

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

56th Legislative Day

May 8, 1997

Speaker Hannig: "The hour of 3:00 o'clock having arrived the House will be in order. The Members will be in their seats. Will all unauthorized personnel please retire from the Chamber? We will be led in prayer today by Reverend David Sickelka, with Grantfork United Methodist Church in Highland. The Reverend is the guest of Ron Stephens. The guests in the Gallery may wish to rise for the Invocation."

Reverend Sickelka: "Let us pray. All mighty and endlessly loving God, remind us of the power Your grace has among us in this time and place. As we assemble in this arena of public debate keep us humble, that we not think of ourselves more highly than we ought. Charge our memories that we not forget the many who will be affected by decisions made this day. Stir our faith that Your ways of justice and mercy might be the pattern of our lives. These things we ask and trust that You hear and answer. Amen."

Speaker Hannig: "And we will be led in the Pledge today by Representative Crotty."

Crotty - 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 Capparelli, for excused absences."

Capparelli: "Mr. Speaker, the only absentee is Representative Boland. Boland."

Speaker Hannig: "And Representative Bost."

Bost: "Good afternoon, Mr. Speaker. We, the Republican side, is all here today."

Speaker Hannig: "Very good. Mr. Clerk, take the record. There being 117 Members answering the Roll Call, a quorum is present. Committee Reports."

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Clerk Rossi: "Committee Reports. Representative Schoenberg, Chairman from the Committee on Appropriations General Services. To which the following Bills were referred, action taken on May 7, 1997, reported the same back with the following recommendations: 'Do pass, Short Debate' Senate Bill 1130. 'Do pass as amended Short Debate' Senate Bill 1127, Senate Bill 1128, Senate Bill 1129, Senate Bill 1131, and Senate Bill 1132. Representative Novak, Chairman from the Committee on Electric Utility Deregulation to which the following Bill was referred, action taken on May 7, 1997, reported the same back with the following recommendations: 'Do pass as amended Short Debate' Senate Bill 56. Representative Novak, Chairman from the Committee on Environment and Energy to which the following Bills were referred, action taken on May 7, 1997, reported the same back with the following recommendations: 'Do pass Short Debate' Senate Bill 54, Senate Bill 348, Senate Bill 819, Senate Bill 778, Senate Bill 791. 'Do pass as amended Short Debate' Senate Bill 347, Senate Bill 475, and Senate Bill 968. 'Be adopted Short Debate' Senate Joint Resolution 4. 'Be adopted as amended Short Debate' House Resolution 110. 'Be adopted standard debate' House Resolution 98. Representative Schakowsky, Chairman from the Committee on Labor and Commerce, to which the following Bills were referred, action taken on May 7, 1997, reported the same back with the following recommendations: 'Do pass Short Debate' Senate Bill 476. 'Do pass as amended Short Debate' Senate Bill 1024, and Senate Bill 469. Representative Stroger, Chairman from the Committee on Local Government to which the following Bills were referred, action taken on May 7, 1997, reported the same back with the following recommendations: 'Do pass Short

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Debate' Senate Bill 437, Senate Bill 713. 'Do pass as amended Short Debate' Senate Bill 103, and Senate Bill 1109. Representative Saviano, Chairman from the Committee on Registration and Regulation to which the following Bills were referred, action taken on May 7, 1997, reported the same back with the following recommendations: 'Do pass Short Debate' Senate Bill 595, Senate Bill 108, Senate Bill 316, Senate Bill 603, Senate Bill 605, and Senate Bill 315. 'Do pass as amended Short Debate', Senate Bill 1073, Senate Bill 794, and Senate Bill 859. Representative Giles, Chairman from the Committee on State Government and Election Reform to which the following Bills were referred, action taken on May 7, 1997, reported the same back with the following recommendation: 'Do pass Short Debate' Senate Bill 433, Senate Bill 607. 'Do pass as amended Short Debate', Senate Bill 76, Senate Bill 200, Senate Bill 561, Senate Bill 855, and Senate Bill 1000. 'Be adopted Short Debate' House Resolution 113. Representative Shirley Jones, Chairman from the Committee on Public Utilities to which the following Bills were referred, action taken on May 8, 1997, reported the same back with the following recommendations: 'Do pass as amended Short Debate' Senate Bill 703. Representative Gash, Chairman from the Committee on Judiciary II Criminal Law to which the following Bills were referred, action taken on May 9, 1997, reported the same back with the following recommendations: 'Do pass Short Debate' Senate Bill 172, Senate Bill 340, Senate Bill 363. 'Do pass as amended Short Debate' Senate Bill 13, Senate Bill 232, and Senate Bill 366, Senate Bill 381, Senate Bill 460, Senate Bill 521, Senate Bill 827. 'Do pass standard debate' Senate Bill 218. 'Be adopted Short Debate' House Resolution 74, House Resolution 75, House

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Resolution 91, House Resolution 112. Representative Moffitt... Representative Murphy, Chairman from the Committee Personnel and Pensions to which the following Bills were referred, action taken on May 8, 1997, reported the same back with the following recommendations: 'Do pass Short Debate' Senate Bill 423. 'Do pass as amended Short Debate' Senate Bill 665, Senate Bill 101, and 'do pass as amended Standard Debate' Senate Bill 667. Representative Murphy.... Representative Moffitt, Chairman from the Committee on Consumer Protection, to which the following Bills were referred, action taken on May 8, 1997, reported the same back with the following recommendations: 'Do pass as amended Short Debate' Senate Bill 356, Senate Bill 663, and Senate Bill 1048. Representative Eugene Moore, Chairman from the Committee on Revenue to which the following Bills were referred, action taken on May 8, 1997, reported the same back with the following recommendations: 'Do pass Short Debate' Senate Bill 35, Senate Bill 36, Senate Bill 39, Senate Bill 46, Senate Bill 157, Senate Bill 162, Senate Bill 374, Senate Bill 515, Senate Bill 535, Senate Bill 593, Senate Bill 618, Senate Bill 771, Senate Bill 785, Senate Bill 1075 and Senate Bill 1094. 'Do pass as amended Short Debate' Senate Bill 83, Senate Bill 677, Senate Bill 715, Senate Bill 804, Senate Bill 856, Senate Bill 909. 'Be adopted as amended Standard Debate' House Resolution 96. Representative Stroger, Chairman from the Committee on Local Government to which the following Bills were referred, action taken on May 7 (sic-8), 1997, reported the same back with the following recommendations: 'Do pass as amended Short Debate' Senate Bill 25 and Senate Bill 691. Representative Erwin, Chairman from the Committee on Higher Education to which

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the following Bills were referred, action taken on May 8, 1997, reported the same back with the following recommendations: 'Do pass Short Debate' Senate Bill 660, Senate Bill 837. 'Do pass as amended Short Debate' Senate Bill 529, Senate Bill 763."

Speaker Hannig: "Representative Biggins, for what purpose do you rise?"

Biggins: "Thank you, Mr. Speaker. I rise on a Point of Personal Privilege. To introduce a product from my district, created there by a resident without a government program and they gave it to me as a gift yesterday when they were down here with the home schooling crew. The Speaker knows of what I speak as he walked by and noticed it. The game, I have brought it with me, it's a game a board game in the interest of developing business in my district. If this becomes a saleable product, I think it would be very good for the Illinois economy. The game is called Clintonopoly and it's a board game that is very similar to another game called Monopoly, its got different currencies, its got utilities, its deregulation, its very topical, its got the banks, commonly known Edison is on the board. It's a very interesting board game and I've got it set up for any of the Members who want to come over and take a look. And I would probably get you a discount as being from my host district. So, thank you for this opportunity to promote Clintonopoly here."

Speaker Hannig: "We're going to go to the Order of Second Reading. We're going to try to identify those Bills where the Fiscal Notes and all the other Notes have been filed and where the Sponsor is hopefully on the Floor. So, if you have a Bill on that order that's in order and ready to move to Third, we're going to try and give you that

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opportunity today. So, Mr. Clerk, Senate Bill 6. Is Representative Roskam in the Chamber? Yes, out of the record. Senate Bill 21, Representative Saviano? Is the Gentleman in the Chamber, Representative Saviano. Out of the record. Senate Bill...Representative Ryder. Yes, Representative Ryder for what purpose do you rise?"

Ryder: "Mr. Speaker, I rise for a Point of Personal Privilege. May I proceed."

Speaker Hannig: "Yes, please proceed."

Ryder: "Thank you. I would ask that we recognize a former Member who served in the House for six years and then took a demotion to go to the Senate. Bill Marovitz, who is not standing by me because he doesn't like my introduction and his lovely bride Christy Heffner is with him, as well. Shall we welcome them to the House?"

Speaker Hannig: "Welcome back. Senate Bill 165, Representative Kubik. Representative Kubik. Representative Kubik, (sic-Senate Bill) 165. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 165, a Bill for an Act in relation to burial practices. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 236, Representative Schoenberg. Representative Schoenberg. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 236, a Bill for an Act amending the Medical Patient Rights Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hannig: "Third Reading. Senate Bill 237, Representative Daniels. Can someone give us an indication on whether Mr. Daniels wishes to move that Bill? Out of the record."

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Senate Bill 329, Representative Leitch. Is the Gentleman in the Chamber? Representative Leitch. Out of the record. Senate Bill 331, Representative Monique Davis. Representative Monique Davis, is the Lady in the Chamber? Out of the record. Senate Bill 372, is Representative Saviano here? The Gentleman is not in the Chamber. Out of the record. Senate Bill 418, Representative Feigenholtz. Is the Lady in the Chamber? Yes, Sara, Representative Feigenholtz. Representative Feigenholtz, on Senate Bill 418. Do you want to proceed from Second to Third? No, out of the record. Senate Bill 429, Representative McAuliffe. Representative McAuliffe, do you wish to move that Bill? Out of the record. Senate Bill 495, Representative Churchill. Out of the record. Senate Bill 500, Representative Fantin. Representative Fantin, do you wish to move Senate Bill 500? Representative Fantin, Arline. Representative Fantin on Senate Bill 500. Could someone help me get Representative Fantin's attention, please? Do you wish to move the Bill? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 500, a Bill for an Act amending the Illinois Purchasing Act. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Hannig: "Third Reading. Senate Bill 599, Representative Lopez. Representative Lopez on 599. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 599, a Bill for an Act in relation to consumer fraud committed against persons at least 65 years of age. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Hannig: "Third Reading. Senate Bill 954, Representative

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Wait. Representative Wait. Is the Gentleman in the Chamber? Out of the record. Now, we'll move to the Order of Third Readings. Senate Bill 5, Representative Durkin. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 5, a Bill for an Act amending the Code of Criminal Procedure of 1963. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. This Bill is part of the Attorney General's Crime Package, which is an evidence Bill. It's procedural in nature. What it will allow is that in sex crimes prosecutions, prosecution will be able to admit prior evidence of sexual conduct, or sexual acts on behalf of the defendant from a different victim. In certain cases if there is... if the evidence is highly probative and it does not prejudice defendant. It also extends rape shield types of privileges to the person who testifies, as well."

Speaker Hannig: "And on that question, Representative Black is recognized. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. There are so many people on the Floor of the House, the noise level is so high. The good Representative is four feet from me and I couldn't hear one word he said about this Bill. Not one."

Speaker Hannig: "Let's give the Gentleman some order."

Black: "Thank you."

Speaker Hannig: "Did you have any questions, Representative Black?"

Black: "I can't ask any questions when I don't even know what the Bill does."

Speaker Hannig: "Do you wish..."

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Black: "The Gentleman was doing the best he could. I couldn't hear a word."

Speaker Hannig: "Do you wish him to repeat his explanation?"

Black: "If he would, give me at least a synopsis."

Speaker Hannig: "Representative Durkin..."

Durkin: "I'm sorry, I didn't hear you. What was it."

Speaker Hannig: "Could you repeat your introduction?"

Durkin: "Okay. Senate Bill 5, is part of the Attorney General's Crime Package, regarding sexual offenses. This Bill will allow in prosecutions for criminal sexual assault cases, allow the state to bring in victims, prior victims of the defendant if they are able to show that the assault has a certain type of fingerprint characteristic to it from the prior assaults. However, there is a hearing conducted to establish whether or not the evidence in this type of testimony would be more probative than prejudicial. And also this Bill will allow that the individual that testifies, this prior victim, would be able to also be protected for the privileges which are allowed under the rape shield statute. Representative Black."

Black: "Thank you very much. I appreciate the Gentleman's explanation. Representative Davis has shared his amplifier with me, it's still very hard to hear in here. But I will defer to the expertise of Representative Durkin who spent many many years in the pros... oh, the heck with it. He was an Assistant State's Attorney somewhere. That's good enough for me. I don't have a clue, I can't hear a word."

Speaker Hannig: "Representative Pugh is recognized."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hannig: "He indicates he will."

Pugh: "Representative, could you explain to me the Rape-Shield

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Law?"

Durkin: "Rape-Shield Law will allow... protects, in sexual crime cases it will protect, it basically it's used to keep the victim reputation from being dragged through the mud. This will, when you have cases dealing with sexual assault cases, if there has been no prior sexual conduct between the victim and the defendant, her past sexual habits or her conduct are not relevant and they are barred from being in the courtroom. The purpose is, that that is not relevant to the case and chief and the purpose is to keep the victim from having their name dragged through the mud."

Pugh: "So this is... the Rape-Shield Law is to protect the victim of the crime."

Durkin: "Right."

Pugh: "And the evidence that you're talking about making available, is there a statutory limitation on the evidence that can be made available? If an individual has created a crime six, seven years, is there a statute of limitation involved?"

Durkin: "Well, there presently is a statute of limitations for the offense of criminal sexual assault, aggravated criminal sexual assault. I mean that's what we're talking... I'm not sure... is this towards the victim or the witness? The statute of limitations right now is three years, however if you're statute of limitations dealing with somebody under the age of 17, is now one year past the age of 18, but it cannot be more than three years from the time of the offense."

Pugh: "No, my question specifically, Sir, is, if an individual perpetrator is charged with the crime, how far back can they go to bring the evidence?"

Durkin: "Well, once again, this is something which the

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prosecutors are not going to summarily be able to introduce in evidence, what they are going to have to do is establish through a hearing that the evidence which is being presented, which is corroborating evidence for the victim, if there's been a past victim, there has to be... there are certain factors which are involved in their lives. You can see that in weighing the appropriate value of the evidence against undue prejudice to the defendant the court may consider the proximity in time to the charge for predicate offense the degree of factual similarity to the charge for predicate offense or other relative facts and circumstances. I mean, we're talking about, they have to look at the totality of circumstances and that's one of the factors that's going to be weighted. If this is something which is about 20 years old, of course, that's going to be weighted very heavily in a judges mind. The fact is, give that judge that discretion and make that determination that, you know what, it is so far removed from this case that it should not be applied because it's probably the prejudicial effect would probably outweigh the probative value for its admission into the state's case in chief."

Pugh: "Okay, so the evidence is not made readily available, it goes through a process and then the judge determines if it should be used."

Durkin: "Absolutely. Like I said before, this does not allow the state to summarily come in and say, you know what, we're going to put this evidence in. The state has to make that motion, the judge makes that decision, there is a hearing conducted to determine the value of this evidence. If there's a high degree of reliability to it and how do you establish that. You look at the proximity of time, was there an outcry made to another official, another

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individual, to a law enforcement official? Those are all the factors which are going to be taken into account. And if you can establish that there, like I said, a very high degree of reliability from this corroborating witness then the judge will be able to make that discussion to allow this evidence be used to be put in the state's case and chief."

Pugh: "Representative Durkin, does this have any relation to the Becker Case, where the alleged victim..?"

Durkin: "No, I think where you're getting mistaken is that under the Becker Case there was evidence which was brought out against the homeless man, Jeffrey Gould, which was introduced according to probably one of the worst Supreme Court decision in Illinois history called People v. Lynch, a Bill which I tired... which I'm unsuccessful in the Senate in passing. Which allowed all sorts of prejudicial evidence to come in against the victim in this case, in that case Jeffery Gould, about psychiatric records and prior, all the prior bad acts in which he occurred to establish that he was the initial aggressor. This is exactly the opposite. This is a situation we're dealing, which are sexual assault cases, I mean, we're mixing apples and oranges and I can sit here and I can tell you all about that Jeffery Gould case and officer..."

Speaker Hannig: "Representative Andrea Moore."

Moore, A.: "Thank you, Mr. Speaker. At this time I would ask that the House welcome students that are here visiting from Oak Grove School which is in Central Lake County, Libertyville area and they are up in the Gallery. So, please welcome them with me."

Speaker Hannig: "Thank you. Welcome to Springfield. Representative Tim Johnson. Representative Tim Johnson."

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Johnson, Tim: "Mr. Speaker and Members of the House. I really don't want to address this Bill unless we have some degree of quiet because this is an extremely important Bill and if we don't have that degree of quiet we're simply going to vote for it because of a symbol and not realize what it does. I don't, this is the first time this Session that I've risen to speak on the merits of any issue or the demerits in this case. But I really think we've got to pay attention to what this Bill does or else we're going to pass something that is absolutely totally inconsistent with everything that we've done in the last four years in Illinois Government. You remember a very controversial measure that passed last term, allowed or disallowed the use of a victim's previous sexual history in terms of the prosecution of a rape case. And that's the Rape-Shield Law and it's controversial but the will of the Legislature prevailed and so the law is now, and I think everybody should understand that, that over great controversy if you're prosecuting an individual for rape and a victim comes in and testifies, even though that victim may have a long lengthy history of promiscuity, or whatever, that you can't use that previous history in terms of protecting the defendant. That probably makes sense because you want to limit yourself to the scope of this offense. This Bill wants to have the best of both worlds. It wants to be able to say on the one hand, that the law is that you cannot use a victim's previous sexual history in this case. On the other hand, this Bill says, when you're charged with an offense that your previous sexual history in terms of other offenses can be used against you. Now, I'm as strong as anybody in this Chamber of prosecuting, vigorously, sexual assault cases but why don't we, if we pass this Bill, we

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might just as well throw out the Statutes books and say anytime that you're charged with a sexual offense you're going to be convicted, don't have a trial, don't have a judge, you just automatically go to the penitentiary for a certain term. This is totally and absolutely inconsistent with what we did before. Totally inconsistent with it. And anybody who believes in the Constitution, anybody who really believes in protecting, not only victims but defendants as well, or presumption of innocence couldn't possibly vote for this Bill. How could you on the one hand say, last term, that you can't use a victim's sexual history to help convict... or exculpate an individual and turn around the very next year and say it's okay, to have that but you can use the sexual history of the defendant against them? This is America. In 1780's we enacted the Bill of Rights. If anything we ever pass is inconsistent with that, this is it. Now, if you want to limit yourself to the scope of the specific case and that's the way that it ought to be, then let's do it. The Rape-Shield Law allows us to do that. It says that you can't go into a victim's past sexual history because that doesn't have anything to do with the current offense. It says you can't go into a person's sexual history as whether they're promiscuity or whatever because that has nothing to do with whether there was consent or not consent in this case. Whether that's good policy or not, it probably is and we passed it. But how can you turn around and say, that in this case, when you are charging John Doe, or an individual with a sexual offense that you can go back indefinitely and use that individual's previous offenses against him or her? It's absolutely makes no sense at all. It reverses any presumption of innocence and it is absolutely antithetical

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in everything that we stand for. You're not by voting 'no' on this, being soft on the offense of sexual... on sexual crimes. What you're being, is consistent, because the bottom line of the juxta position of those two Bills is, nobody's going to want to ever prosecute these offenses because the result would either be so unjust or so unworkable that you'd either never get a conviction or you'd have to triple the office of the prosecutor's office and open 25 new penitentiaries to make it work. It sounds good but anybody who tries to spin this as a 'no' vote is somehow inconsistent with the idea of being tough on crime isn't being fair and isn't being honest. With all due respect to my good friend Representative Durkin, who I have a high respect for, and with all due respect to Representative Preston and others who pushed the Rape-Shield Law the last time. This Bill, if it passes, would make this Legislature absolutely and totally contradictory within itself. With all due respect and looking to the merits of this Bill, the merits of any given case and what we did last year, this Chamber ought to resoundingly vote 'no' on this because if you don't, you're going to demonstrate you know nothing about what we did before. You know nothing about prosecutions or defense and you know nothing or care nothing about the Constitution of the United States or the State of Illinois. It's a bad, bad, bad, idea."

Speaker Hannig: "Representative Durkin to close."

Durkin: "Well, I... it's interesting because I spent a lot of time in the Cook County State's Attorney's Office and what this Bill does is exactly the opposite of what the last speaker mentioned. The fact is, what this Bill does is that when a victim, when you have rape cases, you may have

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a serial rapist, we're talking about the situations where you have serial rapists, serial molesters. They have perpetrated a number of crimes over the years and the fact is, a lot of times people are not... they feel uncomfortable with coming forward. This gives these people that they see this person has been charged with a crime, they've been a prior victim. It allows them to come forward and say that, 'You know what? The statute of limitations go into this, but the fact is, I'm ready to talk and the fact is, I will corroborate this victim's story because exactly the same thing happened to me.' This Bill is good. This is a practice call, proof of other crimes evidence. It's been around for the past 50 years, probably longer than that, and the fact is, this is not a new program which we're putting in Illinois, this is not a new concept. This is reasonable, it's been used all the time. We're codifying a common law principle, but the fact is, if these people are coming forward all we're saying is that the Rape-Shield Statute will apply to the corroborating witness in these cases. That is not unreasonable. But the fact is, you can still impeach these individuals through other forms of traditional impeachment, prior felony convictions. You can find inconsistencies in their statements. Use that against them if you believe that that if that testimony is not good, but the fact that in this law it says that it is made up to a judge to determine the factual... their liability of the evidence which is being presented. We're not just limiting, we're not living in a vacuum. We are leaving it up to the judge to make the determination of whether or not this prior testimony is valuable, and a matter of fact, it is because the fact is, I believe this is a good vote. This is a good

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vote for prosecutions, it is not hinging or it's... on anybody's Constitutional rights because this is a practice which we've been doing for hundreds of years. It's called proof of other crime evidence and this Rape-Shield Statute extending it to the corroborating witness, I think is very reasonable and I believe that this Bill, despite the last thoughts, this Bill is very consistent with a number of court cases that come on over the years. It also is what is being practiced in the courtrooms. I believe that this is a good Bill and I would ask for your 'aye' vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes'; and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read House Bill 7."

Clerk Rossi: "House Bill 7..."

Speaker Hannig: "Senate Bill 7"

Clerk Rossi: "...a Bill for an Act in relation to certain sex offenses. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Turner."

Turner, J.: "Thank you, Mr. Speaker. Senate Bill 7, amends the Criminal Code to increase penalties for repeat offenders for three specific crimes. Criminal sexual assault, aggravated criminal sexual assault, and predatory criminal sexual assault. For criminal sexual assault, if it is the second offense of that particular crime, the penalty will be increased from a minimum of 30 years to 60 years. If the perpetrator has a prior aggravated criminal sexual assault or a prior predatory criminal sexual assault the person will be sentenced to natural life in prison. As to

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aggravated criminal sexual assault, if it is that person's second offense of aggravated criminal sexual assault or if that person has a prior criminal sexual assault or predatory criminal sexual assault, that individual will also be sentenced to natural life in prison. Finally, as the predatory criminal sexual assault, if it is the second offense of predatory criminal sexual assault or if there is a prior aggravated criminal sexual assault or a criminal sexual assault, that person also will be sentenced to natural life imprisonment. This is a measure promoted by the Attorney General of the State of Illinois. I will be glad to answer any questions if there are any. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 7. Is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes'; and 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 15, Representative Lyons."

Clerk Rossi: "Senate Bill 15, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

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

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 15 amends the Criminal Code of 1961. It provides for the seizure by the county sheriff and sale at public auction of a vessel or vehicle used with the knowledge and consent of the owner in the commission or in the attempt to commit the offense of reckless discharge of a firearm. I would be happy to answer any questions."

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Speaker Hannig: "The Lady has moved for passage of Senate Bill 15. And on that question, the Chair recognizes Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hannig: "She indicates she will."

Pugh: "Representative, if I'm a parent and I loan my car to my son, he picks up two or three of his friends and they happen to... his friends happen to have... be armed with pistols and the gun goes off, or they actually shoot someone, will I be liable, will I lose my car?"

Lyons: "No you will not. The Bill provides for the knowingly, the owner would have to knowingly."

Pugh: "Knowingly what? Knowingly loan my car or knowingly be involved... the Bill does not speak to whether it's knowingly loan, the lending of my car or knowingly be involved in the actual crime. And that's the problem that I have with the Bill."

Lyons: "I'm trying to find it in the Bill. Representative, if you look at the Bill, second page, line 17. When a person discharges a firearm and another individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm to that individual."

Pugh: "But that speaks specifically to the perpetrator or the individual that's committing the crime. What kind of protections are there for the owner of a car who unknowingly loans their car to their son or daughter and they happen to have friends who are perpetrators of this crime. And that's the problem."

Lyons: "Well, again I would point to that portion of the Bill that says, when a person discharges a firearm at another

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individual from a vehicle with the knowledge and consent of the owner of the vehicle and with the intent to cause death or great bodily harm."

Pugh: "Okay, so theoretically if someone... if someone fires into the car, if someone fires into the car then they can actually lose their car also. I mean, the way that the Bill reads."

Lyons: "If they fire into another car?"

Pugh: "Right."

Lyons: "Well, again we're dealing with reckless discharge and we're also... separate from aggravated discharge, which would be pointing the gun with a purpose. This is reckless discharge of a firearm."

Pugh: "And so what... aside from seizing of the auto, are there any other penalties involved?"

Lyons: "There's the penalty for the reckless discharge of a firearm, which is a Class IV Felony."

Pugh: "And how will the car be disposed of, once it's... how will... who will actually gain possession of the car and where will the proceeds go?"

Lyons: "Within 15 days after... the sheriff shall give notice of seizure."

Pugh: "What about if there are outstanding car payments, outstanding liens on the car? Can the bank come back and retrieve the car? Can the loan company come back and retrieve the car or is all... or do they forfeit their interest also?"

Lyons: "Any debts on the car would be paid off at the time of the sale."

Pugh: "So, if the car sells for less than is actually owed on the car, the state could actually lose money as a result of this?"

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Lyons: "I'm not following you."

Speaker Hannig: "Representative Deering."

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

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

Deering: "Representative, what is the definition in this legislation of... bear with me just a second so I get the right terminology. What's the definition of reckless discharge?"

Lyons: "Representative, criminal statute says, reckless discharge of a firearm. A person commits a reckless discharge of a firearm by discharging a firearm in a reckless manner which endangers the bodily safety of an individual."

Deering: "So, then even though it is... that is current language in the statute today? So, then even though that is current language it's still interpreted by a potential arresting officer. Is that correct?"

Lyons: "Could you repeat that?"

Deering: "That is language that is in the statute today, is that correct?"

Lyons: "Correct. Correct."

Deering: "So even though that is in the statute, it's still interpreted or interpreted by the individual officer who may be stopping the vehicle and charging the person. Is that correct?"

Lyons: "Yes, that's correct."

Deering: "Has nothing to do with law-abiding citizens in sporting guns or sporting events or anything like that?"

Lyons: "No, it does not."

Deering: "Thank you."

Speaker Hannig: "Representative Lang."

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

Speaker Hannig: "She indicates she will."

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Lang: "Representative, if this vehicle is seized, what happens if there is a loan on it? How does GMAC or somebody that may have money owed to them get their money?"

Lyons: "If it is sold for more than the car is worth then the debt would be paid off."

Lang: "Is there something in this Bill that requires under the UCC, a commercially reasonable sale?"

Lyons: "No, this Bill does not provide for that."

Lang: "Well, then why would... when it's sold, why would the selling authority care to get the maximum dollars then? Unless you require a commercially reasonable sale, you not only can affect the rights of the lien holder, but you can diminish the value of the vehicle for the entity that's selling it. If you don't require that they get the maximum amount out of the sale, not only are they getting less, but you risk the rights of the lien holder. Can't we fix this?"

Lyons: "You have to grant that the sheriff would want to get the most money for this vehicle."

Lang: "But the sheriff is not an expert in selling vehicles. You have nothing in the Bill that requires the sheriff to seek out the lien holder to determine what's owed. How will the lien holder know the vehicle has been seized?"

Lyons: "There is provision for notice in the Bill."

Lang: "Please tell me where that is?"

Lyons: "On page 2, line 24, 25."

Lang: "Page 2, line 24 and 2..."

Lyons: "No, I'm sorry, it's page 1, not 2. It's page 1. Do you see it? Within 15 days after..."

Lang: "Yes, but, Representative, when you buy a car and you have a loan. The lien holder is not required to notify the Secretary of State. The lien holder may hold the title."

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The lien holder can do a lot of things with the title, can't they?"

Lyons: "Pardon me?"

Lang: "How do you... quote the law for me that... let me start over. You're saying in here that the sheriff is going to notify lien holders of record with the Secretary of State. What if their a lien holder that is not of record with the Secretary of State."

Lyons: "If there is a lien holder that is not registered with the Secretary of State?"

Lang: "Right."

Lyons: "Could you cite where that might happen?"

Lang: "Sure, I sell you my car. I have a lien on the car, but I don't give it to the Secretary of State. It's a private transaction, I'm not required to do that. I might be required to do it to perfect my lien relative to other people you may want to sell the car to later, but I don't think I'm required to do that under the law just for the sake of doing it. If I want to sit on my lien and not record it, I can do that can't I?"

Lyons: "Yes."

Lang: "Well, then how, in the scenario I've given you, how do I get protected?"

Lyons: "Well, the only thing... it is public sale and people would be notified. So that's the only response I have, as you know, I'm not the author of the Bill, but it is a public sale and people would be aware."

Lang: "Well, I know you're not the author of the Bill and you're trying to pass a Bill that was sent over here from the Senate and that's fine, but I'm pointing out a problem to you. Wouldn't you like to hold this Bill... let me finish. Let me finish. Talk to the Senate Sponsor, I think that

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you and the Senate Sponsor are both usually supporters of IRMA. IRMA should be very concerned about the fact that there may be lien holders here. The Bankers Association should be concerned that there may be lien holders here who are going to get blown out of the water because of the way this is written. I don't have any problem with the vehicle being seized, I'm concerned about what happens to the lien holders. Would you like to hold this, we have another week, just to ask your Senate Sponsor if they have an interest in curing this problem?"

Lyons: "Well, I hesitate to do that because as I said, this is a public sale, people would be aware. I'm not sure I have the same concerns you do."

Lang: "You're not sure you have the same concerns, I do."

Lyons: "You raise about..."

Lang: "But you might have the same concerns I do. You're just not sure?"

Lyons: "Right. Exactly."

Lang: "Well, then I'm not sure whether I'm voting for the Bill."

Speaker Hannig: "Representative Lindner. Representative Lindner does not wish to speak. Representative Lyons to close. Representative Lyons to close."

Lyons: "Oh, I'm sorry. I would ask for your favorable support."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 28."

Clerk Rossi: "Senate Bill 28, a Bill for an Act amending the Fish

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and Aquatic Life Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. A couple of years ago we were successful in regaining a portion of the Ohio River between the boundaries of Kentucky and Illinois. And there was a couple of other things that were wrong in that retaking of a portion of the Ohio River. The commercial fishermen on the Illinois side were limited to taking catfish in excess of 50 inches. On the Kentucky side, out of the same water, same Ohio River could take any fish that they chose. We're equaling the playing field for the commercial fishermen on the Illinois side. I would encourage your support for this piece of legislation."

Speaker Hannig: "Is there any discussion? Seeing none the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 66."

Clerk Rossi: "Senate Bill 66, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I bring you Senate Bill 66. Senate Bill 66 is an Amendment of the election laws that provides that in a school district that elects their school board members according to area of residents and they are filling an unexpired term of one or more vacancies. The winners of the unexpired term shall be determined first, where the

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winner of the full term then determine on the basis of area residency. To explain this Bill a little further. We had a situation in my district where we had an unexpired term, we had two people running for a four year term and two write-in candidates that specified the unexpired term. The State Board of Elections, in their wisdom, determined that the two top vote getters would get those positions no matter what they specified for. That indeed did happen. The two got seated, the two write-in candidates specified they were running for the unexpired term were shut out. This clears up that problem with the election law. If you specify you're running for a term, that indeed is the term that you are going to be determined the winner or the loser for. I would be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 66. Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes', and 0 voting 'no'. And this Bill having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 69."

Clerk Rossi: "Senate Bill 69, a Bill for an Act in relation to school technology. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mitchell. Representative Mitchell, on Senate Bill 69."

Mitchell: "I'm sorry, Mr. Speaker, thank you. Ladies and Gentlemen of the House, I bring you another real fine Bill. This Bill amends the School Code and allows those districts that are not under tax caps to levy in the lease levy a nickel for computer technology. What we have are a lot of

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districts that are quite poor that have a mandate of computer technology, they've had it for a long long time and now we're going to allow them a revenue stream. We are not... we are not creating a new levy. We are not increasing the levy. We are only allowing the lease purchase of computers, software, technology, even fiber optics in those school districts as they are needed. If they go above that nickel levy, just as in any the lease levy as it is now, they will have to go to referendum. I'd be happy to answer any questions on Senate Bill 69."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 69. Is there any discussion? Representative Deering."

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

Speaker Hannig: "He indicates he will."

Deering: "Representative, did you say this is in those counties where tax caps are not in effect?"

Mitchell: "That's correct. Any county that has tax caps now, this is a moot issue."

Deering: "Can those counties that are under a tax cap, can they do a referendum for this, is this permissive?"

Mitchell: "Representative, the only way that they could have any levy whatsoever, in the lease levy is to do it by referendum only. It would have to be by vote of the people."

Deering: "Is there a cap as to how much money can be expended for these leases and lease purchases?"

Mitchell: "Well, besides the cap that was brought by tax caps, there's a natural cap on that levy of a nickel. They can't go above that, if they go above that they have to go to referendum and they can only go to a dime even with referendum."

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Deering: "Thank you."

Speaker Hannig: "Is there any further discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes'; and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 109."

Clerk Rossi: "Senate Bill 109, a Bill for an Act amending the School Code, or the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Winnebago, Representative Scott."

Scott: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 109 would increase the penalty for involuntary manslaughter where the victim is a family member. Increase that from a Class III Felony to a Class II Felony for which if prison time is sentenced that would be three to 14 years. This is in response to a case in the City of Rockford where a man got into an altercation with his wife and she was, originally the autopsy said that she was beaten to death, that was later amended to say she died of asphyxiation when the husband sat on her as he was... as they were in their fight. He was sentenced to five years for that. We think there's a higher duty that someone has, a higher breach of a relationship when someone commits involuntary manslaughter against a family member. This passed out of the Senate unanimously and also unanimously out of the House Judiciary Committee. And I would ask for a favorable vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate

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Bill 109. And on that question, the Chair recognizes Representative John Turner."

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

Speaker Hannig: "He indicates he will yield."

Turner, J.: "Representative, it's kind of hard to hear you over here. Members on my side of the aisle are concerned about exactly what the Bill does. As I understand it increases the penalty of involuntary manslaughter from... is it the same class of felony or is it just... a different class or what exactly does it do in that regard?"

Scott: "Class III to Class II, John."

Turner, J.: "From a Class III to a Class II? Just as to family members or does that include anybody who commits a crime?"

Scott: "What do you mean, it would include anybody who commits a crime."

Turner, J.: "Well, is there not a special provision as applied to family members in your Bill?"

Scott: "Right. That's what I'm saying. Only for someone... if the victim is a family member as that is defined elsewhere within the Code. that also includes people that have live-in relationships and other people who have significant relationships with the perpetrator."

Turner, J.: "So, if a family member commits involuntary manslaughter, the penalty will be greater because the perpetrator is a family member?"

Scott: "Yeah, that's right and there's a couple of reasons for that. One, I think there's a higher duty that gets violated, a higher violation of trust when there's a crime committed against a family member as in the case that I just said in Rockford. The second thing is, I think you probably know this as well. That sometimes cases that just turn out to be, that's just a domestic case, you know,

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that's no big deal. That's just family fighting amongst themselves. Well sometimes those things turn very very deadly and I think we need to send a message as a Legislature. Obviously, the judges still have all the discretion that they have right now, but we're just sending a message that we think there is a higher trust factor involved and that that penalty should be more extensive."

Turner, J.: "I agree with the higher trust factor, I'm wondering though, sometimes in offenses of this nature, it's because of what, in law, is known as 'hot blood' for or bravos. How would you address that particular argument? Actually, there is no criminal intent form just because the family situation has created some hot tension. A crime like this can be committed, it would seem almost that maybe that mitigates instead of aggravates."

Scott: "Well, that very well might but again those are factors the judge can absolutely consider. Right now, we're talking about from two to five and then going to three to 14, in this particular case. Obviously, there is very little difference in the minimums in those particular sentences, probation would still be available in both cases. So, really those factors that would be taken into account in mitigation could still be taken into account in these cases. We haven't changed any of that."

Turner, J.: "So, there is still is the opportunity for a court, if the court chooses, to impose probation to indeed make that the sentence."

Scott: "Yes, because the Bill reads, if a term of imprisonment is prescribed. Which still leaves open probation."

Turner, J.: "Does your language apply only to involuntary manslaughter or would it also would include reckless homicide, which is kind of an form of involuntary

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manslaughter except of course with a motor vehicle?"

Scott: "Only to involuntary manslaughter, not to reckless homicide."

Turner, J.: "No further questions. Thank you, Representative."

Speaker Hannig: "Representative Scott to close."

Scott: "Just appreciate an 'aye' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 111, Representative Wirsing."

Clerk Rossi: "Senate Bill 111, a Bill for an Act concerning County Board Members. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Wirsing."

Wirsing: "Thank you, Mr. Speaker, Members of the House. Senate Bill 111, simply amends the County Codes. Provides that no person is eligible to hold the office of county board member or commissioner in counties of less than 3 million people, unless he or she is a legal voter and has been a resident of the county for at least one year, next preceding the election. Would answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 111. Is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes'; 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. Mr. Clerk, read Senate Bill 112, Representative Winters."

Clerk Rossi: "Senate Bill 112, a Bill for an Act in relation to fees imposed for electronic monitoring. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Members of the House. Senate Bill 112 requires an offender who is placed on electronic monitoring for an alcohol or drug offense to pay the costs incidental to that testing and the cost of electronic monitoring. I would urge its adoption."

Speaker Hannig: "Is there any discussion? the Gentleman from Cook, Representative Pugh."

Pugh: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hannig: "He indicates he will."

Pugh: "Representative, we're attempting to... an individual that has been sentenced to a crime will have to pay for the electronic monitoring and all of the drug tests or the alcohol testing that is to take place. Is that correct?"

Winters: "Yes, this allows him not to spend the time in prison, but to actually be out where he can work during the day, but then be on electronic monitoring during the evening and this is a way for the county to recover some of the costs of that electronic monitoring. And if he has to do some periodic drug or alcohol testing as part of his sentence, then he can be asked to help pay for that."

Pugh: "How much... how much will the individual who has been convicted of the crime be assessed? And how will that assessment be measured?"

Winters: "That will be set by the county board, they are required to set that as a reasonable fee. If he doesn't have the

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means to pay the fine, it can be waived, but again, the idea is to keep somebody who has a job, able to hold that job and therefore be able to afford the fees."

Pugh: "So, what happens if the individual does not have a job or has no means of support, which is mostly the case for individuals that commits crimes?"

Winters: "The court can assess no fee if there is no means to pay it. They do not have to impose the fee."

Pugh: "Okay. But, the judge does not have to impose the fee. So, why doesn't this say for individuals who are currently employed as opposed to an individual who is probably creating a crime as a result of lack of employment. This is tantamount, Sir, to double jeopardy."

Winters: "I don't know how you can say, double jeopardy. Let me answer your question which is, why is it not set as somebody who is employed? You may have the case of a person who is independently wealthy. His wife or his spouse may have a job but he himself does not. There may be assets that the court can go after that may not be directly attributable to employment. That's why its written as it is."

Pugh: "Well, I think that's an admirable position that you take, Sir, and I think it's a kind myopic cultural position that you're taking. You don't have... there aren't a large... there isn't a great bevy of well-to-do individuals that are committing crimes. The individuals that are committing crimes that are going to be affected by this legislation are individuals who have no means of support or limited means of support."

Winter: "I agree with you that in the vast majority of cases, we're not talking about somebody who is wealthy, but we have to write the laws of this state to cover all cases,

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and that's why it's drafted this way, is for those very exceptional cases where there may be other means of paying the fine other than direct employment."

Pugh: "So, for the sake of the privileged few, we're going to penalize all of those 80%, Sir, 80% of the criminal cases that go before the judge are drug related cases. I submit to you that maybe 5% of the 20% that's left might be affected by the people you're attempting to target with this piece of legislation. There are very few well-to-do middle class individuals who are able to secure a lawyer that are receiving electronic monitoring as a result of a criminal offense."

Winter: "Well, I think what you're asking me is whether we drafted this to allow the wealthy to get away. Actually this, by going to employment rather than the means to pay, we would actually let off people who might have assets that are not currently working. So, it doesn't make sense to draft it that way. What we're simply trying to do is to allow the county board to recover some reasonable fees for testing and for electronic monitoring. That's all this does, whether or not we deal with only employed people or people with assets, I think that's a point that we have to decide that we're going to cover everybody under this law that's what this Bill is trying to do."

Pugh: "To the Bill, Mr. Speaker."

Speaker Hannig: "Representative Pugh, your time has expired. Representative Monique Davis is recognized."

Davis, M.: "I will yield my time to Coy Pugh."

Speaker Hannig: "Representative Pugh has five minutes, courtesy of Representative Monique Davis."

Pugh: "Thank you very much, Sir. Representative Winters, although your intention may be honorable in attempting to

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make sure that those individuals who are currently employed, those individuals who have some means of support that those individuals who may be able to pay for drug testing or alcohol testing, to continue to be able to maintain a livelihood for their children. That intent is well-meaning and honorable, Sir. But I submit to you that the majority of the individuals that are going to be affected by this particular piece of legislation cannot and will not be able to pay for incidental... any kind of incidental cost, because if they could they would not be out there committing the kind of crimes that would fall under the probationary guidelines of statutory requirements. So, in your attempt to meter out some specific legislation for individuals perhaps in your community, you're taking a broad stroke that's fringing on double jeopardy for an individual. If an individual is not able to pay these costs, he will be submitted to another lengthy court battle, which is going to cost the state more and more dollars. So, I submit to you and to the Members of the Caucus this is a flawed piece of legislation that is going to inherently cost more money than it's is able to save. Thank you."

Speaker Hannig: "Representative Winters to close."

Winters: "This Bill is simply an attempt to make sure that the counties have the tools available to put as many people as they can on electronic monitoring and to recover a reasonable cost. It will allow us to have additional jail slots available to those people who need most to stay in jail and it still allow some form of punitive action against people and let them keep their job but also have that punitive action from a court system. I urge its adoption."

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Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed vote '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 103 voting 'yes', and 10 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black. Representative Moffitt."

Moffitt: "Would you have the record reflect that I intended to vote 'green'? Hit it and it went off and would like the record to show that I wanted a 'yes' vote."

Speaker Hannig: "Yes, the record will so reflect your intentions. And now, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. I have an Inquiry of the Chair."

Speaker Hannig: "Yes, state your inquiry."

Black: "On what took place during the last Bill. It's my understanding that under your Rules, a Member may not yield time to another Member in the Chamber. I believe it's 52(e), that clearly states, a Member may only speak once on an issue and is silent on whether or not a Member can yield time to another. You allowed that to happen and if that's the case, I'd like to know the Rules cite where that can be done?"

Speaker Hannig: "Representative Black, we'll take a look at that and we will get back to you with an answer."

Black: "Thank you very much, Mr. Speaker."

Speaker Hannig: "Thank you, Representative. Mr. Clerk, read Senate Bill 123, Representative Durkin."

Clerk Bolin: "Senate Bill 123, a Bill for an Act in relation to Sex Offender Management. Third Reading of this Senate Bill."

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Speaker Hannig: "Representative Durkin."

Durkin: "Thank you, Mr. Speaker. Senate Bill 123 is another initiative of the Illinois Attorney General Office and what this Bill will do will create the Sex Offender Management Board. The panel which is going to be made of 20 members will monitor the treatment and adjudication of sex offenders and they'll study their therapy and treatment to discover and publicize ways to minimize recidivism and protect the public from future sex offenses."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 123. Is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 125."

Clerk Bolin: "Senate Bill 125, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 125 requires a plaintiff in a dissolution petition to disclose whether there is a petition for dissolution of marriage pending in any other county or state. This comes from a Will County judge who was handling a divorce case it had also been filed in Cook County. There was no way of knowing that until he held an evidentiary hearing. This simply is trying to cleanup a minor area of the divorce law to make sure that there are not two cases running at the same time in two different

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jurisdictions. I urge its passage."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 125. Is there any discussion? The Gentleman from Madison, Representative Bradford is recognized."

Bradford: "Will the Sponsor yield, Mr. Speaker?"

Winters: "Certainly."

Speaker Hannig: "He indicates he will."

Bradford: "Representative Winters, what happens if the... you had two parties filing in two different counties?"

Winters: "Could you say it a little louder?"

Bradford: "What happens if the husband files in one county and the wife files in another county, the husband doesn't know the wife has filed yet? Is the husband required... and I mean what happens then?"

Winters: "It's a very good question. Give me a second here."

Bradford: "Okay."

Winters: "I don't believe there is any provision in here if the two different parties are filing in different counties. What it does not allow is in this case, there seemed to be one party that had filed in two different counties, kind of venue shopping."

Bradford: "What's the penalty in the Bill in terms of..."

Winters: "There's no penalty involved in it, it just requires that if you're going to file... if the husband, for instance, is going to file in county X, and he already has a petition in another county, he is not allowed to do that. It requires disclosure."

Bradford: "Don't you have the same problem, though, where the husband in one way or another finds out the wife has filed in Will County, he promptly runs to Cook County and files? That's the judges... as I understand it, the judges want to stop that activity also."

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Winters: "They just want disclosure so that they are aware whether or not it's been filed in another county."

Bradford: "He's going to claim, I didn't know."

Winters: "Again, I couldn't hear you."

Bradford: "He's going to claim that he didn't know."

Winters: "Okay. There usually would be service on the respondent so, if one side has already filed in another county they're going to know that, the court will know."

Bradford: "Believe me in the divorce circumstance the time between filing and service, the other party knows the filing's taken place but there is no service. All I'm suggesting to you is that the Bill may not go far enough to solve the problem in regards to multiply filings. It's obviously, if you're limiting it to one party, it probably works. One party cannot multiply file, but part of the problem that the judges tell me is that you have multiply filings, especially in the Cook County and suburban areas where one party runs to Cook County and the other party stays in the other county and that remains a problem and I don't think your Bill goes far enough to solve that problem."

Winters: "Okay."

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

Winters: "Yes, this is simply a cleanup trying to make sure that there is awareness between the two different counties that you don't have the same case being filed in two different counties."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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question, there are 117 voting 'yes'; 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black. Just in answer to your inquiry. The last sentence on the Rule that you cited, which says, a Member may yield to another Member the time allotted for the Member's debate. So, our Rules do allow..."

Black: "I appreciate that, I saw that after I made my inquiry. You might ask the Parliamentarian to further check it. It appears that that Section is in conflict, when it clearly states that a Member may only speak once and yet allowed to speak more by the yield process. But, we appreciate your ruling, we thank you for the opportunity to make the inquiry. Thank you very much."

Speaker Hannig: "Thank you for bringing that to our attention, Representative. Representative Bergman, for what purpose do you rise?"

Bergman: "Mr. Speaker, on Senate Bill 123, my switch didn't work and I wish to be shown as recorded voting 'aye'."

Speaker Hannig: "The record will reflect your intentions to have voted 'aye'. Mr. Clerk, read Senate Bill 140, Representative Lyons."

Clerk Rossi: "Senate Bill 140, a Bill for an Act amending the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lyons."

Lyons: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The purpose of Senate Bill 140 is to insure neighboring communities are informed when an adjacent municipality is holding a hearing on siting a pollution control facility. It requires that officials from adjacent municipalities or adjacent county boards be notified at

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least 14 days prior to siting, to a siting hearing, and be allowed to participate in such a hearing. This does not give away any veto power or special standing to these groups. Such information will let neighboring communities participate more effectively in the siting process, and hopefully make the process less contentious. The Bill was amended in the Senate to address concerns people had about the Bill and as of now all opposition has been removed and I ask for your favorable support."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 140. Is there any discussion? Seeing 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 1 voting 'no', and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 155. Excuse me. Representative Deering, for what purpose do you rise?"

Deering: "Thank you, Mr. Speaker. I would like the record to reflect on Senate Bill 140, I would have voted 'aye'. My switch wasn't working."

Speaker Hannig: "Thank you, Representative Deering. Mr. Clerk, read Senate Bill 155."

Clerk Bolin: "Senate Bill 155, a Bill for an Act to amend the Counties Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Holbrook."

Holbrook: "Thank you, Mr. Chairman. Senate Bill 155 is an Agreed Bill between the Illinois Municipal League and Metro Counties. What it does is it allow statutory special use zoning authorization. Currently, there has to be variances given and this is actually what we're doing currently, it

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codifies many of the acts and after discussions with Illinois Municipal League and the Counties they have reached agreement. This came out of the Senate Committee unanimously, out of the Senate unanimously, and I know of no organized opposition and I'd ask for your support."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 155, and on that question, Representative Black is recognized."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, in the content of your Bill or in existing law, are special uses clearly defined?"

Holbrook: "I don't believe so."

Black: "Would it be possible that somebody could request a zoning change for a special use that would be out of the ordinary business or residential commercial development such as an adult entertainment facility?"

Holbrook: "If the county would want to adopt that as one of the special uses, they would be allowed to under this. This would apply as like a... right now in a agriculture area if they would have to put a quarry in, or anything, right give a variance and this would allow them to set-up specific criteria for that and I guess if a county wanted to do that and set that up as a special use, they could under this."

Black: "I think I understand the rationale for the Bill, but let me make sure that we're on the same page. It would appear that this Bill would make it easier to file an objection to a zoning request or a zoning variance and I don't have any problem with that, if that's what we're doing. Is that your understanding?"

Holbrook: "It's my understanding. It will set some specific

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criteria and also say that if they haven't adopted this, it takes larger than a simple majority originally and if they have it's a simple majority."

Black: "So, in fact, there would be more of a due process or constructive notice and I think you mentioned a number of days in which to file objections and who might file. It appears that it would give more time and ability for people to object to what may be considered a special use permit, right?"

Holbrook: "Yes, and it would set defined rules on how they could do it. Make it much easier for them."

Black: "Okay. All right, that sounds like a good idea. Thank you, for clarifying that, Representative."

Speaker Hannig: "The Gentleman from Cook, Representative Stroger. Representative Stroger. Doesn't wish to speak. Representative Silva. The Lady from Cook, Representative Silva."

Silva: "Representative Holbrook, I just had a question. How would that affect Cook County?"

Holbrook: "It doesn't preempt Home Rule counties."

Silva: "I didn't hear you."

Holbrook: "It does not preempt Home Rule counties. Cook's a Home Rule county."

Silva: "Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 2 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 174. Representative Hughes"

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Clerk Bolin: "Senate Bill 174, a Bill for an Act to amend the Conservation District Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker. Senate Bill 174 is permissive legislation that allows conservation districts, five member boards with a vote of a majority to expand to seven member boards. This is totally permissive. The appointing process would be identical to existing statutes. All it does is, on a permissive basis allow a Conservation District Board to vote to go from a seven member board... five member board to a seven member board. There is no known opposition to this legislation."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 174. Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Hughes, do you have a statement on that Bill?"

Hughes: "I would like the record to record that I voted 'yes', or would have voted 'yes', please."

Speaker Hannig: "The record will so reflect. Mr. Clerk, read Senate Bill 180."

Clerk Rossi: "Senate Bill 180, a Bill for an Act amending the Local Government Debt Reform Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hughes."

Hughes: "Senate Bill 180, amends the Local Government Debt Reform

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Act. It provides that except for an ordinance to be required to be published in connection with a back door referendum, any bond ordinance adopted by a governing body under applicable law shall in all instances, become effective immediately without publication or posting or any further act or requirement. What this Bill does is allow for... is allow units of local government to issue their bonds without what can be very costly publication costs. This does not diminish in any way notice provisions, public participation, any referendum opportunities or requirements for bonding authority. It does one thing, it removes the requirement for publishing after the local units of government have complied with all statutes and adopted ordinances for bonds. Let me give you an example. A fire protection district, after a referendum, passes a bond ordinance and is then required to publish that ordinance within a month after the bond ordinance is passed. If that ordinance is 20, 30, or 40 pages, it can cost that fire district two to three thousand dollars. Now, this publication does not provide any opportunity for citizens to take any action. It is after the fact of an ordinance being adopted. No public input is diminished in any way by this provision. I would urge your support."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 180 and on that question, Representative Cross is recognized."

Cross: "Thank you, Mr. Speaker. Just one question, will the Sponsor yield?"

Speaker Hannig: "She will."

Cross: "Representative, is this your last Bill? Last Bill?"

Hughes: "I don't think so, I have one more."

Cross: "You know, this is not your last Bill then."

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Hughes: "I hope it is not my last Bill."

Cross: "All right, I don't have any other questions."

Speaker Hannig: "Representative Skinner."

Skinner: "Representative, you've made it real clear that all the notices that are in place now before the bond is issued will still be in place. Is that correct?"

Hughes: "Yes, including new legislation requiring notice and hearing for non-referendum bonds."

Skinner: "And the... our analysis says that the reason someone suggested this Bill is that it looked like just a way to give newspapers more money. That it wasn't providing any public purpose to publish the bonds themselves after they'd been sold."

Hughes: "I don't want to make light of that but you are correct. This does nothing in terms of enhancing the public's ability to participate in the process. It is purely after the fact."

Skinner: "Okay, then I won't give my sanitary district speech."

Hughes: "Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes'; and 8 voting 'no' and this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 193."

Clerk Rossi: "Senate Bill 193, a Bill for an Act to amend the Vision Service Plan Act Repeal. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Brady."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 193 repeals the Vision Service Plan

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Act. There are no longer any participants in this plan. There no are longer can be as it has a sunset date for entry. This simply cleans up the statutes. It was voted out of the House Committee 12 to 0 and the Senate 56 to 0. I ask for your favorable vote."

Speaker Hannig: "The Gentleman moves for passage of Senate Bill 193. Is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes' and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 194."

Clerk Rossi: "Senate Bill 194, a Bill for an Act to amend the Illinois Pension Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 194 is identical to House Bill 718 that passed this Chamber, I believe, almost unanimously. What this says is, that it exempts Cook County and it says that if a firefighter or a policeman is injured in the line of duty or is killed in the line of duty, that if a local municipality has an ordinance granting them compensation, they can still recover compensation under the Workmen's Comp Act or the Worker's Occupational Diseases Act. I would be pleased to try to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 194. Is there any discussion? Hearing 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

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wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 196."

Clerk Rossi: "Senate Bill 196, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 196 has passed through this Chamber unanimously, a couple of weeks ago. What it does is require that the insurance companies must supply their insured with loss information for the previous five years instead of the current policy which is three years. I ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 196. Is there any discussion? Seeing 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 that question, on this question, there are 116 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority is hereby declared passed. Mr. Clerk, read Senate Bill 199."

Clerk Rossi: "Senate Bill 199, a Bill for an Act in relation to burial expenses for state police officers killed in the line of duty. Third Reading of this Senate Bill."

Speaker Hannig: "Out of the record. Senate Bill 209, Representative Wood. Representative Wood. Do you wish to proceed? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 209, a Bill for an Act amending the

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Collateral Protection Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Wood."

Wood: "Thank you, Ladies and Gentlemen. Senate Bill 209 amends the Collateral Protection Act. And the Collateral Protection Act permits lenders to purchase insurance in order to insure in collateral which has been part of a loan agreement. This is a pro-consumer Bill and it requires now the lender to actually notify the borrower of the cost of the insurance and other charges and requires that the notice be sent to the borrower's last address on record. It has no known opposition and I'd appreciate your support."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 209. Is there any discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; all opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 199."

Clerk Rossi: "Senate Bill 199, a Bill for an Act in relation to burial expenses for state police officers killed in the line of duty. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 199 provides for burial expenses of up to \$10 thousand for state police officers killed in the line of duty. This Bill is similar to another House Bill, I believe, that passed the House, and came out of the Pension Committee this past week on a unanimous vote. I'd

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be happy to try and answer any questions. I think the fiscal impact is maybe an average of one state trooper killed a year and the department does not oppose this legislation. They will be able to pay these fees that may occur out of current line items."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 199 and on that question, Representative Black is recognized."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, I'm just curious. Could you bring me up to speed? This is an identical Bill, the one you had introduced in the House that was recommitted to the Rules Committee, as I recall, House Bill 813. I'm just curious why the Senate Bill moved and the your House Bill didn't?"

Deering: "Let me take a quick look here, Representative. I'll try to answer that for you."

Black: "I believe it's your Bill 813."

Deering: "(Sic-House Bill) 814?"

Black: "(Sic-House Bill) 813, 814. Am I close?"

Deering: "I believe, if my memory serves me correct, Representative, we never got to that Bill when we were running Bills on the schedule as we were calling the House Bills."

Black: "Okay. So, but there...."

Deering: "There was no problem with that Bill or anything."

Black: "I was going to say, there isn't any difference in the two Bills."

Deering: "Right. That's..."

Black: "So, we're going to pass the Senate Bill in this case?"

Deering: "Yes."

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Black: "That's, that's very unusual because, you know, they came down here in March, as I recall, and saw their shadow and went home for six weeks. So, I sometimes wonder why we want to help them out. But, if you say it's all right, I guess it's okay."

Deering: "Well, we have to... we'll give them one every now and then..."

Black: "All right. Okay. Sounds like a good idea to me. Thank you."

Speaker Hannig: "Is there any further discussion? Hearing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 213."

Clerk Bolin: "Senate Bill 213, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Crotty."

Crotty: "Thank you, Mr. Speaker. This Bill amends the Illinois Municipal Code to require a city or a village when selling real estate, to give notice of sale by certified mail to the owners of the land abutting that real estate. And it also provides that the owner... that they would submit a bid within 60 days after receiving the notice. And those that would not wish to bid on that property, waives any interest of real estate. If there's any questions, I'd be more than happy to answer them."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 213. Is there any discussion? Seeing none, the question

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is, 'Shall this Bill pass?' All in favor vote 'aye'; all opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 214."

Clerk Bolin: "Senate Bill 214, a Bill for an Act to amend the Illinois Solid Waste Management Act. Third Reading of this Senate Bill."

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

Beaubien: "Yes, Senate Bill 214 amends the Solid Waste Management Act to require the Department of Central Management Services to implement an aluminum can recycling program. This is a companion Bill to a House Bill passed recently through the House, I think was a 113 to nothing. If there are no questions, I'd urge the passing of this Bill."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 214 and on that question, Representative Black is recognized."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, is this identical to a House Bill that we've already passed out of here?"

Beaubien: "I can't certify that. It's similar, I'm not sure it's identical. This was a Bill approved by Central Management Services, as amended, which extended the implementation period to 270 days. Allows current programs already in existence to stay in existence and requires that the funds stay in a special cycle fund to be used for recycling

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programs only. So, that that's how the Bill is amended and that's the Bill I know that Central Management Services wants to have approved."

Black: "This Bill has been amended. Is that correct?"

Beaubien: "That's correct and I just described the Amendments. The Amendments were the ones recommended by Central Management Services."

Black: "Okay, so as I recall, we're going to put 55 gallon drums all over the Capitol so people can throw their aluminum cans in. Is that it?"

Beaubien: "I'm not sure how they intend to implement the program."

Black: "Well, I mean, are they going to be nice looking drums? Or just something we get out of an oil dump with a skull and cross bones on it? What are they going to look like?"

Beaubien: "I think you'd have to ask Central Management Services."

Black: "Excuse me. I'm going to ask Central Management Services. He assures me that they will be decent looking receptacles. That kind of narrows it down a little bit for me. Who recycles these? I mean, who picks up the cans and empties the barrels? Who does that? CMS or are they going to contract this out?"

Beaubien: "I'm informed that they hire a waste hauler to pick the cans up and dispose of them."

Black: "And where does the money go?"

Beaubien: "It goes into a special fund. It's called the One Cycle Account in the State Surplus Property Revolving Fund. It's to be used solely for purposes of recycling programs."

Black: "You know, I would imagine there could be a substantial number of aluminum cans from what I've seen in the Capitol Complex and I don't know what they are in the market now,

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35, 45 cents a pound. This could be a substantial amount of money and I'm just curious as to how that fund is... you know, the oversight of the fund."

Beaubien: "It goes through the standard appropriation process."

Black: "Well, what kind of concerns me, and I'm serious about this, there are people in the private sector, in my district, who walk up and down roads and sidewalks and back alleys picking up these cans. And they actually make money or supplement their family income by doing this and now you have government doing it and using all of the money to supplement recycling programs. I would think some of the money could be transferred over say, to the Road Fund so that we could combine asphalt, old tires and aluminum cans into some kind of a longer lasting road surface. Wouldn't that make sense to you?"

Beaubien: "I don't believe that's the intent of this Bill. No, it just..."

Black: "Yeah, but if you had those crushed aluminum cans and that asphalt base, it's be easier to see at night. Wouldn't it?"

Beaubien: "I doubt it."

Black: "Well, I guess this is a good idea. I... CMS is here whispering in my ear and John assures me that they take very good care of the money. But maybe we can revisit this in another year to see what they're doing with the money. That's very important. Well, Representative, you've done an excellent job saving the environment in the Capitol Complex and you ought to be commended. Would you call this a 'green vote'?"

Beaubien: "Yes, this is definitely a 'green vote'."

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

Speaker Hannig: "The Gentleman has moved for passage of Senate

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Bill 214. The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 233."

Clerk Bolin: "Senate Bill 233, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This legislation is an initiative of several law enforcement entities. The Chiefs of Police, the Illinois State Police, the State's Attorney Association, and the Sheriffs' Association all have had a hand in crafting this legislation that deals with the problem of high speed chases. This Bill is designed to increase the penalties and to deter motorists from fleeing police officers initiating a traffic stop. The Bill increases the penalty to a Class A Misdemeanor for a driver who knowingly flees or eludes a police officer and requires suspension of driver's privileges for up to 12 months for a second conviction. A third or subsequent conviction will be a Class IV Felony. It also amends the Aggravated Fleeing Statute by making the three aggravating factors independent of each other. Deletes the private property damage only to make it just property. And making it a felony to cause more than \$300 in damage to any property. Making any first violation a Class IV Felony, and a second offense a Class III Felony. And finally, the Bill permits law enforcement agencies to seize and forfeit a vehicle used in the commission of aggravated fleeing or eluding

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subject to the protections provided to innocent owners of any vehicle. I would be glad to respond to any questions that Members might have and I'd move favorable passage of (sic-Senate Bill) 233."

Speaker Hannig: "The Gentleman moves for passage of Senate Bill 233. Is there any discussion? Hearing 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 111 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 234."

Clerk Bolin: "Senate Bill 234, a Bill for an Act concerning hospital district directors. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman (sic-Speaker), Ladies and Gentlemen of the House. This amends the hospital district law to provide that at least one director on a district board may be a member of the district hospital medical staff. It provides that these provisions prohibiting an interest also in contracts do not apply to a director on a hospital district board who is a member of a district hospital medical staff and also allows this district to have an interest in a hospital district contract of deposit or financial institution with local bank or savings or loan association. I think this would be a tremendous benefit and could be helpful for rural hospitals. It is permissive only. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 234. Is there any discussion? Seeing none, the

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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 112 voting 'yes'; and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 245."

Clerk Bolin: "Senate Bill 245, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill treats as a full day of attendance for school aid formula purposes, a day of partial attendance resulting from adverse weather conditions that delay the start of the school day."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 245 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 safeguards are in the Bill that would prevent a school board, or excuse me, a school superintendent or his or her designee from opening school on any given day no matter how bad the weather and then just turn the buses around and send the kids home and claim a full day of attendance?"

Kosel: "Representative, this does not deal with that part. That's already in school code. This Bill only deals with the delay in starting school."

Black: "You mean if I start at noon rather than 8:00, I'd claim a full day?"

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Kosel: "That is correct. So, if fog rolls in in the morning, you have icy roads on your country roads that they can delay school and do not have to have the minimum of five hours that are required for a full day."

Black: "Does the language of the Bill clearly state adverse weather or does it just simply say a partial day?"

Kosel: "It clearly states adverse weather."

Black: "Okay, so if the superintendent just wanted to sleep in late and start school at noon, he would not be able to claim a full day of state aid, right?"

Kosel: "Not unless he controlled the weather."

Black: "Well, some of them tell me they do, but I've always been suspicious. How much might this cost? Do you have any idea?"

Kosel: "There was a Fiscal Note done on it and they said that the cost would be minimal. It was very hard to figure if there would even be any."

Black: "I'm sorry, what did you say? Ten million?"

Kosel: "No, Sir. I said that it was very difficult to figure. I have the figures in front of me and they said it was almost impossible to calculate how it would cost because of how the school aid formula now is calculated."

Black: "Oh, so it's minimal cost."

Kosel: "Absolutely minimal cost. Yes."

Black: "Do we have any idea how many late starting days there were last year in our public school system?"

Kosel: "No, I do not have that figure."

Black: "Okay."

Kosel: "I know that it is a serious problem in the district that I live in. We have fog or blowing snow. There is times when school would be called as opposed to delayed and I think this will encourage more educational time."

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Black: "Okay. I finally got this thing to scroll down to the end. Are there any... did anybody sign in opposition to the Bill?"

Kosel: "No one has signed in in opposition in either House. The State Board is in favor of it."

Black: "Okay, I am curious about one thing. Adverse weather can be defined as either snow or heat? What about excessive heat?"

Kosel: "It just says adverse weather conditions."

Black: "All right. I don't think anybody would abuse this. I don't have any problem with it, particularly since you explained that it's a delay and not a cancellation, so that makes more sense to me than allowing them to say school is open at 8:00 and then cancel at 8:15 and take a whole day of state aid for that. So, I think you've got adequate safeguards in the Bill, I mean, I could share with you stories when I was going to school and I walked 18 miles one way, we never closed, never and never delayed. I mean, I was expected to be there at 8:00. I left home at 5:30 every morning, sometimes snow up to my chin, but I made it. But that's another, it was another generation, I understand, Representative."

Kosel: "Did you, as my father, walk uphill both ways?"

Black: "Yes, we didn't have school buses back then. Sometimes we could ride the horse, though. But I think you've covered all the potential loopholes here. This is probably a very good Bill. Who was the Senate Sponsor, by the way?"

Kosel: "Cronin."

Black: "I'm sorry, Senator..."

Kosel: "Senator Cronin."

Black: "Oh, I remember him well. He started his career over here as a page, as I recall. Fine fellow. Thank you."

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Speaker Hannig: "Representative Monique Davis."

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

Speaker Hannig: "She indicates she will."

Davis, M.: "Representative, your Bill requires that within 30 days of this partial attendance, that the certified reason be sent to the regional superintendent and the regional superintendent will forward that to the State Board. Is that correct?"

Kosel: "That is existing in the legislation as it is, that is not changed. That is what exists in the School Code now concerning early dismissals. So, we are not changing that."

Davis, M.: "So, for Chicago, we do not have a regional superintendent, so I imagine we would simply forward it directly to the state superintendent. Is that correct? Or maybe we don't need to report to anybody."

Kosel: "I don't think that this is ... I don't think this applies to Chicago. I don't think this section of the School Code applies to Chicago."

Davis, M.: "So, if we have adverse weather and children attend for a partial day, we can't claim a full day?"

Kosel: "Not to my knowledge. I don't think that the..."

Davis, M.: "Well, I don't see anything in your Bill that excludes us."

Kosel: "No, I don't either. We did not want to exclude you."

Davis, M.: "Therefore, I will support your Bill."

Kosel: "Yes, you have icy roads just as we do."

Davis, M.: "Yes we do."

Kosel: "It would be the same procedure that would be used now. We are not addressing any changes in the procedure for this. While all we are addressing is adding the late delay to the list of things."

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Davis, M.: "I think it's an excellent piece of legislation. I think that because the children had to leave early or arrive late, the same amount of preparation went into that school day and I think it's an excellent piece of legislation. I support it."

Speaker Hannig: "Representative Mitchell."

Mitchell: "Thank you, Mr. Speaker. Representative Kosel, one of the things that Representative Black didn't tell you is that he really would have liked to have had this Bill when he was teacher because he could have called in and said it was foggy where he lived because there were times that he did like to sleep in. Mr. Speaker, to the Bill. This is an excellent piece of legislation. A lot of times superintendents get caught right in the middle in situations like this, where you have fog that rolls in or you have snow that starts up at the beginning of the day but the forecast is that it will clear up. Most superintendents would like to run school and they won't abuse it because they want to get the days in, they want the kids in school, but this will relieve some of the anxiety for superintendents and for school board members when it comes to those days when you really aren't sure. And this will allow school to run when it's safe and allow kids to stay home when they need to. It's a good piece of legislation. I commend the Sponsor for picking it up and I suggest an 'aye' vote by everyone. Thank you."

Speaker Hannig: "Representative Slone."

Slone: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hannig: "She indicates she will."

Slone: "Representative Kosel, is there any time limit on how late school can be held till or how few hours of the school day

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might be held?"

Kosel: "No, there is not."

Slone: "Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; all 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 Senate Bill 247."

Clerk Bolin: "Senate Bill 247, a Bill for an Act to amend the Lead Poisoning Prevention Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Winters."

Winters: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 247 amends the Lead Poisoning Prevention Act. Provides that only positive results rather than all results of blood lead analysis test must be reported to the Department of Public Health within 48 hours of receipt. This allows not... tests that come back negative, where there's no public health consequences, it allows them up to 30 days to report in a bad system rather than a 48 hour reporting. And I would urge its adoption, its passage."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 247. Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; oppose vote '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'; 0 voting 'no'. And this Bill,

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having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 258."

Clerk Bolin: "Senate Bill 258, a Bill for an Act to amend the Meat and Poultry Inspection Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Senate Bill 258 amends the Agricultural Animal Slaughter Act. What it's doing is, it is adding ratites as animals as far as the slaughter of the meat and so forth. It passed the Senate without any descending votes and I would appreciate your affirmative vote on this piece of legislation."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Hartke: "Sure."

Speaker Hannig: "He indicates he will."

Black: "Representative, I've had the distinct pleasure of visiting your home and your farm operation. Do you now or at any time in the future expect to raise ratites?"

Hartke: "No, I do not but there are many people in the agricultural industry who do have ratites. That would be ostriches, emu, or rheas on their farms right now.."

Black: "Flightless birds."

Hartke: "Pardon."

Black: "Flightless birds."

Hartke: "Flightless birds."

Black: "Flightless birds. So, there's absolutely no conflict of interest in you carrying this Bill?"

Hartke: "Not in my... not in my opinion, absolutely none."

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Black: "Well, I did talk with one of your neighbors just very recently on the phone and he said..."

Hartke: "Which one?"

Black: "I can't recall. Down the road from Teutopolis, as I recall. And he said on occasion you tend to emulate an ostrich. And he was a little concerned about it. And he was concerned about you carrying this Bill. I... you know, the reason I am a little concerned about this Bill, I thought the House Bill was better. Didn't you?"

Hartke: "Did you vote for that one?"

Black: "Well, yes..."

Hartke: "Well, you ought to vote for this one then, too."

Black: "Well, Representative Woolard and I were Cosponsors on the House Bill and we're not on this one."

Hartke: "Oh, yes, Representative Woolard is. Did you ask me to put your name on as a Cosponsor? If you'd like I'll close real long and you can run in and I'll sign it and put you on."

Black: "As a matter of fact, I came to your office and asked you to be on this Bill and you had your head in the waste basket and wouldn't talk to me."

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

Black: "Are you sure?"

Hartke: "Yes."

Black: "All right. Staff has told me I no longer have to delay. This is a very good Bill, Representative."

Hartke: "Thank you very much."

Black: "And prior to the final action on this Bill, there is room for another Sponsor as I see. I..."

Hartke: "Yes, there is."

Black: "I might want to join you on this. This is a fine Bill and since we don't know which one is going to get to the

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Governor's desk, and since these are flightless animals, we're going to have to carry it to the second floor and we're in the process of carrying the paperwork now. Well, thank you, Representative, you've done an outstanding job of answering my questions."

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

Speaker Hannig: "Is there any further discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 292. Mr. Turner, 292 (sic-Senate Bill). Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 292, a Bill for an Act to amend the Alcoholism and Other Drug Abuse Independency Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Turner."

Turner, J.: "Well, thank you, Mr. Speaker. Senate Bill 292 amends the Alcoholism and Other Drug Abuse Independency Act. It includes robbery in the definition of crime of violence. I'd be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 292. Is there any discussion? Representative Dart."

Dart: "Thank you. Representative, can you repeat what you just said? I couldn't understand you."

Turner, J.: "You didn't hear me or you couldn't understand me?"

Dart: "Couldn't understand you."

Turner, J.: "Oh, that hurts. What is it you'd like to know, Representative?"

Dart: "Could you run by... through that one more time, please? I

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couldn't hear you."

Turner, J.: "You bet you. I'll run right through it for you. What it does is include robbery in the definition of crime of violence. Right now robbery is not included..."

Dart: "Sure, and what's going to be the net effect of doing that?"

Turner, J.: "I'm sorry, I didn't hear you then."

Dart: "No, you didn't understand me, I was mumbling. What's going to be the net effect of including that in there?"

Turner, J.: "If a person commits the crime of robbery, they no longer will be eligible to receive TASK."

Dart: "Okay, that will be the sole effect of putting it in that category now?"

Turner, J.: "Yes, that's the purpose of the Bill."

Dart: "Okay, thank you."

Speaker Hannig: "Representative Cross."

Cross: "Well, I was going to ask for a verification, but I'm going to withdraw that. Thank you, Mr. Speaker."

Speaker Hannig: "Thank you, Representative. Is there any further discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 297."

Clerk Bolin: "Senate Bill 297, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. In order to change the

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boundaries or increase the boundaries of the Water Reclamation District in Cook County, we have to pass a Bill. We have done this in the past. There is a development that is 112 acres and 18 of those acres are not included in the sanitary district. The sanitary district has sent a letter saying that they do not oppose this and it passed through the Senate without any negative votes. I'd ask for a positive vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 297. Is there any discussion? Seeing none, the question is, 'Shall this Bill pass? All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Ryder in the Chamber? Okay, Mr. Clerk, read Senate Bill 305."

Clerk Bolin: "Senate Bill 305, a Bill for an Act to amend the Illinois Pesticide Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Bill makes Amendments to the Pesticide Act. It is permissive in the fact that it allows some chemical facilities that have not wished to participate in the contributions to the Act to catch that up. It does not affect, otherwise, the amount of the fees. It does, however, because of the Amendment relates to some other things and the labeling of Illinois products instead of Illinois grown and a few other things like that. I'd be happy to answer questions."

Speaker Hannig: "The Gentleman, Mr. Ryder, has moved for passage

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of Senate Bill 305. Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 314."

Clerk Bolin: "Senate Bill 314, a Bill for an Act to amend the Medical Practice Act of 1987. Third Reading of this Senate Bill."

Speaker Hannig: "The Gentleman from Sangamon, Representative Poe."

Poe: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House. Senate Bill 314 passed the Senate 56 to 0. It amends the State Medical Practice Act to prohibit physicians outside the state from practicing medicine in Illinois by the way of tele-medicine, unless licensed to practice medicine in Illinois. I'd ask a favorable vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 314. Is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Lang in the Chamber? The Gentleman's not in the Chamber. Mr. Clerk, read Senate Bill 341."

Clerk Bolin: "Senate Bill 341, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of this Senate

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Bill."

Speaker Hannig: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 341 amends the Juvenile Court Act to require a court to waive parental liability for the cost of the care, support, and necessary special care or treatment of a minor upon application by the parent if the parent establishes that he or she is indigent and unable to pay the incurred costs. It also permits a court to reduce or waive parental liability for such costs if the parent or other responsible person establishes the circumstances showing that full payment would result in financial hardship to the person or his or her family. And it requires the county or other parties seeking to recover such costs to first ascertain whether there are third parties who may be responsible for such costs. I'd be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 341 and on that question, Representative Cowlshaw is recognized."

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

Speaker Hannig: "She indicates she will."

Cowlshaw: "Representative Biggert, does this Bill have anything at all to do with counties expecting school districts to pay for some of the support for those people in the juvenile justice system on the basis that they would qualify for special education?"

Biggert: "This is a Bill from the DuPage County Board which passed a Resolution to this, and I believe that the Bill would ask that other third parties who might have such liability. It could possibly be a school district."

Cowlshaw: "In other words, this is an attempt on the part of the

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DuPage County Board, or some entity within DuPage County, to shift some of the costs of the juvenile justice system over to the school districts. Is that correct?"

Biggert: "It is... it would be to seek whether that school board would be liable for such payments. Many times what happens is that on a case arising in DuPage County there was a child who was convicted of beating his mother and then she was asked to... and he was sent away to a detention home, and she was asked to pay for his costs when she wasn't indigent. If he had been a juvenile that this had happened at school and had been sent by the county, rather than the school board coming forth and saying, 'We should send this child away.' That could happen."

Cowlshaw: "Representative Biggert, that's not really the question. I understand that this applies to situations in which the family of that person in the juvenile justice system is subject to a condition of severe poverty and is unable to make any... to pay any of the costs for the young person involved in the juvenile justice system. However, I am not sure whether you are aware of the fact that there has been an ongoing and very hotly contested controversy between some entities within DuPage County who would like to shift costs from the juvenile justice system, which basically is paid for by the county, over to local school districts in the same county. Attempting to do cost-shifting from one unit of local government to another is generally not a very good idea particularly when you do not have the permission of that entity, that unit of local government to which you wish to shift those costs. It is my understanding that the County of DuPage has agreed to pay a significant amount of money to an attorney named Brook Quidded who is known for his capacity to manage to

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get large sums of money away from school districts on the basis that there is something that was not done properly in the assessment for special education students as to determining what their individual program should be. I don't know if you have followed this program and this controversy as carefully as I have, but knowing what the intent has been, which is to shift costs to school districts without their permission and clearly without having ever consulted them as to whether they want to have these costs shifted to them, I would point out to the Body that this is highly controversial and the final thing you all need to know is, does this apply only to DuPage County or does it apply to all counties in the state that want to go rob the school districts?"

Biggert: "Mr. Speaker, I'm not aware of this controversy so I would like to take this Bill out of the record for the time being."

Speaker Hannig: "Out of the record. Mr. Clerk, read Senate Bill 327."

Clerk Bolin: "Senate Bill 327, a Bill for an Act to amend the Alzheimer's Disease Assistance Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We all know what a serious problem Alzheimer's Disease is. Today in Illinois we have two Alzheimer's centers. One is at Rush Hospital in Chicago and one is at SIU School of Medicine. This Bill, which has been agreed among all the parties, through negotiation, would add a third center, but that third center under this Bill would not be funded at all until the first two centers were fully funded. Each of those centers needs an additional \$200 thousand over and

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above what was given in the Governor's proposed budget to be fully funded. We're working on that and there's appropriations people working on that as we speak. This Bill would say that the third center which would be at Northwestern University would be funded after the first two centers were fully funded. I seek your support."

Speaker Hannig: "And on that question, the Lady from Cook, Representative Erwin."

Erwin: "Thank you, Speaker. I just wanted to add my strong support to Senate Bill 327. I think at a time when medical research is learning so much that it is critically important that our academic medical centers have the support from us to pursue better therapies, and one hopes, cures. And in this case, particularly for Alzheimer's, so I would encourage an 'aye' vote."

Speaker Hannig: "Is there any further discussion? Representative Morrow."

Morrow: "Thank you, Mr. Chairman (sic-Speaker), Ladies and Gentlemen of the House. Would the Gentleman yield?"

Speaker Hannig: "He indicates he will."

Morrow: "Representative Lang, I just wanted to ask one question. Why was Northwestern chosen over maybe some place out south, south side of Chicago, like U of C?"

Lang: "Frankly, Representative, I didn't choose them, they came to us. For some years now, the state has had two facilities that we funded. One is at SIU, downstate, and one was at Rush. Northwestern came to us and said, 'We'd like to have another center.' Nobody asked to my knowledge. And so we think we need more Alzheimer's centers but we don't want to provide any additional funds until the first two centers are fully funded. So, if somebody, as you say, out south would have come to me or to

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anyone, we certainly would have considered them."

Morrow: "Thank you."

Speaker Hannig: "Representative John Turner. Representative John Turner, the Gentleman seeking recognition. Okay, the Gentleman is not seeking recognition. So, is there any further discussion? The question... Representative Churchill. Representative Churchill is not in his seat. There being no further discussion, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 369."

Clerk Bolin: "Senate Bill 369, a Bill for an Act concerning conservators of the peace. Third Reading of this Senate Bill."

Speaker Hannig: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 369 requires municipal and park district officials to be trained by the Illinois Law Enforcement Training Standards Board in order to become conservators of the peace."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 369. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes'; and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby

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declared passed. Mr. Clerk, read Senate Bill 371."

Clerk Bolin: "Senate Bill 371, a Bill for an Act to amend the Property tax Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Beaubien."

Beaubien: "Yes, Sir. Senate Bill 371 would prohibit a special service area taxing district from establishing a lien against property or creating a valid tax until a certified copy of the ordinance establishing the special service area is filed with the office of the recorder in each county in which the special service area is located. This is a Bill sponsored by the Chicago Title and Trust, Farm Bureau, Illinois Association of Realtors. Essentially what it does is protect bona fide purchases of real estate against lien that they would have no way of knowing about it until it actually recorded. The various municipalities that create these bodies do have the option of filing the lien immediately after passing the ordinance and they wouldn't have the problem. Is there any questions? If none, I'd request that this be passed."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 371 and is there any discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 378."

Clerk Bolin: "Senate Bill 378, a Bill for an Act to amend the Environmental Protection Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Parke."

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 378 requires the Illinois Environmental Protection Agency to implement a uniform program in Illinois consistent with the uniform State Hazardous Materials Transportation Registration and Permit Program beginning January 1 of '98. It says it prohibits the off-sight transportation of hazardous waste by highway without registering or obtaining a permit under the uniform program. The Congress has directed that states will be preempted from such permitting unless they comply with the uniform program for hazard waste transportation permits. I stand ready to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 378. Is there any discussion? Hearing 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 99 voting 'yes'; and 17 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Is Representative Biggert in the Chamber for Senate Bill 385? Mr. Clerk, read Senate Bill 417, Mr. Cross."

Clerk Bolin: "Senate Bill 417, a Bill for an Act concerning employee leasing companies. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Senate Bill 417 creates or establishes the Employee Leasing Company Act and it deals primarily, or not primarily, it deals specifically and only with employee leasing companies, not short term or temporary help agencies that many of us know about. It

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requires a registration of the employee leasing company with the Illinois Department of Registration. Develops and annual registration fee and it attempts to bring some uniformity and consistency and some fairness into the Workmen's Comp premiums that employee leasing companies pay in the area of Workmen's Comp and I'll be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 417. And on that question, Representative Black is recognized."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, I think it would be fair to portray this Bill as somewhat controversial. Would you agree with that?"

Cross: "Well, I know there's some people, at least I'm finding out today, Representative, that are opposed to it. I know that in the last month or so there have been attempts and there's been some significant consensus on amending this Bill and try to appease that opposition but... I guess to answer your question, yes, there is some opposition."

Black: "I think I gave you a copy of correspondence from a constituent of mine who runs a temporary employee business back in my district and she is very concerned about the language of a that references long-term temporary arrangements. She serves over 400 employees in my district and been in business for more than 20 years and she has indicated in the letter that I shared with you that this will add substantially to her cost of doing business, which is then passed on to the client. And I don't know if you could address her concerns or whatever."

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Cross: "Representative, it's a valid question and one that's come up a couple of times along the way and was addressed, I believe, as an Amendment in the Senate but if you look at page 1, on Section 10 of the Bill, starting with line 22. For purposes of this Act, employee leasing arrangement does not, and I repeat and emphasize, does not include arrangements to provide temporary help service. The Bill goes on to define what temporary help service is. There has been no, there is no intent, there has been no attempt, or any intent to include temporary help services companies. We have been very clear about that. We want to be as specific as we can. The language is in the Bill. I'm stating it as clearly and as succinctly as I can on the House Floor. That is not the intent. I understand that's a constituent of yours and I don't know how much clearer I can be that it does not include or provide for what we're doing in this Bill in the area of temporary help."

Black: "Okay, if... I think she points out her concerns rest largely with the definitional problem of long-term employee leasing. If she puts two temporary people into a business for a period say of eleven and a half months, I think her question is, will those temporary employees now be treated differently by her having to buy separate workers' comp policy rather than being covered under the policy of the place where that temporary person is employed?"

Cross: "Well, we're talking about, once again I understand her concern, but we're talking about two different animals here. Temporary help services as a rule and as we provided for in the Bill, provide employees for a finite period of time, maybe for seasonal working loads, temporary skill shortages, temporary employee absences, and we've provided for that in the Bill. Employee leasing companies are, just

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as we talk about, long-term where what we're seeing now is companies are, in essence, firing or letting go their entire employee staff, they are then being picked up by this employee leasing company and leased to the company. Bill, let me ask one other, clear it up, the other thing with temporary is they usually deal with one or two employees like you employee leasing companies deal with the whole, the majority or all of the employees of a company, not just... all right we've got three secretaries out this week, or we may have three secretaries out for nine months but it's a temporary finite time. The employee leasing company, as I said, comes in and leases fifty-eight House Republican Members for a period, maybe a bad example, but for an indefinite period of time. So, I think there is a clear distinction between what her concerns are and what's addressed in this Bill."

Black: "What would trigger a situation if I owned a company and I had a 100 employees and I was expanding rapidly and I needed to go up to 200 employees and so rather than invest in the training and what have you to go up to my 200 threshold for increased...."

Speaker Hannig: "Representative Black, why don't you finish your question and then we'll move to the next speaker?"

Black: "Thank you. If I then would hire or lease 100 employees so that 50% of my employees are now leased through a PEO, would my company assume their Workers' Comp cost or is that still the responsibility of the leasing company?"

Cross: "I'm not sure I'm following you and one other thing on the issue, backing up, and if you'll look at the Bill going back to the... what this Bill addresses and I want to reiterate this, we're talking about where it says, 'whereby one business or other entity leases all or majority number

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of its workers from another business.' So, once again, we're talking about a substantial, a majority or all."

Black: "Okay, well, my time is up. I appreciate your response and I'm sure this Bill will get a very thorough debate. Thank you, Representative."

Speaker Hannig: "Representative Scott."

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

Speaker Hannig: "He indicates he will."

Scott: "Representative Cross, is the purpose behind this to license them, to get a handle on bad operators in the employee leasing business? Or is... it seems to me that this is much more of an insurance question than it is about the employee leasing companies, themselves."

Cross: "Doug, the licensing provision of the Bill now is amended out."

Scott: "Okay, so it's only an insurance question now that we're talking about?"

Cross: "Well, in the area of workmen's comp there's also a registration issue but, basically."

Scott: "Right, right, well, if the employees are being covered by the employee leasing company through workers' comp policy, I mean, as I understand this, the argument is between buying a worker's comp policy that covers all of the people who are employed by the employee leasing company who may then be employees of several different places or may work in several different places as opposed to buying individual policies for each of those groups. Why do we care, as long as the employees are covered?"

Cross: "Doug, that's a good question but what the employee leasing companies are doing by taking that as the totality of all of their employees is they are able to avoid or manipulate the premium because they are able to factor in

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all of it as opposed to... I mean there's not a true assessment of what the premiums should be."

Scott: "Well, but see we don't do this in a lot of other places, though. I mean, there are lots of companies that have several different locations, for example, that do different functions and the different functions of a factory, they may have their sales office in a different place. Their factory may be in a different location, but they can all be covered under the same general policy."

Cross: "But we already right now prohibit group workmen's comp insurance in the State of Illinois, before we even gotten to this Bill. We don't allow that. We already, workmen's comp is one of the most regulated industries, as you probably know, or fields in a whole... in the whole area of workmen's comp. So, but we say right now you can't pool or group workmen's comp. So, that why, in essence, the employee leasing companies are doing."

Scott: "You can't pool with another company, but you can... but if I'm, for example, if I'm Chrysler Corporation and I have a factory in Belvidere and I have my corporate offices somewhere else, I can put those two things together. There's nothing wrong with that. I just can't pool, as Chrysler, I just can't pool with GM but inside my own company, I can do anything I want to with that. I mean, isn't that the truth?"

Cross: "Well, right now, when you look at workmen's comp premiums, you base it on a particular work site or particular site, an office site or wherever. And so the premiums should be based on that work site. What this is trying to avoid is taking ten different sites so we can avoid or reduce the premium, basically reduce it, not avoid it, by grouping it, which we don't allow. And that's

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what's going on."

Scott: "It seems to me, this may be a wrong approach and if it is, tell me. But it seems to me that we're talking about what the problem here is that, because right now these policies are sold by lots of different companies to lots of dif... to other companies who are buying workers' comp policies and it seems to me that if you allow employee leasing companies to group all of these different companies into one, somebody's going to lose out from an insurance business and that seems to be what this is about."

Cross: "Doug, I don't think so because what I... I mean I respectfully disagree. What we're doing is, by utilizing an employee leasing company, I can get a lower workmen's comp rate because I'm taking advantage of these other five sites that maybe have less of a risk factor."

Scott: "Well, couldn't you... doesn't that work in reverse? If the other companies that are leasing from the employee leasing company, are more... would have a bigger risk factor, I could end up paying more than would be my due. I mean, it doesn't necessarily work to the benefit of the company."

Cross: "Then I'm not going to utilize an employee leasing company. I'm only utilizing it to avoid this because we do..."

Scott: "But there are lots of reasons why people would use an employee leasing company other than this one."

Cross: "There are in the area of perhaps disability, health coverage, et cetera."

Scott: "Just not wanting to employ a whole human resources department to administer your own company. I mean, I know lots of people that make it for different reasons than this. This just seems to me, to speak in my last 15

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seconds, this just seems to me to be a way, and I see where the Bill came from originally and that seems to make sense to me because it seems to me more about who might lose some business than about the relative value of this. As long as the employees are getting covered, I think we should..."

Speaker Hannig: "Representative Scully."

Scully: "Thank you, Mr. Speaker. I'd just like to ask that the record reflect that on Senate Bill 371, a Bill which I Cosponsored, my light was not working and I'd like the record to reflect I voted 'yes'."

Speaker Hannig: "Thank you. Representative Roskam."

Roskam: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the Sponsor, I rise in opposition to Senate Bill 417. I agree with Representative Scott. In my opinion, what's happening is, in the free marketplace, there are those who are competing and today winning. And then there's another group that is losing in the free marketplace and now wants to come in and change the rules. I would urge a 'no' vote today. I think there's opportunities to address some of the underlying concerns that the Sponsors and those behind the Bill have but, in my opinion, Senate Bill 417, in this form, goes too far. Thank you."

Speaker Hannig: "Representative Johnson."

Johnson: "I Move the Previous Question."

Speaker Hannig: "The Gentleman has Moved the Previous Question. The question is, 'Shall the main question be put?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the main question is put. Representative Cross to close."

Cross: "Thank you, Mr. Sponsor. This is a Bill that, while certainly there is some oppo... apparently some opposition to it. It passed out of the Senate with 49 votes. It's a

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Bill obviously as you see with bipartisan support and we've been working to address and have addressed a great deal of the concerns, as I said, in the area of temporary service aid companies, for example. They are specifically excluded. This is without a doubt an issue of... we hear about level playing fields and fairness all the time, but this is employee leasing companies are getting around paying... having employers pay the true cost of what a workmen's comp premium should be. It eliminates the pooling and the group insurance. We already prohibit that in the State of Illinois. As I said, it's a fairness issue and I would encourage a 'yes' vote. Thank you."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 85 voting 'yes'; and 29 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 431."

Clerk Bolin: "Senate Bill 431, a Bill for an Act to amend the Illinois Low Level Radioactive Waste Management Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 431 would amend the Illinois Low Level Radioactive Waste Management Act to implement an alternative low level waste disposable facility siting process for Illinois. Under this Bill, the Illinois Department of Nuclear Safety will conduct a two year study on how other siting programs across the country are progressing, projected costs of siting, design,

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development, operation, and closure of the disposal facility. Estimates of the volume of waste that will be disposed at the Illinois facility and the availability, if any, of storage and disposal facility outside Illinois that could be used by Illinois generators. This legislation provides for public participation in the study and it replaces the director of D and R on the low level radioactive waste task group upon the completion of the screening and volunteer site evaluation process with a member appointed by the Governor and confirmed by the Senate. And finally, and probably most importantly, this legislation requires the department to develop and implement a voluntary, I repeat, a voluntary site selection process in which landowners would join with county or municipal officials to volunteer land for the facility. It passed out of the House Environment and Energy Committee with 21 to 0. There were no descending votes in the Senate. There's no known opposition to this Bill. I would like to mention among the proponents are the Illinois Environmental Council, the Illinois Municipal League, Illinois Farm Bureau, the Illinois Department of Natural Resources, Illinois Power, Commonwealth Edison. There's been concern in my area, probably throughout the state, about the siting process of the low level waste facility. This will put public input back in. The municipality or county government would have to agree. I'll be happy to entertain any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 431. And on that question, Representative Parke is recognized."

Parke: "Thank you, Mr. Speaker, inadvertently on Senate Bill 417, my light did not work. I would like the record to reflect

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that I would have voted 'yes' on Senate Bill 417. Thank you."

Speaker Hannig: "Is there any further discussion? Representative Weaver."

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

Speaker Hannig: "He indicates he will."

Weaver: "Representative, do you know when the siting process for low level nuclear waste began?"

Moffitt: "The original process started in '88 and then there was a second or a different process that started in '92. There was some legislation that really removed some of that local input, local veto power and so now we're going back to where there would be... have to be local agreement."

Weaver: "So, we've been at this for almost 10 years and now you are proposing that we take another two years to study it some more?"

Moffitt: "That's correct, Representative, and the need for the site is not coming as soon as was originally thought. We actually have more time. The volume that is being generated for the low level waste site is not as large as what it was projected. The need to site is not coming as soon as was expected. The work that's been done is not wasted. The plans that have been developed will be useful and will be used in the process."

Weaver: "Are we no longer under federal mandate to have a site up and running by 1994?"

Moffitt: "That is correct. We are not."

Weaver: "What is the target date then for under federal requirement to have an operational site in our compact between Illinois and Kentucky?"

Moffitt: "There is no longer a federal target date that we're mandated to meet as there was earlier."

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Weaver: "So, the U.S. Congress has repealed their law? I was unaware of that."

Moffitt: "The time ran out on it and they... it expired and they did not act or renew it."

Weaver: "No, the time didn't run out. The law stated that we had to have a site up and running by early, well mid 1990's, and I don't know that they repealed that. Have they repealed that? If they have not, we're still under federal mandate, as I understand it."

Moffitt: "The penalties that were associated with the legislation that you are thinking of, have actually expired or ended, the penalties have. And then another facility opened up, Barnwell, South Carolina, that is being available. So that opened up, that was not known at the time. So, the penalty..."

Weaver: "No, Barnwell never closed. They didn't open, they never closed. They were programmed to close but they did not close and I'm just trying to understand why... because I was Sponsor of a Resolution asking the U.S. Congress to back off of their law mandating that we have a site by mid 1900's, 1990's, and I'm just wondering when that was repealed. Obviously, it was not repealed and so we may still be under federal mandate to have a site operational. That's all I'm getting at."

Moffitt: "Representative, Barnwell did close for a while and then reopened. And the federal penalties expired so there are some changes from the original... at the time that you would have Sponsored that legislation. I think you're... it sounds like you would be in agreement with the intent of this because we're... we've got some local input back in this and the time frame has simply changed. Penalties expired, Barnwell closed, reopened and so it's just simply

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a different time frame that we're up against now."

Weaver: "Well, I was unaware that the federal law depended on whether or not Barnwell opened or closed. I thought it was simply a federal mandate that we had to have a site in our compact operational by mid 1990's. Is that been repealed?"

Moffitt: "That apparently is not correct, Representative."

Weaver: "So, it has not been repealed?"

Moffitt: "It's not been repealed but the penalties have expired and we do have a location or a facility that will take our waste, that at one point we did not think we would even have."

Weaver: "So, I'm getting more and more confused as we talk about this. Is the compact requirement, as offered by the federal government, has that been repealed? Are we no longer in a compact with Kentucky?"

Moffitt: "We are still in a compact."

Weaver: "Why do we have that compact?"

Moffitt: "The intent of the compact was that, and we will probably continue to be in a compact with Kentucky, and that certainly was one of the most desirable states to compact with because they are such a low producer in terms of volume."

Weaver: "Believe me, I've been through the history on this thing for almost ten years so I understand the reasoning behind all this. I'm just trying to find out why a community in my district went through about six years of hell if the federal law is not going to be adhered to..."

Speaker Hannig: "Representative, your time is expired, but I'll ask him to answer the question."

Moffitt: "Well, I think the community that you're talking about I think would welcome this legislation. At the time that other things were done, I think it looked like deadlines

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had to be met and attempts were being made to comply with that. I would think they would welcome this legislation because if they don't approve the site then it wouldn't go there."

Speaker Hannig: "Is there any further discussion? Seeing none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'yes'; and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 432."

Clerk Bolin: "Senate Bill 432, a Bill for an Act to amend the Election Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Clayton."

Clayton: "Thank you, Speaker. Senate Bill 432 amends the Election Code. It requires that written instructions be given to persons who are providing assistance to other voters in the voting booth. It also provides that those persons for giving assistance must sign an oath swearing not to influence the voter's choice of candidate, party, or vote in relation to a question on the ballot and to cast the ballot as directed by the voter. This also provides that written instruction shall be given with absentee ballots. Be happy to answer any questions."

Speaker Hannig: "Is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Hannig: "She indicates she will."

Black: "Representative, is this Bill in response to the federal motor voter law?"

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Clayton: "Yes, it is. There are more and more people who need assistance in voting."

Black: "Does that assistance, under current law, also mean severely and profoundly disabled, mentally?"

Clayton: "Yes, any registered voter."

Black: "What kind of assistance will you... will this law require us to give to someone who cannot read or write? Not because of dropping out of school, but because of an impairment that will not allow them to see or react. What kind of assistance? Are we just going to vote for them or...?"

Clayton: "They already are permitted to have assistance in casting their ballot. What this Bill does is require that those people who are giving assistance must sign an oath that, in fact, they will vote the way the person has asked them to vote."

Black: "Now, does the underlying Bill affect only those who vote in person or is it extended to where I would go into a home for developmentally disabled and vote them at that residence or is it only assistance at the poll?"

Clayton: "No, it extends to absentee ballots and it provides that written instructions would be given with the absentee ballot in the event there is a need for assistance."

Black: "What safeguards, in your opinion, exist under your Bill and the existing federal legislation that would require those people going out to assist the individual that the individual that the individual is, in fact, a registered voter? Will they have lists that will be cross checked?"

Clayton: "It would be the same safeguards that are in the Election Code now. There are no changes."

Black: "Okay, but the safeguards are the same but the assistance rendered is considerably different than current practice."

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Would that be a fair assumption?"

Clayton: "Only in that the person who is giving the assistance must sign the oath that, in fact, they will vote the way the person says."

Black: "And the person giving the assistance, can they be members of a political party, i.e. a registrar, a deputy registrar, say for the Republican Party or a deputy registrar for the Democrat Party? That it would not be prohibited under this?"

Clayton: "The Bill provides that a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union."

Black: "Okay, thank you very much, Representative. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I have no doubt in my mind that this Bill will get an overwhelming majority, and probably should. I simply rise in opposition on a point of principle. I think if you've been following some of the voting scams, if that's the word, maybe too strong a word to be used after the last election. There are some serious problems with the Federal Motor Voter Registration Act and I think that rather than simply say that anyone and everyone who can register under that Act will receive assistance and can receive assistance from highly politicized individuals is opening the door to further abuses of the voting process. If you don't believe this is an issue then you haven't been following the situation in a certain California congressional district where the charges and counter charges have been anything but satisfactory or would be satisfying to anybody. So, it's on a matter of principle that I intend to vote 'no'. I may be the only 'no' vote, probably will be, but I still think if you look at this very carefully and you have been

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involved in the electoral process for as long as many of us have, this opens the door to substantial and considerable abuse. And it is for that reason that I intend to vote 'no'."

Speaker Hannig: "Is there any further discussion? Seeing none, the Lady, Representative Clayton, to close."

Clayton: "Thank you. It's unfortunate that this Bill is needed. The Bill does not alter who may provide assistance. That is in the law now. This is just trying to put in a safeguard so that the voter who needs assistance has assurance that the person who is assisting them has signed the oath that, in fact, they will vote the way the voter has asked them to do. I ask for a favorable vote."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes'; and 3 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 490."

Clerk Bolin: "Senate Bill 490, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Ladies and Gentlemen of the House. I have Senate Bill 490 and this Bill changes... it would prevent insurance companies from discriminating against victims of domestic abuse in the issuance or renewal of policies and I ask for an 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 490. Is there any discussion? Seeing none, the

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

Cowlshaw: "Mr. Speaker, I have had a problem for some time now trying to get the 'yes' button on my desk to record properly. There's something wrong with it. I have complained two or three times and the electrician says that he has come when we are adjourned and tried to work with it, but it never gets any better so do you suppose someone could look at it once again and see if we could do something to keep it from sticking all the time?"

Speaker Hannig: "Yes, thank you Representative."

Cowlshaw: "Thank you very much, Mr. Speaker."

Speaker Hannig: "We'll get the electrician here as soon as possible to take a look at it. Mr. Clerk, read Senate Bill 506."

Clerk Bolin: "Senate Bill 506, a Bill for an Act to amend the Crime Victims' Compensation Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Gash."

Gash: "Senate Bill 506, which was Kathy Parker's in the Senate, addresses the special needs of victims who become disabled as a result of a crime of violence. Right now the Crime Victims' Compensation Act states that expenses relating to prosthetic devices are compensable under the statute but a court of claims ruling stated that wheelchairs and wheelchair accessories are not considered to be prosthetic

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devices and those expenses cannot be compensated under the Act. The same court ruling determined that alterations made to a residence to make it wheelchair accessible are also not covered under the statute. This Bill will cover the expenses incurred by victims who become disabled and it will cover, as compensable rehabilitation expenses and expenses relating to the purchase, lease, or rental of equipment necessary to create usability or accessibility to the victim's real and personal property."

Speaker Turner, A.: "Representative Turner in the Chair. The Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Sponsor... or Mr. Speaker. Will the person who is doing the Bill yield? Well, Representative Gash, let me ask some questions."

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

Gash: "I'm not stopping you."

Cross: "Representative Gash, we're having a little trouble following this. If you're a victim of any type of crime, and as a result of that, you become handicapped or disabled in some way, there's going to be a fund available to make your home handicap accessible. Is that correct?"

Gash: "If you're disabled as a result of a crime of violence, there is a fund and this would make that fund.... would make those things compensable."

Cross: "How is that fund funded now?"

Gash: "Through fines."

Cross: "And I don't know that, I want to make sure that you understand I'm not criticizing the intent here. I guess I'm curious of whether this logistically can work. How much money do we have in that fund now?"

Gash: "I'm not sure how much money is in that fund. This is an initiative of the Attorney General's office, your Attorney

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General."

Cross: "Well, I would hope that he's your Attorney General, as well. I guess..."

Gash: "Yes, I suppose he is."

Cross: "... maybe he's all of ours except yours. I don't know, Representative, but I hope that he's mine, as well, and I'd like you to embrace him as your Attorney General. But, getting back to the Bill, do you have any idea of what this is going to cost? Do we need to put more money in that fund? Are we going to deplete the fund with one house? I just want to know what this involves."

Gash: "There is no fiscal impact from this Bill as it relates to the operating cost for the Office of the Attorney General and any cost would be absorbed by existing resources. The Attorney General's office does estimate that three to five claims per year at \$20 thousand per case, for a total estimated annual cost of \$60 thousand to \$100 thousand a year, would be absorbed by existing resources."

Cross: "Is this determination of the expense that the Crime Victims' Fund will be paying out, determined by the court at the sentencing hearing? Who makes the call or the determination of how much money is to be spent and for what purposes? Is it made by your Attorney General or mine or is it made by the court?"

Gash: "I'm not sure."

Cross: "Now, this also includes, if I'm reading the Bill correctly, if I have to have a home adapted, or a car adapted..."

Gash: "I'm sorry, I didn't hear the question. Can you repeat it?"

Cross: "Well, this also... this includes any changes I need to make at my residence?"

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Gash: "This would cover rehabilitation expenses and expenses relating to the purchase, lease, or rental of equipment necessary to create usability and accessibility as determined by the Court of Claims ruling. To the victim's real and personal property, by real and personal property we include vehicles, houses, apartments, townhouses, condominiums."

Cross: "Representative, is there a fixed expense or could there be an ongoing... I mean, I don't know that to take care of a victim adequately that we could do it on a one-time expense? Is there an ongoing ability to continue to pay expenses?"

Gash: "Is there an ongoing what? I can't hear you."

Cross: "Under your Bill, could a victim come back to the Attorney General every year? Could the Attorney General... could that... what?"

Gash: "Can you ask the question again?"

Cross: "Could this victim come back to the Attorney General every year or is it a one-time... is there a cap maybe is the question?"

Gash: "The maximum amount that a victim can receive is \$25 thousand."

Cross: "Per year, per injury, per conviction, per defendant? And once again, I'm not... Lauren, I'm not trying to give you a hard time. I'm just figuring out logistically and cost-wise how this is going to work."

Gash: "That is for each offense, for that offense."

Cross: "So, if there are two defendants or three defendants, would your cap be \$75 thousand, \$50 thousand or \$75 thousand?"

Gash: "It's still (sic-dollars) 25 thousand."

Cross: "All right, I wish we had a little better handle on the

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cost, but I do think the concept, well I think in expensive and I... Did you say you don't know what's in the Crime Victims Fund right now?"

Speaker Turner, A.: "Representative Cross, your time's expired, we'll let you have one concluding remark."

Cross: "Are you asking for an appropriation, an additional appropriation, to fund the Crime Fund?"

Gash: "No, Representative, we're not."

Cross: "All right, thanks."

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

Skinner: "Mr. Speaker, I think my question has already been answered and that is if there is a \$25 thousand limit in this, is that correct?"

Gash: "Yes."

Skinner: "I do not think \$25 thousand is enough to remodel a house to put a wheel chair ramp in it."

Gash: "That is the cap."

Skinner: "Well, I think the cap's too low."

Gash: "I can't hear you."

Skinner: "I think the cap is too low. I don't think you can remodel a house for that amount of money."

Gash: "It may be, it's better than what we have right now."

Skinner: "Okay. I think you ought to raise the cap at some point. Thank you."

Speaker Turner, A.: "The Lady from Lake, Representative Gash to close. Representative Gash, to close."

Gash: "Oh, thank you, I'm sorry. I ask for your 'aye' vote."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 506 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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wish? The Clerk, shall take the record. On this question, there are 117 voting 'aye'; 0 'noes'; 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, House Bill 508. Senate Bill 508."

Clerk Bolin: "Senate Bill 508, a Bill for an act, to reenact certain provisions of Public Acts relating to prisoner reimbursement for expenses of incarceration. Third Reading of this Senate Bill."

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

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 508, amends the Unified Code of Corrections and the Code of Civil Procedure. Which reenacts the provisions of Public Act 89-428 relating to prisoner reimbursement for costs of incarceration of the Unified Code of Corrections. It, also, reenacts the changes made to Section 3-7-6 of the Unified Code of Corrections that were made by Public Act 89-688. Effective immediately."

Speaker Turner, A.: "The question is, no, the Lady from Cook, Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I'm sorry, I did not hear or understand what the Representative said, could he explain that Bill again? Thank you."

Speaker Turner, A.: "Representative McAuliffe, to close."

McAuliffe: "I just asked for a favorable vote on Senate Bill 508."

Speaker Turner, A.: "Representative, the Lady would like another one minute or so explanation of the Bill. She did not understand you. Could we have some quiet?"

McAuliffe: "Oh, I'm sorry, Representative. Senate Bill 508, what it's going to do is give prisoner reimbursements for costs

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of incarceration, this was our Attorney General Jim Ryan's initiative Bill. And what we're trying to do is recoup any cost of money that we could for incarcerations."

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

Mulligan: "Is this, actually, recoup... I'm sorry. Thank you, Mr. Speaker. Will the Sponsor yield?"

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

Mulligan: "I'm curious to know if this is, actually, are you trying to receive payment from prisoners to cover, like, their room and board after they're incarcerated?"

McAuliffe: "In some cases it'll be like that and one example we have is in the Department of Corrections, there is a judgement which a prisoner was awarded a lottery winning of \$200 thousand and right now we're paying for his stay while he's in the correctional facility and once he's able to be released he's able to keep all that money and not have to give the state back any money."

Mulligan: "Well, is there any allowance made if the person is, basically, indigent or are we just going to take the money back, or is it just in terms where they're making a profit like they wrote a book, they won the lottery?"

McAuliffe: "The intent is just for someone who has a substantial amount of money. Anyone that's had some financial holdings or some real estate. They're not going to go after, they're not going to go after every penny. They're looking for people, gang members, drug kingpins, people that have substantial amount of money."

Mulligan: "Okay. Thank you, Representative."

McAuliffe: "Thank you."

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

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Davis, M.: "Will the Sponsor yield?"

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

Davis, M.: "Representative, my question is, suppose there is the ownership of property or a house and it's in joint tenancy, what happens in those cases?"

McAuliffe: "I'm sorry, can you please repeat that again?"

Davis, M.: "Suppose property is owned in joint tenancy, will, say a wife and husband own the property, will he have to, I mean will she have to lose her part of that property, also?"

McAuliffe: "No, no, he wouldn't have to."

Davis, M.: "How would you prevent that?"

McAuliffe: "Because it's in joint tenancy."

Davis, M.: "So does the Bill state if property or dwellings are owned in joint tenancy that that property cannot be used for the purpose for which you seek?"

McAuliffe: "Yes, it's my intention that, or it's my belief that they would not, that the state would not be able to go to Probate Court or a bankruptcy proceeding and be able to take that house away, if it's in joint tenancy."

Davis, M.: "Well, according to the Bill, it reads, Representative. It reads that the assets of a convicted person, for the purposes of this section, shall include any and all assets and property of whatever character held in the name of the person held for the benefit of the person, or payable, or deliverable to the person, including trusts, portions of trusts."

McAuliffe: "Also, on that the Department of Corrections has a, they have the rules that they can be more lenient in certain circumstances like that."

Davis, M.: "For example, what about dependent children, who, this particular property may be held for, in the name of the

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convicted person and if it's in the name of the convicted person but, actually, it's being held for children who have not reached the age of majority, does that mean the children are very much subject to losing ownership?"

McAuliffe: "Representative, the department has rules that they can look at. The intention of this is not to take away the home of a mother with children. That is not the intention, if they have assets. What they're trying to do is get somebody that's in jail, being incarcerated, that has substantial amounts of money. Those are the people that they are going to go after."

Davis, M.: "But your Bill doesn't say that, Representative. What it sounds like, I mean even the last four lines, even the last four lines in the Bill. It appears that you are seeking those who are incarcerated to pay the debt incurred from their incarceration and I'm not saying that's a bad idea. But, I'm going to say it could be a very harmful idea for innocent people who have convicted no crime, but just happened to be in a relationship with the incarcerated individual. I think what you mean to say and what you actually have said are totally in disagreement."

McAuliffe: "Again, these rules that's not a mandatory thing, there's rules and there's flexibility for the Department of Corrections and I have talked with them to give leniency. I understand your concerns and I understand where you're coming from and believe me they do not want to be taking the houses away from a mother or child and children."

Davis, M.: "Your intent is not to do that, but as I look at the language, that could very well be the results of what happens. Your Bill says absolutely nothing about joint ownership. It states that if this individual, who's being incarcerated, has any portion of ownership that those items

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can be seized to pay for that person's incarceration and that is going to, it will have the result of harming innocent people. Now, if you intend to go after people who have lots and lots of dollars, you mean like, I don't know what kind of people you're talking about, but if you're saying people that have, I would say personal ownership, personal ownership, then it might be a better Bill, but this says any portion."

McAuliffe: "Again, the intention of this and I've talked to the Attorney General too, is not to hurt innocent people, and I understand what you're saying and the intention is not to hurt anyone."

Davis, M.: "And according to this legislation, Representative, I think even after this person is, two years deceased, even within two years after their death, or after their death, they have two years in which their assets can be seized."

McAuliffe: "I believe on that they would only go back two years. Also, it says here the Department of Correctional Institutions or facilities or the estate of that person has assets which may be used to satisfy all or part of the judgement rendered under this Act. Or when he or she knows or reasonably believes that a convicted person committed to a Department Correctional Institution or facilities is engaged in a gang related act."

Speaker Turner, A.: "Representative Davis, do you want to bring your remarks to a close?"

Davis, M.: "I would just like to say that this is a very, perhaps, good well-intended piece of legislation that will have some very harmful effects. You know, there are people who commit absolutely no crimes, they're good people, but someone in their family does commit a crime and often a husband and wife own property together, sometimes a

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grandmother will leave the property to her son for the grandchildren. Well, he commits a crime and now you will confiscate that property. I urge a 'no' vote on this Bill and should it receive the requisite number of votes we will be seeking a verification."

McAuliffe: "Thank you."

Davis, M.: "Thank you."

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

Saviano: "I Move the Previous Question."

Speaker Turner, A.: "The Gentleman, Move the Previous Question. All those in favor say 'aye'; all those opposed say 'nay'. The opinion of the Chair the 'ayes' have it. The previous question is put. Representative McAuliffe, to close."

McAuliffe: "I just would ask for a favorable consideration. Thank you."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 508 pass?' All those in favor shall vote 'aye'; all those opposed vote 'nay'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. This question, having received 95 'yes'; 15 'noes'; 6 'presents'. And hereby having received the Constitutional Majority, is hereby, Representative Davis."

Davis, M.: "We asked for a verification, Sir."

Speaker Turner, A.: "Do you persist with your verification?"

Davis, M.: "Yes, I do."

Speaker Turner, A.: "This Bill has 95 votes."

Davis, M.: "It has 95 votes?"

Speaker Turner, A.: "It has 95 'aye' votes. Do you persist?"

Davis, M.: "I persist."

Speaker Turner, A.: "The Lady is within her rights. Mr. Clerk."

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Davis, M.: "Oh no, didn't you know I don't have the rights they have, didn't you know that?"

Speaker Turner, A.: "You do have the rights."

Davis, M.: "I don't have those same rights."

Speaker Turner, A.: "Madam, Madam, Representative, I'm in the Chair, you've got the right, just like everybody in this facility does. Proceed with the verification. Read the, Poll the Absentees."

Davis, M.: "Would you, would you, Poll the Absentees, Mr. Chair, Mr. Speaker?"

Clerk Rossi: "All of those not voting, Representative Wojcik."

Speaker Turner, A.: "Mr. Clerk, read the affirmatives."

Clerk Rossi: "Poll of those voting in the affirmative. Representatives Acevedo. Ackerman. Beaubien. Bergman. Biggert. Biggins. Black. Bost. Bradford. Bradley. Brady. Brosnahan. Brunsvold. Bugielski. Capparelli. Churchill. Clayton. Coulson. Cowlshaw. Cross. Crotty. Currie. Daniels. Dart. Davis, Steve. Deering. Durkin. Erwin. Feigenholtz. Gash. Giglio. Giles. Granberg. Hannig. Hartke. Hassert. Hoeft. Holbrook. Howard. Hughes. Johnson, Tim. Johnson, Tom. Jones, John. Kenner. Klingler. Kosel. Krause. Kubik. Lang. Lawfer. Leitch. Lindner. Lopez. Lyons, Eileen. Lyons, Joseph. Mautino. McAuliffe. McCarthy. McGuire. Meyer, Jim. Mitchell. Moffitt. Moore, Andrea. Myers, Rich. Noland. Novak. O'Brien. Pankau. Parke. Persico. Phelps. Poe. Roskam. Rutherford. Ryder. Santiago. Saviano. Schoenberg. Scully. Skinner. Slone. Smith. Stephens. Tenhouse. Turner, Arthur. Turner, John. Wait. Weaver. Winkel. Winters. Wirsing. Wood. Woolard. Zickus, and Mr. Speaker."

Speaker Turner, A.: "Representative Davis."

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Davis, M.: "Representative Persico."

Speaker Turner, A.: "Representative Black asked leave. Is leave granted?"

Davis, M.: "Yes."

Speaker Turner, A.: "Leave is granted."

Davis, M.: "Tim Johnson."

Speaker Turner, A.: "Hold on, hold on, Representative Hassert, asked leave. Leave is granted. Now you want to proceed?"

Davis, M.: "Tim Johnson."

Speaker Turner, A.: "Representative Johnson. Is Representative Johnson? Tim Johnson, is the Gentleman in the Chamber? Remove him. The Lady from, Representative Wood."

Davis, M.: "No, no."

Speaker Turner, A.: "She refuses to give you a leave."

Davis, M.: "It's all about rights. It's all about rights."

Speaker Turner, A.: "Proceed, Representative."

Davis, M.: "Giles, Giles."

Speaker Turner, A.: "Representative Giles. Representative Calvin Giles, is the Gentleman in the Chamber? Remove him. Representative Hartke, requests leave."

Davis, M.: "Yes. Representative Dart."

Speaker Turner, A.: "Representative Dart. Representative Tom Dart, is the Gentleman in the Chamber? He's in the back."

Davis, M.: "Representative Deering."

Speaker Turner, A.: "Representative Terry Deering, is the Gentleman in the Chamber? Remove him. Representative Moffitt, for what reason do you rise?"

Moffitt: "Just an Inquiry of the Chair. I noticed one Member asked to... to have leave to be verified and another one didn't. There seems to be an inconsistency, can you tell me, is there a reason for that?"

Speaker Turner, A.: "Representative, it's my understanding that

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the Sponsor or the person making the requests for the verification, can either grant leave or not grant leave and if she..."

Moffitt: "Can we have a reason why? It just seems to be an inconsistency, they were both on the floor, both asked the same, you know we're certainly at a time of cooperation and treating each other equal and I just wondered why?"

Speaker Turner, A.: "Would the maker of the request, care to answer that question, Representative Davis?"

Davis, M.: "I wanted to make a very valid poignant, observable point, of what happens when people are treated differently. I think you got the message. Capparelli."

Speaker Turner, A.: "Is Representative... Representative Capparelli, is in the back."

Davis, M.: "Representative Brunsvold."

Speaker Turner, A.: "Representative Brunsvold. Is the Gentleman in the Chamber? Joel Brunsvold. Is the Gentleman in the Chamber? Remove him. The Gentleman from McLean, Representative Brady, for what reason do you rise?"

Brady: "Parliamentary Inquiry, Mr. Speaker. House Rule 56, Paragraph C, while the results of any record voter being verified, it is in order for any Member to announce his or her presence on the floor and thereby have his or her vote verified."

Speaker Turner, A.: "Restore Representative Brunsvold, to the Roll Call."

Brady: "Mr. Speaker, have you responded to my Parliamentary Inquiry?"

Speaker Turner, A.: "We're researching your inquiry now."

Davis, M.: "Excuse me, she may go, let her go, bye."

Brady: "I still would like a Ruling of the Chair. I still would like a Ruling of the Chair."

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Speaker Turner, A.: "The question is no longer pending. The Lady has been, has request, she's been moved."

Brady: "Mr. Speaker. I would still like a answer to my inquiry."

Speaker Turner, A.: "There's no question pending, Representative, the Lady has been granted."

Brady: "Mr. Speaker, I made a Parliamentary Inquiry, I think I have a right to do so at anytime. It's not only in regards to the question."

Davis, M.: "Representative Daniels."

Speaker Turner, A.: "Let's proceed with the verification if you all don't mind."

Brady: "Mr. Speaker, could I have an answer?"

Speaker Turner, A.: "Representative, there is no one seeking leave who has been denied, therefore your question is not in order. Return Representative Deering to the Roll Call. The Gentleman from Livingston, Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker. I may request leave in a moment, but I want to understand under what Parliamentary Procedure I can follow that Rule. I have not decided yet whether to seek leave."

Speaker Turner, A.: "Representative, Representative, you stated that you may do that and when you get ready to do that, House Rule 56-C, says while the results of any record vote are being verified it is in the order for any Member to announce his or her presence on the floor and, thereby, have his or her vote verified. So, at the point that you are ready to be verified, please let me know and we will take care of it. The Gentleman from Cook. The Gentleman from Madison, Representative Stephens, for what reason do you rise?"

Stephens: "Mr. Speaker, there are more than 60 of us that would like to verified."

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Speaker Turner, A.: "And as the lights come on Representative, I will verify them."

Stephens: "I would like to be verified."

Speaker Turner, A.: "Any further questions? Representative Davis, proceed with your verification."

Davis, M.: "Representative Daniels. Representative Bost."

Speaker Turner, A.: "The Gentleman's in his seat."

Davis, M.: "Representative Granberg. Is Granberg there? Did you wish to change your vote, Sir? Did you wish to change your vote, Sir?"

Speaker Turner, A.: "Representative Churchill asks leave to be verified. Leave is granted. Representative Daniels asks leave to be verified. Leave is granted. Are there any further questions, Representative? Representative, any further questions?"

Davis, M.: "Representative Bugielski."

Speaker Turner, A.: "Representative Bugielski. He's in my seat, Representative."

Davis, M.: "Sara Feigenholtz."

Speaker Turner, A.: "Representative Feigenholtz. Return Deering to the Roll Call. Is Representative Feigenholtz, in the Chamber? Remove the Lady. Any further, Representative?"

Davis, M.: "We withdraw our request."

Speaker Turner, A.: "No further questions. This Bill, having received 92 'yes'; 15 'no'; and 6 'present'. Having received a Constitutional Majority, is hereby declared passed. On the Order of Third Reading, House Bill 516. The Gentleman from Cook, Representative Lang, for what reason do you rise?"

Lang: "Thank you, Mr. Speaker, Ladies and Gentleman. I rise on a Point of Personal Privilege. Mr. Speaker, it's come to my attention that although the Speaker of this House indicated

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that he was going to try his best to pass Bills in equal numbers 50-50, and although he did a very good job doing that with House Bills. It's come to my attention that today we passed 40 Bills and 30 of them have had Republican Sponsors and I don't think that's appropriate from a Speaker that's been talking about a bipartisan approach. So, Mr. Speaker, as the person in the Chair, do you think you can call some Democratic Bills for us?"

Speaker Turner, A.: "Representative, we will take that under advisement and we will do all that we can to call Democratic Bills, as well as Republican Bills. Representative Cross, on Senate Bill 516."

Clerk Rossi: "Senate Bill 516, a Bill for an Act concerning the State Comptroller. Third Reading of this Senate Bill."

Cross: "Thank you, Mr. Speaker. This Bill is identical to one that passed out of the House several weeks ago unanimously. This Bill passed out of the Senate 56 to 0. It's an initiative of the Comptrollers that promotes the use of electronic fund transferring between agencies and unauthorize the use of digital signatures between the Comptroller and State Agencies. I don't know of any opposition. I would appreciate a 'yes' vote."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is 'Shall Senate Bill 516 pass? All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye'; 0 'noes'; 0 'presents. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Cook, Representative Giles, for what reason do you rise?"

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Giles: "Thank you, Mr. Speaker. I believe on the last vote, Senate Bill 508, Mr. Speaker, I believe I had a... I was out of the Chambers at the time, during the verification, I want to be recorded as voting 'aye'."

Speaker Turner, A.: "The record will so reflect. Mr. Clerk, on the Order of Third Reading, we have House Bill 524, read the Bill. (sic-Senate Bill)."

Clerk Rossi: "Senate Bill 524, a Bill for an Act in relation to natural resources. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. Senate Bill 524, amends the Energy Coal Conservation Development Board Act and the General Obligation Bond Act. Creates a Coal Resurgence Program and provides that the Department of Commerce and Community Affairs shall administer the program. Provides that the Department shall, in accordance with the General Obligation Bond Act, use funds as listed to aid in Illinois Coal Industry. This is a simple Bill, all it does is allow and clarify what is already going on, there is no more cost to the State that we do not already have. I'd be glad to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none. The question is, 'Shall Senate Bill 524 pass?' All those in favor shall vote 'aye'; all those opposed vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 voting 'aye'; 0 'noes'; 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Third Reading, we have House Bill 538, 5 3 8. (sic-Senate Bill 538)."

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Clerk Rossi: "Senate Bill 538, a Bill for an Act to amend the Illinois Credit Union Act. Third Reading of this Senate Bill."

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

Lang: "Thank you, Mr. Speaker and thank you, for calling a Democratic Bill. Senate Bill 538 is an initiative of the Illinois Credit Union League. This puts the credit unions on par with banks relative to what interest rates they can charge and what fees they can charge. That's what the Bill does and I move passage."

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

Black: "Thank you very much, Mr. Speaker. Well, when you call a Democrat Bill, you really call a good one. Will the Sponsor yield?"

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

Black: "Representative, could this legislation not be portrayed as anti-consumer legislation?"

Lang: "No, Sir."

Black: "How could... why couldn't it be portrayed when you're allowing credit unions to contract with borrowers, so that they can charge any rate of interest they want?"

Lang: "This Bill would say that a credit union is just as relevant a financial institution as a bank, and they should have the same rules relative to loans, interest, fees, et cetera, that banks do."

Black: "Where does it say in your legislation they can't charge any more interest than a bank does?"

Lang: "Well, it doesn't say that, but this is the same language that you will find in the Banking Act, Representative, which would allow them to contract with a consumer. So, if

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a consumer did not like what what the credit union was proposing they could peddle their contract someplace else. By the way, this was an Agreed Bill till this minute."

Black: "Well, I think many of the agreements just flew out the window a few seconds ago when somebody had to come to the floor. But we can discuss that later."

Lang: "I think, I think you should take that out on the perpetrator."

Black: "Well, I'm trying to get her interested in the fact that this may be a very anti-consumer Bill. Are there more credit unions in the City of Chicago?"

Lang: "It may be, but it isn't. Sorry, Sir."

Black: "Are there more credit unions in the City of Chicago, than say, the rest of the state?"

Lang: "I've never counted them, Sir."

Black: "How, would this Bill allow?"

Lang: "Is this my first Bill?"

Black: "In quite some time, yes it is, Sir, as a matter of fact. My fear is that without some serious oversight, this specter of red lining may come up here. How do I know that a credit union in Chicago may not use a certain zip code, and insist upon the borrower with a contractual agreement, yes, but that borrower will pay 25% and a borrower on the same kind of loan in your zip code may only pay 10%?"

Lang: "Representative Scully, has an answer to your question and the answer is, it's Federal Law prohibits that. I shut you up there for one second, didn't I?"

Black: "Well, are you sure?"

Lang: "Oh yeah, I'm sure, if Representative Scully says so."

Black: "Well, perhaps we should form a citizen group, what could it be called? The Citizens Credit Union League Board, so that we could monitor these people. I, I... You're not..."

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Lang: "Can't pass that, Sir, I couldn't pass the Citizens' Crime Commission. I can't pass that either."

Black: "Well, this legislation looks to me to be very... now you're not including currency exchanges in this, are you?"

Lang: "No, Sir."

Black: "What can they charge? Are they limited by any Act?"

Lang: "I'll give an answer that most people on your side of the aisle give when that kind of a question is asked, it has nothing to do with this Bill, Sir."

Black: "Well, perhaps we could ask Representative Scully, he seems to have the answers."

Lang: "Well, Representative Scully may have a Bill later on something else, you can throw that question in."

Black: "All right. Well, I, I..."

Lang: "You know it's a good Bill, Sir, when Representative Durkin on your side of the aisle is my Cosponsor."

Black: "Actually, as you'll recall earlier this evening, Representative Durkin had the first Bill and started a minor storm of protest that led to Tim Johnson coming to the Floor, and I haven't seen him in two or three days."

Lang: "Well, and he was so powerful, I think what was that a 102 to 2, so you know. I don't know where he stands on this Bill, but I don't think he's here."

Black: "There's a method to his madness."

Lang: "Yes."

Black: "There may be a Motion to reconsider, you see, so many of us voted 'yes'."

Lang: "I'll take my chances."

Black: "I, you know, had it just been a Lang Bill, I don't know that I would have said anything about it, but I am concerned that there may be some anti-Chicago flavor to this legislation allowing people to contract with borrowers

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for rates of interest where there doesn't even seem to be any protected. Do we still have a Serious Interest Law in Illinois?"

Lang: "Well, I believe we do, but I've got a better question for you. Why don't you join me on this Bill and we will put an Amendment on it relative to our utilization review proposal?"

Black: "That's probably the best idea you've come up with yet. Well, let's take this out of the record so we can get our Amendment drafted."

Lang: "Later."

Black: "See, you weren't serious, you were just kidding me."

Lang: "You're right, I wasn't serious, I was just kidding."

Black: "Well, all right, Representative. Mr. Speaker, to the Bill. Representative Lang is capable of giving far better answers than I heard this evening and I'm not sure what we're doing here, but when you allow credit unions to charge any, any interest they want to by contracting with a borrower, I think the potential for abuse could be extremely great. And it's for that reason that I rise in... well, I don't know, I haven't made up my mind yet, I may vote 'present'. But if this Bill gets the requisite number of votes, I will request a verification."

Lang: "Thanks, Monique."

Speaker Turner, A.: "The Gentleman is within his rights. Are there any further questions? Seeing none, the question is... Representative Lang to close. The question is..."

Lang: "Oh, yeah, I'm going to close. I'm going to go right over Bill Black and close, all right. The Federal Law prohibits the concerns that Representative Black has. Federal Law might even preclude Representative Black, I'm not entirely sure, but it's a good Bill, no opposition in committee."

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Vote for it."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 538 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 108. Representative Black, do you proceed with your verification?"

Black: "Yes, absolutely. I don't think there are 108 people here. I can't count, I think there is only about 40 on the floor."

Speaker Turner, A.: "Okay, Representative. The Gentleman is within his rights. Hold on, hold on."

Black: "Only women can seek leave to be verified."

Speaker Turner, A.: "According to House Rules 56-C."

Black: "Yes, should I proceed?"

Speaker Turner, A.: "Mr. Clerk, Mr. Clerk, do you want to read...?"

Black: "No, you don't need to read. I just want to verify, just a few people. Is Representative Hannig, in the Chamber?"

Speaker Turner, A.: "Representative Hannig, is in his seat."

Black: "That's unusual. How about the Dean of the House, is he in his seat?"

Speaker Turner, A.: "Representative Leitch, he's in the back. Representative Leitch, on that note, go ahead."

Leitch: "Yes, would you please pull the absentees. I hit my switch twice and I turned it off and I'm not able to be recorded."

Black: "That virus in Representative Cowlshaw's switch must have gone to yours."

Leitch: "It's a virus."

Black: "Yes."

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Leitch: "Like a computer virus, it's a switch virus."

Speaker Turner, A.: "Representative, at this point we can only recognize the fact that you wanted to vote. If the Body gives you, not adding them to the Roll Call, Representative Skinner."

Leitch: "You're a great American, thank you."

Black: "Yes, is the Speaker of the House, in the Chamber?"

Speaker Turner, A.: "He's in the Podium."

Black: "Congressman, Gingrich."

Speaker Turner, A.: "He's in the Podium."

Black: "What, I'll accept that."

Speaker Turner, A.: "Okay."

Black: "I'll... I'm obviously getting absolutely no cooperation from the Speaker. I still think I could peel two or three votes off of here, but I'll withdraw my request."

Speaker Turner, A.: "Thank you, Representative. On this question, there are 108 'yeses'; 6 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 444. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 444, a Bill for an Act to amend the Nursing Home Care Act. Third Reading of this Senate Bill."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill deals with nursing homes and, as we know, most people, most nursing homes in the State of Illinois are certified to handle people that are both private pay and are Medicaid. But, unfortunately, what sometimes happens is that the person who is on a private pay, in a private pay bed, at some point exhausts his or her monies and finds themselves moving over to the Medicaid side and in most cases that's not a problem. But there are a few homes in the State of Illinois that, perhaps, only handle private

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pay people, or for some reason have a mixture of private pay and Medicaid homes, beds and are unable to, sometimes, accommodate people or, simply, don't want to have a number of Medicaid people in their home. So, what this Bill provides and says is that in order to deny a person from moving from a private pay bed to a Medicaid bed that they would have to give the patient, in writing at the time that he or she becomes a part of that facility, a notice that they can be moved if they should exhaust their private monies. It also says that each time that the contract is renewed that this provision has to also again be given to the private pay person. So, it's a concept that is supported by the Senior Citizens' Groups, the AARP have been very supportive of it. The nursing homes are neutral on it. They understand the situation and are willing to work with us. So, I think it's a very good step forward and I'd be happy to answer any questions."

Speaker Turner, A.: "Are there any questions? The Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, staff points out that many people believe that this protection already exists in law, and that, in fact, Senate Bill 444 might be duplicative of current law. Do you have reference to a particular case that would indicate this is, in fact, not true?"

Hannig: "It is possible, Representative, that it may be covered under federal law, but what happens now is that perhaps when you check Grandma into the nursing home you can sign a big contract, or you can sign a contract with whole a whole bunch of language in there and you may not see it."

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This said that you, specifically, have to give the person this language and they have to be aware of it. It makes it more clear, up front, that this could be potentially a problem. So, you're on notice from day one as opposed to finding out at some other point that you've exhausted your resources and you've signed a document that said you could do this, even though you may not even know it."

Black: "I would just think, you know, Public Act 89-21 that we passed on the pre-admission screening and the current statutory language on contracts would protect any individual from the kind of case you are referencing. But, evidently, staff just informed me that there, evidently, was a case in the Senate Sponsor's district where this, evidently, happened or was perceived to of happened, right?"

Hannig: "Yes, that's correct, that's my understanding that in the Senate Sponsor's district that this indeed was a problem and this is why the Senate Bill came forward."

Black: "All right. Now, under a law that we just recently passed, would a nursing home be able to contract with an individual patient on the interest charged on whatever the bill they were having to pay? Or was that part of Representative Lang's Bill?"

Hannig: "I think we'll have to refer that to Representative Lang."

Black: "Well, he referred it to Representative Scully, and so I thought I would ask you."

Hannig: "Well, Representative, maybe we should ask someone on your side of the aisle to help us."

Black: "No, my side of the aisle would like to ask if we could adjourn and go watch the Bulls game. Could you, could you respond, could you respond to that?"

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Hannig: "Well, Representative, now you heard earlier how your side has already passed like 30 Bills and we've only got 10, we've got to get caught up before we can adjourn. So, if you could help me with this Bill and a few more we could be moving in that direction."

Black: "Well, I think, I think you raise a very good point, I'll be glad to help you with this Bill. Tip off, is just around the corner and if we, why not just a Consent Calendar, Mr. Speaker? Let's just put these fine Democrat Bills on a Consent Calendar, pass them out. Shoot, we'll help you, we'll help you. Tip off, just around the corner. This I just rise to say that Gary Hannig, Representative Hannig, is absolutely correct. This is a fine Bill and I think we need to hurry through all the other fine Bills that have passed out of here 112 to nothing. Boy, the Senate sure sent us some controversial stuff, didn't they? So, let's vote on this one and let's go watch the Bulls."

Speaker Turner, A.: "Representative, we're going to hurry up and move to all these Bills as fast as we can."

Black: "And the first diet pepsi is on me, the first diet pepsi's is on me."

Speaker Turner, A.: "Okay. The Lady from Peoria, Representative Slone, for what reason do you rise?"

Slone: "I have a question for the Sponsor."

Speaker Turner, A.: "The Gentleman indicates he will yield."

Slone: "Thank you Mr. Speaker. Mr. Hannig."

Speaker Turner, A.: "You got to talk faster."

Slone: "Oh, I'm sorry, okay. Are nursing homes currently allowed to essentially kick people out if they go to private pay to Medicaid?"

Hannig: "Apparently, there was a case in the Senate Sponsor's district where an individual exhausted, and I'm not sure

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if it was a man or woman, but they exhausted their personal finances and they were asked to leave the home, and this Bill would provide that unless they sign that contract up front as part of the contract when you go in and when you renew, that they could not do that."

Slone: "Would this be for all kinds of nursing homes?"

Hannig: "Well, many of the nursing homes we have it's not a problem, but it is a problem, apparently, in some of the nursing homes that cater more to the private pay and try to minimize their caseload, I suppose, of the Medicaid people. So, it would be a situation that in many of the homes in my district, for example, it is not a problem. But there are a few that it could be."

Slone: "Thank you."

Speaker Turner, A.: "Are there any further questions? Seeing none, Representative Hannig, to close."

Hannig: "I would ask for a 'yes' vote."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 444 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'yes'; 0 'noes'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Third Readings, we have Senate Bill 545."

Clerk Rossi: "Senate Bill 545, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. With the leave of the Body

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this Bill needs to be returned to Second Reading. It was moved up by mistake, there is an Amendment that is waiting to be filed on it."

Speaker Turner, A.: "The Gentleman requested this Bill be moved back to Second Reading. All those in favor say 'aye'. The 'ayes' have and the Bill will be placed on Second Reading."

Mautino: "Thank you."

Speaker Turner, A.: "On the Order of Third Reading, we have Senate Bill 450. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 450, a Bill for an Act to create the Interpreters for the Deaf Act. Third Reading of this Senate Bill."

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

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill creates the Interpreters for the Deaf Act that requires anyone serving as an interpreter or using the title of Interpreter must have a certificate issued by the Registry of Interpreters for the Deaf. A satisfactory evaluation by the National Association of the Deaf. The satisfactory Interpreters' Skill Assessment Screening or his license, or certified in another state. The federal laws, in many cases, and I think in some cases, state laws are requiring that we provide interpreters for the deaf. And what these people have indicated to us, the deaf community, is that in many cases the individuals that hold themselves out to be interpreters really aren't that good. And so, this is an effort to try to set some standards and to upgrade that profession so that when we have someone who is indeed claiming to be an interpreter for the deaf that they do have the expertise to actually do the job. So, this is a Bill that came to me from the deaf community and

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I'd be happy to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, Representative Hannig, to close. The question is, 'Shall Senate Bill 458 pass?' All those in favor vote 'aye'; those opposed vote 'nay', vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill, there are 117 voting 'aye'; 0 'noes'; 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 555. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 555, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

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

Klingler: "I thank you, Mr. Speaker. Senate Bill 555 is a request by a community school district #16, which is basically the New Berlin area of Sangamon County to allow it to withdraw from the special education district that it's in, which is over in Morgan County and be part of the Sangamon County area special education district. This is an extremely small school district. It only has 614 students and it's the only school district that's not part of the special education facility in the Springfield area known as the Sangamon County Special Ed. These students have to be bussed to Jacksonville, it's about an hour ride, to receive the special education services. The students, the superintendent and the teachers feel the students are being hurt by not being part of the local network, and I would greatly appreciate your 'aye' vote. I believe I also sent to all Members a letter on this Bill and also a letter

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from the superintendent explaining the importance of this Bill to this very small school district."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 555 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting voting 'aye'; 0 'noes'; 0 'presents'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, on the Order of Third Reading, we have Senate Bill 558. Read the Bill."

Clerk Rossi: "Senate Bill 558, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Lake, Representative Beaubien."

Beaubien: "Senate Bill 558 amends the School Code which sets up a procedure where a parent or guardian of a pupil who resides within a mile and half of the school, can apply to the school for public transportation where it is believed there's a serious safety hazard if they have to walk to or from school, a pick-up point, or a bus stop. And it adds to the statute a rail crossing as a potential serious hazard. I would be glad to ask any questions, answer any questions, on this Bill."

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

Mitchell: "Thank you, Mr. Speaker. I rise in strong support of the Gentleman's Bill. This is an excellent attempt. Basically, it codifies what many school districts already do, but it does give the parents a reason to approach the school board, that should do an awful lot of good things

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simply by allowing or opening the door for more parental activity with the Board of Education. It could have great ramifications across the school district, but it also gives the parents the right to alleve (sic-alleviate) themselves of the concern if their youngsters have to cross busy thoroughfares. I think this is a good Bill and I think it deserves an 'aye' vote. Thank you very much."

Speaker Turner, A.: "Seeing no further questions. The question, is 'Shall Senate Bill 558 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Bill, having received 117 'ayes'; 0 'noes'; 0 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Third Reading we have Senate Bill 554, 559, 559. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 559, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

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

Black: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 559, was sponsored in the Senate by Senator Watson. It amends the School Code. Requires persons to have at least five years experience in cases that involve educational labor and employment relations in order to be a hearing officer for teacher dismissal cases. Provides for a second list of hearing officers and alternative selection procedures. Provides that no written warning for remediation shall be required for conduct that is criminal or which in any way injures or endangers the health or the safety of students. I view

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this Bill, quite frankly, as a reform measure that many of us have talked about. If there is a bad teacher, this Bill will help expedite the process of getting rid of that bad teacher. And I think it's interesting to note that teacher union groups support this Bill. I know the State Board of Education is opposed to the Bill. I would be glad to answer any questions."

Speaker Turner, A.: "Seeing none, the question is, 'Shall Senate Bill 559 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there 109 voting 'yes'; 5 voting 'no'; 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 569. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 569, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Turner, A.: "Take it out of the record. Senate Bill 580. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 580, a Bill for an Act concerning animals. Third Reading of this Senate Bill."

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

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill would allow for people that are coming into the state to fish or hunt to obtain those fishing and hunting licenses and permits without being personally present in this state. It would allow someone else to make the application and to obtain that license and when the person came into the state they would automatically sign the permit and have them. What it would do, is if people

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are coming in, for the purposes of fishing trips or hunting trips, it would allow them to not be delayed for a whole day getting a permit, or if they came in on a weekend when an office wasn't open."

Speaker Turner, A.: "The Gentleman from Cook, Representative Lang. For what reason do you rise? He doesn't. If there are no further questions, the question is 'Shall Senate Bill 580 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye'; 0 'noes'; 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 611. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 611, a Bill for an Act extending the Board of Speech-Language Pathology and Audiology and concerning the practice of speech-language pathology and audiology. Third Reading of this Senate Bill."

Speaker Turner, A.: "Take the Bill out of the record. Senate Bill 626. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 626, a Bill for an Act concerning funds for the County Cooperative Extension Services. Third Reading of this Senate Bill."

Speaker Turner, A.: "Take the Bill out of the record, Mr. Clerk. Senate Bill 646. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 646, a Bill for an Act amending the Savings Bank Act. Third Reading of this Senate Bill."

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

Bugielski: "Thank you, Mr. Speaker and Members of the House. Senate Bill 40, 646, provides for an expedited process for

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Federal Savings and Loans and Savings Banks will be converting to State Charters when the Federal Law abolishes their status. The Federal Law anticipates that they will no longer be Federal Savings and Loans in 1997 and 98 and this will expedite the matter for any Federal Savings and Loans to convert to a State Charter Savings and Loan."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 646 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this Bill, there are 112 voting 'aye'; 0 'noes'; 2 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 648. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 648, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. This Bill, simply would permit optometrist to participate in the Medi Plan Plus Program and I would ask for your favorable support."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 648 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take... On this question, there are 100... The Clerk shall take the record. On this question, there are 116 voting 'aye'; 1 'no'; 0 'presents'. And this Bill, having received the Constitutional Majority is hereby declared

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passed. The Chair would like to inform the Membership that, the Chair has been informed that, if Members have dinner plans they should order out. We intend to be here until the hour of 10:00 o'clock. So, you should order out if you have dinner plans, we will be here until 10:00 o'clock. House Bill 700. Read the Bill, Mr. Clerk. Senate Bill 700."

Clerk Bolin: "Senate Bill 700, a Bill for an Act relating to competition in the telecommunications industry. Third Reading of this Senate Bill."

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

Currie: "Thank you, Speaker and Members of the House. Senate Bill 700 is a carefully worked out proposal that has the support of the various telephone operations. The effort here, is to bring Illinois into a competitive local service market. And, as I say, there were many people involved in crafting this Bill in the Senate, Senators from both sides of the aisle, as well as all of the interested utilities, the telephone folks. So, let me just run through some of the provisions of the Bill that will encourage, as I say, competition in the local service market. The Bill permits more than one company to provide local exchange service and provides a comprehensive enforcement procedure and penalty for companies that don't... that actually interfere with the development of a competitive telecommunications market. There also are some mechanisms in the Bill to streamline the administrative process and with these three broad area changes, Senate Bill 700 brings Illinois Telecommunications Law into conformity with the new federal regulatory framework and it is the hope and intent of all of the telephone operation groups that it will provide real competition to Illinois consumers in their local telephone

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markets. I'd be happy to answer your questions and would appreciate your support."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 700 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'aye'; 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 738. We're reading it."

Clerk Bolin: "Senate Bill 738, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Senate Bill."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 738 will amend the Criminal Code of 1961, adding language to the Code which clarifies that a peace officer's use of disabling but non-lethal ammunition shall be considered force likely to cause death or great bodily harm. This is a pro-police Bill and it grants partial immunity to police officer's who fire rubber or plastic bullets."

Speaker Turner, A.: "Are there any questions? The Gentleman from Washington, Representative Deering."

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

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

Deering: "Representative, I notice here this pertains to the ammunition, as pellets, glue guns, bean bags, the non lethal weapons. What if you're in a rural area, you're a deputy sheriff out in crowd control some night and you have a riot break out and say you pull your revolver and fire a

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couple of shots in the air, will that be a... will there be cause of action or could there be cause of action against that deputy, or that local law enforcement officer?"

McAuliffe: "No, to my understanding, it wouldn't be."

Deering: "Thank you."

Speaker Turner, A.: "No further questions. The question is, 'Shall Senate Bill 738 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye'; 0 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 762. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 762, a Bill for an Act amending the Illinois Police Training Act. Third Reading of this Senate Bill."

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

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 762, (sic-Senate Bill 762), amends the Illinois Police Training Act. It eliminates the mandatory training requirements for part-time County Correction Officers."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 762 pass? All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 voting 'aye'; 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate

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Bill 770. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 770, a Bill for an Act amending the Northern Illinois University Law. Third Reading of this Senate Bill."

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

Wirsing: "Thank you, Mr. Speaker, Members of the House. Senate Bill 770 is a Bill relative to Northern Illinois University. It would allow the Northern Illinois University Board of Trustees to negotiate on a purchasing of approximately 280 acres of land, immediately west of the DeKalb campus. This would, simply, allow the board to move forward in that process. The reason being that the university is that's the only direction that the university in the future can expand, and the Board of Trustees has made the determination that this is something to move forward on before that is purchased by someone else and landlocks the University. I would be willing to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 770 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 voting 'aye'; 2 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 790. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 790, a Bill for an Act amending the Violent Crime Victims Assistance Act. Third Reading of this Senate Bill."

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

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Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is truly a merely Bill. It allows the Attorney General instead of receiving money from the Violent Crime Victims Assistance Fund twice a year allows them four times a year to receive the money so that they can have operating funds to operate this assistance fund. I would ask the General Assembly to approve this Bill."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 790 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. And the voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'aye'; 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 793. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 793, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

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

Turner, J.: "Thank you, Mr. Speaker. This Bill increases the maximum civil liability due from the writer of a bad check from \$5 hundred to \$15 hundred. I would be glad to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 793 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 people voting 'aye'; 2 voting 'no'. And this Bill, having received a

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Constitutional Majority, is hereby declared passed.

Senate Bill 796. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 796, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

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

Durkin: "Thank you, Mr. Speaker. This is an initiative of the Illinois Department of Corrections which is come in wake of investigation which was ongoing for the past two years with the correctional officers who were engaging in consensual sex with inmates. Under the law in the investigation they were able to indict some members of the Illinois Department of Corrections for merely the offense of official misconduct. This now creates the offense of custodial sexual misconduct, which will now make it a Class III Felony. I'm willing to take any questions."

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

Skinner: "I have a question for the Gentleman. If a correctional officer strip-searched a seven-year-old male, would that be a violation of this Act if enacted?"

Durkin: "A seven-year-old."

Skinner: "Seven-year-old."

Durkin: "No."

Skinner: "Why not?"

Durkin: "Because we are, what we're doing is that we are now making a felony out of any type of consensual sexual relations between an inmate and a guard."

Skinner: "Then I guess we still have to deal with correctional officers who want to strip-search children who are visiting their parents, one of their parents in a jail."

Durkin: "Well, that's unfortunate, but that is an administrative

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problem that, probably, we should address with the Illinois Department of Corrections. That's something... I mean, that's within their policy I don't think we regulate through our laws the strip-search policies, but if that's the situation, then I think that we ought to bring that to their attention right after we get this Bill out of here. Then I'll be the first one to make the call."

Skinner: "I just have brought it to their attention."

Durkin: "Thank you very much."

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

Novak: "I'm sorry, Mr. Speaker. Mr. Speaker, Inquiry of the Chair. I notice it's 17 or 16 minutes after the hour of 7:00 o'clock and my recollection, isn't the Bulls game suppose to start at 7:30?"

Speaker Turner, A.: "Representative, we've got about 30 Bills."

Novak: "Mr. Speaker."

Speaker Turner, A.: "I'm looking at 30 Bills and..."

Novak: "Mr. Speaker."

Speaker Turner, A.: "Once we finish that 30, I think there is a good chance."

Novak: "Mr. Speaker, I ask isn't the Bulls game suppose to start at 7:30?"

Speaker Turner, A.: "Representative, I really don't know, I'm busy looking at this Calendar here and I don't have a television in front of me so I'm unaware of what time."

Novak: "Well, Mr. Speaker. Well, Mr. Speaker, I've been advised by some of my colleagues, on the Floor, and I know they're good counters with their fingers. They told me it's 7:00 o'clock the Bulls game is starting. Is there any way we can do our business and get a few wide screen TV's down here, so we can watch the game?"

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Speaker Turner, A.: "I'll try to give you a quarter by quarter score as it's brought up to the Chamber."

Novak: "Can you at least apprise us of the score, you know, as the game progresses? I mean, gosh."

Speaker Turner, A.: "You only want the score, not play by play?"

Novak: "It's the only good sports team in the state."

Speaker Turner, A.: "Score be acceptable?"

Novak: "Yes, thank you."

Speaker Turner, A.: "We can work on that. Okay, Representative."

Novak: "I mean besides the Cubs."

Speaker Turner, A.: "We'll do that, Representative. The Lady from Cook, Representative Davis, for what reason do you rise?"

Davis, M.: "Will the Sponsor yield?"

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

Davis, M.: "Okay. Are you... does your Bill state that, for example, if you have a female counselor and the female counselor establishes a relationship with a male inmate and then if she has sex with him, is that what you're saying, she will be a criminal?"

Durkin: "That's right."

Davis, M.: "Will she be a felon?"

Durkin: "Absolutely, yes."

Davis, M.: "So she will be behind bars, also."

Durkin: "This is called a Class III probationable offense. If this person is convicted of that charge."

Davis, M.: "What happens to them now?"

Durkin: "A judge makes a decision that this person belongs in the Department of Corrections that's up to the judge. We're not making it non-probationable."

Davis, M.: "What happens at this point, when this happens, what do you do?"

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Durkin: "Under law right now? What we have right now, the reason why we had to create this offense is that the only offense available is official misconduct, and if you look through the official misconduct statutes, it's extremely vague and I believe that some jurors may have a difference of opinion of whether or not this is actually covered under that section. What we're doing is that we are now creating this offense because we believe that this is unlawful, this is not the type of conduct that we should be promoting in the State of Illinois, in particular, within our correctional systems."

Davis, M.: "I think it's a difference between promoting it and putting it on the criminal offense list."

Durkin: "Well I tell you what, Representative, I spent five years in the Cook County States Attorney's Office and the work that we have to do to put some of these people who belong behind bars, is more than you can ever imagine. The second of all, if we're going to allow sex, drugs, rock and roll to go on inside the prison systems and let this happen, you know, I don't think you've read the Bill and exactly know what we're getting at. But the fact is, we're creating offense, these people belong in prison, this is not a party, and the fact is they need to be charged as criminals."

Davis, M.: "Excuse me, Representative, with all due respect to you, currently, if an employee has a relationship with an inmate, the employee is fired, they lose their job, that's what happens. They don't need a jury. They don't need a judge. They are fired from working in the penal system, which is what should occur. I really don't think we should incarcerate people. I don't think that these people, I don't think that the offense has been that great that we

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should use taxpayers' dollars to put them in jail because they had a sexual relationship with someone incarcerated. Now that is different than if they're forcing themselves on them, you're saying consensual sex. In my opinion the department is currently doing the right thing by terminating the employment. I really hesitate with the condition of the finances in the State of Illinois, with the need to fund education, I just hesitate to increase the population who are in prison and for different reasons. I don't think this is a severe enough, nor broad enough problem for us to put this on the books as if you have a relationship with an inmate you're going to jail. Because the people we're going to be sending to jail, they are some women who teach in the institution, they are some counselors who counsel inmates in the institution and nobody here wants to say anything, everybody wants to get out of here, so we're going along with the green votes. This is not a good idea, we are increasing the taxpayers' cost to take care of people in the penal situation, when all we need to do is what currently occurs and that's removing them from working for the department. We don't need to create a brand new jail, we don't need to build some more prisons to put people in them who worked for the department and had sexual relationships with inmates, we're going overboard. We're killing an ant with an elephant, I guess. It's a bad Bill."

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

Jones, S.: "Will the Sponsor yield?"

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

Jones, S.: "Yes, you know, some of the correctional officers are married to some of the prisoners that's in there, now

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seriously, so, I mean, do they go to jail if they have... with their husband or their wife?"

Durkin: "All right, there's an exemption within this Code, within this Bill. This section does not apply to any employee, probation, or supervising officer whose is lawfully married to a person in custody, if the marriage occurred before the date of the custody. So, we're saying if there was a prior, if they were married before this person was sent away that's a defense under this Act. But the fact is if you start up a relationship within the Department of Corrections, with an inmate and a felon, I believe that we should be discouraging that type of conduct."

Jones, S.: "No, I agree with you, but I'm just saying that this."

Durkin: "But with your question, yes. That is a, that's not unlawful under this, under this Bill."

Jones, S.: "Under that Bill. Okay, thank you."

Speaker Morrow: "Are there any further questions? Seeing none, Representative Durkin, to close."

Durkin: "Thank you much, Mr. Speaker. The fact is, felons are felons, and they are there for a reason. Inmates are there, I mean guards are in the Department of Corrections for a reason, as well. They're not, they're there to watch and to protect our prison systems. They're not there to engage in sexual acts with the inmates. I believe that this Bill addresses a gaping hole, which we have, within our statutes and what the prosecutors are now finding when they indicted these officials... they are having a problem with charging these individuals under the Official Misconduct Statute, because it is so vague. This is the fall back charge which gives them that opportunity if that jury finds that the conduct does not fall under official misconduct then they are guilty of a criminal act. That is

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what I believe our state should be promoting and I believe this is a good Bill. This has been worked out with AFSCME, they agree with this Bill and, also, with the Illinois Department of Corrections. I ask for an 'aye' vote."

Speaker Morrow: "The question is, 'Shall Senate Bill 796 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 voting 'aye'; 3 voting 'no'; 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Gentleman from Knox, Representative Moffitt, for what reason do you rise?"

Moffitt: "Mr. Speaker, I rise to a Point of Personal Privilege. I would like to introduce a former Member of the Illinois House. He served 10 years down here and represented the area, at one point, where I was from. Sam McGrew, who is a 10 year veteran of the Illinois House has moved on to being the Superintendent of Schools at Fisher, Illinois, and when he was down here, he usually was on that other side of the aisle. I'm glad to have him over here, so Sam McGrew, good to have you."

Speaker Morrow: "We're glad he's just visiting over there too, Representative. Sam, how are you? Welcome to the Assembly. House Bill, Senate Bill 798. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 798, a Bill for an Act concerning highway signs. Third Reading of this Senate Bill."

Speaker Morrow: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Senate Bill 798 is permissive piece of legislation which

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authorizes IDOT the right to maintain signs within the right-of-way on rural and on interstate and... within the right-of-way on a rural non interstate and non freeway state highways to inform motorists or tourists for oriented businesses. What we're talking about here is allowing IDOT to erect signs to direct individuals, tourists out of an area, to apple orchards, to archery shops, to museums, antiques shops and so forth that are located out in the rural areas. I would appreciate, very much, your affirmative vote. I would be happy to answer any questions."

Speaker Morrow: "The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

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

Speaker Morrow: "He indicates he will."

Black: "Representative, is there, there's nothing in this Bill that would prohibit a Legislator from having, said directional signs if said Legislator owns a legitimate tourist attraction along the road in rural Illinois, would there be?"

Hartke: "This would have to be approved by the Illinois Department of Transportation and the individual would pay for those cost, break even, of the signs."

Black: "Well, see I, I've been in your district and there is Hartke Farms, there is a Hartke Tastee Freeze, there is a Hartke Produce Stand, there is a Hartke business promotion business, as I recall, selling political novelties."

Hartke: "Most people consider me a tourist attraction, they really do."

Black: "Well, there is no question about it. I mean, it would be possible in your district to have dozens and dozens of

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signs pointing towards a Hartke enterprise."

Hartke: "You know that would be most appropriate too, because these signs are going to be produced by IDOT and they're going to be blue and white and those are my colors. Thank you."

Black: "Holy mackerel, Mr. Speaker."

Speaker Turner, A.: "Proceed."

Black: "What about equal time. Somebody, you know the good Representative has indicated he has desire to move onward and upward, or sideways, or wherever and somebody may run in that district, I mean, does IDOT have to put up signs for another political candidate to match what could be generated by the various Hartke enterprises?"

Speaker Turner, A.: "I would assume if DCCA has lent his opponent."

Black: "Well perhaps we could ask..."

Hartke: "To the contrary, Representative Black, these signs would be produced by the Department of Transportation and then paid for by those individual businesses at their cost, that IDOT cost, to produce those signs."

Black: "Well, I recall when we had that tour down in your district, I think the only thing that you didn't own was that grain elevator, and you were negotiating to buy that at the time. I mean, just as long as there would be some reasonable expectation that the equal time provision might, Mr. Finley is over there, perhaps you could ask him. I mean, you have to remember I recall, not many people have served in this Chamber as long as you and I. I can remember when the Speaker of the House got lost going home one day and ended up in Teutopolis and saw the sign that said, Hartke's..."

Hartke: "That's where he saw the light. That's where he saw the

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light."

Black: "Yes, Hartke's light, I remember that. He turned off saw the light and look what happened."

Hartke: "We're all better off for it, we really are."

Black: "Well, Representative, in all seriousness, this is a pretty good idea really. I know some of our colleagues have had some problems with it, up north, thinking that this would add to the sign proliferation and I'm sure IDOT can do administrative rule if necessary. But there are a number of attractions, off the interstates, that we would like to bring people into to spend some of their hard earned money in our district, yours and mine, and I think this is a good idea. I'm negotiating to buy an interest in a produce stand, just south of Iroquois County on route one, and hopefully I can get one of these signs too. So, I stand in full support of your Bill. This is really a good idea for tourism, economic development, not to mention the sign making industry in the State of Illinois."

Speaker Turner, A.: "Is there any further questions? Seeing none, the question is, 'Shall Senate Bill 798 pass?' All those in favor vote 'aye'; all those opposed for 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye'; 0 'noes', 0 'presents', and this Bill, having received the Constitutional Majority, is hereby declared passed. Announcement. For those that were interested, I've got this from Representative Giles, who is doing a play by play on the telephone. Atlanta is winning 10 - 7, with less than five minutes in the first quarter. Senate Bill 802, read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 802, a Bill for an Act concerning

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Health Insurance. Third reading of this Senate Bill."

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

Krause: "Thank you, Mr. Speaker. Senate Bill 802, is the Department of Insurance Agency Bill. This is the legislation that implements the federal, what was called the Kassenbaum-Kennedy portability legislation, that sets the standards on pre-existing conditions for health insurance. In addition, it amends the Comprehensive Health Insurance Act being CHIP, provides for the plan to extend coverage to individuals in conformance with the Federal Act, increases the life time benefit under the Act from 5 hundred thousand to 1 million. It authorizes the CHIP Board to access the insurers in Illinois to pay the cost not covered by an appropriation. In addition, it provides that a health insurance issuer must renew a group health plan unless the sponsor has failed to pay certain premiums. In addition, it provides with certain exceptions that the health insurance issuer must accept small employers in the state that applies for coverage. It came out of the Insurance Committee unanimously and I extend my appreciation to the Chair of Insurance, Representative Mautino, for his assistance in this matter. I would be pleased to answer any questions."

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

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I simply rise in support of Senate Bill 802. It will give the Department of Insurance the ability to regulate the changes in the federal law. This goes to the question of portability and will be creating a separate risk pool which will be inside the CHIP program, which is one of the national leading model programs. I commend the

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Representative for her work on this issue. I know of no opponents to it and would just simply ask for an 'aye' vote."

Speaker Turner, A.: "Any further questions? Seeing none, Representative Krause to close."

Krause: "I ask for the support on Senate Bill 802."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 802 pass?' All those in favor vote 'aye'; all those oppose vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye'; 0 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 807. The Lady from Will, Representative Kosel, what do you..."

Kosel: "Yes, Mr. Speaker. Please indicate that I would have voted 'yes', if I had gotten to my switch quick enough."

Speaker Turner, A.: "Your switch is not working, we'll have someone check it and the record will so reflect. Mr. Clerk."

Clerk Rossi: "Senate Bill 807, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Lady from DuPage, Representative Biggert."

Biggert: "Thank you very much, Mr. Speaker. Senate Bill 807 is a Department of Public Aid Administrative Bill and it is the same Bill that we passed out of this House known as House Bill 1503. It is to authorize the Department to provide by rule of a certification of past due supports to other states', child support enforcement agencies for the purpose of requesting administrative enforcement by the other

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state. Under the federal law the Personal Responsibility and Work Opportunity Act of 1996, the states are required to have laws that permit them to send certification of past due support to and receive from other states for the purpose of requesting administrative enforcement of support orders and I would ask for your support and be happy to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 807 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye'; 0 'noes', 0 'presents'. And this Bill, having received a Constitutional Majority, is hereby passed. Senate Bill 814, read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 814, a Bill for an Act amending the Environmental Protection Act. Third Reading of this Senate Bill."

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

Scully: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 814 creates the rights of third parties to appeal the decision of an EPA to issue or deny a designation of a national pollution discharge elimination site. This matter is required by federal law, this delegation has... the right to make these determinations has been delegated to the state. In order to retain the federal funding for these programs, it is critical that the state enact certain legislation creating the rights of third parties to appeal. The manner in which this legislation has been drafted by Senator Mahar creates very meaningful rights. In order to

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assert these rights, the petitioner must have attended the hearing, must have raised the issues at the hearing and must act within 35 days to assert their rights. This legislation does not give the petitioner the rights to an additional evidentiary hearing but rather requires that the decision of the board be made based upon the record. I think it is very good legislation. I think it is very well-drafted, and I ask for your affirmative vote."

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

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

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

Black: "Representative, it is my understanding that this is, in fact, a federal mandate that we must comply with and failure to do so could be somewhat expensive. Is that your understanding of the Bill?"

Scully: "That's correct."

Black: "This has nothing to do... as is often the case, Representative, sometimes when we're here late at night against our will, and the Bulls are playing, rumors begin to circulate. This has nothing to do with making it easier for a mega hog farm facility to get any kind of a permit. Has nothing to do with that, whatsoever. Let's just put that rumor to bed. That's your intent. That's my understanding. Isn't that correct?"

Scully: "That's correct, Mr. Black."

Black: "In fact, the IEPA supports your Bill. I know of no opposition to the Bill. The Environmental, I think probably the Environmental Council supports the Bill. It's something we have to do to bring state statutes into compliance. I'll tell you what, for a freshman Legislator,

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this is a pretty good Bill you're carrying. I'm surprised Representative Lang didn't ask you to give it to him, but whatever. I just simply wanted to clarify for some of my colleagues, this does not have anything to do with large agricultural operations, doesn't make it easier to slip into anybody's district and site something that, you know, this should come out of here without a 'no' vote, and if I've done my job and you've done a good job of explaining the Bill, that's the way that it should happen, and I congratulate you on a good Bill."

Scully: "Thank you."

Speaker Turner, A.: "The Gentleman from Kankakee, Representative Novak."

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

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

Novak: "Yeah, Representative Scully, is there any similarity to this Bill to third party interveners in certain cases before the EPA?"

Scully: "I'm not familiar with the status of a third party interveners. This Bill creates the right of a third party to appeal after a decision has been reached."

Novak: "Okay, is there any cost to the state?"

Scully: "There is none."

Novak: "So, there is no financial obligation at all to the state."

Scully: "That's correct."

Novak: "Okay. One last question. Have you researched this Bill thoroughly?"

Scully: "I'm comfortable that I've researched it properly in order to present it to this House."

Novak: "Okay. For the record, is there any provisions in this Bill that affect Home Rule?"

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Scully: "There are none."

Novak: "Thank you."

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

Scully: "Ask for your favorable vote."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 814 pass?' All in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye'; 1 voting 'no', and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 815. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 815, a Bill for an Act amending the Environmental Protection Act. Third Reading of this Senate Bill."

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

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

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

Black: "Any Bill on Third Reading must get 60 votes to pass, is that correct?"

Speaker Turner, A.: "Let me check the Rules, Representative."

Black: "Yes, ask the Parliamentarian, she hasn't had to rule on anything in the last two or three hours."

Speaker Turner, A.: "She said, you're right."

Black: "All right. Now, my question of the Chair is this. If those of us being held here against our will, just simply refuse to vote, you can't pass anything can you?"

Speaker Turner, A.: "You want to state that again, Representative?"

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Black: "If those of us on the Floor, those few left after many of us go over to the Treasurers Office and watch the Bulls Game, you don't have 60 votes here, you can't pass anything."

Speaker Turner, A.: "You're right, Representative. We can't pass anything."

Black: "I think it the appropriate time we intend to send the Chair a message."

Speaker Turner, A.: "Representative, we would prefer that message in writing."

Black: "Have no fear I'll bring it up to you."

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

Kosel: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. This Bill amends the Environmental Protection Act. It creates a water, a Public Water Supply Loan Program which will be administered by the EPA. This program is similar to the Waste Water Treatment Program that has been used in many of your districts but will address the drinking water system. It will establish a revolving loan program that will be... will access federal dollars at the rate of five federal dollars to every single state dollar. The federal government figures indicate that the State of Illinois would be eligible for \$35 million per year through the year 2003, if we provide the 20% matching funds that this Bill would provide. When the state establishes this program the money that the local government unit would pay back to the state would be then used again in different loan programs thus insuring that the benefits of this program would last for many years to come. Communities would apply to be a participant in this program and be scored through a pre-application rating that uses both compliance and need. Is there any questions?"

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Speaker Turner, A.: "The Gentleman from Kankakee, Representative Novak."

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

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

Novak: "Yes, Representative Kosel, can you tell me what the local match is going to be from the State of Illinois?"

Kosel: "Twenty percent."

Novak: "Twenty percent of what?"

Kosel: "Twenty percent of... the first year they are looking at 35 million and this has been listed in the Governor's budget for this year."

Novak: "Is it GRF or is it bonding or any type of revenue source..."

Kosel: "Yes, it is bonding."

Novak: "Okay. Is the bonding going to be in some other piece of legislation, are you aware of any?"

Kosel: "Excuse me, I didn't hear you, Sir."

Novak: "I'm sorry, Representative. Is the bonding provision to finance to create the matching funds, to access the federal dollars, is the bonding provisions going to be placed in another piece of legislation that's in the General Assembly, somewhere at this time?"

Kosel: "It would be included in the bonding Bill that will be before the General Assembly."

Novak: "Will that be part of the Governor's Omnibus Bonding Bill for various other agencies?"

Kosel: "Yes."

Novak: "And can you tell me what congressional authorization recently that was signed by the President that authorized the creation of this program."

Kosel: "Safe Drinking Water Act."

Novak: "Well, Ladies and Gentlemen, I am a firm supporter of this

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legislation. You know, just a minute ago we had a very significant Bill Sponsored by one of our freshman colleagues on the Democratic side of the aisle, Representative Scully and he handled the Bill quiet well. This is another major Bill. This is a major piece of legislation to come in the State of Illinois and I'm happy that Representative Kosel and I are Sponsoring this Bill. We should have about 118 Sponsors on this Bill. For those of you in this Body that have been able that have had some of your communities have been fortunate enough to get low interest loans from the EPA over the years to upgrade your waste water treatment sewer systems, this is a tremendous expansion into public health and public safety by providing the same opportunities for our communities to access dollars from the federal government to upgrade their safe drinking water systems. This is a major public health issue and I'm certainly glad that the State of Illinois is taking advantage of these federal opportunities. So, I would ask my colleagues to join Representative Kosel and myself in voting 'yes' for this Bill. Go Bulls."

Speaker Turner, A.: "The Gentleman from Washington, Representative Deering."

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

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

Deering: "Representative, will this be competitive bid program?"

Kosel: "It is based on both compliance or actually locations that are out of compliance as the first test and then there is a need factor that's done after that, so it is not competitive as to who gets the grants on the traditional way, but literally how much it's needed. So, need is really on two different levels as what determines. It's exactly the same type of rules will be written that are now

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for the waste water treatment."

Deering: "Who makes the determination on priority projects, the General Assembly or the EPA?"

Kosel: "The rules are established to do that, it's how the rules are written and the agency indicates that the rules will be done very similar to how the waste water treatment is done."

Deering: "And is there a maximum amount of local municipality or public body can apply for and receive?"

Kosel: "Not in this Act, Sir."

Deering: "There's no limit so one entity can... if the City of Chicago had the need they could eat up the \$37 million in one year themselves. Correct?"

Kosel: "I would hope not."

Deering: "What's that?"

Kosel: "I said, no, there is no limit set in there."

Deering: "Is that federal regulations or is that the EPA deciding not to put that ceiling in there. I know from most of our other programs it's either 400 or 500 hundred thousand, depending on the type of loan applications that you're trying."

Kosel: "There is no limit in the federal... there is nothing specified in the federal."

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

Hartke: "Thank you very much, Mr. Speaker. To the Bill. I think it's a great piece of legislation, the Federal Government did a fantastic job helping local communities have the necessary resources to supply safe drinking water to all communities in Illinois. My only problem is with the Federal Government, not with this legislation. I think the Sponsor has done a good job. The Federal Government forgot

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about Southern Illinois when they talk about rural water delivery. Water out in rural areas because most of these organizations that deliver rural water, water around to the rural area are not-for-profit 503-c corporations and they do not qualify under the Federal Act. I tried earlier to work with Representative Kosel and submitted a piece of language that was rejected by EPA because it was not following federal guidelines. I'm going to support this piece of legislation but let's hope that the Federal Government, in some point in time, can change their mind and add this to this so that Southern Illinois and those rural areas that have small not-for-profit rural water delivery systems can qualify for some of these funds."

Kosel: "I appreciate your support, Sir, and understand your concerns. Thank you very much."

Speaker Turner, A.: "Are there any further questions? The Lady from Will to close. Close."

Kosel: "I would ask for a favorable vote on this piece of legislation, it will have a positive impact on the drinking water of this state for many years to come. Thank you."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 815 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all vote who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye'; 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 844. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 844, a Bill for an Act to amend the Condominium Property Act. Third Reading of this Senate Bill."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 844, provides that the board of the master association or a common interest community association shall have the power after notice and opportunity to be heard to levy and collect reasonable fines from members for violation of the declaration, by-laws, and rules and regulations of the master association or common interest community association. What we're referring to is condominium law. It says, it puts us in line with, right now, with currently the board of masters for a condominium association's power to levy. We want the community associations and the masters associations to have the same rights."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 844 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye'; 0 'noes', 0 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 876. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 876, a Bill for an Act amending the School Code. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Representative from Jo Daviess, Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. Senate Bill 876 amends the School Code by providing that the State Board of Education shall submit a cumulative report on or before February 1, of '98, and each year

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afterward summarizing all types of waiver mandates and modifications granted by the State Board or the General Assembly. That's what the Bill does, I'll be glad to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 876 pass?' All those in favor vote 'aye'; all opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there 117 voting 'aye'; 0 voting 'noes', 0 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 908. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 908, a Bill for an Act to create the Illinois Farm Economic Development and Renewable Fuel Act. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Williamson, Representative Woolard."

Woolard: "This Bill will create the Illinois Farm Economic Development and Renewable Fuel Act and I think it's one of those things for the corn producers of this state that will give them the opportunity to continue to produce ethanol and to create new facilities. This is for the small operations that might be developed around the state. It would create a 30¢ per bushel incentive to accommodate the needs of each and every one of these opportunities that might come. I would encourage your support."

Speaker Turner, A.: "Are there any questions? The Gentleman from McHenry, Representative Skinner."

Skinner: "I'm sorry, I didn't hear how much... how much is the subsidy?"

Woolard: "Just a little more than the 50 mile an hour speed limit

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that we reduced a train coming through your community a few weeks ago."

Skinner: "You've said enough."

Speaker Turner, A.: "No further questions. The question is, 'Shall Senate Bill 908 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye'; 2 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 921. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 921, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this Senate Bill."

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

Black: "Could we hear this Bill first thing in the morning, or is this one that you may not get back to?"

Speaker Turner, A.: "I think you better do it now, Representative. Tomorrow is not promise."

Black: "Do I detect a threat from the Chair?"

Speaker Turner, A.: "No, just trying to move it along."

Black: "All right. I would prefer that we just take it up in the morning, but since you said we might not get back to it, this is a Bill for Cook County. Who better than I to carry a Bill for Cook County. This... Mr. Speaker, I'm being mocked. I am shocked and appalled at the treatment an elected official of this state is receiving in this Chamber late at night while the Bulls are struggling. I know, well all right. This Bill... what's the score? From the sounds of the whistle it's going to be about 20 'ayes', 84 'noes',

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but here we go. This Bill amends the Code of Criminal Procedure of 1963 to clarify the defendant in the pretrial hearing may be required to appear before a judge and have charge on... charges filed against him or her by way of a two-way closed circuit television system. What we're changing in this Bill, in Cook County the jail and the courthouse are now joined by a tunnel, and it is in the opinion of the officials of Cook County that they are since joined, they are arguably one building and the limitation that says the closed circuit T.V. pretrial hearing could only be held if you're in the same building should not apply. So, they're asking that since they are connected now in their new building by a tunnel, that they be allowed to have these pretrial closed circuit television hearings. The Bill passed the Senate 56 to 0, but then again, what didn't? And the Bill is suggested by Cook County, and as all of you know I have a very close and loving relationship with my colleagues from the County of Cook. I would ask for your favorable consideration of this Bill for Cook County."

Speaker Turner, A.: "The Gentleman from Effingham, Representative Hartke, regarding Cook County."

Hartke: "Mr. Speaker, I would like to take this Bill off Short Debate. Joined by the number of requisite hands."

Speaker Turner, A.: "It will so be removed."

Hartke: "Will the Sponsor yield?"

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

Hartke: "What is this supposed to cost, Representative Black?"

Black: "A little less than those signs we're going to put up on the rural highways."

Hartke: "If this Bill was such... just a great thing for Cook County, they couldn't find a Cook County Sponsor for it

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over in the Senate? What Senator sponsored it over there?"

Black: "This was Senator Shadid, from..."

Hartke: "Is he from Chicago?"

Black: "No, I think he's from Peoria. A former sheriff, vitally interested in the..."

Hartke: "Was there a conflict of interest when he was putting this through?"

Black: "Oh, no, he's retired. So, there's no conflict of interest here. I've had a working relationship with Cook County on parking tickets, worked very closely with them for many years on that and I would say that we're making some progress, not a great deal but some progress."

Hartke: "I understand Danville is pretty close to Chicago."

Black: "Oh, yes. Many of my senior citizens are ticketed for parking on those streets at 3:00 o'clock in the morning and we're only a 150 miles away."

Hartke: "You're right on the edge of being there. I have no further questions."

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

Stephens: "Inquiry of the Chair. Inquiry of the Chair."

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

Stephens: "What is the Rule if none of the Members cast a vote on this Bill? What would be the status of the Bill? If there's just no votes cast?"

Speaker Turner, A.: "They lose their per diem."

Stephens: "Now, I've been threatened. That's two threats this evening. I suggest that in honor of Representative Black's previous request that we just withhold our vote at this time."

Black: "Well, Mr. Speaker, if I might respond. It's my understanding that if you don't get the 60 votes, and I was

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just trying to help us watch the Bulls, because they need all the help they can get. Obviously, my appeal fell on deaf ears. So, it might be taken out on me, but it's my understanding that the Bill would then be in limbo, which is a small town on the southwestern edge of Cook County."

Speaker Turner, A.: "You're absolutely right, Representative. The Gentleman from Saline, Representative Phelps. For what reason do you rise?"

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

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

Phelps: "Representative Black, these are serious questions, okay."

Black: "Representative, there is no one in this Chamber more serious than you are."

Phelps: "Thank you."

Black: "On occasion."

Phelps: "I guess. When is a defendant's appearance not Constitutionally required?"

Black: "One moment. Representative Phelps, under the United States Constitution, Fifth Amendment, I decline to answer that question because I don't have any idea what you're asking me."

Phelps: "Do you know the Bull's score, right now? Do you know the Bull's score right now?"

Black: "No, I don't."

Phelps: "Okay. What... is there a penalty or would you be receptive to an Amendment, that if there is not a penalty, if a defendant is impersonated by a look alike or maybe propped up a mannequin, let's say, looked like Bill Black..."

Black: "God forbid."

Phelps: "...that was on the other side of this closed circuit

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T.V. Is that in the Bill?"

Black: "No, but it should be because any mannequin that looks like me should be a crime against nature."

Phelps: "I think I'm for your Bill, if we vote on it."

Black: "Well..."

Speaker Turner, A.: "Representative Black to close."

Black: "Well, I appreciate the Gentleman from Saline's very serious and cogent questions. This is a fine Bill. You see I'm joined by absolutely no Cosponsors. This is a Bill for Cook County and closed circuit television. I mean gosh, I can't say it anymore succinctly than that. Please, vote 'aye'."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 921 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? We'll be here Sunday. Have all voted who wish? The Clerk, take the record. On this question' there are 117 voting 'aye'; 0 'noes', and this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 942. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 942, a Bill for an Act to amend the Court of Claims Act. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you. This is the Court of Claim Administration Bill. I would be glad to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 942 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the

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record. On this question, there are 117 voting 'ayes'; 0 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 949. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 949, a Bill for an Act amending the Public Utilities Act. Third Reading of this Senate Bill."

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

Wirsing: "Thank you, Mr. Speaker, Members of the House. Senate Bill 949, amends the Telecommunications Article of the Public Utilities Act and extends the sunset date of the provision concerning operator service providers and the Act to July 1, 1999. It also extends the authority of the Commerce Commission to promulgate rules to apply to competitive telecommunication rates and services. I would be willing to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 949 pass?' All those in favor vote 'ayes'; all opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 voting 'aye'; 0 'noes'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 952. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 952, a Bill for an Act concerning business. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Kendall, Representative Cross."

Cross: "Thank you, Mr. Speaker. This Bill is an initiative of the Secretary of State's Corporate Acts Advisory Committee, as well as the Taxpayers' Federation of Illinois to address

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the Business Corporation Act, makes various changes. There's absolutely no opposition that I'm aware of, the business groups, may I please emphasize Representative, the laughing Representative. The business groups support this Bill."

Speaker Turner, A: "Proceed, Representative."

Cross: "And I appreciate a 'yes' vote."

Speaker Turner, A.: "Are there any questions? Seeing no questions, the question is, 'Shall Senate Bill 952 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question' there are 115 voting 'aye'; 1 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 953. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 953, a Bill for an Act to provide for the registration and protection of trademarks, servicemarks and trade names. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Livingston, Representative Rutherford. I'm sorry, the Lady from DuPage, Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 953, is also an initiative of the Secretary of State. It repeals the Trademark Registration Act and creates the Trademark Registration and Protection Act. It establishes procedures for the registration of trademarks and servicemarks with the Secretary of State. Provides that the registration shall be effective for five instead of 10 years and may be renewed for successive five instead of 10 years periods. Authorizes civil actions for infringement. Amends the Registered Container Trade Mark Act to change a

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cross reference and I would be happy to answer any questions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 953 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this Bill, there are 105 voting 'yes'; 11 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Readings we have Senate Bill 956. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 956, a Bill for an Act amending certain Acts in relation to Mental Health and Developmental Disabilities. Third Reading of this Senate Bill."

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

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is an agency Bill for the Illinois Department of Mental Health and Developmental Disabilities. What it does is it shall require... the Department of Mental Health shall require candidates for positions involving contact with recipients of services in state-operated facilities to submit to criminal fingerprint based background investigations. Although this was previously done, we are now changing the language to conform to what the FBI would want so that we can use FBI fingerprinting. The Department shall visit all persons... it deletes a reference to the community funding advisory committee. It provides that all agencies previously regulated by the Community Residential Alternative Licensing Act shall be regulated under the Community Integrated Living Arrangements Licensure and

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Certification Act. It permits the Department to disclose information under the Sex Offender Registration Act and the Rights of Crime Victims and Witness Act. It allows the facility director upon requests of a peace officer conducting an investigation of criminal activities to disclose whether an individual is a current recipient of services within a facility and with House Amendment #1, it restores language allowing the Department to assist families in the funding of private residential services for minors with mental health problems and eliminates consolidating that program with the Illinois State Board of Education's program. And as amended it's supported by the Illinois Association of Community Health Agencies, the Alliance of the Mentally Ill, Association of Community Mental Health Authorities, the United Cerebral Palsy of Illinois, ARC of Illinois and the Illinois Association of Rehabilitation Facilities. And we have made an agreement with both AFSCME and the Mental Health Association and Representative Lang, that there will be a rule that will change visitation to read, one visitation for people in CILA's in the first 10 days, once a month for the first six months and thereafter as indicated."

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

Lang: "Thank you, Mr. Speaker. Representative Mulligan is correct that the rule she discussed was discussed with me, as the Chairman of the House Mental Health Task Force. However, I rise in opposition to Senate Bill 956. Let's take a look at what that section of the Bill does. Today, under the law when a patient in a state mental health facility is discharged, the Department of Mental Health must visit that patient in its community setting, or his or

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her community setting, once a week for the first month, presumably to make sure that the discharge plan is working properly, and then once a month, thereafter, presumably to make sure that the patient is getting proper care. This Bill would make that discretionary with the Department. Today we all know the Department of Mental Health is under fire, they're involved in a class action lawsuit, which deals with their competence as the Department of Mental Health, which deals with the issues of abuse and neglect, which deals with specifically the issues of discharged plans. What happens to patient when they leave the mental health facilities and go to the community providers? The House Mental Health Task Force, of which Representative Mulligan is a Member, is going to be looking into all of these issues over the next year. We have 28 Members on this bipartisan task force who have all agreed to spend a lot of time over the next year and study these issues. When discharge plans are brought under scrutiny, it seems to me an inappropriate time an inappropriate response at this stage to say, 'We're going to take a lesser look at these discharge plans. We're going to leave it within the discretion of the Department to determine when we will visit these patients that have been discharged to determine whether the community providers are carrying out the discharge plans.' It is premature before the work of the task force is finished, but even if there is no task force, when we know that there is a class action lawsuit pending that cause these discharge plans into concern, for us to say then that the very Department who is being criticized should be given more discretion to determine whether the discharge plans of the mentally ill in Illinois are being properly followed, is a mistake. It's a mistake to say to

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a Department that is under fire, we're going to give you more discretion. This would be a time to either give them less discretion or at least to keep the status quo until such time as the class action lawsuit that has been filed against the Department is resolved or until the task force has finished its work or both. This is not a time to give a Department that is under fire, more discretion, so that we can have more reports of alleged, and I say alleged, abuse and neglect. More reports of alleged faulty discharge plans, more reports of alleged failure of the State of Illinois to follow up on the mental health of the mentally ill in the State of Illinois. And so, Ladies and Gentlemen, this Bill is premature. If the court determines that the Department is doing a wonderful job, if the task force determines that the Department is doing a wonderful job, perhaps we should give them more discretion, so that they could use their resources better and so they could save a little money, we're all for that, but to put the Department of Mental Health in a position where they have more discretion at a time when they are being criticized from all corners about the kind of health care they are giving and about the kind of discharged plans that they're issuing, I think it would be a serious mistake and those on this Floor who are concerned with reform of the mental health system in Illinois should take a very careful look at this, and accordingly, I would recommend 'no', or 'present' votes."

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

Skinner: "I'd like to ask a question. Will the fingerprints be stored in the state police data bank after they are checked?"

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Mulligan: "No, it's my understanding that they will not be."

Skinner: "Why not?"

Mulligan: "I think there were some complaints about that, and because of the confidentiality."

Skinner: "Confidentiality, I mean, I can think of lots of reasons not to do it, but that's not one of them."

Mulligan: "Well, if they do a fingerprint check and it turns out that the person is not wanted for anything, why would we still store their fingerprints?"

Skinner: "Well, that's the same argument the Department of Corrections uses for not putting the fingerprints of the Department of Correction employees in the state computer after they have been approved as employees, I mean what..."

Mulligan: "But if it doesn't show anything being wrong with it, why would we put it there for the same reason, you know, why do we need to collect data that doesn't show anything."

Skinner: "Well, you would do it as a condition of hiring, it would seem to me. It's perfectly within the rights of society..."

Mulligan: "What, to store it after..."

Skinner: "Certainly, I mean..."

Mulligan: "Why would you do that if it doesn't show anything?"

Skinner: "What if one of these employees, in either the Department of Corrections or in one of these local facilities, does something illegal and leaves some fingerprints, then you would be able to find out who did it, without having to take fingerprints all over again."

Mulligan: "When we discussed this previously with the Department, and the discussion came up, more people were concerned that we would be keeping fingerprints of people that weren't accused or convicted of doing anything on record for the simple reason that sometimes those things really get

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screwed up. So, I mean that was a big discussion and the discussion around it was to not keep them in the data base."

Skinner: "I wonder if we keep the fingerprints of the school bus drivers that we have to test? I mean it is conceivable..."

Mulligan: "I do not know that, but I know at one other point when we were talking about fingerprinting, people of the Secretary of State's Office wasn't even happy about doing that."

Skinner: "Well, if I were going to commit a crime, I'd be real happy with not having my fingerprints anywhere. Nevertheless, I'll vote for the Bill."

Speaker Turner, A.: "Representative Mulligan to close."

Mulligan: "Thank you, Mr. Speaker. In reference to Representative Lang's comments, Representative Lang was on the committee that passed this Bill out and at that time he did not make this statement nor did he put forth any concerns. The only concern that has come up since the Bill passed out of committee was the actual visiting of people in CILA's where they have moved in. We think that we have addressed that by saying that it will be done by rule and we have specifically stated what the rule would be. Where it is indicated that a person is having a problem with that placement, the Department has assured me that they will follow up in a more routine basis. But what we're trying to do now is set the amount of funding that the Department can use for other resources and certainly if the court in a suit decides that we need to do this in a different manner, they will tell us that. As for the rest of the Bill, I think that it is necessary to get it done to pass this Bill out for the department and I would ask for a favorable vote."

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Speaker Turner, A.: "The question is, 'Shall Senate Bill 956 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 90 voting 'aye'; 16 voting 'no'. This question, having received the Constitutional Majority, is hereby declared passed. Purpose of an announcement. Half-time score, Bulls, no Hawks 53, Bulls 51. Remember there's two quarters left. Senate Bill 1030. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1030, a Bill for an Act to amend the Child Care Act of 1969. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from Sangamon, Representative Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen. This is identical to House Bill 653 that I sponsored earlier. This is a park side Bill. An incident happen in the north side Springfield. It's a community notification that if the DCFS changes license that they will have to notify the community."

Speaker Turner, A.: "Seeing no questions. The question is, 'Shall Senate Bill 1030 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 voting 'aye'; 0 'noes'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1038. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1038, a Bill for an Act to amend the

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Cooperative Act. Third Reading of this Senate Bill."

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

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill clarifies that a corporation or association organized under the General-Not-for-Profit Corporation Act for the purpose of ownership or administration of residential property on a cooperative basis is a corporation... or a corporation or an association organized under the Business Corporation Act for the same purpose is entitled to use the term cooperative as part of its corporate or other business name or title without complying with the Cooperative Act provisions."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is, 'Shall Senate Bill 1038 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Vote Hartke 'aye'. The Clerk shall take the record. On this question, there are 116 voting 'aye'; 1 voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1050. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 1050, a Bill for an Act to amend the Higher Education Student Assistance Act. Third Reading of this Senate Bill."

Speaker Turner, A.: "The Gentleman from DuPage, Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1050 is supported by the Federation of Independent Colleges and Universities, University of Illinois and the Illinois Students' Assistant Commission, DeVry Institute,

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the Illinois Manufacturers' Association, the State Chamber, and the Board of Higher Ed. It amends the Higher Education Student Assistance Act to increase the maximum annual monetary award program grant to \$4,120 for a full-time student, and \$2,060 for a part-time student. It's very important that people here note that, of the students that are attending these institutions, 46% of DeVry students are African-American or Hispanic, according to a 1994 special report published by the black issues and higher education. DeVry graduates more African American and Spanish students with degrees in engineering technology, computer science, and math category than any other Illinois institution. This is a good Bill in terms of increasing the maximum MAP award and beginning a three-year phase-in to allow students choosing to attend a primarily degree granting proprietary institution. I ask for your favorable support."

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

Woolard: "Will the Gentleman yield?"

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

Woolard: "Representative, I think that probably everyone recognizes and knows this Bill, but I want to make sure that I understand. Are there some schools within the State of Illinois that are in business to make a profit?"

Daniels: "Yes."

Woolard: "Are we talking about expanding the opportunity for these awards to go to a school that would be a for-profit school in this state?"

Daniels: "Not to the school but to the students that would attend those schools."

Woolard: "When we're talking about increasing the availability of students utilizing these awards, they would not be able to

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do that today at a for-profit school. Is that correct?"

Daniels: "That is correct."

Woolard: "And after this Bill is passed, they would be able to do that. Is that correct?"

Daniels: "Depends upon whether or not they are admitted to the program that's contained within the law. The MAP program administered by the Illinois Student Assistant Commission, provides financial assistance to qualified Illinois students attending Illinois Institutions of Higher Education. This Bill would extend it, the eligibility for proprietary schools as well, as well, as I said, increasing the amount of MAP award. In order to be qualified to attend and receive the kind of scholarship they would have to meet certain criteria to allow for those qualifications to take place. Currently under... if this were to pass, there would be four schools that would qualify for this. Two DeVry Institution schools that are in DuPage County and Chicago, and two mid-state college schools in Peoria and Carthage. So, they're fairly well broad based throughout the State of Illinois. There are other schools that would qualify in the future if they meet the criteria set forth in the Bill. And that criteria would be to require to offer degree programs that have been approved by the Illinois Board of Higher Education for at least three years, enroll the majority of students in the improved degree programs and be accredited by the North Central Association of Colleges and Schools."

Woolard: "Would there be a chance that there would be students, increased numbers of students across the state that might not be able to receive any award by expanding the opportunities to new schools across the state?"

Daniels: "No, that has not been our experience nor will it be the

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case in this."

Woolard: "How can you guarantee me that will be the case?"

Daniels: "Well, first of all, the GRF costs that's contained in this Bill is already allotted for in the Governor's budget. So, it's within the budget today and it's provided for in the budget. We have a three year phase-in of the eligibility cost for the proprietary schools and the first year of that phase-in is currently within the budget. So, we have already budgeted for the new students coming in under this program for the first year cost and we have increased the budget for MAP funding in the increased amount in the current budget, as well."

Woolard: "No further questions. But, to the Bill."

Speaker Turner, A.: "To the Bill."

Woolard: "I think that probably we just have different philosophies and beliefs and I'm one who believes we should be doing everything that we can to assist students and I commend the Sponsor for that, but at the same time, I think that we should recognize that for-profit schools are just that and that there are many, many educational facilities that are publicly supported across this state, both community colleges and four year institutions that can provide quality educations for sometimes much less money than those for-profit schools. I believe that we're expanding into an area that ultimately will jump up and bite our hand. I certainly hope that there's not one child who fails to receive monetary assistance for the purpose of providing this kind of support to children or students who would be attending those for-profit schools. Thank you."

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

Erwin: "Thank you, Speaker. I rise in strong support of Senate Bill 1050. Just a couple of points. I think it's

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important that my colleagues know that there are some four thousand University of Illinois students today who are receiving the maximum award and as tuition increases, if the maximum award does not increase, those four thousand students, as well as several hundred Northern Illinois students, Northern Illinois University students, would also not be able to receive the maximum. Secondly, this Body, two years ago, I would argue in its wisdom did agree and approve one section of this already dealing with degree granting proprietary schools. I think that you should not be concerned, in fact, these are schools that have been accredited by, not only IBHE, but also by the North Central Association, and I think it's important for us to know that there are significant employers in Illinois, not the least of which is Motorola, U.S. Robotics and others who believe very strongly that the students trained by these institutions are critical to the economy of our state. And so, I argue very strongly that this a pro-student piece of legislation and it is critical to keeping the economic engine of this state going and I encourage an 'aye' vote."

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

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

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

Mautino: "Leader Daniels, how many... how much money has been put additionally into the budget this year for the proprietary schools' portion?"

Daniels: "It's my understanding that within the budget is \$8 million 400 thousand for this Bill."

Mautino: "Understood. And about half of that would be available to the..."

Daniels: "About 3.5 would be available to the proprietary."

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Mautino: "It looks like this is going to be a step or phased in process. Do we have any projections on what it's going to grow to? I mean, this year it will be freshmen, the next year you would have some of the freshmen eligible transfers."

Daniels: "Second year cost is estimated to be a total of 12.5 million for the whole piece of legislation."

Mautino: "And then that would be currently, once we do this we've got the four schools, DeVry and mid-state. Are there any other schools at this point which are seeking accreditation from..?"

Daniels: "There's another school that is seeking accreditation that is anticipated that they will receive accreditation. There are other schools that can under the legislation, but as stated earlier, they must meet the three tests that have been set forth within the legislation."

Mautino: "As that number grows then do we... is there anything tied to the appropriation or a capped amount that can go, a percentage that can go specifically to the proprietary schools, if that number grows and as the number of students that we're giving this opportunity to grows?"

Daniels: "Well, it's the maximum amount of award that you can have under the legislation for the MAP funding, is the one that controls that."

Mautino: "I guess my concern is that, in the out years, as this grows and if we get a few more schools that want to take advantage, and I fully appreciate what DeVry and Mid-State have been able to do in their ability to place students in careers. They have done a tremendous job. I just wonder about the cost of the program and possibly down the road where we're going to be impacting some of the other institutions of higher education and our community colleges

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as it goes forward. So, I'd..."

Daniels: "Your points are well-taken and these are concerns that we had as well. That's why we're glad to point out that the money, the cost of this Bill are already within the state budget as submitted by the Governor. Plus the fact, it's important to know that the DeVry Institute and Mid-State institute give opportunities to students that otherwise normally would not have those opportunities. And that's why we're so proud of the record that they have and the number of students that graduate from them. As I said earlier, 46% of the students attending DeVry, for instance, are of African American heritage or Hispanic heritage. So, it's a tremendous opportunities for all people. Also, there is a quality education that they receive and recognized as one of the leading forces today. So, again, it's another opportunity for quality education for an educated workforce and I think it's an investment in our future and a good investment at that."

Mautino: "I appreciate the answers to the questions and also that you set the money actually into the budget for this year. My concern looks down the road as the freshmen become sophomores and juniors and new kids move in. So that would be my real concerns with your Bill. I commend you for the effort."

Daniels: "Okay."

Speaker Turner, A.: "Representative Daniels to close."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As stated earlier, this Bill does provide for an increased amount in the MAP award to students for the maximum annual monetary award program grant to 4,124 full-time student. This is needed in order to assist students in this increased amount. The second function of

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this Bill, of course, is to deal with institutions that are showing an outstanding record of educating students of all backgrounds throughout the State of Illinois and I ask for your favorable consideration."

Speaker Turner, A.: "The question is, 'Shall Senate Bill 1050 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 95 voting 'aye'; 18 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Speaker Madigan in the Chair."

Clerk Rossi: "The Rules Committee is meeting in the Speaker's Conference Room immediately. The Rules Committee, Speaker's Conference Room."

Speaker Madigan: "Senate Bill 1070. Mr. Clerk, what's the status of the Bill?"

Clerk Rossi: "Senate Bill 1070, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Wait."

Black: "Yes, thank you very much, Mr. Speaker. This Bill got out of the Senate, 56 to 0, as did all the others that we've taken up today. This simply requires schools to provide copies of policies and procedures on behavioral intervention to certain parents. It can save the school districts money, they give the policies and procedures when they meet on the individual educational plan. They must give changes or revisions or Amendments within 15 days and any other time during the school year if you come in and request that policy will be given, but they don't have to mail it out. I'd be glad to answer any questions you have."

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Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 117 'ayes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1072, Mr. Phelps. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1072, a Bill for an Act to amend the School Code. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1072, would allow beginning FY98, a different way, manner in which way we distribute the funds that flows from the federal government for the purpose of the Individual's Disabilities Education Act for special education purposes. The Bill would limit the State Board of Education the use of the Illinois Disability Education Act discretionary funds beyond the capacity in which they do now. The purpose of this Bill is to insure that at least 80% of the Part B IDA Funds flow through directly to the school districts and special education joint agreements. This would be... fall within about 5% that would go for the state board administrative cost instead of the present cost that's above that. I appreciate your support in this Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill and on that question the Chair recognizes Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative Phelps, I would like to ask you a serious question. How many votes did this Bill get in the Senate?"

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Phelps: "I don't think I have that."

Black: "It was 57 to 0."

Phelps: "Thank you."

Black: "Yes, these are all very controversial Bills and you did an excellent job of explaining it. And I intend to vote 'aye'."

Phelps: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, shall take the record. On this question there are 116 voting 'aye', 0 voting 'no'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill 1097, Mr. Durkin. Mr. Clerk, read the Bill."

Clerk Rossi: "House (sic-Senate) Bill 1097, a Bill for an Act to amend the General Not-For-Profit Corporation Act of 1986. Third Reading of this Senate Bill."

Speaker Madigan: "Mr. Durkin."

Durkin: "Thank you, Mr. Speaker. This Bill will amend the Not-For-Profit Corporation Act and allow an association to have standing... to sue when one or more of its members would otherwise have standing to sue in his or her behalf, providing that the interest it seeks to protect are germane to the associations corporate purposes. This allows the association to have standing."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'aye'; 0 voting 'no'. This Bill, having received a

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Constitutional Majority, is hereby declared passed. House
(sic-Senate) Bill 1099. Representative Lindner."

Clerk Rossi: "House (sic-Senate) Bill 1099, a Bill for an Act
concerning Juveniles. Third Reading of this Senate Bill."

Speaker Madigan: "Representative Lindner."

Lindner: "Thank you, Mr. Speaker. I would ask that this be moved
back to second for purposes of an Amendment."

Speaker Madigan: "Place the Bill on the Order of Second Reading.
Mr. Clerk, are there any Amendments?"

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

Speaker Madigan: "Shall we leave the Bill on Second Reading?"

Lindner: "Yes, I will be filing an Amendment."

Speaker Madigan: "Very good. Thank you. House (sic-Senate) Bill
1118. Representative Noland. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 1118, a Bill for an Act to amend the
Illinois Municipal Code. Third reading of this Senate
Bill."

Speaker Madigan: "Mr. Noland."

Noland: "Thank you, Mr. Speaker. Senate Bill 1118, changes the
way a vacancy for a village president would be filled in
villages less than five thousand population."

Speaker Madigan: "The Gentleman moves for the passage of the
Bill. On that question, the Chair recognizes Mr. Mautino."

Mautino: "Will the Sponsor yield? Representative, is there any
particular way they are changing that... how they select
the, or fill the vacancy?"

Noland: "The current statute for a village says, if there's a
vacancy for office of president, the trustee shall fill it.
It doesn't say how. This clarifies how they should fill
that vacancy."

Mautino: "Okay. So, how should they do that?"

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Noland: "How they should fill it? They should first offer the... offer to fill a vacancy with the trustees, if none of the trustees accept it or have a majority, they then can go outside of the board of trustees to anybody in the community."

Speaker Madigan: "Mr. Mautino."

Mautino: "Could you ask your staff to help clarify that for you? I see you have a young man there in front of you with the Bill."

Noland: "Could you repeat the question, please?"

Mautino: "Certainly, you're changing the way that we... that they would select to fill this vacancy?"

Noland: "Correct."

Mautino: "How are you doing that?"

Noland: "Well there is uncertainty, if the vacancy was filled by somebody on the village board, a village trustee or someone who is not serving as a member of the trustees. So, this now specifies that it can be either, or. One or the other."

Mautino: "Thank you, Sir."

Speaker Madigan: "Mr. Novak."

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

Speaker Madigan: "The Sponsor yields."

Novak: "Representative Noland, I served on my city council back home for about seven years and during that period of time, during my second term of office, our current mayor at that time resigned to take a different position and then our sixth board member, that were trustees appointed our village clerk as the interim mayor until the next election to determine whether that mayor was going to succeed in office. Does this change that in anyway or manner?"

Noland: "How large is your village?"

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Novak: "Our village is about 13 thousand people."

Noland: "This only applies to villages under five thousand."

Novak: "Is this special legislation? You have a lot of staffers over there behind you."

Noland: "There is over 100 thousand people in my district and they're all special."

Novak: "It looks to me like a lot of very expensive paid staffers. The question is this, and maybe I'm not understanding this right. If there is a vacancy in the office of village president or mayor, it's irrespective, right. It's either a city council form of government or a village president, trustee form of government, does it make any difference?"

Noland: "That's right."

Novak: "Okay. That's right, what?"

Noland: "What did you say?"

Novak: "Does your Bill distinguish between council mayor forms of government and village president and trustee forms of government? Or does it encompass both types of government?"

Noland: "No, Sir. We're dealing only with the office of president in a village."

Novak: "Okay, the next question is this, look at all those white shirts over there. The next question is this, when your mayor resigns, his or her successor is to be appointed by the village trustees. Are you a mayor, are you a candidate for mayor, Representative Noland?"

Noland: "This only affects the vacancy in the office of president."

Novak: "Representative Noland, are you running for village president?"

Noland: "I live in the country. No one lives on my mile but me."

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Novak: "Well, maybe they have some pre-annexation plans up their sleeves."

Noland: "It's possible."

Novak: "My question is this, is this going to alter the law with respect to the ability of the village board whether it's a city council or board of trustees to select the successor once the incumbent mayor, or village president resigns or dies or leaves office."

Noland: "I didn't understand your question. I couldn't hear his question."

Novak: "Could you ask one of your staffers over there, see if he can explain it for you?"

Noland: "Please, repeat your question. I'll try to answer it."

Novak: "Once again. Does your Bill intend to change the manner in which mayors or village presidents, that vacate their office and they are subsequently reappointed by village trustees. Does your Bill seek to do that? Does it make those changes?"

Noland: "My Bill, this Bill would clarify how that vacancy would be filled. If a president vacates the office, they would first offer it to somebody who's on the village of trustee. If no one accepts or can get a majority, then you can offer it to someone who is not a member of the village of trustees. Village trustee."

Novak: "Now wait a minute. Wait a minute. The way I understand the law is that, if there is a vacancy on the village board. It can be anybody other than a trustee. It could be any citizen within that community. It doesn't have to be a village trustee or an alderman, isn't that correct?"

Noland: "You are incorrect. The current law is silent and in my district, one community chose to pick someone who was not on the village trustees and the question is whether they

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could have done that. This clarifies what you can do."

Novak: "Well, how are we clarifying it?"

Noland: "Because the law was silent as to before.. all it says, Phil, read on... look at line 1 and 2, it said, the vacancy shall be filled by the trustees. It doesn't say how."

Novak: "Doesn't say how."

Noland: "The current law doesn't say how is was filled."

Novak: "Normally doesn't... normally doesn't a trustee make a motion?" That's the second time you've done that on this House Floor, Representative Lindner. Isn't it normal procedure a Motion filed... Motion made by a trustee to appoint an individual to succeed the mayor or village president that vacated their office. Isn't that the normal procedure?"

Noland: "Representative, you're certainly not very interested in the Bulls game."

Novak: "Well, Representative, you're doing a wonderful job of obfuscating the issue here. So, I'll ask you one more question. I'll ask you one more question, Representative. Does this have anything to do with Home Rule?"

Noland: "Excuse me?"

Novak: "Does this preempt Home Rule?"

Noland: "Representative Novak, it's for villages under five thousand."

Novak: "Okay. I just want to check. Thank you very much."

Speaker Madigan: "The question is on the Bill. Those in favor of the passage of the Bill vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 114 'ayes'; 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Clerk for the reading of a report."

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Clerk Rossi: "Committee Reports. Representative Currie, Chairman from the Rules to which the following Amendments were referred, action taken on May 8, 1997, reported the same back with the following recommendations: Direct to the Floor for consideration, Floor Amendment #1, to Senate Bill 255. Floor Amendment #2, to Senate Bill 320. Floor Amendment #1, to Senate Bill 331. Floor Amendment #1, to Senate Bill 429. Floor Amendment #1, to Senate Bill 495. Floor Amendment #2, to Senate Bill 543, and Floor Amendment #1, to Senate Bill 1084."

Speaker Madigan: "Mr. Black."

Black: "Yes, thank you very much, Mr. Speaker. I have an Inquiry of the Chair. On 1, May, 1997, the Office of the Speaker put out a schedule and Calendar that said the deadline for Senate Bills in House Committees will be Thursday, May 8th, and this evening a missive hit our desk dated Friday, May 9 and this is Thursday, May 8th, but be that as it may, we'll let that go by. That indicates committees are meeting tomorrow and committees are meeting Monday. Now pursuant to your Rules, Rule 9, I believe that if you have complied... the Speaker has the right to change the schedule but I think Rule 9(e), excuse me, Rule 9(d), would indicate that any changes to these deadlines are not effective until they have been filed by the Speaker, with the Clerk of the House. Could you inform us as to whether or not this change in committee schedule has indeed been filed with the Clerk of the House?"

Speaker Madigan: "Mr. Black. Mr. Black."

Black: "Yes."

Speaker Madigan: "I believe those committee meetings are scheduled for the purpose of considering Amendments that have been filed, not for the purpose of considering Bills

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having originally been assigned to committee for consideration."

Black: "But I thought under the original schedule, committees were done with."

Speaker Madigan: "They are for the purpose of considering Senate Bills, but now the committees will continue to consider Amendments which have been referred to committee by the Rules Committee."

Black: "And I have one of those Amendments, don't I?"

Speaker Madigan: "Good. I hope you do."

Black: "Very good Rule change. Thank you."

Speaker Madigan: "Okay. On Page 10 of the Calendar on the Order of Senate Bills-Second Reading there appears Senate Bill 166. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "Senate Bill 166, a Bill for an Act to amend the Child Passenger Protection Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 222. Mr. Clerk, what is the status of that Bill?"

Clerk Rossi: "Senate Bill 222, a Bill for an Act to amend the School Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 24...there is a request that this Bill be held on Second Reading. So, place House (sic-Senate) Bill 222 on Second Reading. Senate Bill 222 on Second Reading. Senate Bill 240. Mr. Clerk, what is the status of 240?"

Clerk Rossi: "Senate Bill 240, a Bill for an Act in relation to Inspectors General. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have

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been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 248. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 248, a Bill for an Act to amend the Child Care Act of 1969. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 304."

Clerk Rossi: "Senate Bill 304, a Bill for an Act regarding natural resources. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 358."

Clerk Rossi: "Senate Bill 358, a Bill for an Act to amend the Condominium Property Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 368."

Clerk Rossi: "Senate Bill 368, a Bill for an Act regarding child support obligations. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 372."

Clerk Rossi: "Senate Bill 372, a Bill for an Act concerning physician assistants. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "On 372, place that Bill on the Order of Third Reading, and then... all right, Senate Bill 372 shall be placed on the Order of Second Reading and Senate Bill 304, shall be placed on the Order of Second Reading. Thank you. Senate Bill 496, Mr. Churchill. Is there a desire to move

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this to third? Mr. Clerk. All right, take this out of the record. Senate Bill 511. Mr. Tom Johnson. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 511, a Bill for an Act amending the Parental Responsibility Law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 587. Mr. Cross. Tom Cross. Mr. Black, what's your pleasure on this Bill? Look alert. Ready to go? Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "Senate Bill 587, a Bill for an Act to amend the Good Samaritan Act. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 421. Representative Currie. Do we wish to move this Bill, 421? Mr. Clerk."

Clerk Rossi: "Senate Bill 421, a Bill for an Act to amend the School Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 659. Mr. Brady. Mr. Brady, do you wish to move the Bill? You do not. All right, leave the Bill on the Order of Second Reading. Senate Bill 709. Representative Cowlshaw. Mr. Black, what is your pleasure? Leave it on Second? Okay. Leave this Bill on Second Reading. Senate Bill 711. Representative Mulligan. Mulligan. Mr. Black, what is your pleasure on 711? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 711, a Bill for an Act concerning certain surgical procedures. Second Reading of this Senate

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Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 720. Mr. Daniels. Mr. Clerk, what is... I mean, Mr. Black. Take this one out of the record. Senate Bill 777. Representative Ryder, 777. Amends the Finance Act, leave this on Second Reading. Senate Bill 780. Representative Winters. Leave this Bill on Second Reading. Senate Bill 797. Mr. Churchill. Take this out of the record. Senate Bill 805. Mr. Biggins. Mr. Black. Out of the record. Senate Bill 818. Mr. Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 818, a Bill for an Act amending the Illinois Vehicle Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. House, rather Senate Bill 853. Representative Lindner. Lindner. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 853, a Bill for an Act amending the Abused and Neglected Child Reporting Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 860. Representative Zickus. Read the Bill."

Clerk Rossi: "Senate Bill 860, a Bill for an Act amending the Illinois Public Aid Code. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 861. Mr. Churchill. Take this out of the record. Senate Bill 862. Mr. Parke. Mr. Parke. Take this out of the record. Senate Bill 950. Mr... Representative Wood. Wood. Mr.

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Black. Read the Bill."

Clerk Rossi: "Senate Bill 950, a Bill for an Act concerning vehicles. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 963. Mr. Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 963, a Bill for an Act amending the Civil Administrative Code of Illinois. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Madigan: "Third Reading. Senate Bill 1016. Mr. Daniels. Mr. Black. Take it out of the record. Senate Bill 1019. Representative Cross. Mr. Black. Read the Bill."

Clerk Rossi: "Senate Bill 1019, a Bill for an Act concerning land transfers. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Madigan: "Third Reading. Senate Bill 1031. Mr. John Turner. Take it out of the record. The following Bills are on the Order of Third Reading and our purpose is to move them to second. So, Mr. Clerk, Senate Bill 285. Who is the Sponsor of the Bill?"

Clerk Rossi: "Senate Bill 285, is Sponsored by Representative Davis."

Speaker Madigan: "Mr. Steve Davis. Is the Gentleman in the Chamber? Mr. Clerk, place this Bill on the Order of Second Reading. Senate Bill 689."

Clerk Rossi: "Senate Bill 689 is Sponsored by Representative Black."

Speaker Madigan: "Mr. Black."

Black: "Yes, Mr. Speaker. Could we move this Bill back to Second

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Reading. I hope to have an Amendment tomorrow."

Speaker Madigan: "Place the Bill on Second Reading. Senate Bill 317. Mr. Clerk, who is the Sponsor?"

Clerk Rossi: "Senate Bill 317, is Sponsored by Representative Winters."

Speaker Madigan: "Place this Bill on the Order of Second Reading. Senate Bill 798. Who is the Sponsor of the Bill?"

Clerk Rossi: "Senate Bill 798..."

Speaker Madigan: "The Clerk advises me that this Bill has been passed. Senate Bill 250. Who is the Sponsor of that Bill?"

Clerk Rossi: "Senate Bill 250, is Sponsored by Representative Bost."

Speaker Madigan: "Mr. Black, shall we place it on Second Reading? Place this Bill on the Order of... We have a request to place this on Second Reading. Okay, put Senate Bill 250 on the Order of Second Reading. Senate Bill 226. Who is the Sponsor of the Bill?"

Clerk Rossi: "Senate Bill 226, is Sponsored by Representative Cowlshaw."

Speaker Madigan: "Place this Bill on the Order of Second Reading. Senate Bill 1084."

Clerk Rossi: "Senate Bill 1084, is Sponsored by Representative McGuire."

Speaker Madigan: "Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. I request to take the Bill back to Second because there is an Amendment that has been filed and I think it's out of Rules."

Speaker Madigan: "Place the Bill on the Order of Second Reading."

McGuire: "Thank you."

Speaker Madigan: "Thank you. Mr. Clerk, do you have anything further? Mr. Black, did you have anything to say to the

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Body?"

Black: "Are you prepared to adjourn?"

Speaker Madigan: "Only with your permission, Mr. Black."

Black: "Not only my permission but I'll be your Hyphenated
Cosponsor on the Motion."

Speaker Madigan: "All right, we're prepared to adjourn. Is there anything further to come before the Body? Everyone should be advised that there will be Party Caucuses at about 9:45 in the morning. We shall come into Session at 9:00 a.m., and there will be Party Caucuses at about 9:45, and committees at 8:30. Committees at 8:30. Session at 9:00, Party Caucuses at 9:45 and permitting Perfunctory Time for the Clerk, Representative Currie moves that the House stand adjourned until 9:00 a.m., tomorrow morning. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it, the Motion is adopted."

Clerk Bolin: "The House Perfunctory Session will come to order. Messages from the Senate. Mr. Harry, Secretary. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of a Bill of the following title to wit: House Bill 358, together with Senate Amendment #1. Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives of the passage of a Bill with the following title to wit: House Bill 540, together with Senate Amendment #1, and Senate Amendment #2. House Bill 581, together with Senate Amendment #1. House Bill 597, together with Senate Amendment #1. House Bill 618, together with Senate Amendment #1. Introduction of Resolutions. House Resolution 143, offered by Representative Turner. House Resolution 144, offered by

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Representative Giglio. House Resolution 145, offered by
Representative Dart. House Resolution 146, offered by
Representative Dart. House Resolution 147, offered by
Representative Lyons. House Resolution 148, offered by
Representative Lang. House Joint Resolution 23, offered by
Representative Biggins. House Joint Resolution 24, offered
by Representative Phelps. The House adjourns until 9:00
a.m., May 9, 1997."