is not about TIF's notwithstanding the title. It was amended. It's a housing Bill. It permits nonhome rule units to be able to allocate their federal tax-exempt allocations, bond

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allocations for housing. Presently, nonhome rule units have this power... or home rule units have this power, nonhome rule units have this power only by referendum. So, this removes that referendum so that a nonhome rule unit, by action of its village board, could make the decision to use their allocation for housing programs. I would ask for your support."

Speaker Hartke: "The Gentleman has explained his legislation. Is there anyone seeking recognition? The Chair recognizes Representative Skinner."

Skinner: "I wonder if the Speaker could tell us why we want to give nonhome rule units the ability to issue bonds without a referendum?"

Leitch: "These are not city bonds. These are allocations of federal bonding authority that flow to the cities and then, when they don't use them, in the event they don't, then they go back to other places for uses in various other locations throughout the state for housing. This is not anything that either was previously or subsequently to the full faith and credit of the municipality."

Skinner: "So, there's no way, there's no way the property taxes would go up if any of these bonds default."

Leitch: "No... no."

Skinner: "Thank you."

Speaker Hartke: "Further questions? Seeing that no one is seeking recognition, Representative Leitch to close. The Gentleman asks for favorable passage for House Bill 3081. All those in favor signify by voting 'aye'; those opposed 'no'. Mr. Clerk, open the record. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3081, there are 82 Members voting 'yes', 32 Members voting 'no', and 1

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Member voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. On page 20 of the Calendar appears House Bill 2812, Representative Turner. Do you wish to move that Bill back to Second for purposes of an Amendment? Mr. Clerk, place that Bill on Second Reading. House Bill 3262, Representative Mitchell. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3262, a Bill for an Act relating to the certification of school personnel. Third Reading of this House Bill."

Speaker Hartke: "Mr. Mitchell, would you like to move that Bill back to Second for purposes of an Amendment?"

Mitchell: "Yes, I would, Mr. Speaker."

Speaker Hartke: "Mr. Clerk, place that Bill on Second Reading. House Bill 2485, Mr. Phelps. Mr. Clerk, read the Bill. Would you like to move that back to Second for the purpose of an Amendment?"

Phelps: "We'd like to place it back on Second for the purpose of an Amendment, Mr. Speaker."

Speaker Hartke: "Mr. Clerk, move that Bill back to Second for the purposes of an Amendment. On page 2 of the Calendar appears House Bill 2326. Mr. Clerk, what is the status of that Bill?"

Clerk Bolin: "House Bill 2326 has been read a second time previously and held on the order of Second Reading pending the filing of a Fiscal Note. That Note has since been filed."

Speaker Hartke: "Are there any Amendments? Any other action filed against the Bill? Any Motions?"

Clerk Bolin: "Amendment #1 was adopted in committee. Floor Amendment #2 has been adopted. No further Amendments are pending."

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Speaker Hartke: "Third Reading. House Bill 3202. Mr. Clerk, what is the status... oh, excuse me. Out of the record. House Bill 3464, Representative Mautino. Read the Bill."

Clerk Bolin: "House Bill 3464 has been read a second time previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 2436?"

Clerk Bolin: "House Bill 2436, a Bill for an Act to amend the Public Safety Employee Benefits Act. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Hassert, has been approved for consideration."

Speaker Hartke: "Representative Hassert. Excuse me, Representative. Out of the record. For what reason does Representative Black rise?"

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

Speaker Hartke: "State your inquiry."

Black: "House Bill 3464, you moved that from Second to Third..."

Speaker Hartke: "That's correct."

Black: "...with an Amendment just a minute ago. Have all the Note requests been filed on that Bill?"

Speaker Hartke: "The Clerk indicated, I believe, that was the case."

Black: "Okay."

Speaker Hartke: "Mr. Clerk..."

Black: "Thank you."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 2557?"

Clerk Bolin: "House Bill 2557, a Bill for an Act to amend the Counties Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2,

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offered by Representative Beaubien, has been approved for consideration."

Speaker Hartke: "Representative Beaubien."

Beaubien: "Yes, this Bill is before the House at this time. I'd request the adoption of Amendment #2 to House Bill #2257. It was agreed in committee that I would withhold it until I got the language worked out and satisfied the utility companies, the Farm Bureau, the various business groups and the movie industry. That language has been presented and is satisfactory to all those interests. So, I'm prepared to request the adoption of Amendment #2."

Speaker Hartke: "Is there any discussion? All those in favor of the adoption of the Amendment signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Third Reading. Any further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2605, Representative O'Brien. Would you like to call that Bill? Representative O'Brien. Out of the record. Representative Lyons, on House Bill 2633. Would you like to call that Bill? Out of the record. Representative Lang, House Bill 2844. Out of the record. Representative Meyer, 2864. Representative Meyer. Mr. Clerk, what is the status of (House Bill) 2864?"

Clerk Bolin: "House Bill 2864 has been read a second time previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Meyer, has been approved for consideration."

Speaker Hartke: "Representative Meyer."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 takes the place of the Bill. It

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becomes the Bill and it further amplifies what the Bill, as it is passed out of committee, it establishes standards for public records disposal and retention regarding digitized electric format. This is a bipartisan Bill. It's being introduced on behest of the City of Chicago and Illinois Municipal League and the DuPage Merchants and Managers. All are in agreement with the Amendment as it's filed."

Speaker Hartke: "Any discussion on the Amendment? Seeing no one seeking recognition, all those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Mr. Clerk, are there any other Motions?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2944, Representative Reitz. Out of the record. House Bill 3181, Representative Noland. Do you want to call your Bill? (House Bill) 3181. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3181, a Bill for an Act to amend the Election Code. Second Reading of this House Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Noland, has been approved for consideration."

Speaker Hartke: "Representative Noland."

Noland: "Thank you, Speaker. This Amendment came about because of questions in committee from Representative Lang. It addresses the concern when a person's address has changed because of a 911 designation. It requires the Emergency Telephone System Board to notify that person that their address has changed because of the new designation and to encourage them to reregister so they will be... will qualify to vote. I'd move for its adoption."

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

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

Speaker Hartke: "Excuse me, Representative Black, would you repeat that?"

Black: "Yes, will the Sponsor yield?"

Speaker Hartke: "He indicates he will not."

Black: "If I were sponsoring this Amendment, I wouldn't yield either. You know, in all seriousness, Mr. Speaker, the Gentleman's explanation, and I hold him in the highest regard, one of the finest Members of the House... and quite frankly, I hope he stays here for many years to come, but his explanation of this Amendment didn't make any sense to me whatsoever. I mean, I thought all the legislation on 911 was already in law. I mean, it's already handled."

Noland: "Representative Black, the reason this does not make sense is because Representative Lang asked for this Amendment in committee."

Black: "I did what?"

Noland: "The reason this does not make sense is because in committee, Representative Lang asked for this language, this Amendment."

Black: "And you acquiesced?"

Noland: "He's powerful."

Black: "Well, perhaps you could yield to Representative Lang to explain what the Amendment does."

Noland: "I would."

Black: "He said he filed this Amendment at your request. Well, seriously, Representative, I thought it was automatic when you got the 911 address; everything changed, and you were given directions on how to do that. It's a little different over your way?"

Noland: "No, Representative Black, there's been confusion

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about..."

Speaker Hartke: "Are you two finished discussing the Bill?"

Noland: "We're finished."

Black: "I don't know any more than I did when I got up to ask the question. It has... The man has some obvious talent. I know when I've met my match. If he tells me it's okay, I'll probably vote 'no', but I have no idea what this Amendment does."

Speaker Hartke: "Any further discussion on the Amendment? Seeing that no one is seeking recognition, all those in favor signify by saying 'aye'... Excuse me. Representative Lang."

Lang: "I rise in support of the Gentleman's Amendment."

Speaker Hartke: "Any other discussion? Seeing that no one else is seeking recognition, all those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Mr. Clerk, are any other Motions or Amendments filed?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Rep... House Bill 3415, Representative Saviano. Mr. Clerk, Read the Bill."

Clerk Rossi: "House Bill 3415, a Bill for an Act to amend the Vehicle Code. 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 Hartke: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 represents a combination of negotiations that we've had with the Department of Public Aid, the Secretary of State's Office in addressing deadbeat dad issues. We have provisions in here which... which would revoke a

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driver's license of an individual found in contempt of court for failure to pay child support. We have a provision in here which would allow alternative sentencing methods such as community service or on the local level and counties, the Sheriffs' Work Alternative Program. And also, it provided that it is a deceptive practice to issue or deliver a check for child support knowingly if there is not sufficient funds to cover it. And I would ask that Floor Amendment #2 be adopted to House Bill 3415. I know of no opposition to this legislation. It passed out unanimously out of the State Government Committee."

Speaker Hartke: "Any discussion on Floor Amendment #2? Seeing no one seeking recognition, all those in favor signify by saying 'aye'; those opposed 'no'. And in the opinion of the Chair, the 'ayes' have it and Amendment #2 is adopted. Mr. Clerk, any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3427, Representative Mulligan. Rosemary Mulligan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3427 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mulligan, has been approved for consideration."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Floor Amendment #1 is just a small adjustment to clarify for the Medicaid program that the providers must be a provider of the plan. That's about the sum total of it."

Speaker Hartke: "Any discussion on Floor Amendment #1 to House Bill 3427? Seeing that no one is seeking recognition, all those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and

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Amendment... Floor Amendment #1 is adopted. Any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 3806, Representative Gash. Representative Gash. Out of the record. House Bill 2700, Representative Hoffman. Representative Hoffman. House Bill 2700. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2700 has been read a second time previously. It was held, pending the filing of a Fiscal Note. That Note has now been filed."

Speaker Hartke: "Those Notes have been filed? Any Amendments filed?"

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

Speaker Hartke: "Third Reading. House Bill 3202, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 3202, a Bill for an Act amending the Code of Civil Procedure. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. The Clerk would like to announce that committees are going to be meeting immediately upon adjournment. The... They will be distributing a Calendar of where these committees will be held immediately upon adjournment. Mr. Burke, would you like to make an announcement?"

Burke: "Yes, Speaker. The Executive Committee has been changed. The meeting will take place in the chamber immediately upon adjournment. We are being moved from 118 to the chamber. It's on the schedule. Just as a reminder, the meeting room has been changed to the chamber."

Speaker Hartke: "The Speaker would like to make an announcement

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that committee meetings will be held immediately upon adjournment. The House will reconvene tomorrow at 12:00 noon until 8:00 p.m. The Chair recognizes Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. Just as a reminder for those that didn't know we have a House Financial Institutions Committee tomorrow morning. It has been changed. It will take place at 9:30 on the House Floor...9:30 in the morning."

Speaker Hartke: "The Chair recognizes the Representative from Madison County, Mr. Stephens."

Stephens: "Oh, I don't think I want to say that."

Speaker Hartke: "The Chair would like to recognize Representative Beaubien from Lake County."

Beaubien: "Somebody keeps playing with my speaker button..."

Speaker Hartke: "No one else seeking recognition? Representative Currie. She moves that the House stands adjourned until the hour of 12:00 noon tomorrow. All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House is adjourned. House stands adjourned, allowing perfunctory time for the Clerk."

Clerk Rossi: "House Perfunctory Session will come to order. Senate Bills - First Reading. Senate Bill 1208, a Bill for an Act amending the Illinois Municipal Code. First Reading of this Senate Bill. Senate Bill 1282, offered by Representative Scott, a Bill for an Act to amend the Sanitary District Act. Senate Bill 1286, offered by Representative Feigenholtz, a Bill for an Act to amend the Registered Titles Act. Senate Bill 1307, offered by Representative Skinner, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Senate Bill 1338, offered by Representative Fantin, a Bill for an Act

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to amend the Public Community College Act. Senate Bill 1506, offered by Representative Fritchey, a Bill for an Act relating to criminal law. Senate Bill 1508, offered by Representative Capparelli, a Bill for an Act to amend the Liquor Control Act of 1934. Senate Bill 1598, offered by Representative Currie, a Bill for an Act to amend the School Code. Senate Bill 1203, offered by Representative Saviano, a Bill for an Act to amend the Township Code. Senate Bill 1224, offered by Representative Fritchey, a Bill for an Act in relation to criminal law. Senate Bill 1271, offered by Representative Saviano, a Bill for an Act to amend the Illinois Physical Therapy Act. Senate Bill 1272, offered by Representative Saviano, a Bill for an Act to amend the Barber, Cosmetology, Esthetics, and Nail Technology Act. Senate Bill 1599, offered by Representative Mautino, a Bill for an Act to amend the School Code. Senate Bill 1657, offered by Representative Saviano, a Bill for an Act to amend the Acupuncture Practice Act. First Reading of these Senate Bills. There being no further business, the House Perfunctory Session stands adjourned."