

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

58th Legislative Day

May 12, 1997

Speaker Hannig: "The hour of 1:00 o'clock having arrived the House will be in order, Members will please be in their seats. Will any unauthorized personnel please retire from the Gallery... from the Chamber. We'll be led in prayer today by Reverend Jesse Dillard with the Union Evangelistic Baptist Church in Chicago Heights. Reverend Dillard is the guest of Representative George Scully. Guests in the Gallery may wish to rise for the invocation."

Reverend Dillard: "Eternal God, our Father, we come today just to thank You for Your goodness and Your mercy. We ask forgiveness of our sins. We ask that You cleanse us from all our unrighteousness. Father God, we ask that You reside over these leaders. Whatever it is needing to take place right now, Father God, we ask that You be over, take charge right now, God. Father, we ask that You will bless the Republicans as well as the Democrats, right now, God. Let us come together as one accord. Help us to focus on You because, Father God, although they have the office, we know who holds the power of the office, Father God. Father, we ask that You just do it in Jesus' name we pray. Amen and thank God."

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

Daniels - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Hannig: "Roll Call for Attendance. Representative Cross on excused absences."

Cross: "Thank you, for asking, Mr. Speaker. We're all here today on the Republican side."

Speaker Hannig: "Very good, and Representative Currie."

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Currie: "Thank you, Speaker. Please let the record show that Representatives Scully and Boland are both excused."

Speaker Hannig: "Mr. Clerk, take the record. There being 115 Members answering the Roll Call a quorum is present. Mr. Clerk, Committee Reports."

Clerk Rossi: "Committee Reports. Representative Deering, Chairman from the Committee on Transportation, to which the following Amendment was referred, action taken on May 12, 1997, reported the same back with the following recommendation: 'be adopted' Floor Amendment 2 to Senate Bill 454."

Speaker Hannig: "On the Order of Senate Bills - Third Reading. Senate Bill 13, Representative Bost. Is the Gentleman around in the Chamber? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 13, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker. Good morning to you, how are you? It's afternoon, isn't it? Senate Bill 13, could you give me just a moment."

Speaker Hannig: "Representative Bost. Yes, out of the record."

Bost: "Thank you."

Speaker Madigan: "Speaker Madigan in the Chair. If the Members would please give their attention. We have a very special guest with us today who will be introduced by Representative Daniels and I don't want the Democrats to become unduly concerned but we're going to put Mr. Daniels in the Chair. So, Speaker Daniels."

Daniels: "Thank you, Mr. Speaker and let me introduce you, Mr. Speaker, to Montell Griffin. Montell Griffin is the Light Heavyweight Champion of the World and I think that's a great accomplishment. Now many of you probably saw that

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fight as did I watch the fight on HBO and we were there just about every punch and every jab. And what a great fight he was fighting until that guy, his opponent, pulled a few dirty shots and of course, as you know, when people do things that aren't right, he was disqualified and as he should of been cause there were two shots that were hit at Montell, illegally, and we were just delighted to see Montell, an Illinois native, become the Light Heavyweight Champion of the World. With Montell, and by the way, Montell comes from South Holland and is represented by Representative Mike Giglio. So, Mike, just understand he's my friend. And we're just delighted to have his wife Troye here today. Troye Griffin is with him today. Troye and his manager, John Caluwaert, is here and his manager's wife, Cathy Caluwaert, are here today. So, Mr. Clerk, can you read House Resolution #125?"

Clerk Bolin: "HOUSE RESOLUTION

WHEREAS, By energetically and tirelessly devoting himself to championing the sport of boxing, Montell Griffin has earned the respect and admiration of the citizenry; and

WHEREAS, Montell Griffin has recently won the highly esteemed World Boxing Council (WBC) Light-heavyweight Championship of the World; and

WHEREAS, He has proudly represented the United States and the State of Illinois as an olympic light-heavyweight boxer in the 1992 Summer Olympics in Barcelona, Spain; and

WHEREAS, Montell Griffin has an impeccable professional boxing record of twenty-seven wins and zero defeats including eighteen by way of knock-out, formerly holding the Los Angeles Great Western Forum Classic National Light-heavyweight Championship, the

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International Boxing Federation (IBF) Intercontinental Light-heavyweight Championship, the North American Boxing Federation (NABF) Light-heavyweight Championship, and the World Boxing Union (WBU) Light-heavyweight Championship; and

WHEREAS, He has committed himself to overcoming adversity by carrying on a rich family tradition of boxing instilled by his father, Clarence Griffin, founder of Chicago's famous Windy City Gym; and

WHEREAS, Montell Griffin is managed by John Caluwaert of World Boxing Champions Inc., trained by boxing legends: Eddie Futch, and Thell Torrence, and Tim Griffin, who, during their distinguished careers, have trained more champions than any other trainers in the sport of boxing; and

WHEREAS, Montell Griffin is married to Troye and has two children, Montell and Bh'rea; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we congratulate Montell Griffin and his team upon winning the World Boxing Council's Light-heavyweight Championship of the World; that we commend him for his diligence and dedication to the sport of boxing; and that we wish him, his family, and his professional team all the best in the future; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Montell Griffin as an expression of our respect and esteem."

Daniels: "Thank you, Mr. Clerk. Montell Griffin this is a Resolution from the Illinois General Assembly and this is a certificate of recognition that goes along with it, one for you and one for your manager. We're assuming your manager will keep on doing a great job, right? Now he told me as he was reading the Resolution, that now he has to

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keep the title and make sure that he keeps that title on his rematch. And Montell."

Montell: "I just want to say, thank you very much and I'm very glad to be here. As I'm in the sport of boxing, but I see you also do get out sometimes. So, I was going to say I could relate to that. So, thanks for having me and I really appreciate it. Thank you."

Daniels: "By the way, Montell is going to be at the Bulls game tomorrow night and watch another champion play, as well. He's going to be honored at Bulls game tomorrow night, so bring in a winner, Montell. Thank you."

Speaker Madigan: "Representative Hannig in the Chair."

Speaker Hannig: "Returning to Senate Bill 13, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. Senate Bill 13, as amended, amends the Criminal Code of 1961 and increases the penalties for aiding... aiding fugitives. It does bring into inclusion family members, those family members that aid and abet a criminal if he has committed murder or if he's accused of committing murder. That's basically it, and I would be glad to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 13. 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 111 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 14, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 14, a Bill for an Act amending the

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Cannabis Control Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill before you, Senate Bill 14, enhances the penalties for possession and transportation of more than two thousand grams of cannabis. We've passed this provision through the House, as a matter of fact, it became part of Public Act 89-428 but was ruled unconstitutional because of the Single Subject Law. This was a Bill which is identical to Representative Turner's Bill which came out of the, as a matter of fact, I believe his name is suppose to be up there on the board as Cosponsor. But I just ask for an 'aye' vote and be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 14. And on that question, Representative John Turner is recognized."

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

Speaker Hannig: "He indicates he will."

Turner, J.: "Representative, it's my understanding that this language is identical to a Bill, that has not only previously passed the House in the 89th General Assembly, but also identical to the Bill that we passed out of here a few weeks ago."

Mautino: "Correct, the Amendment added an immediate effective date which was missing from this legislation."

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

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

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

Speaker Hannig: "He indicates he will."

Slone: "Mr. Mautino."

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Mautino: "Yes."

Slone: "The House Bill that passed earlier, I believe showed a rather significant Fiscal impact from Corrections and this shows a minimal Fiscal impact. Is there some difference between the Bills?"

Mautino: "No, there is no difference between the Bills. The Fiscal Note is identical to the legislation I passed in the previous General Assembly and as well as Representative Turner's Bill. So in discussions with Corrections everything is fine, there is a minimal impact."

Slone: "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. Representative Capparelli, on Senate Bill 63. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 63, a Bill for an Act amending the Illinois Pension Code and State Mandates Act. Third Reading of this Senate Bill."

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

Capparelli: "Thank you, Mr. Speaker. Senate Bill 63 is identical to House Bill 345, as amended in the House. The House Bill passed 14... 114 to 0. What it does is the city pays the duty availability allowance to Chicago police officers to compensate them for the time during that they are on call but not actually working. This Bill, would include that salary as part of their retirement. I know of no

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restrictions and I ask for a favorable Roll Call."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 63. 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. Senate Bill 103, Representative Moore. Out of the record. Senate Bill 110, Representative Churchill. Out of the record. Senate Bill 151, Representative Novak, 151. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 151, a Bill for an Act regarding assessments on the propane industry. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Novak."

Novak: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 151 is the exact Bill that we passed out of here unanimously in the House, it was House Bill 279. What this does is sets up an education fund for research and safety for the propane industry in Illinois. It's very similar to the checkoff programs that currently exist for commodity products in the agricultural industry. And what this program does is provide for a referendum by all the propane dealers in the State of Illinois and once this referendum passes, a nominal fee will be charged to put into a fund administered by the State Department of Agriculture, I believe, to provide for safety education and research. This legislation mirrors the legislation that was passed and signed by the President on the federal level last year. The number of states throughout the country are

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moving in this way to adopt these important programs. The propane industry provides thousands of jobs in the State of Illinois and job opportunities as well as important services to our consumers. So it's important that the employees that work in the propane industry are carefully and scrupulously trained with respect to their profession and with the respect to handling propane in a very safe manner. I will be very happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 151. 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 108 voting 'yes', and 7 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Kubik, on Senate Bill 165. Out of the record. Mr. Novak. Representative Novak on Senate Bill 166. Out of the record. Representative McKeon on Senate Bill 171, 171. Out of the record. Mr. McGuire on Senate Bill 225. Shall we call your Bill? Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 225, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative McGuire."

McGuire: "Thank you, Mr. Speaker. This Bill, 225, is similar to the Bill I had a couple of weeks ago that I believe was House Bill 78. It's the Handicapped Parking Violators Bill and we have a program where the local police chief or sheriff, depending on the locality, would recruit and train volunteers to ticket people who are parking in the handicapped violators places. And I would ask for a

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favorable vote on the Bill."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 225. 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? 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 Younge, for what reason do you rise? Okay, she does not intend to speak. Senate Bill 108. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 108, a Bill for an Act amending the Private Detective, Private Alarm, Private Security, and Locksmith Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Saviano."

Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 108, simply requires private detective, private alarm and private security contractors and locksmiths to list their registration number on any and all advertising whether it's a newspaper, pamphlets, et cetera. And I ask for your approval. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 108. 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 109 voting 'yes', and 4 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 232, Representative Stephens. Read the Bill, Mr. Clerk."

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Clerk Rossi: "Senate Bill 232, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. I believe there was an Amendment that came out of the Judiciary Committee. Does the Clerk have that Amendment?"

Speaker Hannig: "The Bill is on Third Reading. Do you need to move it back, Representative Stephens, is that what you're saying? The Clerk does not indicate that he has an Amendment, but I'm not..."

Stephens: "I'm sorry."

Speaker Hannig: "The Clerk does not indicate that there is an Amendment pending but he may not of read that Committee Report at this time."

Stephens: "Then let's take the Bill out of the record."

Speaker Hannig: "Yes. Out of the record. Senate Bill 237, Representative Daniels. Does the Gentleman wish to call the Bill? No. Senate Bill 278, Representative Ronen. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 278, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this Senate Bill."

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

Ronen: "Thank you, Speaker, Members of the House. Senate Bill 278 was sponsored in the Senate by Senator Collins. It relates to problems that have been happening in Chicago and all of Cook County. People scamming on rent, not paying when the sheriff's office goes to evict. The persons living there are not listed on the lease so they're not able to evict at that point and they have to go back and do paper work and this is used as kind of a rent scam to delay the process. So this Bill would allow simultaneous posting

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so that we can address this problem. I know of no opposition to this Bill. It got unanimous support in committee. I would urge Members to vote favorably. Thank you."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 278. 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 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Let's return now to Senate Bill 232. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 232, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker and I appreciate the courtesy. Senate Bill 232 was amended in committee. The Bill was requested by the State's Attorney of Henry County and the Bill is designed to increase the penalties for repeat violators of the public indecency prohibition. One particular offender in that county has repeatedly exposed himself in several counties and the maximum sentence, which he can and has received, is six months of straight jail time. The Bill, as amended, maintains the current Class A misdemeanor for a first conviction of the public indecency statute. The second and third offenses remain a misdemeanor but the Bill does ask the court to address a minimum of jail time and for the purposes of pleasing the committee and leaving it in a form that the increased penalties could be established, the language reads 24 hours

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on the second offense and 48 hours for the minimum sentencing on the third offense. And finally, excuse me. The fourth and subsequent offenses will now be a Class IV Felony which are subject to a prison sentence of up to three years. And finally, the Bill authorizes the court to order psychiatric or psychological counseling for any offense after the first one. And I want the Members to please understand that this is about increasing the penalties for in the area of jail time for repeat offenders of the public indecency prohibition. I would be glad to respond to any questions. I move favorable consideration."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 232. And on that question, Representative Steve Davis, is recognized."

Davis, S.: "Thank you, Speaker. Would the Gentleman yield?"

Speaker Hannig: "He indicates he will."

Davis, S.: "Representative, according to my analysis, it says this is an initiative of the Henry County States Attorney because of a repeat flasher in the community. There is nothing that could currently prevent a flasher from being sent to prison or receive counseling. Is that true that, currently, in the State of Illinois you can be a flasher and not be sent to prison?"

Stephens: "That's true."

Davis, S.: "Would this law cover all counties or just Henry County?"

Stephens: "My understanding is in all counties, Representative."

Davis, S.: "It also states that current law, public indecency is committed when a person 17 or over performs any of the following acts in a public place; an act of sexual conduct or penetration, lewd exposure of the body done with intent to arouse or to satisfy the sexual desire of the person."

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Does this law apply to only persons 17 years or older, or would it apply to minors as well?"

Stephens: "Reflecting the statute that the... would only be 17 years or older, not juveniles."

Davis, S.: "This would not include minors, is that correct?"

Stephens: "This does not apply to juveniles."

Davis, S.: "Juveniles, okay. That's all I have, 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 113 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Biggert on Senate Bill 341. Read the Bill, Mr. Clerk."

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

Speaker Hannig: "Representative Biggert."

Biggert: "Mr. Speaker, could we move that back, Senate Bill 341 back to second for the purposes of an Amendment?"

Speaker Hannig: "Mr. Clerk, return this Bill to the Order of Second Reading. And, Representative Biggert, there is no Amendments pending at this time so, we'll wait for the appropriate Amendment. Representative Feigenholtz on Senate Bill 351. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 351, a Bill for an Act amending the Hospital Licensing Act. Third Reading of this Senate Bill."

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

Feigenholtz: "Thank you very much, Mr. Speaker. Senate Bill 351

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is an initiative that was brought to Senator Carroll, by a paramedic who was encouraging that parents be taught the Heimlich maneuver. This is a permissive Bill providing that hospitals may instruct parents of newborn infants on how to properly perform the Heimlich maneuver on the infant before that infant is discharged from the hospital."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 351. And on that question, Representative Durkin is recognized."

Durkin: "Will the Sponsor yield?"

Speaker Hannig: "She indicates she will."

Durkin: "Representative, why do we have to do this?"

Feigenholtz: "To save lives."

Durkin: "Well, I mean... the way I have it... of course it is to save lives that's, everything we do down here we intend to save lives. But... why... it says that hospitals may instruct parents of a newborn infant on how to properly perform the Heimlich maneuver. Are they not doing that right now?"

Feigenholtz: "Some are and some are not, Mr. Durkin."

Durkin: "Do we need to have to go through the legislative process to encourage hospitals to instruct this type of maneuver?"

Feigenholtz: "Apparently, we do."

Durkin: "I'm just kind of curious... I mean when we have this..."

Feigenholtz: "I can see that."

Durkin: "I just don't see the need for something like this. I would think that hospitals, if someone wants, if a parent wants to know about the Heimlich maneuver and how to do it for the newborn babies, why don't they just ask the hospital and the physicians to instruct me?"

Feigenholtz: "Well, it's a little bit about the learning curve, Mr. Durkin."

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Durkin: "I can't hear you, I've got a bad ear, could you..."

Feigenholtz: "Apparently, the paramedic who had brought this initiative to Senator Carroll, wanted this to be a little bit more than permissive. There were some problems with it and the Illinois Hospital Association has filed an Amendment that makes it permissive. But it does encourage personnel in the hospital to have films available and if there is time to instruct parents on how to do the Heimlich maneuver so, if God forbid, something happens to their newborn, that they can save their life. And the paramedic who brought this to Senator Carroll made mention that if parents knew how to do this, that many infants child's could be saved."

Durkin: "Thank you. My analysis shows that if this Bill was to become law it would be approximately a \$112 thousand cost to hospitals around the state in order to accomplish this goal. Do you know if that figure is accurate or is it low ball figure?"

Feigenholtz: "I think when the Bill went from must, to may, that probably... there probably was no cost at all. I said the Bill was permissive."

Durkin: "Okay. All right. Now, is this Bill going to require the Illinois Department of Public Health to... to put together some type of a regulatory... some type of rules and regulations and disseminate and produce that to all the hospitals through the state?"

Feigenholtz: "I believe that the Department of Public Health spoke to Senator Carroll about that and they were going to print something up that they need to distribute to hospitals so that they can..."

Durkin: "They were going to print something up?"

Feigenholtz: "I believe so. I believe that they have some

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information that they're going to compile and that they will, probably, have to do some work, yes."

Durkin: "Well, once again, is this really necessary? Or why don't we just, through a Resolution, just encourage hospitals to encourage families to..."

Feigenholtz: "I think it's necessary."

Durkin: "Well, I'm sure we all think it's necessary. But the fact is, is this the proper form to encourage this type of."

Feigenholtz: "I think that this is the only form, Representative."

Durkin: "Oh, well, I know that your heart is in the right place..."

Feigenholtz: "Thank you. It really is and how about yours?"

Durkin: "... and I will not answer... All right. Well, I have no further questions."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise not in opposition to the intent of the Bill. I don't know that anybody could impose... oppose the intent. And the Sponsor is a brilliant Legislator, obviously a Cub fan, which puts her in a very distinct minority. But if you really look at this Bill and... you know I... it's been a number of years but I remember when I had two infants at home. I remember leaving the hospital and I don't, I don't think we were in any state of mind to hear somebody tell us about the Heimlich maneuver. In fact, at the time, well actually it's been so long ago I don't know if the Heimlich maneuver was even invented yet when my kids were babies. But anyway, the point I'm trying to make you're overwhelmed with all sorts of emotions. I don't think you need some nurse coming into your room,

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prior to discharge, and demonstrating the Heimlich maneuver which is only going to scare you to death more than you already are because you have a new baby you're going to take home and there is no preparation. Believe me, when you become a parent you're overwhelmed. And I think this is purely a symbolic Bill that will do nothing but take up space in the statute books. There isn't anything that's necessary under this Bill. It could be done now and there are many community organizations who can certainly train you as your children get a little older in the Heimlich maneuver. This is a symbolic Bill that will take about three quarters of a page in the statute books and do absolutely nothing. I suppose it will pass with an overwhelming majority, but I think at some point we have to stop voting for these kinds of Bills that we come back 10 or 15 years from now and do away with to cleanup the statute books. So, it is for that reason, I intend to vote 'no'."

Speaker Hannig: "Representative Feigenholtz, to close."

Feigenholtz: "I would appreciate 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 99 voting 'yes', and 13 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Lopez, on Senate Bill 356. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 356, a Bill for an Act concerning home repair and remodeling. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Lopez."

Lopez: "Thank you, Mr. Speaker and Members of the General

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Assembly. What the Senate Bill 356, Sponsored by Senator Parker, there was an Amendment that was added in committee. And what it does is adds a situation to the Act, Consumer Fraud and Deceptive Practice Act. It would exclude the three day cancellation period, it would not apply to the finance and real estate when creating a mortgage lien. And I ask a favorable Roll Call."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 356. And on that question, Representative Black is recognized."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, the Amendment that was added in committee becomes the Bill, is that correct?"

Lopez: "Yes, you're correct."

Black: "I'm not sure I understand that Amendment. Does this apply only to something you contract for in your residence?"

Lopez: "Yes, it does."

Black: "So, in other words somebody would have to come to your residence, offer you a stereo, a television, or something of that sort and then within three days you find that it wasn't a very good deal so you have a cancellation right. Is that what you're after?"

Lopez: "Yes."

Black: "All right. But there was some language in the underlying Bill about a mortgage and that's what's got me confused. I, I..."

Lopez: "Representative, the underlying Bill, the way it came over from the Senate is a Shell Bill. Senator Parker, has been and I believe she is still working out details on the home

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repair remodeling, she's trying to get them to become licensed, and so they're still negotiating and trying to work that out and so that's what the underlying Bill was."

Black: "Well, bear with me for a second because... Let me ask staff a question here. One of the things that staff is trying to get me to understand that what it appears might be in this Bill, as amended, is the provision where if, and this doesn't happen in my district, maybe it does up north, somebody comes to your home and tries to lock in a mortgage or the financing of a real estate, maybe an addition to your house, and because it might be a very favorable interest rate, if I understand it right, your Bill eliminates my three day cancellation right on any kind of mortgage instrument that I might agree to in my home that I currently, could cancel. If this becomes law then I couldn't cancel. Is that what you intend to do?"

Lopez: "Yes, that's what it is."

Black: "Is there a particular reason why we want to take that three day cancellation privilege out?"

Lopez: "There's other provisions that protects and gives them certain days. I believe it's three or six days."

Black: "Well, and maybe we could focus on that very briefly and I really don't know that I'm opposed to your Bill, but I get concerned because it appears that a lot of people go around and sell you a room addition, or new windows, or a new roof and they want to just amend your existing mortgage or get into that financial document and then you might find out two days after you've agreed to this that the price for the room addition, or the price for all new windows that is going to go on your mortgage is outrageous and as I understand it you wouldn't be able to cancel that."

Lopez: "Was that a question?"

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Black: "Well. Yeah. I mean what protection am I going to have from a door to door salesman who says for a 11% interest rate added to your current mortgage, I've been in touch... I'll handle all the work for you, I'll go to the bank. We're going to put a nice addition on your home and replace all your windows. And 36 hours later you decide to call the bank and the banker says, you know, I don't know why you want to do this, I could have done it for you for 8 1/2% and you've just agreed to 11?"

Lopez: "What I was just told is that there are other Acts that provide the protection. Now there is three different Acts to protect the consumer. This was just eliminated from this one. Unfortunately, we don't have the other Acts handy so that I can give it to you or show where the consumer is protected."

Black: "Okay and I say I'm not, I don't know that I'm opposed, I'm trying to get more information because I just don't want to make it very convenient for somebody to package a mortgage door to door that may in fact not be a... anywhere near with competitive rates and I get locked into that and then I check the next day and then I can't get out of it. And like you say there may be other areas in the statute that prevents that, but I think that's the issue."

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

Lopez: "Thank you, Mr. Speaker. I just ask for a favorable Roll Call?"

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'yes', and 45 voting 'no'.

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And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Parke, on Senate Bill 358. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 358, a Bill for an Act amending the Condominium Property Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 358 provides that a condominium board shall allow the owner of a combined unit to use as a limited common element a portion of the common elements within the building adjacent to the new unit. In essence what has happened is that sometimes when a party buys two condominiums that are together, as in the case of a client of mine and as the client of the Senate Sponsor, they sometimes cannot get the Condominium Association to allow them to put a hole in the wall so that, as in this case, he had remarried the wife and her children lived in one condominium and his children lived in the other condominium but they wanted a common area which they can live. They had to go to the Condominium Association. In the case of the Senator, they wouldn't allow them to do it. In the case of my fellow that I knew they allowed him to do it. All we're saying is that if the person owns both common elements he ought to be able, he or she ought to be able to do what they want with it. Upon the sale of one of those common elements they have to restore it in which... the condition in which they found it, unless they bought both the units. I would ask that the Legislature allow us to do this in the State of Illinois."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 358. 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 113 voting 'yes', and 1 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Biggert, on 361 (sic-Senate Bill) Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 361, a Bill for an Act amending the Probate Act of 1975. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 361 amends the Probate Act. It provides that no appointment of a representative of a ward is necessary when the personal estate of the ward does not exceed \$10 thousand, right now that amount is \$5 thousand. This Amendment is suggested by the Southwest Bar Association. And the current limit has been in place for many years and that amount is not practical any longer. So, that I would be happy to answer any questions."

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 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Saviano, on 372 (sic-Senate Bill). Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 372, a Bill for an Act concerning physician assistants. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Saviano."

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Saviano: "Thank you, Mr. Speaker, Members of the House. Senate Bill 372 is the identical Bill we passed out under House Bill 557 which renewed the Physician Assistant Practice Act. And I would ask for your approval. Thank you."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 372. 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 the Constitutional Majority, is hereby declared passed. Representative Biggert on 385 (sic-Senate Bill). Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 385, a Bill for an Act amending the Plat Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Biggert."

Biggert: "Thank you, Mr. Speaker. Senate Bill 385, is to amend the Plat Act. It removes offers for sale from the provisions concerning the penalty for selling a lot before compliance with the requirements of the Act. Provides that these provisions do not prohibit an offer of sale or acceptance of deposit by a seller prior to compliance, provided that the compliance must occur before conveyance of any deed. This is suggested by real estate attorneys, in that the statute providing the property for sale is a petty offense with a \$25 fine. And under universal current real estate practices this provision is never enforced and would hamper the development of subdivisions all over the state. Be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 385. Is there any discussion? Representative Cross, is

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recognized."

Cross: "Representative... or, will the Sponsor yield?"

Speaker Hannig: "She indicates she will."

Cross: "Representative, will this... I'm just trying to look at the Bill. Will this in any way conflict with any county munic... or county zoning ordinances, or municipal zoning ordinances, that you know of?"

Biggert: "Representative, not that I know of. This is... what happens is that they can have an offer for sale but there can be no conveyance and usually the requirements are those that are put forward by the municipalities or by the county and compliance with all those must occur before any conveyance of any deed. It really is that they know that there are going to be buyers out there and people would like to offer to purchase the lot prior to all of those compliances being made and some of them are very technical in nature."

Cross: "And I haven't had a chance to look at the Bill, but could the compliance occur at the time the deed is recorded? Or is that..."

Biggert: "No, it has to be done before the conveyance of any deed. And this is the normal procedure where there are... where somebody goes and looks at a lot and it is going to be offered for sale. Right now they say, well, I would like to pick out this lot and according to the statute, which has been in existence for a 100 years, and it's really the archaic part of it, that they can't even offer to purchase, or they can't offer... can't make an offer to purchase prior to... to... the plot... the plat being complied with."

Cross: "Okay, thanks."

Speaker Hannig: "Is there any further discussion? The question

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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 McAuliffe, on 429 (sic-Senate Bill). Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 429, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Hannig: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 429 provides an assault on a peace officer or fireman, other than by discharging a firearm in the direction of the peace officer or fireman, is a Class IV Felony. Currently, now an assault on a peace officer or a fireman is a Class A misdemeanor."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 429. 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. Representative Skinner on Senate Bill 469. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 469, a Bill for an Act amending the Illinois Public Labor Relations Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Skinner."

Skinner: "Senate Bill 469 makes the assumption that 9-1-1

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dispatchers, like police officers and firefighters play a critical role ensuring public safety and should not be allowed to strike. This language in this Senate Bill 469 is agreed language with AFSCME that brings units of local government that employ 20 or more 9-1-1 dispatchers, under the mandatory mediation provisions of the Labor Relations Act."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 469. Is there any discussion? Representative Lang is recognized."

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

Speaker Hannig: "He indicates he will."

Lang: "Representative, I only heard part of your explanation. I was otherwise occupied. Did you say that this Bill prohibits police and fire (sic-fireman) from striking?"

Skinner: "Well, that is my understanding of the law... it does not do that. What it does is prohibit 9-1-1 dispatchers from striking."

Lang: "Well, why 9-1-1 dispatchers as opposed to anybody else?"

Skinner: "Well, at the present time policeman and fireman are prohibited from striking. And it seems to me, what seems to the village that brought this language forward, that it would be a good idea to have the people that send them on their calls not be able to strike, also, and be subject to mandatory mediation instead."

Lang: "Is AFSCME still opposed?"

Skinner: "No. This is AFSCME's language, actually."

Lang: "So the whole Bill is AFSCME's?"

Skinner: "Well, it turns out that way."

Lang: "Well, I'm unclear as to what you're telling me. You said that... well had you amended the original Bill?"

Skinner: "Yes Sir."

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Lang: "What changes did you make?"

Skinner: "The changes AFSCME asked and suggested."

Lang: "All right. So are they now in favor of the Bill or neutral?"

Skinner: "My understanding is everybody is in agreement."

Lang: "Was anybody opposed in committee?"

Skinner: "I don't think so."

Lang: "Thank you."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker. I just was pleased to see Representative Lang stand and address the Body. We've had 10 or 15 Bills and golly, I didn't hear a single word from Lou, and I was... Lou are you okay, feeling all right? I'm just kind of concerned about you. No, that's good, good."

Speaker Hannig: "Representative McKeon."

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

Speaker Hannig: "He indicates he will."

McKeon: "Representative Skinner, according to my notes AFSCME still opposes the portion of the Bill excluding from the Act's coverage, certain workers. Could you possibly hold this Bill and let me verify that with them?"

Skinner: "I certainly will be willing to, I have no problem with that at all."

Speaker Hannig: "Out of the record. Senate Bill 495. Is Representative Churchill in the Chamber? Out of the record. Senate Bill 511, Representative Tom Johnson. Is the Gentleman in the Chamber? Representative Hartke, Senate Bill 531. Okay, we'll come back to his Bill. Representative Hartke, on Senate Bill 531. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 531, a Bill for an Act concerning rent control. Third Reading of this Senate Bill."

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Speaker Hannig: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Senate Bill 531, is one that says that the State of Illinois should keep hands off of private business and allow them to place whatever rent they would like on their commercial apartments and properties that they have to rent. I would be happy to answer any questions."

Speaker Hannig: "The Gentleman has moved for the passage of Senate Bill 531. On that question, Representative Shirley Jones is recognized."

Jones, S.: "Do this Bill require 71 votes?"

Hartke: "Yes, it does."

Speaker Hannig: "Yes. Representative, we'll have the Parliamentary check that to be certain."

Jones, S.: "It does, you say?"

Speaker Hannig: "We'll have the Parliamentary check that to be certain and we'll rule before we vote on the Bill. Did you wish to speak to the Bill?"

Jones, S.: "No. I just want to know, do it require 71 votes?"

Speaker Hannig: "Representative Jones, the Parliamentary has reviewed the Bill and this requires 71 votes."

Jones, S.: "Thank you."

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

Hartke: "I just ask for your support, if there are no questions."

Speaker Hannig: "And the question is, 'Shall this Bill pass?' All in favor vote 'aye; opposed 'nay'. The voting is open. This Bill requires 71 votes. 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 96 voting 'yes', and 18 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby

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declared passed. And Representative Johnson on Senate Bill 511. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 511, a Bill for an Act amending the Parental Responsibility Law. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Johnson."

Johnson, Tom: "Yes, Mr. Speaker, Members of the House. This is an initiative of the Attorney General's Office that merely upgrades the Parental Responsibility Law to some extent. Would provide that reasonable attorney's fees are added to it that may be awarded and again that is permissive by the courts.

It also increases the limitation on damages for wanton and wilful acts. Malicious acts of the minors. It would increase that up to the parents responsibility would go up to 25 hundred. Currently, that's one thousand. I would seek an 'aye' vote on this."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 511. And on that, and on that question, Representative John Turner, is recognized."

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

Speaker Hannig: "He indicates he will."

Turner, J.: "Representative, what type of conduct are you trying to get at here, which would hold a parent responsible for the actions of their minor?"

Johnson, Tom: "Well, John, what we're doing here is, of course, we're not changing what the existing law is and that law, currently, makes a parent or legal guardian of an unemancipated minor liable for actual damages for willful, malicious acts of such minor which causes injury to a person or property and that is not changing. That is, currently, what the law is. There is absolutely no change

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to that. The only changes that occur are what I cited here, that a court may award even the cost of the attorney's fees which are not, currently, part of the law, were that to be done. And, also, can award up to a maximum of 25 hundred, instead of the current limitation of a \$1 thousand. So, and again, those are within the purview of the court in terms of its judgements and what you prove up and so on to deal with that. So, again, we're not changing anything here. We're just increasing that liability to bring it into conformity with what reality is in the courtrooms today and that deals with, obviously as you know you're an attorney there are attorney's fees that are involved when you bring these types of actions and, as you are also very much aware, a thousand dollars doesn't necessarily go too far with the types of damages that are currently being involved in these types of things. If somebody takes a foot or rock or something and starts beating up the side of your car, obviously, a thousand dollars doesn't go too far. Now we need to make sure that those full amounts are recovered instead of passing that around to all the taxpayers of this state and, you know, higher increase in the insurance premiums and so on. And so I think what the Attorney General has done here, regardless, there can be some differences on philosophy, I guess, as to whether or not you as a parent want to be responsible for your children's action. But this Legislature made a very strong statement several years ago that we feel it's important that parents are responsible and take more responsibility, especially, when it comes to these malicious acts of their children. Do you disagree with that?"

Turner, J.: "Well, you know you kind of lost me there. I thought

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I asked a very specific question. I'm not sure what the answer is but your dilatory tactic, I don't think, is going to work. I believe one of my colleagues is going to yield me some time so maybe we can get some of my questions answered, if you could help me out just a little bit. In all seriousness now, frankly, I don't agree."

Johnson, Tom: "This is not an agency Bill."

Turner, J.: "... frankly, I do not agree with this law and, in fact, I think we're exacerbating an already bad law. You're language says that wilful or malicious acts qualify. My question would be to you is would an intentional tort qualify? I was hoping you might give me an example but let me give you one since you failed to give, to provide one for me. Should my minor child, for example, pull out from under a visitor whose attempting to sit down in a chair, pull that chair out from under them. They're a visitor in my home. Would I be responsible for the actions of my child and therefore have to pay attorney fees to get sued and also the medical damages up to \$25 hundred. Is that the type of conduct that we are addressing with this legislation?"

Johnson, Tom: "That of course is not what it's aimed, at John. But as you're aware, obviously, you would be responsible and I believe even without this law and without this provision in the statute, since it happened in your home and whether that was reasonable and foreseeable and so on, which I'm sure your guests would, probably allege, they would probably collect that anyway. But I think that what you... you started off by saying that you never agreed with this law to begin with and you believe it's making a bad situation worse. I think that you hit the nail right on the head. There is honest disagreements in a philosophy as

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to whether or not you want to hold parents accountable for actions of their minor children, when it comes to actual dollar damages. And I understand that and I mean just state that that's a philosophical disagreement and you and I will probably forever have that sort of philosophical disagreement. But as to the law we've had it..."

Speaker Hannig: "Representative Cross."

Cross: "With all due respect to the Sponsor, I'm going to yield my time to my seatmate and mushroom champion killer, Representative Turner."

Speaker Hannig: "Representative Turner."

Turner, J.: "Well, Representative Cross, thank you for that beneficence, I appreciate it very much. Representative, you're suggesting today that we're going to put reasonable attorney fees into case law where an individual can sue another individual. Now, I don't know of any other tort case where we provide for reasonable attorney fees, do you? And if not, why are we putting that into this statute when this is nothing more than a lawsuit against one individual against another, or the parents of another, I should say?"

Johnson, Tom: "First of all I want to congratulate Representative Cross for giving you more time. I believe that he was the Sponsor of this Bill initially when it went in. But... and when it became law, so I know where he's coming from. John, as you know, this is not really... we're not really talking tort here, this is a statutory liability that this Legislature, in its wisdom, decided to impose upon parents for the acts of their children. And since it is statutory it can certainly as we do in many statutes, have language that would specifically state that reasonable attorneys fees, or attorneys fees can be recovered. So, you know, the statute, of course, can allow this as it does in other

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sections of the statute."

Turner, J.: "Well, Tom, if I may, however. If you're going to award reasonable attorney fees to the successful plaintiff, why in the world would it not be fair to award reasonable attorney fees to the successful defendant? When the plaintiff sues the defendant the plaintiff states their cause of action, they go to court, they end up losing the case. Why in the world would it also not be fair to give reasonable attorney fees to the defendant who has successfully defended against the illusory, or spurious, or frivolous case filed against them?"

Johnson, Tom: "Well, again, John, that might be a good idea for some future legislation. You can certainly put that in next year if you would like to put that Bill in. Again, I'm... I've... as far as I know and I can't answer for the Attorney General here as to why he chose to go in this direction but I presume there is a good reason for that. And again, this is not unique and you know that. You know, of course this is the year of fairness and equity and I probably don't really have a strong disagreement with adding that sort of language at some point, but certainly that's not what the Bill says now and, again, as I said, this is not unique. I happen to agree with this, as it stands, and I think it's a very good piece of legislation and congratulate the Attorney General for bringing it forward."

Turner, J.: "Well, Representative, you're a pretty conservative fellow and I got to believe that you think, you have to believe that it's only a fair... fair... if you're going to put reasonable attorney fees within a statutory scheme that the successful litigant should be allowed attorney fees, not just one way. Otherwise it encourages frivolous

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lawsuits and I would think if we're going to put reasonable attorney fees into the statute you would want to take this out of the record, amend it and provide for attorney fees to go toward the successful litigant whether they be the defendant or the plaintiff. I hope that you're going to do that. But let me go on to another area, although, I think I can find a colleague to give me some more time if necessary. I think you'll agree with me that if conduct is reasonably foreseeable then a person should be responsible for that. In other words, a parent should be responsible for the, reasonably, foreseeable conduct of their minor child. However, there's a plethora of cases that say wilful or malicious conduct is not the type of conduct that is reasonably foreseeable. Therefore, my query is as follows, why should a parent be responsible for conduct of the minor that is not reasonably foreseeable. And if you agree that they should not, why indeed are we raising the limitations of the liability from \$1 thousand to \$25 hundred."

Johnson, Tom: "John, again, you know you're going back to your basic philosophy, which I'm not going to argue with you. I mean, you don't believe that parents ought to be responsible for the malicious acts of their kids and know the type of behavior that their kids are being involved in. You don't believe that that ought to be the case, you just have to vote 'no'. Now, I happen to believe that this is good public policy. It was good public policy when we passed the law in here earlier and it's... and it continues to be good public policy that we do place more..."

Speaker Hannig: "Representative Monique Davis."

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

Speaker Hannig: "He indicates he will."

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Davis, M.: "Representative, currently, if damages are awarded they're limited to \$1 thousand, is that correct? And does the parent pay this or does the child have to pay it? Good answer."

Johnson, Tom: "This is parental responsibility. The parent is liable. That's the way it currently has been, that's the way it exists. Now, I'll tell you this, Representative, if my son ever put me into this position, I tell you what, my son will be responsible to me. And I think that's what it is all about."

Davis, M.: "What happens, Representative, if the parent is indigent? Or if the parent has a number of other children and there just is not another \$15 hundred in that budget? What happens?"

Johnson, Tom: "That is no different than what it currently is in the law. Obviously, when you sue you can get judgements. As you know, there are a lot of judgements that because there are no assets it becomes impossible to collect. Now, you know I don't anticipate in that I know myself as a lawyer one of the first things I do when somebody wants to sue, 'for money, or for damages, or whatever', those become very practical questions that I'll ask my client, do they have the resources to pay even if we got a judgement? If they don't, you got a nice empty judgement. But again, I think that the intent of this law as it was enacted here in the Legislature, was really to send a message to parents in the State of Illinois that we need to pay more attention to what our children are doing. That we should take some responsibility to try to get our children to conform to civil behavior in our society and that's what this is about. And I appreciate your questions, probably more so than my colleague over on my side of the aisle cause I know

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your concern."

Davis, M.: "To the Bill. To the Bill, Mr. Speaker."

Speaker Hannig: "To the Bill."

Davis, M.: "I believe that the current amount of \$1 thousand is certainly sufficient in our attempt to bring about parental responsibility. I believe that to increase this to \$15 hundred at this time and, also, to add the section. You're adding the section here saying that the parent has to also pay the attorney fees. Recently, in the United States of America two young children dropped some bricks down on a car from a overpass, and it did hit the windshield and it was a very dangerous act, and the parent of one of the boys made the child go to the police confess the crime, made the child go to the parent, go to the owners of the vehicle, sit behind that vehicle and see what damage had occurred to that windshield. However, that mother did not have a number of dollars to pay the cost and yet she felt some parental responsibility. So there are people out there who are really trying very hard to do the right thing by their children as far as society is concerned and I don't think that we should ask them to burst the budget or to clog up the courts with attorneys trying to get money from people who just don't have it. As you know, I support responsible parental behavior but this Bill is really a very bad idea. It's very punitive to innocent people and those are parents many times hard working, seriously trying to educate and to teach moral values and values to their children. I think the State of Illinois would send a terribly wrong message if we said to parents and now you're going to be punished even further. You're going to be responsible for these attorney fees and you're, also going to have this increase of \$15 hundred. This is a very bad Bill. I hope the

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people on this side of the aisle will vote 'no' in respect for parents who are trying to do the right thing. Thank you."

Speaker Hannig: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I yield my time to Representative John Turner."

Speaker Hannig: "Representative John Turner."

Turner, J.: "Representative Black, thank you very much. Representative, I have a question for you first... well I've asked several... just a of couple more. Does insurance coverage apply to the situation that you're addressing? In other words, if a parents kid commits this wilful or malicious act, is their insurance going to pay for that or is this the type of thing that even their insurance won't cover, so it will be out of pocket?"

Johnson, Tom: "John, I think that would depend on the individual insurance policies. If the policy... if you, specifically, ask for coverage under this, whether you can get it or not, I don't really know. But I would imagine that you... you could probably negotiate this with your own insurance agent, they are very good."

Turner, J.: "Well, from my experience, wilful malicious conduct is not, frankly, something that can be covered with insurance. But I do see from my analysis, which you have the same one that I do cause we're both from the same party, is that the National Association of Independent Insurers are against it. That leaves me to believe that insurance coverage would be applicable or could get insurance to cover the situation you're talking about. My question would therefore become, since you're raising this 150% the amount of liability, how much are premiums going to go up if we pass this legislation?"

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Johnson, Tom: "Well, as I said earlier, that by making the parents responsible and as you indicated most insurance policies do not cover this type of conduct. Quite honestly, we are keeping the insurance premiums lower because we are giving recourse to that injured party that typically they might just file a claim on their own insurance company and never get that money back and, therefore, you and I are subsidizing those acts under our own premiums. So, I think your question is a good question and I think it's... it goes in exactly the direction you want it to go. Being a member of my own party I know that's what I would like, to make sure that people are responsible."

Turner, J.: "Okay."

Johnson, Tom: "And not all of us."

Turner, J.: "Are you ready to take this out of the record yet?"

Johnson, Tom: "No."

Turner, J.: "Okay. Well, let me ask you this then. Does this apply the same if my two year old does the wilful and malicious act as it would if my 15 year old, or my 16 year old did the wilful and malicious act?"

Johnson, Tom: "John, I think you know you're certainly creative in your what ifs here. You know this has been on the books now for some time and, obviously, you have a personal interest. If you researched this, you might have that answer. My guess is you're not ever going to find a jury or a judge to make that type of an award. Creative lawyers, of course, can bring suits that are whacky. If they want to lead their clients down a primrose path and if they're working on an hourly basis and you know you want to get one of those, but I'm sure that you have never seen nor will you ever see a judgement against the wilful or

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malicious act of that two year old. You know I don't think that. Obviously, a two year old is not accountable for their own actions, so."

Turner, J.: "Well, I don't know, Tom, you might be right. But when does it kick in then is it a four year old, a five year old, a six year old? But in any event I think you see why I'm opposed to this particular legislation. It is just very, I think, ambiguous. I think it leads to frivolous lawsuits. You know, usually attorneys will take a case on a one third contingency, or a 40% percent contingency. Well, certainly, they're not going to do that in this case because the maximum amount is \$25 hundred. But what they're going to do instead is take it on a hourly basis and rack up dozens and dozens if not hundreds of hours. They could get a nominal judgement of \$1, to \$50, or maybe a \$100, but they may still be able to recoup all of the attorney fees, which may be several thousand dollars. That's why I think the way it is written to award plaintiffs their attorney fees and not the successful defendant his or her attorney fees, is a flaw. I think it's a flaw that parents should be responsible for wilful and malicious acts. I don't think they are reasonably foreseeable. If they are reasonably foreseeable, and an insurance company wants to insure against these acts, then it certainly is going to increase the premium. I think that this certainly does encourage frivolous lawsuits. I think that the awarding of attorney fees on one side and not the other side is incorrect. I think that the entire statute was poorly drafted at the very beginning. I realize that you're not changing that by adding reasonable attorneys fees and increasing liability, you're exacerbating an already bad case. Vote 'no'."

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Speaker Hannig: "Representative Tim Johnson."

Johnson, Tim: "Thank you, Mr. Speaker and Members of the House. This is an excellent Bill. While I normally agree on virtually every legal issue with my colleague and fellow attorney, Representative Turner, he isn't correct when he indicates that this is somehow unique in allowing attorney fees. Just off the top of my head I can tell you that in voting rights actions, Americans with disabilities actions, consumer fraud actions, certain types of collections, collection of bad checks, credit defamation, Motor Voter Act, 1983 and other civil rights action, all of those statutory causes of action, as well as certain common law cause of action, carry with them the right to collect attorney fees. The whole purpose of the Parental Responsibility Act is to act as a deterrent. We're not talking about negligent comment... conduct. We're talking about wilful and malicious conduct by an individual of an age that is both controllable and is of an age where knowledge and scienter, in the legal sense of the word, is present. So this Bill basically addresses four square the idea that young peoples malicious acts ought to carry with it a certain price tag. It carries with it the presumption that we have in society today, that there is a certain level of responsibility for those acts and it's an excellent Bill. Very limited liability in terms of money and to allow modest expansion and it never has been expanded. It's moderate expansion by Representative Johnson, is something that makes all the sense in the world and should have passed a long time ago. I urge a 'yes' vote."

Speaker Hannig: "Representative John Jones."

Jones, J.: "Thank you, Mr. Speaker. I rise on a point of

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personal privilege."

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

Jones, J.: "I noticed if you was in the rotunda today from 12:00 to 1:00 o'clock, you heard some great music by some young people. I would like to introduce the Casey Junior High Show Choir from Mt. Vernon, Illinois and their instructor Greg Backus and several of their chaperones up here. Please give them a big Springfield welcome."

Speaker Hannig: "Welcome to Springfield. Representative Eileen Lyons."

Lyons, Eileen: "Thank you, Mr. Speaker. I move to the previous question."

Speaker Hannig: "Thank you, Representative. There are no further Legislators seeking recognition. Representative Johnson, to close."

Johnson, Tom: "Yes, Mr. Speaker and Members of the House. Several years ago we passed this Parental Responsibility Act and I think it was good policy, then it continues to be a good policy. These are some minor adjustments to it. Obviously, if you have a philosophy against trying to make parents more responsible for the acts of their children then I suppose you ought to vote 'no' just as you did several years ago. But if, in fact, you believe as I do and I believe the bulk of this Chamber believes that parents ought to be encouraged and, probably, encouraged in this fashion to take a more interest in where their children are and what they're doing, then you will support this. One question that Representative Turner asked, and I believe it was facetious, was whether a two year old could be held accountable? The statute provides that this pertains to a person who is above the age of 11, but has not yet reached the age of 19, so that is the group that

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this is aimed at. This Bill passed the Senate by a unanimous vote, I recall when it was put forth in here several years ago that it was nearly unanimous at that time. I would urge an 'aye' vote on this very good piece of legislation. 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 72 voting 'yes', and 34 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Capparelli, on Senate Bill 533. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 533, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Senate Bill 533, is the same as House Bill 1374 which passed out unanimously. It amends the Metropolitan Water Reclamation District to use modern terminology in the section defining duties of the director of personnel. The Bill also clarifies that the director of personnel may establish lines of promotion so that the service in various lower classification will allow the incumbent to be eligible to compete for promotion. I know of no opposition. I ask for a favorable Roll Call."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 533. 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

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are 110 voting 'yes', and 7 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Capparelli on 544. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 544, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Capparelli."

Capparelli: "Senate Bill 544 is the same as House Bill 1375 which passed out unanimously. It amends the Water Reclamation District to use modern terminology in the section concerning classification of a position by the director of personnel. The Amendment substitutes the term classification for grades and positions for office and places of employment. There is no opposition and I ask for a favorable Roll Call."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 544. 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. Representative Crotty on Senate Bill 548. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 548, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Crotty."

Crotty: "Thank you, Speaker. I would like to move this back to Second. There is going to be an Amendment filed."

Speaker Hannig: "Mr. Clerk, return this Bill to Second Reading."

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Representative Stephens, on Senate Bill 569. Out of the record. Representative Cross, on Senate Bill 587, 587. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 587, a Bill for an Act amending the Good Samaritan Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Cross."

Cross: "Thank you, Mr. Speaker. Senate Bill 587, deals with the Good Samaritan Act, with which, I know, you are all familiar with it. This is some language suggested by the Illinois Optometric Association to alleviate or relieve them of liability. There was some opposition from the Illinois Trial Lawyers. We did an Amendment in committee that took away their opposition. This will allow them to perform work on people that maybe at an accident site for instance and not have any liability. I'll be glad to answer any questions. I don't believe that there's any opposition at this point."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 587. 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. Representative Biggert, on 591. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 591, a Bill for an Act amending the Title Insurance Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Biggert."

Biggert: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 591 is to clarify that title

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insurance companies should be treated the same as other insurance companies doing business in Illinois, all of which are included under Chapter 215 of the Illinois Revised Statutes. The language of the Bill reiterates what is existing law, that local governments do not have the ability to levy taxes or fees on title insurance companies which is the same protection provided to companies providing other types of insurance. I'd be happy to answer any questions."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 591. Is there any discussion? And on that question, Representative Bugielski is recognized."

Bugielski: "Will the Representative yield?"

Speaker Hannig: "The Lady will yield."

Bugielski: "Thank you. Representative, do you know if there is any opposition to this?"

Biggert: "I believe that the City of Chicago filed a slip in opposition and there was some.... the DuPage mayors and managers signed in but never, I have never heard from them."

Bugielski: "But you don't know what the opposition is with the city then?"

Biggert: "Well, yes I do. The City of Chicago is currently levying a head tax on employees or on companies who have more than 15 employees for the amount of \$4 per employee. Excuse me, for having more than 50 employees and they do not exempt title insurance companies as they do exempt other types of insurance companies and under the... the ruling in 1977, of the Supreme Court, which exempted or prohibited... the court case stated that the city was prohibited from levying a head tax on insurance companies and that was later codified into law."

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Bugielski: "So the only reason why the city is because they would be losing head tax then on that?"

Biggert: "That's correct."

Bugielski: "Thank you."

Speaker Hannig: "Is there any further discussion? This Bill requires 71 votes and Representative Biggert to close."

Biggert: "Thank you. Yes, this does require 71 votes since it does preempt home rule, but it does clarify that title insurance companies are subject to equal tax treatment with other insurance companies and I would ask for your approval."

Speaker Hannig: "And 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 94 voting 'yes', and 19 voting 'no'. And this Bill, having received a Three-fifths Constitutional Majority, is hereby declared passed. Representative Moffitt, on Senate Bill 594, 5-9-4. Out of the record. Representative Schoenberg, on Senate Bill 595. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 595, a Bill for an Act amending the Real Estate License Act of 1983. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 595, as amended, amends the Real Estate License Act of 1983. It prohibits that the Office of Banks and Real Estate can discipline, may discipline a real estate appraiser licensee for developing valuation conclusions based on race, color, religion, sex, national origin, ancestry, age, marital status, or several other

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criteria where people would be unjustly discriminated against in appraising property. It, also, provides that the Office of Banks and Real Estate can provide an educational framework for appraiser licensees for fair housing course work. I would be happy to answer any questions anyone might have."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 595. And Representative Fritchey is recognized."

Fritchey: "Thank you, Mr. Speaker and Members of the Assembly. I rise on a point of personal privilege."

Speaker Hannig: "State your point."

Fritchey: "I would like you to welcome members of the John G. Shedd Aquarium as well as the octopus who is here to symbolize the year of the reef. The Shedd Aquarium has been having a reception all day today. They will be hosting a breakfast for the Legislators tomorrow at 7:30 at Bauer's. They are a tremendous resource. They are a tremendous educational resource and learning institution. It's a pride for us to have them in the city and in this state, and I ask that we all welcome them here today and tomorrow. Thank you."

Speaker Hannig: "Welcome to Springfield. And returning to Senate Bill 595, 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 Bost. Mr. Clerk, read Senate Bill 660."

Clerk Bolin: "Senate Bill 660, a Bill for an Act to amend the

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Higher Education Student Assistance Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Bost."

Bost: "Thank you, Mr. Speaker and Members of the House. Senate Bill 660 amends the Higher Education Student Assistance Act. It establishes the David DeBolt Teachers Shortage Scholarship. This does not increase the amount of scholarships we are handing out. This consolidates, it's something they have already been doing, this clarifies it in language and it encourages students to go on to become teachers. And I would appreciate your 'aye' vote."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 660. 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', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Biggins, 681. Representative Biggins, on 681. Mr. Clerk, read the Bill. No, out of the record. Representative Deering on Senate Bill 684. Representative Deering, do you wish it called? Out of the record. Representative Kubik. Is the Gentleman in the Chamber? Representative Hughes. Is the Lady in the Chamber? Yes. Representative Hughes on 691. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 691, a Bill for an Act concerning cable television. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hughes."

Hughes: "Thank you, Mr. Speaker. Senate Bill 691 is an Agreed Bill. It is supported by the manufactured and mobile home

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park owners, by the cable television companies and there is no opposition to it. Basically, it provides property right provisions for mobile and manufactured home park owners of 12 units or more, adds language similar to what applies to condominiums and apartments to the Municipal Code. After amending the Municipal Code to cover those entities, lifts that whole section, and puts it in the Counties Code to provide property owners protection under the County Code for apartments, condos, and manufactured housing. Again, Agreed Bill, no opposition."

Speaker Hannig: "The Lady has moved for passage of Senate Bill 691. And on that question, Representative Parke is recognized."

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

Speaker Hannig: "She indicates she will."

Parke: "Representative, I've gotten a number of letters from people in a number of my large mobile home parks. Do you think that now the way the Bill is structured they would no longer be opposed?"

Hughes: "This Bill, was initiated by the owners of mobile home parks."

Parke: "I know, but what about the people who live in there are they... do you think you have addressed their issues with this?"

Hughes: "I haven't heard from any opposition of any residents of parks. What this does is provide that before a cable company comes in and lays the cable there has to be a plan signed off by the landowner to assure that septic lines and so forth might not be cut. It does not deny access to the residents for cable service in any way. So, I can't see why they would have any objection to it."

Parke: "Was there objections early, when the Bill came to you?"

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Hughes: "No, not from the residents. The objection, originally, was from the cable companies."

Parke: "And they're okay now?"

Hughes: "They're okay. They are in support."

Parke: "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 115 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Morrow on 693. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 693, a Bill for an Act concerning the deposit of public funds. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 693 amends the Intergovernmental Cooperation Act and Public Funds Investment Act, to provide that nothing within these Acts shall be construed to allow an intergovernmental risk management entity to accept the deposit of public funds except for risk management purposes. I would be glad to answer any questions on Senate Bill 693."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 693. 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

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are 116 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Scully, on Senate Bill 772. Representative Scully. Out of the record. Representative Biggins on Senate Bill 805. Representative Biggins. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 805, a Bill for an Act concerning certain financial services. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 805 are changes made to protect Consumer Credit Counseling Agencies creates the Debt Management Act. It has sailed through committees unanimously in the Senate and the House and I would be glad to answer any questions any of the Members may have. Further, it's Agreed Bill language between the Credit Unions and the Department of Financial Institutions."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 805. All in favor vote 'aye'; opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, Mr. Clerk take the record. On this question, there are 96 voting 'yes', and 20 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate Bill 331."

Clerk Bolin: "Senate Bill 331, a Bill for an Act to amend the Family Practice Residency Act. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. This Bill, is a Senate Bill that came out of the Senate without any opposition. It

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requires that a physician who signs up to serve in under served areas must fulfill that obligation or make arrangements with the department to repay the loan. And we just urge a favorable vote and we're available for questions."

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 816."

Clerk Bolin: "Senate Bill 816, a Bill for an Act to amend the Radiation Protection Act of 1990. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker. (sic-Senate Bill) 816, amends the Radio Protection Act of 1990. Provide that persons who knowingly make false material statements to the Department of Nuclear Safety are subject to criminal penalties. There is no known opposition to this Bill. I would ask for it's approval."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 816. 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. Representative Parke, on 827. Mr. Clerk,

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read the Bill."

Clerk Bolin: "Senate Bill 827, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 827 provides that whomever enters knowingly enters or remains within a building, other than the residence, without lawful authority is guilty of a Class B misdemeanor. The genesis of this Bill was that we had a police officer that came into somebody's garage, it was not posted do not trespass. But, obviously, these people were in the garage for criminal intent and upon reviewing state statute could not prosecute them because they were... because it was not posted. This Bill simply says if you're in a private... anything other than a private residency, that in fact, they are guilty of a Class B misdemeanor."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 827. And on that question, Representative Mitchell. The Gentleman..."

Mitchell: "Thank you, Mr. Speaker. I just rise in strong support of this Bill. This Bill is exactly the same as the Criminal Trespass Bill that came out of the House, unanimously, a couple of weeks ago and headed to the Senate. We had the same very similar incident happen in Walnut, Illinois where kids were on top of a building, on the roof, and did some destruction to the air conditioning unit and found there was no way to prosecute these people as well. So, I think this is an excellent attempt to clear up a problem that's existed for a long time. Vote 'yes'."

Speaker Hannig: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'; opposed 'nay'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', and 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, read Senate 894."

Clerk Bolin: "Senate Bill 894, a Bill for an Act to amend the Flood Control Act of 1945. Third Reading of this Senate Bill."

Speaker Hannig: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is a very simple Bill. Permissive for the Department of Natural Resources. They may lease or permit the use of part or whole surplus waters that the department have access to. It sets a limit of 50 years on any development. I know of no opposition. I would ask for the passage."

Speaker Hannig: "The Gentleman has moved for passage of Senate Bill 894. Representative Biggert, is recognized."

Biggert: "Thank you, Mr. Speaker. On House Bill... Senate Bill 827, my switch did not work. I would like the record to show that I would have voted 'aye'."

Speaker Hannig: "Representative Black."

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

Speaker Hannig: "He indicates he will."

Black: "Representative, your Bill is only to be used for a lease that impacts a hydroelectric power plant, nothing else, correct?"

Brunsvold: "Correct. There's one in our area, Senator Jacobs's area and Mr. Boland's district."

Black: "I saw the title of the Bill about surplus water, and I may be wrong, but some years ago I had a community whose

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well went dry in the drought, and not far from that community was a series of ponds owned by the Department of Natural Resources in a state park. And as I recall we couldn't draw water from that pond to send to the community. I was thinking maybe you could help me next year on a surplus water Bill, say that we could use that water for community purpose. So, we don't have any hydroelectric power because we don't have electricity yet. But we do have water."

Brunsvold: "I'd glad to help you, Representative."

Black: "I know... I... well I'm, seriously, and I'll talk to you about it. I think there is a restriction, and I don't see the department here. There is a restriction on whether or not the department could sell or let a community use water from a pond or a lake that they own and I think that's something we may need to take a look at. But in the meantime I hope your hydroelectric plant goes very well."

Brunsvold: "Thank you."

Black: "But what do they call it, the... Do they call it the Rock Island Valley Authority or..."

Brunsvold: "I think it was called the Sears Power Dam, if my memory serves."

Black: "Oh. Is it something they bought from a kit years ago from Sears and Roebuck?"

Brunsvold: "No. A person named Sears."

Black: "Person was named Sears. And this is for your district?"

Brunsvold: "Yeah, I believe it is in my district."

Black: "Is it... now that we're talking about deregulation, is this hydroelectric plant, will that be impacted?"

Brunsvold: "Pardon."

Black: "Will the, will the deregulation Bill that we may see before we leave this summer, will it... will it impact

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hydroelectric power?"

Brunsvold: "I don't know if it will or not. This generates a small amount of power and they sell it back to the big power companies. So, it might have some effect, I don't know what the dereg Bill is going to say but..."

Black: "Sounds like a good idea to me."

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. Representative Bradford, on Senate Bill 843. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 843, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "On the Bill, the Gentleman from Madison, Representative Bradford."

Bradford: "Thank you, Mr. Speaker, Members of the House. Senate Bill 843 is identical to the prior Bill voted on by the House regarding the change in the Tort Immunity Act for municipalities, municipal corporations, village, cities and towns regarding that conduct that can be classified as willful and wanton in those instances where those entities have undertaken supervision and control. This is a Bill that is sponsored and is recommended by the Illinois State Bar Association, the Illinois Trial Lawyers' Association. Received 112 votes previously in this Chamber for passage. I urge your support."

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

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

Speaker Brunsvold: "He indicates he will."

Black: "Representative, if my computer is up to date, I don't understand why there are so many units of local government in opposition to the Bill. Is there something here I'm not understanding? I mean, the Municipal League, the Township Officials. It would seem to me that they would be in support of the Bill. Why do they stand in opposition?"

Bradford: "Now, Representative Black, I think any potential defendant under this Bill would generally propose (sic-oppose) it because it does add liability to their operation and that is my belief as to why they are opposed. This does bring to them a classification of liability under willful and wanton conduct where they undertake to supervise activities."

Black: "So, could you give me a scenario where a township might be brought into liability if this Bill becomes law where they would not currently be brought into liability?"

Bradford: "Township operates a community swimming pool in its township park. Undertakes to provide lifeguards. Those lifeguards are trained. An incident happens very similar to the one that the case brought where the lifeguard does not respond to pleas of the patrons of the swimming pool, does not pay attention to their pleas and subsequently death results. That would be classified a willful and wanton act on behalf of the township undertaking supervision."

Black: "So, the employee, in this case the lifeguard, would not be immune, correct?"

Bradford: "No, it would not be personal liability to him, it would be liability to the township."

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Black: "Could I pursue a case against the lifeguard as well as the township?"

Bradford: "You could."

Black: "Okay. Now, is this any major change in current law?"

Bradford: "It is a change in the current law in that when the... as I understand it, when the Tort Immunity Act was passed there was not a discussion of those Acts that rose to the level of willful and wanton, which under common law would be something that could be sued, previously. However, the court has construed the Tort Immunity Act to grant complete immunity and therefore willful and wanton acts are also immune as the law stands now."

Black: "So, for those of us who go home after Session and get jumped on by city council members or what have you, township trustees, saying that we're extending the liability of local governments and their employees, if I hear what you're saying, that's really not true. In fact, we are further enhancing public safety by simply saying, you cannot escape liability if it's willful and wanton negligence on your part."

Bradford: "Correct."

Black: "Okay, I begin to see now why you're pursuing the Bill and it... some people have asked me or come up and said, 'Well, this is weakening the Tort Immunity or the Tort Reform Law.' I wouldn't characterize it as that at all, would you?"

Bradford: "No, I appreciate that in the sense that for a period of time the township officials felt we granted them complete immunity. It was not... it appears that it was never the legislative intent to grant a township official complete immunity from willful and wanton acts."

Black: "Okay, I think that clears up a very important point and I

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appreciate your answers, Representative. Thank you, Mr. Speaker."

Speaker Brunsvold: "Further discussion? Seeing none, the Gentleman from Madison to close."

Bradford: "I think the discussion has promoted the Bill as to what it does. It's a very narrow exception of the law and I would appreciate support of the Bill."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 843 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on this question, there are 94 voting 'yes', 22 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 853, Representative Lindner. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 853, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. Senate Bill 853 just adds to the list of people to whom DCFS can disclose it's records and there has to be specific factors involved. If the subject of the report has been criminally charged with committing a crime, if a law enforcement agency, states attorney, or judge has publicly disclosed this, or if an adult subject of the report has knowingly or voluntarily made a public disclosure, or the child named in the report has been injured or died. This basically allows DCFS to say something in public about these highly publicized cases that they have not been able to do before. I know of no opposition to the Bill."

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Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall House Bill or Senate Bill 853 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 117 voting 'yes', 0 voting 'no' and 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 901, Mr. Deering. Out of the record. Senate Bill 920, Mr. Winters. Out of the record, Mr. Clerk. Senate Bill 950, Representative Wood. Please read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 950, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill. The Lady from Lake, Representative Wood."

Wood: "Thank you, Mr. Speaker, Ladies and Gentlemen. Senate Bill 950 is an initiative of Secretary of State George Ryan and provides for graduated teen drivers licenses. This Bill is a result of a Joint Resolution which formed a task force. This task force came forward with these recommendations. The Bill was reported out of the Senate with 54 votes. There are many supporters, as amended. There was no known opposition and I would appreciate your support."

Speaker Brunsvold: "And on that issue are there any questions? The Lady from Cook, Representative Wojcik."

Wojcik: "Would the Sponsor yield?"

Speaker Brunsvold: "She indicates she will."

Wojcik: "Representative, in the Senate there was some question regarding this Bill and seat belts, that a young 16 year old had to have a seat belt for those in the back seat. Is that in the Bill now?"

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Wood: "Yes, it is in the Bill now. For drivers, young teenage drivers, they are required to have those individuals who are under 18 seat belted in the car. But it is not subject to primary enforcement."

Wojcik: "Representative, is it a primary stop then if they don't have a seat belt?"

Wood: "No, it is not."

Wojcik: "So, they're not subject to a violation?"

Wood: "That's true. It's not a primary enforcement. You cannot stop someone just because you suspect they're not wearing a seat belt."

Wojcik: "Would you please repeat that?"

Wood: "It is not subject to primary enforcement. In other words, someone cannot be stopped just because a police officer suspects they may not be wearing seat belts."

Wojcik: "Thank you."

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

Lyons, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is similar to House Bill 1760, which I carried to Third Reading. I'm rising in support of this thing. Representative Wood, has worked hard on this thing to iron out some questions that came out in committee. And so I would recommend the Members on the Democratic side of the aisle join Representative Wood in support of this Bill. Thank you."

Speaker Brunsvold: "The Gentleman from Washington, Representative Deering."

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

Wood: "Surely."

Speaker Brunsvold: "She indicates she will."

Deering: "Representative, you stated you had no known opposition."

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If my memory is correct, I recall in committee where there were several Members of the committee that voted to give the commitment to get it out of committee not guaranteeing they would vote on the floor. Would you not call that any opposition?"

Wood: "The committee vote was 15 to 4 and what I said was I believe there was no known organized opposition to the Bill. There were no slips filed in opposition at the time of the committee hearing."

Deering: "Okay. What about if a student is issued a judicial driving permit say for a supervisory offense. What does that do for him or her in the future? Say, say they get a supervisory offense or a JDP for a supervisory offense if they have alcohol in their system. What does that do to them, do they fall under the umbrella that they can never get suspension again in their lifetime?"

Wood: "The same laws that apply to 0 tolerance for alcohol still are applicable."

Deering: "Does this Bill take away the opportunity for a 16, 17 or 18 year old driver to get a JDP or restricted driving permit, an RDP?"

Wood: "For 16 and 17."

Deering: "What does that do to those drivers? What are some of the offenses that they could take away, that would take away that opportunity for those students to get those types of driving permits?"

Wood: "You can still get a restricted driving permit at ages 16 and 17. The judicial driving permit and the family financial, the FFP permit only applies to those who are under 16 years of age."

Deering: "But you just stated that this takes away some opportunities to get JDP's and RDP's. For the Body, state

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a couple of examples of what you couldn't get these types of permits for."

Wood: "For under 18, in other words 16 or 17 year olds, it's judicial driving permit. The Bill, as specified, lists numerous serious driving offenses that were a result of the task force and if you were convicted of serious driving offenses under those circumstances, for example a D. U. I., would be an example."

Deering: "Okay. Is not stopping for a pedestrian in a crosswalk, is that considered a serious driving offense?"

Wood: "My understanding is failing to yield for a pedestrian under the serious offense section is one of the serious moving violations."

Deering: "Okay. Why don't we hammer people today when they don't stop for pedestrians in cross walks? Why are we picking on teenage drivers?"

Wood: "The intent of this legislation, Sir, is not to pick on teenage drivers. The intent of this legislation is to make the road safer for our teenage drivers. Presently, teenagers who make up 6% of the population cause 16% of the fatal traffic crashes in this state. The intent of the legislation is to identify those drivers that are at risk and provide them with remedial training."

Deering: "Are the insurance companies going to grant a special discount to the student drivers, or to the teenage drivers, or to the parents whose students or whose teenagers are on their insurance policy, will they be granting an exemption or special discount under this proposal?"

Wood: "I can't answer on behalf of the insurance companies, however, my understanding is insurance premiums are set by three factors, the driving record of the insured, the market place and competition between insurance companies."

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Clearly, with this sort of program which requires additional driving time behind the wheel and further provisions for the safety of our young drivers, it's generally a step in the right direction and I would hope to see that the insurance rates would reflect that."

Deering: "Well, wasn't that the crux of the Bill to make the highways safer?"

Wood: "Yes."

Deering: "And thereby to reduce insurance premiums?"

Wood: "The crux of the Bill was to make the highways safer and to protect our youth and in several states that have adopted graduated driver's license; for example Maryland and California, they have seen a 5% or 4% reduction in traffic fatalities among this group. So we have seen results in other states."

Deering: "I also noticed in here a section of this Bill requires mandatory seat belt use for passengers in the rear seat. Is that correct?"

Wood: "That is correct."

Deering: "Is that going to be an intent to expand that to everyone in the state, to all automobiles no matter what age you are, is that your intent?"

Wood: "This... The Bill, as stated, applies to those who are under 18 years old who are driving and it applies to their passengers who are also under 18 years of age."

Deering: "Will law enforcement officials be able to stop a student or a teenage driver just for the fact that he or she is not wearing their seat belts?"

Wood: "No, Sir."

Deering: "Thank you."

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

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, some of the concerns that were raised in committee I've not heard you say anything about. I wish we didn't get into married teenagers but that's a fact of life in almost everyone's district. If your an emancipated 17 year old and you've taken on the responsibilities of husband and father and you run afoul of this licensing procedure and in my district there is no other way to get to work. You cannot get an RDP what are you going to do?"

Wood: "You can get an RDP."

Black: "Where's that language? I thought if I was convicted of a serious driving offense there wasn't any judicial driving permit available."

Wood: "Those provisions, Sir, I believe were referring to those who are under 16 years of age. If you are under 16 years of age then there's further restrictions. Clearly, if you're under 16, you're driving with someone who is 21 years old already, so there is no hardship."

Black: "If I'm under 16, I'm not suppose to have a license period."

Wood: "That's true, you're suppose to be driving under your permit with an adult."

Black: "What if I'm 16? What if I'm 16 years old and I've dropped out of school and I have a wife and a child to support and I failed to stop at a crosswalk and I have to go to work every night at 11:00 p.m. and come home at 7:00 a.m.?"

Wood: "You can still have a restricted driving permit but not a judicial driving permit."

Black: "So, I can get a RDP for work related purposes, correct?"

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Wood: "Yes, yes."

Black: "Then it goes on to talk about, it goes on to talk about those people 18 and under. Actually, there are certain restrictions until you reach the age of 21 are there not?"

Wood: "The only restrictions for 21 apply to the sanctions that are levied. It is not... all the other restrictions regarding seat belts, regarding the driving time do not apply."

Black: "Okay. Let me give you, let me give you a scenario. A 19 year old comes home from leave from Korea where that service man or woman is on duty in what is referred to as a combat zone. They still draw combat pay there. He comes home on leave and before he left for the military he got a seat belt violation when he was 17. Now he comes home from the military, he's 19 years old and he gets his second violation for a seat belt. When he goes back to Korea is he still going to have a driver's license?"

Wood: "The seat belt is not a moving violation. You need a conviction of two serious moving violations within a 24 month period."

Black: "Okay, let's see. He gets two, two speeding tickets in two years."

Wood: "Not necessarily serious moving violations. They have to be serious moving violations."

Black: "All right. But that doesn't answer the questions, not necessarily. I still see under this law a scenario where you're going to have a man or woman old enough to serve in a combat zone who won't have a driver's license. What's the military going to do with that person, send him back home until he gets a note from mother?"

Wood: "No, I would suggest that if they're a unsafe driver on the road they should be not permitted. We do not make

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exceptions for other veterans when they're speeding whether they're 30, 40, or 50 or whether they have D. U. I.'s at 30, 40, or 50."

Black: "That's fine. That's a really good answer. But in Desert Storm a 19 year old could drive a M1-A Abrams Tank, but he may not be able to drive a car in Illinois. Don't you think that's a little bit silly?"

Wood: "No, Sir. No, Sir."

Black: "He can drive a tank but not a car. What do I do if I want to drive a motorcycle?"

Wood: "It's not... My understanding is that it's not affected."

Black: "It says there is a 24 month permit for motorcycles and I have to be under the supervision of a 21 year old. Does a 21 year old ride behind me on my motorcycle?"

Wood: "No. It is not effective."

Black: "Oh. It is not effective. We should have staff get this out of the analysis then. What... Who checks to see if a parent or guardian certifies that I've had an additional 25 hours of instruction? Who checks to make sure that that parent, in fact, signed that affidavit?"

Wood: "The Secretary of State."

Black: "Will there be a form?"

Wood: "And I was told it's the same as current waivers are now reviewed."

Black: "What waiver?"

Wood: "Currently, when a child is 16 a parent has to sign a waiver to say that they can get a license. The same procedure would be used here."

Black: "Okay. In your Bill, an improved driver education course does that include one that's in a school as well as a private school?"

Wood: "Yes."

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Black: "Okay. You have eliminated the primary violation cause for seat belts."

Wood: "Yes, Sir. Yes, Sir."

Black: "And the fine, the fine goes back to what it always was, 25 rather than 55."

Wood: "Yes, Sir."

Black: "The only other question I raised in committee and I really need an answer to this. In my district pickup trucks are extremely popular and so I can only have three people in the front seat of my pickup, so I may put six people, you know that's my baseball team, I'll put them in the back of a pickup truck and there was some confusion as to whether or not they would have to have seat belts in the back, the bed of the pickup truck?"

Wood: "This law does not affect the bed of the pickup truck. It only addresses the cab where there are seat belts."

Black: "Sure. Okay. And that, that would... I have your word that would not be your intent? How about next session? We won't see a pickup truck seat belt law will we? Okay. Representative, you have done good work. I appreciate your forthright answers to the... to the question. As I said in committee, I'm not sure that this is a bad idea, but I can tell you one thing, I'm sure glad I grew up when I did."

Wood: "Thank you."

Black: "Thank you."

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

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

Speaker Brunsvold: "She indicates she will."

Parke: "Yes, Representative, if I read the analysis on this, it says that only one person can drive in the front seat of the cars besides the driver, is that correct?"

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Wood: "For teenagers age 16 and 17, yes."

Parke: "Excuse me."

Wood: "That applies only to teenagers 16 and 17 years old. If you're 18 or older that does not apply. There is also an exception for pickup trucks, that if you are driving a pickup truck."

Parke: "No, I'm only talking about a motor vehicle that's not a pickup, a regular automobile."

Wood: "Okay, yes."

Parke: "What about... you said it only applies to 16 and 17 year olds. What if I put three children... three minor children in the front seat? Is that breaking the law?"

Wood: "It's the age of the driver. The age of the driver at 16 or 17 years old that restricts someone not being next to that driver. The purpose of this is so that teen driver, that inexperienced driver, is not distracted."

Parke: "So, now we're going to try and tell, big government is going to come in and tell somebody whose been licensed to drive an automobile, is going to tell them that they can only have one person in the front seat. Let's presume that they don't know that's the law even though they may have learned that in the rules of the road, what is the penalty if they have two people in the front seat and they're both in seat belts?"

Wood: "In order for there to be a violation there would have to be some other serious traffic violation for that vehicle even to be pulled over because it is not subject to primary enforcement."

Parke: "It also says that it has to be only if you have two sets of seat belts in the back seat, only two people can ride in the back seat, is that true?"

Wood: "That is true because, clearly, when you're 16 or 17 years

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old and you're causing a high level of fatal accidents the passengers who are driving... who are riding with you are also subject to being in those accidents."

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

Speaker Brunsvold: "Proceed."

Parke: "Ladies and Gentlemen of the House. This Bill certainly is well intended, there is a lot of good reasons why it ought to be. But I tell you that we are going to tell people who are licensed to drive automobiles in this state that big government is going to tell them that they can only have one person in the front seat in a seat belt, they can only have two in the back seat in a seat belt, that's how many seat belts are there, and that we are going to make it extremely difficult for young people, not only to get the experience of driving, but in the real world, in the real world I have two teenage daughters and when they get a car to go somewhere, which is helpful to me and my wife for them to go somewhere in a car. Many times they only get one car. They're lucky to get one car. They're going to put a group of kids in there. These are good drivers even though 16 and 17 year olds do create a extraordinary majority of accidents they are good drivers. They are trying to learn. We are restricting what they can and cannot do. If they get their driver's license they ought to be treated like anybody else. This is big government at it's worse. I would ask the Body to vote 'no'."

Speaker Brunsvold: "The Gentleman from Logan, Representative Turner."

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

Speaker Brunsvold: "She indicates she will."

Turner, J.: "Representative, following up on..."

Wood: "Mr. Speaker."

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Speaker Brunsvold: "The Chair is turning the timer on. Proceed, Mr. Turner. Representative Wood."

Wood: "Is this not on Short Debate, Mr. Speaker?"

Speaker Brunsvold: "It is. Mr. Turner would like to remove it from Short Debate. Mr. Turner, the appropriate hands have been shown. This Bill shall be removed from 'Short Debate'. Mr. Turner, proceed with your questioning."

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

Wood: "I tried."

Turner, J.: "Or Mr. Speaker. Representative, to you. With regard to what Representative Parke had indicated earlier, as I understand it, if a person is 17 years of age they, under this particular statute, will not be allowed to have two persons in the front seat with them?"

Wood: "That is true. It would be a seat belt violation."

Turner, J.: "Well, now wait a minute, that's where I got confused the last time. You said it would be a seat belt violation, but the way I read the Bill, it's not necessarily a seat belt violation, it's a violation to have two passengers in the front seat. Has nothing to do with the seat belt itself. Isn't that the way the Bill reads?"

Wood: "My understanding is it's the same penalty."

Turner, J.: "Say that again, please."

Wood: "My understanding is it's the same penalty."

Turner, J.: "Okay, the same penalty. But what I'm getting at is probable cause to stop and I think you've made it abundantly clear that failure to wear a seat belt will not be probable cause to stop. I think, however, the Bill does suggest that if there are two persons in the front seat in addition to the driver and the driver is 17 years of age, that that would be probable cause to stop the motor vehicle. Is that not what the Bill says?"

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Wood: "If... First of all I want to point out that in the Senate the Bill was amended, eliminating the primary enforcement provision for seat belts. But clearly if an officer sees a carload of kids, you know, jammed into a car, that can be considered probable cause."

Turner, J.: "Right, and that's where I have a problem with the Bill. An officer sees a young person driving a vehicle, the officer sees two passengers in the front seat. Now how is the officer to know whether the driver of the vehicle is 17 or 18? If the driver is 17, the officer has probable cause to pull the driver over. If the driver is 18 the officer does not have probable cause to pull the person over. And my problem is, is, does that not give incredible discretion to a police officer to simply willy-nilly pull anyone, who looks young to them, over, and say that probable cause existed because it appeared to the officer that the driver may have been 17 and there were two persons in the front seat. You couldn't even take mom and dad out for a ride if you were 17 and let them ride in the front seat, is that not correct? Does that not give you some concern?"

Wood: "The seat belt provision you're referring to only applies to people."

Turner, J.: "I'm not referring to a seat belt provision."

Wood: "Excuse me. This provision that we're talking about only applies to passengers who are under 18 years of age. So it would not apply to mom and dad."

Turner, J.: "All right. So, if an officer sees three young people in the front seat, they now have probable cause to pull over the driver of the vehicle?"

Wood: "If they believe all the drivers are under age 18."

Turner, J.: "Well, how is an officer going to possibly be able to

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determine whether all three of the individuals in the front seat are under 18 years of age? I mean one could be 18."

Wood: "It would be the same as if an officer was looking at a child in terms of whether or not they were complying with the child curfew law. And we have a child curfew law and the officer has to make some determination of whether or not that child is under age for the curfew violation law. I don't see any real difference there."

Turner, J.: "The officer has probable cause to pull someone over under curfew law if they believe that the individual is not in compliance?"

Wood: "That is current law."

Turner, J.: "Well, let me ask you this. If there is a violation, and by the way I still don't agree that it should be probable cause just based upon what an officer thinks the age of the driver should be. If there is a violation this... is this a moving violation?"

Wood: "No it's not."

Turner, J.: "So it does not count as points?"

Wood: "No it does not."

Turner, J.: "Does your analysis indicate whether or not if an individual is ticketed for having more than one person in the front seat when they're not suppose to have one seat in the front seat, how much insurance premiums may go up?"

Wood: "No the Bill, does not address that."

Turner, J.: "Do you have any idea if insurance premiums would go up?"

Wood: "I can't answer for the insurance industry."

Turner, J.: "Has the insurance industry put any slips on this whether in opposition or whether they are in favor of it?"

Wood: "The insurance industry along with many others were members of the task force and are supportive of this Bill."

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Speaker Brunsvold: "The Lady from Grundy, Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Brunsvold: "She indicates she will."

O'Brien: "Representative Wood, there were some questions that were brought up during committee and one of the questions that was asked was whether or not in the states that already have similar legislation, whether insurance premiums have actually decreased. Do you have an answer to that?"

Wood: "I do not have an answer to that. We did ask and were told that generally you needed a few years of history to determine whether or not the insurance rates would actually move and it has been too early to tell. Most of these laws have only been in effect a year or two. What I can say is that by requiring more time behind the wheel, by helping address those who are at risk by reducing, hopefully the fatalities, that that will have a positive effect on the insurance."

O'Brien: "But to date there's no answer whether..."

Wood: "To date there is no available information."

O'Brien: "And second of all I have some questions about the suspension or revocation of the permit for serious traffic violations. Our analysis just says that at the discretion of the Secretary of State they can suspend or revoke those privileges. Who makes the determination which offenses are something that the permit will be suspended and who may, you know, or revoked?"

Wood: "There are specific serious violations listed in the Bill. But my understanding is it's through the Secretary of State's Office by rule, that will be determining this."

O'Brien: "So, at the time that an act is committed the person

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committing the act may not know what the penalty is that is suspension or revocation?"

Wood: "Clearly, either the... clearly someone cannot be adjudged for something that is not in effect yet. So, the answer would be no."

O'Brien: "But for every violation of a law that we have, that there is a penalty for that. But we're passing a law and we're saying at this point we don't know the penalty because there's a big difference between suspended and revoked."

Wood: "I agree and there is no change from current law with regarding how suspension or revocation works. They'll continue to work under the same procedures as it has previously."

O'Brien: "But under current law, violations for which you can be suspended are outlined. Violations for which you are licensed can be revoked are also outlined. They are not left up to administrative rule to say if you, you know, don't yield to the pedestrian you're going to be suspended or maybe revoked. It's clearly defined."

Wood: "Currently, under law, suspension or revocation is also determined by administrative rule of the Secretary of State's Office and they have the authority by administrative rule to suspend or revoke licenses and so we'll be using the exact same procedure for this Bill as is provided now under current law."

O'Brien: "But don't those offenses say that if you commit this offense that your license may be suspended?"

Wood: "I'm sorry, could you repeat that?"

O'Brien: "What is an example of an offense currently that says at the discretion of the Secretary of State your license could be suspended or revoked. Either one of those two. I

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understand by rule that for reckless driving you can be suspended, that it is discretionary, but I don't believe that you could be suspended or revoked for that."

Wood: "Currently, if there are three moving violations within a 12 month period, that it's the Secretary's discretion to summarily suspend a license. Or revoke. Suspend or revoke."

O'Brien: "I understand that. Right, and we know that, that if you commit three offenses that they can suspend your license. But are we going to have a law that says if you commit this offense you may be suspended, you may be revoked because once we revoke someone's driving privileges they may never be eligible to get those license back."

Wood: "Currently, if you have three moving violations you can be suspended or revoked. So, this does not affect how the current law is applied."

O'Brien: "But under this legislation it may just be one offense, is that correct?"

Wood: "Under... no, it actually it's two serious moving violations within a 24 month period and the serious moving violations are defined in the Bill and were studied and recommended by the task force."

O'Brien: "And... but once they're revoked now are they going to be eligible, like currently for most revocations you're eligible after 12 months, are they going to be eligible if they're 16, when they turn 17, or is that going to be an indefinite period?"

Wood: "It's not indefinite. Okay. The suspension provisions 30, 60, 90..."

Speaker Brunsvold: "Representative Wood, answer the question. Representative Wood."

Wood: "It's the same as current law with regard to the time

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limits for the suspension or the revocation."

Speaker Brunsvold: "The Gentleman from Madison, Representative Bradford."

Bradford: "Will the Sponsor yield?"

Wood: "Yes."

Speaker Brunsvold: "She indicates she will."

Bradford: "Representative, I'm a little bit concerned in regard to the 25 hour."

Wood: "I can't hear you. I'm sorry."

Bradford: "I'm a little bit concerned in regard to the 25 hour requirement."

Wood: "Yes, Sir."

Bradford: "We have a lot of families in Illinois that have one car, both parents work, or we have one parent families with one car and the parent works. Where did the 25 hours come from as a reasonable idea?"

Wood: "Under current law, for a driver's permit you are required to take a driver's education course and six hours behind the wheel. It was a recommendation of the task force that 25 hours of time behind the wheel gives teenage drivers more experience and more time and better prepares them. Obviously, because to impose a 25 hour requirement onto our schools programs for driver's ed would be burdensome. It was suggested that the parents or guardian be the supervisor for these additional 25 hours. There was some discussion the task force that many times one of the best causes of a good driver is that the parents do have a role and then the parents do take a concern with their teen driving safety."

Bradford: "Well, I'm concerned about the ability to do that. I'm concerned about the ability to do that of single parent families where that's all there is. I don't know whether

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or not 25 hours is easily met in that regard. That's a long time on the road."

Wood: "It's a parent or someone that they can appoint. So, it does leave some leeway and I would also suggest that while a parent should be involved, and we all have time constraints on our busy lives, clearly the life of your child for the first time behind a wheel should be a concern."

Bradford: "I understand that. Do you believe that the way the law is written in regard to the parental supervision certification, that in the event that a parent certifies 25 hours and that is not, in fact, the case that a new civil cause of action arises in the event of that child causing an accident for failure to abide by the statute and train the child, thereby creating parental responsibility?"

Wood: "No."

Bradford: "You do not believe that?"

Wood: "That's correct. If the parent certifies that they've, you know, done the 25 hours, that's excepted."

Bradford: "And they have, in fact, not done the 25 hours."

Wood: "I don't know how the Secretary of State's Office would have any way of knowing that."

Bradford: "Well, I believe the child will probably be asked that question under oath in the event that there is an accident and if the child says 'no', or there is other proof otherwise that Illinois State Law would provide that if the lack of training can be considered by the jury as a reason for the accident, a proximate cause of the accident, you have created additional parental responsibility liability in this Bill with that provision."

Wood: "I don't believe that's the case."

Bradford: "To the Bill."

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Speaker Brunsvold: "Proceed."

Bradford: "We asked Sponsor in committee whether or not the insurance rates would go down. We asked the Sponsor whether or not this was a circumstance where we were doing a Seat Belt Bill as opposed to a Driver's Education Bill. I don't think any of those questions have been accurately answered. I think this Bill does create an unintended, an unintended but new cause of action in regards to parents being sued for the actions of their children, potentially, not covered by insurance and to that extent, you know, I believe the Bill should be voted down."

Speaker Brunsvold: "The Gentleman from Effingham, Representative Hartke."

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

Speaker Brunsvold: "She indicates she will. Proceed."

Hartke: "Representative Wood, I have some questions about that \$25 fine and I know we're talking about teenagers and teenagers driving with other teenagers in the car, failure to drive or have your seat belt on when you're driving, for each and everyone of us, will that be primary reason for state police to stop us?"

Wood: "No, no."

Hartke: "Will the fine be lowered for you or I if we do not have our seat belts on now from the \$55 to \$25?"

Wood: "It does not affect the current law. It was in the statute that there's a \$25 limit and that remains the same and that was amended in committee."

Hartke: "So, this \$25 reduction then only applies to those individuals under the age of 18 who are caught without seat belts?"

Wood: "No. No. It's no reduction it's the current law and it

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applies to everyone, the \$25 fee."

Hartke: "So, if I fail to wear my seat belt it's a \$55 fine. Is that right?"

Wood: "In the statute it is listed as \$25."

Hartke: "And so, where did the \$55 come from?"

Wood: "There was a Supreme Court decision and there was some discussion about whether or not it should be changed to 55, however, in committee that was amended out of the Bill."

Hartke: "So the \$55 was never current law?"

Wood: "It was not a provision of the statute."

Hartke: "So now failure... if a policeman stops me, possibly, for just to check to see if I'm old enough to drive, or if I have a driver's license, or if I have my insurance and so forth but I don't have my seat belt on that's the only thing he can catch me for, what is the fine now?"

Wood: "The fine is the same as its been set in law, it's \$25 as set by statute."

Hartke: "Now, I've heard some discussion about a whole carload of teenagers. Would each and everyone of them be fined \$25?"

Wood: "It would be the same as current law."

Hartke: "And what would that be?"

Wood: "Anybody in the front seat is required to wear a seat belt under current law."

Hartke: "But now you're requiring everyone under the age of 18 in that automobile to wear a seat belt? Front seat and back seat?"

Wood: "I'm sorry."

Hartke: "Front seat and back seat?"

Wood: "Front seat and back seat."

Hartke: "Why?"

Wood: "Teenage drivers... As I've said, teenage drivers make up 6% of the population. Cause 16%, not of traffic accidents,

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but traffic fatalities. Clearly, those passengers who drive with teenage drivers are also at great risk and we should encourage them to wear their seat belts."

Hartke: "Okay. Now, what would be the insurance rate drop? And do we have some record of that, what has happened in other states? And how many states have this legislation now?"

Wood: "As I have stated, now, we did contact members of the insurance industry. We were told that it generally takes three years to project out appropriate numbers. There are 11 other states that have already adopted a three-tiered graduated driver's license system."

Hartke: "What is their history?"

Wood: "Most of those have been less than three years and so they're still looking at it. I can say that in at least two of the other states, Maryland and California, their fatalities, their fatalities have dropped. It's only common sense that with more time behind the wheel with less... dust, that they will have a positive impact upon determining insurance rates."

Hartke: "You know, to the Bill. This may sound like a very good idea, but I'm not sure... You know when we pass a piece of legislation it goes statewide, it goes all across the state..."

Wood: "Yes, Sir."

Hartke: "...Whether it be the suburban areas or the, or the heavy metropolitan areas in Chicago. Downstate I think we have many responsible drivers, and so forth, and I can understand the Representative's desire to drop fatalities, but I think it would be causing a great burden downstate with many of the teenagers. The only means of transportation they have are that automobile and many times they do ride together to and from events in rural areas,

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rural school districts and that car is an absolute necessity. I think this would be an entirely too much of a burden to have all the people in the State of Illinois, especially downstate teenagers, to go along with. So in that instance I have got to ask my colleagues to follow me and to think very carefully and vote against this piece of legislation. Thank you."

Speaker Brunsvold: "The Gentleman from Cook, Representative Turner. Representative Turner."

Turner, A.: "I move the previous question."

Speaker Brunsvold: "The Gentleman has moved the previous question. All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Previous Question has been moved. The Lady from Lake, to close."

Wood: "Thank you very much, Mr. Speaker, and thank you, for all the very good questions regarding this Bill. As was mentioned, the intent of this legislation is to take the group of drivers that are greatest at risks on our roads and to make sure they're safer. For all of you who have children, neighbors children, grandchildren who will be driving, this Bill will help reduce the fatalities on our roads as been evidenced by other states. The number one cause of death among our youth is traffic fatalities. This legislation in other states has shown to be effective. Please join me in supporting this Bill."

Speaker Brunsvold: "The question is, 'Shall House... Senate Bill 950 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourself. Mr. Clerk, take the record. And on that question there are 84 voting 'yes', 28 voting 'no', 5 voting 'present'. This Bill, having received a Constitutional Majority, is hereby

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declared passed. Senate Bill 951, Mr. Brady. Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 951, a Bill for an Act concerning vehicles. Third Reading of this Senate Bill."

Speaker Brunsvold: "Mr. Brady."

Brady: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 951 is an issue Secretary George Ryan and makes several changes to the Illinois Vehicle Code to enhance protection for those who legally possess persons with disabilities license placards and crack down on those who abuse parking for disabled. Various changes in this Bill, it passed unanimously out of committee and I ask for a favorable vote."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 951 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 954, Mr. Wait. Representative Wait. The Gentleman does not want the Bill called. Senate Bill 955, Mr. Rutherford. Take the Bill out of the record, Mr. Clerk. Representative Howard, on Senate Bill 1002. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1002, a Bill for an Act to amend the Counties Code. Third Reading of this Senate Bill."

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

Howard: "Yes. Thank you, Mr. Speaker. Senate Bill 1002 would permit Cook County to operate a county juvenile impact incarceration program or a boot camp. Right now this

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particular right is given to those in counties under three million and we would like to, also, have that appropriate for counties over three million."

Speaker Brunsvold: "The Lady has asked for the passage of the Senate Bill. Is there any discussion? The Gentleman from Cook, Representative Durkin."

Durkin: "Will the Sponsor yield?"

Speaker Brunsvold: "She indicates she will."

Durkin: "Representative, whose going to pay for the boot camp? Is it Cook County or the State of Illinois?"

Howard: "Not the State of Illinois."

Durkin: "Who would be paying for it then?"

Howard: "If the Cook County wants it, Cook County would pay for it."

Durkin: "Okay. So this is going to be completely budgeted out of the... it's going to be out of the Cook County budget, correct?"

Howard: "It would be."

Durkin: "Okay. What types of offenses would qualify for one to be sentenced to the boot camp under the Juvenile Code?"

Howard: "Well, I'll sort of back into that. If the crime is not a Class X Felony, criminal sexual assault, first degree murder, aggravated kidnapping, second degree murder, armed violence, arson, forcible detention, aggravated criminal sexual abuse, or a subsequent conviction for criminal sexual abuse. If those things are not the case then it is, it is appropriate for a young person to be sentenced to a boot camp."

Durkin: "Did the offenses of car jacking, or armed robbery make that list?"

Howard: "No, they did not make the list I just read to you."

Durkin: "Don't you think that perhaps maybe those would be types

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of offenses which we believe that the young offenders would probably be better off at St. Charles as opposed to a three week or a four week boot camp program somewhere in the City of Chicago?"

Howard: "I don't know whether they would be better off. I'm just indicating to you what the eligibility for the program is that I've described to you."

Durkin: "Could you, briefly, describe to me what the length of stay each one of these juveniles will have within the boot camp of Cook County?"

Howard: "Yes. For minors who have committed misdemeanors is seven to 120 day stay in the boot camp. For minors who committed felonies, 120 to 180 days. The exact number of days would be decided by the Department of Probation."

Durkin: "Okay. And if a juvenile does participate and he is given the option of going to the boot camp, is there any provision within this law which will allow the sheriff to violate the conditions of that court recommendation?"

Howard: "Would allow the sheriff."

Durkin: "Can you violate... can you violate this... I mean, a lot of people don't, right now they don't pass boot camp they fail. If they do not fulfill the requirements of boot camp, what are the... what's the remedy?"

Howard: "Then they, then they... They would then be subject to the Juvenile Division of the Illinois Department of Corrections."

Durkin: "So there's no... I mean if they fail at juvenile boot camp, the next step is going to be only the Department of Corrections. There is no other type of juvenile... no probation, nothing along those lines, correct?"

Howard: "No. According to the information that I have, no. That would would be the next step."

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Durkin: "Has Cook County, have they designated an area or have they even started construction on a facility which would be a juvenile boot camp?"

Howard: "Not at this point. This is something that the county can do if it, so desires."

Durkin: "Okay. Thank you very much, this is a very good Bill."

Howard: "Thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the Lady from Cook, to close. Representative Howard."

Howard: "I just ask that all of my colleagues please give me a 'yes' vote on this very good Bill."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 1002 pass?' All in favor vote 'aye'; all 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. And on that question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1019, Mr. Cross. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1019, a Bill for an Act concerning land transfer. Third Reading of this Senate Bill."

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

Cross: "Thank you, Mr. Speaker. This is a Senate Bill that passed out 53 to 2 and it transfers some land in Kendall County from our forest preserve to the... a strip to the township and a strip to the Kendall County Fair. All parties in Kendall County support it. I'm not aware of any opposition. There's also some quit... quit... quick-take language for the City of Prospect Heights. I don't know of any opposition to an Amendment added at the request of Representative Krause. I'll be glad to answer any

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questions."

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

Lang: "Will the Sponsor yield?"

Speaker Brunsvold: "He indicates he will."

Lang: "Representative, you made some comments about quit claim deeds. Can you enlighten us what you are talking about?"

Cross: "I think I said... I think I said quick-take, Representative, I apologize if I said quit claim it was... I guess I was so nervous I said quit claim, I apologize."

Lang: "All right. So, what do you have in here that regards quick-take?"

Cross: "There's some language dealing with the City of Prospect Heights that they requested and I'll just show you... read off the analysis. To provide quick-take powers for a period of two years to the city of Prospect Heights for the acquisition of redevelopment purposes of certain property. It's about 30 acres south of Palatine Road and east of Wolf Road."

Lang: "Are any of the transactions conveyances of land to private individuals?"

Cross: "Hold on one moment, Representative, and I'll find out. No it's all for the city, Representative."

Lang: "Thank you very much."

Cross: "I apologize again for my nervousness, thank you."

Speaker Brunsvold: "Any further discussion? The Gentleman from Kendall, to close."

Cross: "I would sure appreciate a favorable vote and I hope everyone can vote 'yes', thanks."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 1019 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 113 voting 'yes', 4 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 901, Mr. Deering. Mr. Deering. Take the Bill out of the record, Mr. Clerk. Senate Bill 1024. Please read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1024, a Bill for an Act concerning child support. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This is the New Hire Child Support Task Force Bill. The New Hire Committee was headed by Lieutenant Governor Bob Kustra. The Bill is Sponsored by Senator Penny Severns in the Senate. A federal welfare law now says we have to report new hires to the state within 20 days. All business was at the table too on the New Hire Task Force and I would ask for a favorable vote."

Speaker Brunsvold: "On the question, is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, when this Bill first came out the Department of Employment Security even had some problems with it. Was there a Am... is Committee Amendment #1 their language?"

Lindner: "Yes it is, Representative."

Black: "Okay. And then Committee Amendment #2 was just further clarification?"

Lindner: "Yes, by the Payroll Association."

Black: "Is the... it's been some time since I've looked in this file so forgive me. Is there a threshold before the

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reporting becomes automatic or anybody who hires, any business entity who hires one person, do they have to report?"

Lindner: "Yes any business would have to report this and this is part of the federal welfare law now. So, we have to do this in order to get the Federal Funds."

Black: "I'm sorry, it part of President Clinton's Welfare Reform Bill?"

Lindner: "It's part of the Welfare Reform Bill, passed by the Congress."

Black: "Yes, as President Clinton drafted that, as I recall. Who receives the information? When I report a new hire where does that information go?"

Lindner: "It will go to the Child Support Enforcement Agencies and will be transmitted by the W4 Form or it's equivalent."

Black: "All right. Is there any language, is there any Bill still in the process to transfer the Child Support Division from it's current home, to a new home, or a new agency?"

Lindner: "That's not in this Bill."

Black: "Is there anything still circulating that might do that?"

Lindner: "There is a Vehicle Bill in the Senate."

Black: "What... what does the Division of Child Support do when they get this information and they transpose social security numbers, can they get somebody fired real quick? Particularly, if they make a mistake?"

Lindner: "No."

Black: "How do you know? On this new hire what if... does the Division of Child Support Enforcement then notify the employer that this person has a hit."

Lindner: "Yeah, they don't want to fire the person. They just want the person to pay the child support. So that would be done through an order of withholding just like it's done

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now."

Black: "Now we get to the point of my legitimate and serious concern. My history with the Division of Child Support Enforcement is not good at my district office. I find that they're wrong as often as they are right. Now, if I hire somebody today and I get a notice from the Division of Child Support Enforcement, say in ten working days, that this person, in fact, owes back child support, I suppose rather than go through withholding, garnishee and all that time consuming paper work, that I'm probably just going to fire that employee wouldn't that... I would have cause wouldn't I? Strictly if they're probationary."

Lindner: "There is an appeals process in the statute."

Black: "That's what I..."

Lindner: "And also there is a directory of new hires that's going to, that the state will have to keep."

Black: "Okay. That's what I wanted to make certain of because that appeals process becomes extremely important, because I have had many a case in my district office where they had the wrong social security number, the wrong individual, had somebody down for owing thousands of dollars and, in fact, didn't owe anything. And I just... you can give me reasonable assurance that there is an appeals process so that I won't be wrongfully accused."

Lindner: "There is an appeals process and that was agreed to with business also who sat at the table and the New Hire Child Support Task Force."

Black: "So, as amended, the business community feels this is a mandate that they can live with that it won't cost them excessive amounts of time or money?"

Lindner: "Yes, they do. It is supported by the State Chamber."

Black: "Representative, you've done an out... you've done an

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outstanding job on this Bill and I commend you and particularly the... particularly the new young staffer there to your left, a fine young fellow and a real welcome addition to the Springfield scene."

Lindner: "I'm so happy to get through this Bill that neither one of us had to stand on our chairs or desks, Representative."

Black: "I'll second that, thank you."

Speaker Brunsvold: "Any further discussion? Seeing none, the Lady from Kane to close."

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

Speaker Brunsvold: "The question is, 'Shall Senate Bill 1024 pass?' All in favor vote 'aye'; all 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 that question there are 117 voting 'yes'; 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 1044. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1044, a Bill for an Act concerning financial transactions. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Cook, Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1044, is the disclosure for ATM machines. This is the same Bill that was in the Senate, I mean in the House, we had House Bill 2...which passed out of here 113 votes. This is the duplicate Bill Sponsored by Representative Geo-Karis and also endorsed and pushed by the State Treasurer's Office, Judy Barr Topinka. I ask for a favorable Roll Call."

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Speaker Brunsvold: "Any discussion on the question? Seeing none, the question is, 'Shall Senate Bill 1044 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, 116 voting 'yes', 0 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1084, Mr. McGuire. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1084, a Bill for an Act in relation to Assistive Technology. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Will, Mr. McGuire."

McGuire: "Thank you, Mr. Speaker. This Bill is a duplicate of the Bill that I had a couple of weeks ago. I don't recall the number but it's Assistive Technology and the Bill is a great Bill for those who need that type of assistance. I don't believe there is any opposition to the Bill. I think there was an Amendment. Am I correct, there was an Amendment?"

Speaker Brunsvold: "Mr. Clerk, was there an Amendment to the Bill?"

Clerk Bolin: "Floor Amendment #1 was adopted to the Bill."

McGuire: "Right, I think there was no opposition to the Amendment. I don't believe there is any opposition to the Bill, so I would ask for your favorable vote on this Bill. Thank you."

Speaker Brunsvold: "Any questions or any discussion? Seeing none, the question is, 'Shall Senate Bill 1084 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 116 voting 'yes', 0 voting

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'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 1094. Mr. Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1094, a Bill for an Act to amend the Property Tax Code. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Jefferson, Representative Jones."

Jones, J.: "Thank you, Mr. Speaker. This is a Bill that Senator O'Daniel asked me to carry in the House. Passed out of the Senate 57 to nothing. Passed out of committee here on the House with no opposition. And all it is, it exempts burial grounds owned by a not-for-profit organization in all counties except Cook County; from the mandatory provision requiring annual notification of the chief county assessment officer on the status of the ownership of the property. And I would just ask for a favorable vote."

Speaker Brunsvold: "And on that question is there any discussion? Seeing none, the question is, 'Shall Senate Bill 1094 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Representative Crotty, for what purpose do you rise?"

Crotty: "Thank you, Mr. Speaker. On Senate Bill 1084, let the record show that if this button would have worked, it would have been a 'yes' vote."

Speaker Brunsvold: "The record will reflect that. Mr. Brady on 1109, Senate Bill 1109. Please, read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1109, a Bill for an Act to amend the

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Counties Code. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from McLean, Representative Brady."

Brady: "Thank you, Mr. Speaker. Senate Bill 1109 is a Bill designed to authorize a two-tiered system for requirements of telecommunications and other towers. One tier would be counties less than 180 thousand providing a system and controls for those counties. And another tier would be counties greater than 180 thousand. This Bill is supported by the metro counties; DuPage County, DuPage County Mayors and Managers, Peoria County, AT&T. I don't believe there was any opposition in committee or slips filed on this Bill and it passed out, unanimously, I believe. I ask for your favorable consideration."

Speaker Brunsvold: "Mr. Black, the Gentleman from Vermilion."

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

Speaker Brunsvold: "He indicates he will."

Black: "Representative, would this Bill affect all 102 counties?"

Brady: "It is our... the purpose of the Bill, Representative, is to affect all 102 counties in two different tiers of authority."

Black: "I'm not aware of any concerns with these telecommunication towers in most downstate counties and that's why I'm curious as to why they are, why they are covered."

Brady: "Representative, one of the... that I can give you a concern that existed in my county. A piece of land was obtained for use at the end of an airport runway, in which case the telecommunications carrier was going to place a rather large tower that the airport and the county were very concerned about. Because the airport and the county

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didn't feel that they had any authorization or any chances to prohibit this, they were very concerned about the safety. My county came to me and asked me to try to draft provisions in legislation that would give them a voice and some authority to regulate that out. I sponsored a Bill which was introduced in the House. This Bill was introduced in the Senate. It was much further along than the Bill I had sponsored, in that it had a large amount of agreement amongst the colleagues to the north of us. But it does have an impact on counties and as these telecommunication towers grow in number, I think there's going to more of a concern about where they're placed, particularly for safety reasons. But it does provide a system of regulation that I think is a positive step forward."

Black: "Is there an Amendment on this Bill that limits antennas within any scope of almost two miles of an airport, to 50 feet, 50 feet in height?"

Brady: "I don't believe so, Sir."

Black: "All right. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. This Bill originated in discussion in the Chicago area and I don't have any problem with that. The population is very dense and it gets very difficult as to where you locate these towers in a city like Chicago. But when you limit the height of towers, then you limit the range of those towers in rural Illinois. That's why I was surprised that this Bill carries with it implications for all 102 counties. I would further submit to you that some states have taken this to the absolute asininity, if you will. There are some states that say they have to fit in with the existing architecture. So, if you were in L.A. or Phoenix,

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your cellular tower may have to look like a palm tree. In some areas, they have to look like a water tower, but I'm not too concerned about that. What I am concerned about is if you limit the height of these cellular telecommunication towers in rural downstate areas, then you limit the range that the tower will work. You say, 'Well, what does that matter'? Then we need two, three, four times as many towers to have the coverage area that would make it financially feasible to use your cell phone. If the Sponsor would like to amend this to the Chicago area, I think that's where these problems on where you put these towers have come to light. Other than the Sponsor's legitimate concerns about one near an airport, and I thought federal law would preclude where that could be. This really has some ramifications if you live in downstate Illinois. If you limit the height of these cellular towers, then be prepared to have two, three, four times as many towers as you might otherwise need to get the cellular coverage. I would submit to you that those extra towers are going to add cost to my cell phone bill. And it is for that reason, not only that, but I don't think we need a proliferation of towers in downstate Illinois any more than they do in Chicago. I don't think this Bill should be drafted to impact every county in the State of Illinois. There is opposition to the Bill, although it's weak, from many cellular providers, but certainly as a consumer of cellular services, I rise in opposition because I believe it will have an can have a serious impact on cellular and telecommunication service in the rural areas of downstate Illinois. So, I would ask that my downstate colleagues take a long look at this and perhaps consider a 'no' vote."

Speaker Brunsvold: "The Gentleman from Cook, Representative

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Giles."

Giles: "Thank you, Mr. Speaker. Could the record please reflect that for Senate Bill 1002, I would have voted 'yes'?"

Speaker Brunsvold: "It will so reflect."

Giles: "Thank you, Mr. Speaker."

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

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

Speaker Brunsvold: "Indicates he will."

Cross: "Representative Brady, are the... was that a yes?"

Brady: "I'm sorry, I didn't hear your question."

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

Cross: "What's the position of the 911 boards throughout the State of Illinois at least within the confines of the state lines?"

Brady: "Could I yield to Representative Durkin? Representative, I have no idea."

Cross: "Wouldn't the 911 boards have some interest in the number of..."

Brady: "If they have they have not... again, with all due respect to the previous speaker, this legislation simply addresses the authorization within a residential area in an unincorporated areas. In fact, the requirements are less in downstate than they would be in the upper part of the state. I have no idea of any opposition from the 911 boards."

Cross: "Would this not conflict with downstate zoning ordinances? I mean, are we now going to be putting 911 towers in agricultural..."

Brady: "Representative, as I understand it now downstate, there's nothing a county board can do to prohibit that. This simply allows them some regulatory authority. So I don't think the nature of your question is appropriate."

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Cross: "Couldn't you as a, couldn't, not me or you individually, but couldn't our county board... could our county boards prohibit the siting of these towers in their own particular counties if they chose to do so?"

Brady: "Only if they exceed these regulations and the county board could authorize a variance in those cases, but we are establishing..."

Cross: "I'm sorry, I didn't hear what we were establishing."

Brady: "We are establishing parameters under which they can provide towers, towers that are very... that are broken down into two categories, counties of 180 thousand and more and counties of less than that. The requirements in the Bill have been worked out by most all those involved in telecommunications industry. They also require some establishments based on height of those towers, depending on the county, and within a residential district's distance, again in unincorporated areas of the county. Representative, I don't... this is going to allow county boards... this is going to allow more restrictions but yet it does allow a county board to authorize a variance for those restrictions."

Cross: "Can you explain the meaning of paragraph (g) on page 11? That's paragraph (g) on page 11. Well, Representative, as I look at it, never mind. It's pretty self... it's self-apparent what it means. Thank you for answering those questions."

Brady: "You're welcome."

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

Scott: "Thank you, Mr. Speaker. Briefly, to the Bill. It's not just a Chicago problem. There was a case in Rockford where somebody located one of these in a residential area right in a backyard of another person. I believe there's an

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Attorney General's opinion which says that right now under current law that counties can't regulate these things so this would be necessary to put these restrictions into the law. I think the restrictions that are there are pretty mild and it is necessary to help protect some neighborhoods from these towers and where right now, they can't be regulated at all. I think this is a common sense way to deal with it and I'd urge a 'yes' vote."

Speaker Madigan: "Mr. Brady to close."

Brady: "Thank you, Mr. Speaker, Ladies and Gentlemen. This provision's been worked out with a lot of detail. I think it's a good common sense piece of legislation. It will provide some common sense restrictions on where these towers are placed. It will also authorize county boards to have some variance authority. I ask for your favorable vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 1109 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 110 voting 'yes', 5 voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair is going back to the beginning of the Third Reading call and I'll proceed through the call again and ask the Sponsors if they wish the Bill called. Senate Bill #3. Mr. Hannig. Senate Bill 13. Mr. Bost. Excuse me, excuse me, Mr. Bost. Senate Bill 35. Mr. Parke. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 35, a Bill for an Act amending the Property Tax Code. Third Reading of this Senate Bill."

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

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Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 35, provides a Chief County Assessment Officer in counties of less than 3 million inhabitants to extend the deadline for filing for senior citizens assessment freeze homestead exemption for a period of 30 days. That's 30 days after the applicant regains the capacity to file an application but not to exceed three months, if an applicant failed to file for the exemption in a timely manner due to a severe mental or physical condition. Requires a signed statement from a physician verifying the incapacitated condition of the applicant. It's similar to a number of Bills, but it has a uniqueness to it. Those senior citizens that really are either physically or mentally ill that after they get better, that they can, with a doctor's approval, can file for a senior citizen assessment freeze. So, I would ask the Body to vote for this Bill."

Speaker Brunsvold: "And on that question is there any discussion? Seeing none, the question is, 'Shall Senate Bill 35 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Andrea Moore, on Senate Bill 36. Mr. Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 36, a Bill for an Act in relation to taxes. Third Reading of this Senate Bill."

Speaker Brunsvold: "Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 36 passed through the Senate 56-0-0,

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and requires publication of notice of availability of Senior Citizens Assessment Freeze Homestead Exemption. I would respectfully request an 'aye' vote."

Speaker Brunsvold: "On that question is there any discussion? Seeing none, the question is, 'Shall Senate Bill 36 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 39. Representative Pankau. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 39, a Bill for an Act amending the Illinois Library System Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "Representative Pankau."

Pankau: "Thank you, Speaker, Members of the General Assembly. Senate Bill 39 amends the Library System Act and it provides that if a library that is receiving a grant is located in a taxing district that becomes subject to the property tax extension, well, to tax caps, that as a result of becoming subject to that law the corporate authorities of the taxing district no longer levy a tax at the rate that meets the state... that meets the rate prescribed by the state but the money is still there. They receive the grant as long as they still become subject to all the other terms and conditions of the grant. And I ask for your approval."

Speaker Brunsvold: "On that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 39 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting

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is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question there there are 116 voting 'yes', 1 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 46. Representative Moore. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 46, a Bill for an Act in relation to property taxes. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 46 passed the Senate 56-0-0. Provides that the approval of the mortgagee is not required for participation in the Senior Citizens Real Estate Tax Deferral Act, and I would respectfully request an 'aye' vote."

Speaker Brunsvold: "On that question is there any discussion? Seeing none, the question is, 'Shall Senate Bill 46 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 116 voting 'yes', 1 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Coulson, on Senate Bill 83. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 83, a Bill for an Act concerning income tax check offs. Third Reading of this Senate Bill."

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

Coulson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 83, amends the Illinois Income Tax Act to create a tax check off for the Mental Health Research

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Fund, the Children's Cancer Fund and the American Diabetes Association. It also amends the State Finance Act, and the Civil Administration Code in order for the money to be put into a fund and then sent out as grants. I would entertain any questions."

Speaker Brunsvold: "And on that question, the Gentleman from Will, Mr. McGuire."

McGuire: "Mr. Speaker, on the last Bill I was coming back from being outside to see a lobbyist and hit the wrong button by mistake. Would you please, record me as 'aye' on the previous Bill. Thank you."

Speaker Brunsvold: "The record will so reflect. On the question is there any discussion? Seeing none, the question is, 'Shall Senate Bill 83 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 117 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. And again on the order of... Andrea Moore. Senate Bill 103. She does not wish that Bill to be called. Senate Bill 110. Representative Churchill. Out of the record, Mr. Clerk. Senate Bill 157. Mr. Moffitt. Out of the record. (Senate Bill) 162, Representative Andrea Moore. Please, read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 162, a Bill for an Act concerning districts. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 162 passed the Senate, 57 Members voting 'aye', 0, 0. Clarifies that the property owned by a municipality is exempt from property taxes, and it also

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allows the forest preserve to transfer interest income. Be happy to answer any questions. Please, vote 'aye'."

Speaker Brunsvold: "And on that question is there any discussion? Seeing none, the question is, 'Shall Senate... whoops. Excuse me. The Gentleman from Cook, Mr. Lang."

Lang: "Will the Sponsor yield?"

Speaker Brunsvold: "She indicates she will."

Lang: "Representative, I understand that this would authorize each district to transfer interest income into the fund that they think has the most need. Is that correct?"

Moore, A.: "Yes. Unless the interest income has been earmarked or restricted by the board for a designated purpose."

Lang: "Where does that money go now?"

Moore, A.: "It stays in the specific funds. It is from bond proceeds."

Lang: "What's the public policy purpose behind allowing them to have discretion over where these interest funds go?"

Moore, A.: "Well, currently the interest income stays in the bond fund, when the bonds are issued and towards the end of the bond cycle, the bonds are reduced minimally."

Lang: "Explain that to me again. Wouldn't this interest be more properly used or maybe I'm misunderstanding you. Shouldn't it be used to pay the debt down more quickly?"

Moore, A.: "Well, actually it is not used in that way in any of the other municipal local governments. They are all allowed to do this, except the forest preserve districts."

Lang: "So, what about the Cook County Forest Preserve District, which is not included here. What can they do with their interest income?"

Moore, A.: "They can do what we're requesting in this Bill."

Lang: "So, you want the downstate forest preserve districts to be on the same playing field that Cook County is, is that

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correct?"

Moore, A.: "That would be good."

Lang: "There is no other differences. So this would put them in exactly the same position relative to this interest income?"

Moore, A.: "As far as I know, yes."

Lang: "What about as far as your staff knows that's standing in front of you?"

Moore, A.: "He shakes his head, yes, too."

Lang: "Okay."

Moore, A.: "So, does yours right behind you there."

Lang: "Well, I don't have eyes behind me but, thank you."

Speaker Brunsvold: "The Gentleman from Cook, or excuse me. The Gentleman from DuPage, Mr. Roskam."

Roskam: "Mr. Speaker, on Senate Bill 39, I mistakenly voted 'no' and I would like the record to reflect that I should have voted 'aye'."

Speaker Brunsvold: "It will so reflect. The Lady from Lake to close. Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. Ladies and Gentlemen of this House, this is a small Bill that brings the forest preserve districts on equal footing with the other municipalities. It also clarifies that municipalities are exempt from property taxes. Please, vote 'aye'."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 162 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Record yourself. Mr. Clerk, take the record. And on that question there are 114 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 157. Mr. Moffitt. Mr.

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Clerk, please read the Bill."

Clerk Rossi: "Senate Bill 157, a Bill for an Act concerning property taxes. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Knox, Mr. Moffitt."

Moffitt: "Thank you, Mr. Speaker. Senate Bill 157 is permissive. It allows the county, the local assessing authorities to set a time other than, a deadline other than July 1, for the sign up of the senior citizens assessment freeze. The other exemptions that they sign up for, such as homestead, senior homestead exemption are a different date. This says they can make them all the same. Simply makes government more efficient, easier to work with, more consumer friendly. Be happy to answer any questions. Would point out that this is similar, identical actually to House Bill 167."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none the question is, 'Shall Senate Bill 157 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Kubik, on Senate Bill 165. Take that Bill out of the record. Senate Bill 171. Mr. McKeon. The Gentleman from Cook, Mr. McKeon."

McKeon: "Speaker, could we return this to Second Reading for purposes of filing an Amendment?"

Speaker Brunsvold: "Mr. Clerk, place that Bill on Second Reading. Senate Bill 237. Mr. Leitch. Take that Bill out of the record. Senate Bill 341, Mr. Biggert. The Lady from DuPage. Take that Bill out of the record. Senate Bill

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355. Representative Gash. Out of the record. Senate Bill

366. Representative Lindner. Do you wish to have that Bill called? Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 366, a Bill for an Act concerning children. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Lake, excuse me, the Lady from Kane, Representative Lindner."

Lindner: "Thank you, Mr. Speaker. This is a cleanup Bill to last years Senate Bill 522. It was requested by Senator Carl Hawkinson. Just changes some of the language that's technical in there. Also, if you remember, there was expedited termination under egregious circumstances. That's now changed to aggravating circumstances and enumerates those in this Bill. I would ask for a favorable vote."

Speaker Brunsvold: "And on that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 366 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 114 voting 'yes', 0 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Continuing on the order of Andrea Moore, Senate Bill 374. Mr. Clerk, read the Bill."

Clerk Rossi: "Senate Bill 374, a Bill for an Act concerning occupation and use taxes. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Lake, Representative Moore."

Moore, A.: "Thank you, Mr. Speaker. Senate Bill 374 exempts qualified technological equipment that was purchased by a lessor who has elected to pay the retailers' occupation tax

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from the lease, it's exempted from the lease of the equipment in this state. Be happy to answer any questions."

Speaker Brunsvold: "And on that, is there any discussion? Seeing none, the question is, 'Will Senate Bill 374 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, 114 voting 'yes', 2 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 381. Representative Roskam. Take that Bill out of the record. Mr. Dart, on Senate Bill 427. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 427, a Bill for an Act amending the Illinois Marriage and Dissolution of Marriage Act. Third Reading of this Senate Bill."

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

Dart: "Thank you, Mr. Speaker, Members of the House. This Bill, is an initiative of the CBA and is to clarify that the court appointed attorney can add... it adds property to the list of things which the court appointed attorney can represent the interest of a minor child for. And I would appreciate any support for the Bill."

Speaker Brunsvold: "On that question, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 427 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On that question there... Mr. Clerk, take the record. On that question, there are 114 voting 'yes', 0 voting 'no', 2 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 463. Representative

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Feigenholtz. Out of the record, Mr. Clerk. Mr. Churchill.
Out of the record. Out of the record. Mr. Stephens on
Senate Bill 569. Out of the record. Mr. Moffitt. Senate
Bill 594. Out of the record. Senate Bill 681, Mr.
Biggins. Out of the record. Senate Bill 684. Mr. Clerk,
read the Bill."

Clerk Rossi: "Senate Bill 684, a Bill for an Act amending the
Illinois Public Aid Code. Third Reading of this Senate
Bill."

Speaker Brunsvold: "The Gentleman from Washington, Mr. Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Senate Bill 684 comes from the Audit Commission.
It's dealing with some of the audits that the Auditor
General had looked at, very specifically, the MSI audit.
The funds, the state funds, the public funds that were paid
to the MSI group that brought so much criticism and
publicity throughout the state were paid from
non-appropriated line items. What this legislation and
language does, just makes it a more definitive definition
of how these monies are to be paid to these contracts in
these situations. These monies have to be paid from
appropriated funds only, so it just kind of cleans up our
housekeeping, it tries to make the state operate on a more
financially feasible basis. I would be happy to try and
answer any questions."

Speaker Brunsvold: "The Gentleman has asked for the passage. Is
there any discussion? Seeing none, the question is, 'Shall
Senate Bill 684 pass?' All in favor vote 'aye'; all
opposed vote 'no'. The voting is open. Have all voted who
wish? Have all voted who wish? Have all voted who wish?
Mr. Clerk, take the record. On that question, 116 voting
'yes', 1 voting 'no', 0 voting 'present'. This Bill having

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received a Constitutional Majority, is hereby declared passed. The Lady from Cook, Representative Wojcik. For what reason do you rise?"

Wojcik: "Mr. Speaker, I inadvertently hit my 'no' vote and I just want to reflect an 'aye' vote on Senate Bill 684."

Speaker Brunsvold: "The record will so reflect. Senate Bill 753. Please, read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 753, a Bill for an Act in relation to negotiation of firefighter residency requirements. Third Reading of this Senate Bill."

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

Schakowsky: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 753, which passed out unanimously from the Senate and is identical to House Bill 896, which passed 108 to 6 out of the House. What it does is allow residency requirements for downstate firefighters to be a subject of bargaining and utilize the arbitration process as a way to settle unresolved disputes over the issue. This legislation does not provide for a mandatory statewide removal of existing residency provisions, however, it does allow for negotiation. I would be happy to answer any questions."

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

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

Speaker Brunsvold: "She indicates she will."

Black: "Representative, why is the City of Chicago exempt from this piece of legislation?"

Schakowsky: "Well, the Senate did that. I guess everybody seemed to agree that the city should be out. I'm really not sure

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why that Amendment was added in the Senate."

Black: "Under your Bill, if I wanted to become a firefighter and I don't meet any of the requirements anymore, I'm too old, too fat, too slow. But be that as it may, if I wanted to become a Chicago firefighter, do you think I could live in Danville and still be a Chicago firefighter? I'm only 150 miles away?"

Schakowsky: "I believe that the City of Chicago does, in fact, have a residency requirement and that you could not, Representative."

Black: "So, the fact that I lived 150 miles away, they could probably discriminate against me then, couldn't they?"

Schakowsky: "Yes, they could."

Black: "I mean, the fact that it would take me three and a half hours to get to the fire, shouldn't have any bearing on it, should it?"

Schakowsky: "Well, it might be a slight problem, yes."

Black: "Okay. In seriousness, to your Bill. The board says, negotiate residential rights and I believe the language calls for arbitration and there is certainly a difference. Does the language of the Bill require binding mandatory arbitration?"

Schakowsky: "The... I believe that it can be a matter of... that it can be brought to the bargaining table and unresolved conflicts then would go to arbitration. No, you're right. It says, residency requirements for firefighters would be determined by an arbitrator."

Black: "Right, okay. Now, I really don't have any problem with this Bill. But the scenario I gave you about, obviously, the City of Chicago would not want me as a firefighter in any case. But certainly not if I lived 150 miles away. My only concern is when you go to arbitration, and I guess it

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would be legislative intent, at some point we need to establish the fact, that now, we have to be reasonable. If you live 30 miles, if you're going to live 30 miles away, your effectiveness as a firefighter would certainly be called into legitimate question on a case of a, and I'm not talking about just your shift. I mean sometimes particularly in rural communities they have to call all firefighters, off duty, on duty and even mutual aid. And I just, and I'm going vote for your Bill. The only concern I have is that some arbitrator who doesn't understand that, I hope we establish legislative intent or maybe a trailer Bill. There has to be some reasonableness attached to this, because I really think that it would be counterproductive to allow somebody to live 30, 40, 50 miles away and still be a firefighter for a community, and I'm sure that you would agree with that."

Schakowsky: "Well, I certainly do agree with that, that the intent here is to leave it open to reasonable residency and not to certainly create a public safety hazard."

Black: "Sure, and I don't have any problem with that. I think many small downstate communities, everybody likes to get just outside, maybe on two or three acres and a little pond and I don't have any problem with that. But I think it is something we'll have to watch for that standard of reasonableness. Other than that concern, which may be exaggerated, I don't have any problem with the Bill at all and I appreciate you answering the questions."

Speaker Brunsvold: "Any further discussion? If not, the Lady from Cook to close."

Schakowsky: "I would urge an 'aye' vote."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 753 pass?' All in favor vote 'aye'; all opposed vote 'no'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 115 voting 'yes', 1 voting 'no', 1 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. Senate Bill 772. Mr. Scully. Mr. Scully. Take the Bill out of the record. Senate Bill 804. Representative Moore. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 804, a Bill for an Act in relation to taxes. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Lady from Lake, Representative Moore."

Moore A.: "Thank you, Mr. Speaker. The basic part of the Bill is one that the House has already voted on before and it allowed tax liabilities to be paid electronically by utilities. And there have been two Amendments. Amendment #1, amends the Gas Revenue Tax Act and clarifies that the tax exemption granted for gas services a customer acquired from an out-of-state supplier on or before March 1, 1995, states the exemption includes any charge for gas or gas service except those charges related to the local distribution of gas by a public utility. Stipulates the provisions of this Amendatory Act are intended to clarify rather than change existing law as to the meaning and scope of this exemption. Amendment #3, excuse me, Amendment #2 provides a public utility tax exemption for business enterprises located adjacent to an enterprise zone and this was suggested by the Danville Area Economic Development Corporation. I'd be happy to answer any questions."

Speaker Brunsvold: "And on that question, is there any discussion? The Gentleman from Effingham, Mr. Hartke."

Hartke: "Yes, would the Sponsor yield?"

Speaker Brunsvold: "She indicates she will."

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Hartke: "Did I just hear you say that businesses located next to or adjacent to an enterprise zone would enjoy the same tax exemptions that those in the enterprise zone would?"

Moore, A.: "If the business enterprise locates in a county with 125 thousand inhabitants or less, they make investments that result in the creation of a minimum of 150 full-time jobs and is located adjacent to an enterprise zone or has a portion of its property located in an enterprise zone."

Hartke: "And what would be the fiscal impact on that little Amendment you have, this little bitty Amendment? Maybe Mr. Black could answer that."

Moore, A.: "Right, Representative Black would be happy to answer this question rather than have me try and search through."

Black: "Yes, thank you very much, Representative Moore."

Speaker Brunsvold: "The Gentleman from Vermilion to answer Mr. Hartke's question."

Black: "Thank you, Mr. Speaker. Representative, the only thing we're attempting to do here, is we are not automatically extending any of the other tax breaks to an enterprise zone. The language is..."

Hartke: "Just the utility tax?"

Black: "Yes, the language is specific to a utility tax. Each unit of government would have to agree to extend any other benefits under the Enterprise Zone Act. This is narrowly defined language. There is a plant, a major manufacturing plant looking to locate in my district. They're willing to spend \$250 million to build the facility. They'll employ about 150 people. If they employ 200 people they would automatically be exempted from the utility tax, but with automation we're not seeing the number of employees that we did 10 years ago. So this is simply a response to a situation in my district that says, if you come, if you, in

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fact, build, and if you, in fact, hire 150 people, you'll be exempt from the utility tax and I put a sunset clause in here. If they don't come, if they don't do what they say they're going to do, if they end up only hiring 10 people, then it goes away in, I think, the year January 1, 2002, I think."

Hartke: "Okay, now this would have to be property adjacent to the current enterprise zone?"

Black: "That's correct. That's the land that they are looking at."

Hartke: "Representative, could it be possible to amend the enterprise zone in your community by doing that as well?"

Black: "My guess is that if, in fact, they locate at this spot, you will see me very early in the next Session trying to amend our enterprise zone boundaries."

Hartke: "Okay, but right now this Amendment just says that which the state will exempt those utility tax."

Black: "That's correct."

Hartke: "But now, if the other taxes want to be exempt, they have to be written off by each of those local governments that are now currently involved with the agreements in that enterprise zone?"

Black: "Yes, that's certainly my understanding of the Act."

Hartke: "Sounds like a great economic development package for Danville. I may want to use this sometime. Thank you."

Black: "Thank you."

Speaker Brunsvold: "The... any further discussion? Further discussion? The Lady from Lake to close."

Moore, A.: "Thank you, Mr. Speaker. This is a good Bill that gives incentives to the area for the Representative and provides for electronic fund transfer. Please vote 'aye'."

Speaker Brunsvold: "The question is, 'Shall Senate Bill 804

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pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 113 voting 'yes', 4 voting 'no', 0 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Senate Bill 901. Representative Deering. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 901, a Bill for an Act to amend the Illinois Clinical Laboratory and Blood Bank Act. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Washington, Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 901, it amends the Clinical Laboratory Licensing Act. Prior to us passing legislation allowing the optometrists who give therapeutic drugs, the clinical laboratories had to be licensed. Now that we've been able to, now that we have given them the opportunity to administer therapeutic drugs, they at many times have to send clinical specimens to the clinical labs to have them checked. This just brings optometrists under the umbrella of the Licensing Act. It's more or less cleanup or a trailer Bill as the legislation we done a year or two ago. Be happy to try and answer any questions."

Speaker Brunsvold: "Is there any discussion? The question is, 'Shall Senate Bill 901 pass?' All in favor vote 'aye'; all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 114 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby

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declared passed. The Chair would like to inform the Members on both sides of the aisle, the Illinois Petroleum Marketers were going to provide supper for the Members this evening around 6:00. So, be aware of that, so you don't have to order out. Petroleum Marketers, again, will be supplying food for the Members this evening. The Clerk has informed me unless you're a vegetarian, they will be providing food for the Members. Yes, this steak fry is being Sponsored by Representative Wojcik and Representative Brunsvold. Mr. Wait, would you like 954 called? Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 954, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 954, is a Bill of the Secretary of State to bring it into compliance with the federal government. It says, if you lose your CDL, a lifetime suspension under the current law in Illinois, we say that you can get it back after 10 years. This says, if you once lose it, you get it back and if you lose it a second time you have truly lost it for life. Also, an Amendment we put on there for the Secretary of State, does away with the Merit Advisory Board and transfers this duty to the Merit Commission. So, it's a good Government Bill to save money. I'd be happy to answer any questions."

Speaker Brunsvold: "And on that, is there any discussion? The Gentleman from Cook, Representative Lang."

Lang: "Will the Sponsor yield?"

Speaker Brunsvold: "He indicates he will."

Lang: "Thank you. Representative, I may be reading my analysis

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wrong but this seems to say that if someone is disqualified from driving a commercial vehicle for life, then if they're subsequently convicted of another disqualifying offense they are permanently disqualified for life. What's the difference from being disqualified for life or being permanently disqualified for life."

Wait: "Well, first of all let me explain it and then I would like to take it out of the record. I guess we would like to put an Amendment on this. But anyway, what it is in Illinois, we say you lose it for life but then because we're good guys, I guess, in our statute it says after 10 years we can look at it again and you can get it back and then with the federal government, we have to be in compliance with that and that would say, once you get it back you can only get a one shot to get it back."

Lang: "All right. So, what this would say then is that, if during that 10 year period you have a subsequent offense that would be a disqualifying offense, then you cannot get your license back at all. There would be no leniency, no opportunity, no equivalent of a JDL or anything like that?"

Wait: "Right. That is correct."

Lang: "Thank you."

Wait: "Mr. Speaker, could I take this out of the record? I think we want to put an Amendment on it, I was just told."

Speaker Brunsvold: "The Gentleman would like to remove the Bill from the record. Mr. Wait, would you like that Bill placed on Second Reading?"

Wait: "Yes, please."

Speaker Brunsvold: "Mr. Clerk, place that Bill on Second Reading. Senate Bill 920. Mr. Winters. Take that Bill out of the record. Mr. Rutherford. Clerk, Committee Reports."

Clerk Bolin: "Representative Stroger, Chairman from the Committee

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on Local Government to which the following Bills, Resolutions and Amendments were referred, action taken on May 12, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment #1, to Senate Bill 285. Representative Scott, Chairman from the Committee on Judiciary I, Civil Law, to which the following Bills, Resolutions and Amendments were referred, action taken on May 12, 1997, reported the same back with the following recommendations: 'Be adopted' Senate Bill 465, Floor Amendment #1. Representative Erwin, Chairman from the Committee on Higher Education to which the following Bills, Resolutions and Amendments were referred, action taken on May 12, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment #1, to Senate Bill 837. Representative Burke, Chairman from the Committee on Executive to which the following Bills, Resolutions and Amendments were referred, action taken on May 12, 1997, reported the same back with the following recommendations: 'Be adopted' Floor Amendment #2, to Senate Bill 910."

Speaker Brunsvold: "Mr. McKeon, for what reason do you rise?"

McKeon: "Mr. Speaker, if I have the opportunity I would like the record to reflect I would have voted 'yes' on Senate Bill 901. Thank you."

Speaker Brunsvold: "The Chair is going to page 8, of the Calendar on Second Readings. We will go through the Bills that do not have Note requests. So, if you're a Sponsor you can be prepared to move your Bill if it does not have a Note request. Senate Bill 6, Mr. Dart. Senate Bill 21, Mr. Saviano. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 21, a Bill for an Act to amend the Township Code. Second Reading of this Senate Bill. No

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

Speaker Brunsvold: "Mr. Bergman, on Floor Amendment #1."

Bergman: "Mr. Speaker, Floor Amendment #1 is a technical Amendment that was recommended in the House Local Government Committee. It changes and clarifies some language with regard to road repairs and flood control and has the concurrence of both Sponsors. Supported by the TOI and the County Engineers. Ask for a favorable consideration."

Speaker Brunsvold: "And on the Amendment the Sponsor of the Bill, Mr. Saviano."

Saviano: "Mr. Speaker, thank you. We will accept the Amendment."

Speaker Brunsvold: "Okay. The Sponsors have accepted the Amendment. Is there any discussion on the Amendment? Seeing none, all in favor of the Amendment say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 56, Mr. Novak. Out of the record. Senate Bill 101. Mr. Hoeft. Read the Bill."

Clerk Bolin: "Senate Bill 101, a Bill for an Act to amend the Illinois Pension Code. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 172. Mr. Scully. Mr. Scully. Out of the record. Senate Bill 222. Mr. Daniels. Representative Cowlshaw. Representative Cowlshaw. Out of the record. Senate Bill 129. Representative Capparelli. Read the Bill, Mr. Clerk."

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Clerk Bolin: "Senate Bill 129, a Bill for an Act to amend the Election Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 226. Representative Cowlshaw. Senate Bill 250. Mr. Bost. Read the Bill."

Clerk Bolin: "Senate Bill 250, a Bill for an Act concerning the Illinois Coal Development Board. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 285. Mr. Steve Davis. Senate Bill 285, Mr. Davis. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 285, a Bill for an Act to amend the Illinois Highway Code. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Bergman, has been approved for consideration."

Speaker Brunsvold: "Mr. Bergman on Senate... Floor Amendment #1."

Bergman: "Mr. Speaker, Floor Amendment #1 deals with House Bill 1223 which passed out of this Body last month, 116 to nothing. It has the concurrence of both of the Sponsors and support of the TOI and the county engineers and ask for favorable consideration."

Speaker Brunsvold: "On the Amendment, is there any discussion? Seeing none, all in favor of the Amendment say 'aye', all opposed say 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 304. Mr. Noland. Does not wish the Bill to be called. Senate Bill 316. Mr.

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Churchill, Mr. Santiago. Out of the record. Senate Bill 317. Mr. Winters. Out of the record. Senate Bill 320. Mr. Leitch. Read the Bill. (Senate Bill) 320."

Clerk Bolin: "Senate Bill 320, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #2, offered by Representative Currie, has been approved for consideration."

Speaker Brunsvold: "Is Representative Currie on the Floor? Representative Currie. Mr. Clerk, take the Bill out of the record. Senate Bill 329. Mr. Leitch. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 329, a Bill for an Act to amend the Children and Family Services Act. Second Reding of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 172. Mr. Scully. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 172, a Bill for an Act in relation to sex offenders. The Bill has been read a second time previously. Floor Amendment #2, offered by Representative Fritchey, has been approved for consideration."

Speaker Brunsvold: "On Floor Amendment #2, the Gentleman from Cook, Mr. Fritchey."

Fritchey: "Thank you, Mr. Chairman... Mr.. Speaker. I apologize. Floor Amendment #2 to Senate Bill 172 was over here previously as House Bill 152. It was the Bill provided for criminal penalties for use of the internet to solicit minors. That Bill passed out of here, I believe, 115 to 1. The Bill was... did not get a chance to get called in the Senate Judiciary Committee. I've spoken with the Bills Sponsor of Senate Bill 172 and with Senator Hawkinson who

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chairs the Senate Judiciary Committee and they are both in favor of putting this Bill on... this Amendment on to this Bill, so we can get it back over there and get it approved on the Senate side. That having been said, I appreciate a favorable consideration. Thank you."

Speaker Brunsvold: "And on the Amendment is there any discussion? The Gentleman from Kendall, Mr. Cross."

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

Speaker Brunsvold: "He indicates he will."

Cross: "Representative, our file shows the State Police and Cook County P.D. are down on this. Do you know why? Or opposed to it, I should say."

Fritchey: "That's incorrect. That's incorrect. They have no opposition to this Amendment. As a matter of fact, they were in favor of the House Bill."

Cross: "Apparently, Representative, there's some technical problems with this Amendment. Have you talked to staff on your side to attempt to address the problems?"

Fritchey: "There was some objection to the original Bill. There are no technical problems that have been brought to my attention by any means with respect to this Amendment. As I said, this Amendment passed out 115 to 0, or 115 to 1, when we dealt with this before. It's the identical language as House Bill 152."

Cross: "Representative, apparently there is some inconsistency on the definitions. Specifically, in the areas of indecent solicitation of an adult, indecent solicitation of a child soliciting for a juvenile prostitute, or juvenile pimping. Have you had a chance to address those?"

Fritchey: "That was all cleaned up in this Amendment. We had actually dealt with this prior to, we had dealt with this prior to approval of the House Bill and that was all

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cleared up and all the inconsistencies were cleared up. I went over this with Representative Roskam some time ago."

Cross: "Well, I guess with all due respect, our reading of the Bill does not... we don't agree with you. Why would... you're not increasing the penalty for the offense. Is that correct?"

Fritchey: "No, that's incorrect. Use of the computer to commit solicitation of a minor would become a separate and distinct offense. It would be a Class IV Felony."

Cross: "Representative, right now soliciting a child by means of a computer, a computer, the computer is a Class IV. What are we gaining by this?"

Fritchey: "This becomes... the Bill does a couple of things. It becomes a separate and distinct offense for somebody to use a computer in commission or solicitation of an adult or solicitation of a child. Additionally, what we have done is raise the ages for solicitation of a child and solicitation of an adult to protect kids under the age of 17. Currently only children under the age of 13 are protected."

Cross: "But we're not increasing the penalty, is that correct?"

Fritchey: "That's correct."

Cross: "And going back to the offenses of the inconsistency, how do you... where did you clean that up because it doesn't show..."

Fritchey: "It was actually cleaned up before we passed this Bill out of the House. I had held it back to work on language, I had worked on language, and as I said, showed that language to Representative Roskam. And at the time there was no objection voiced to this Bill during debate on the Floor when it was over as a House Bill."

Cross: "Representative, do we still have the same issues of venue

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problems and intent problems with this Amendment?"

Fritchey: "No, the venue language was taken out months ago. There were a couple of Amendments that were put into the House Bill and that... the venue issues were dealt with, the jurisdiction issues were dealt with, the intent issues were addressed literally months ago."

Cross: "So, where would the venue be in a case like this?"

Fritchey: "I'm more than happy to have this discussion again. I believe that the venue would be arguably, that the venue is either this side of the transmission or where the transmission's received. The way that it is right now, it would be where the offense occurs. It is somewhat of a cutting issue nationally as far as where venue lies in computer crimes. This Bill does nothing to change the Criminal Code of Procedure, so venue would be, as to be determined in any other offense. I had attempted originally to say that venue would lie either where the individual committing the offense, were located, or where the child, who was the victim of the offense were located and at the request of one your colleagues that language was taken out. As I said, sometime ago, while this Bill was still in committee." Cross: "So, where does the offense take place. Does it take place where the minor is, or where the adult is?"

Fritchey: "You would have to look to the Code for determination, now. My interpretation, and I think the way that the law is going to evolve statewide and nationally, is that you're going to see either side is found to be valid for venue. I brought up at the time, there was an article, I believe about two months ago in the Illinois Bar Journal talking about the emerging trend of trying to define where venue lies in computer crimes. And they found that it is

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eventually going get to the point where it will be at either the site of the origination of the transmission or the receipt. I had wanted to deal with that. At the urging of your colleagues, I took that language out of the Bill."

Cross: "Representative, going to another issue. You have, and I need, maybe you can help me find it. Talking about ignorance of the age is no excuse. Where is that in your Bill, in your Amendment?"

Fritchey: "In the Bill right now, it provides that you have to engage in the series of communications with an intent to commit a certain offense. If you were speaking to a minor on the computer but you believe that individual was of age, that you don't have the requisite intent to be found guilty of the offense."

Cross: "How are we going to determine... So if I'm defending this case and I'm the defense attorney, if I can prove that... all that I have to do is show that the defendant thought that the child was, or I guess the child was 21?"

Fritchey: "If you are able to substantiate that through transcripts instead of the dialog. These cases have already been tried and convictions have been obtained through sting operations by various community police forces in this state and other states."

Cross: "So, if the intent of the defendant or the belief of the defendant that the minor's 22, 23, when in reality the minor is 12, and we're not in a sting situation."

Fritchey: "The requisite intent is not there. They may be liable... they may be guilty of another offense but the requisite intent to commit this offense would not be there."

Cross: "So, is the testimony of the defendant enough?"

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Fritchey: "It's proven to be thus far. You're not just dealing with oral testimony oftentimes and with these sting operations they keep logs of these conversations. They have actual transcripts to go into the courtroom with."

Cross: "Well, as I said, let's forget about a sting operation for a second. Let's just talk about the individual has a computer and I don't spend a lot of time on my computer but in one of these chat rooms that the internet provides or the worldwide web, and a conversation ensues on the computer and in reality while the woman says I'm a 29 year old divorcee, but in reality she's a 10 year old, you know, freshman in high school or junior high. All I have to say as a defendant is, I thought she was 29 and I can get away."

Fritchey: "Oftentimes what happens is that this crime is just part of a greater crime. For example, the case in Matteson where the individual met the girl over the internet, solicited her and eventually met her, arranged to fly in from Philadelphia and met her in a hotel room near her house and proceeded to rape her. The computer offense was just one of the enumerated offenses and you had other circumstances that you could look to as to whether or not the person had a reasonable belief that he was or was not dealing with a minor."

Cross: "Well, I'm not... okay. Right now the solicitation of a minor by a computer, one of the elements is that the child is at least 3 years younger than the defendant. Is that your understanding?"

Fritchey: "That's what this, excuse me, that's what this would provide."

Cross: "I don't see your three year gap in the revised definition of the offense. There's not a three year gap requirement

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in your Bill."

Fritchey: "With all due respect, I don't know if you're looking at the... I've got the Amendment as filed here which is identical in language to what came out of the House and it explicitly provides that the conversation has to be with a child under the age of 17, who is at least three years younger than the defendant and that's the same language which we also..."

Cross: "All right. You are right, I apologize. We just missed it."

Fritchey: "And we picked that up with provisions for indecent solicitation of a child and indecent solicitation of a... Well, actually not of an adult, but indecent solicitation of a child in order to make it consistent."

Cross: "All right. Thank you. Thank you."

Speaker Brunsvold: "Any further discussion on the Amendment? Seeing none, the question is, 'Shall Amendment #1...#2, Floor Amendment #2 be adopted?' All in favor say 'aye'; all opposed say 'no'. The 'ayes' have it and the Amendment has been adopted."

Fritchey: "Thank you, Mr. Speaker."

Speaker Brunsvold: "Mr. Clerk, hold this Bill on Second Reading. Senate Bill 347. Mr. Hassert. Mr. Hassert. Out of the record. Senate Bill 348. Mr. Novak. Mr. Novak. Out of the record. Senate Bill 368. Mr. Brosnahan. Out of the record. Senate Bill 404. Shirley Jones. Representative Jones. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 404, a Bill for an Act to amend the Civil Administrative Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 408."

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Representative Feigenholtz. Read the Bill."

Clerk Bolin: "Senate Bill 408, a Bill for Act to amend the Entry on Adjoining Land to Accomplish Repairs Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 418. Representative Feigenholtz. Read the Bill."

Clerk Bolin: "Senate Bill 418. The Bill has been read a second time previously. Floor Amendment #1, offered by Representative Feigenholtz, has been approved for consideration."

Speaker Brunsvold: "The Lady from Cook, Representative Feigenholtz on Floor Amendment #1."

Feigenholtz: "Thank you, Mr. Speaker. Amendment #1, is a little clarification. It's language that has been agreed upon with people who are working with DMH."

Speaker Brunsvold: "Any questions on the Amendment? Seeing none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed say 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 347. Mr. Hassert. Please, read the Bill."

Clerk Bolin: "Senate Bill 347, a Bill for an Act to amend the Illinois Chemical Safety Act. Second Reading of this Senate Bill. Amendment #1, was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 428. Mr. Kubik. Excuse me, Representative Fantin. Read the Bill."

Clerk Bolin: "Senate Bill 428, a Bill for an Act to create the Illinois Building Commission. Second Reading of this Senate Bill. No Committee Amendments. No Floor

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Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 436. Representative Saviano. Read the Bill, Mr. Clerk, please read the Bill."

Clerk Bolin: "Senate Bill 436, a Bill for an Act to amend the Property Tax Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 465. Representative Meyer. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 465, a Bill for an Act in relation to property. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Meyer, has been approved for consideration."

Speaker Brunsvold: "Representative Meyer, on Floor Amendment #1."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment... Floor Amendment #1 amends the Code of Civil Procedure. Provides that any real property or any beneficial interest in a land trust held in tendency by the entirety shall not be liable to be sold upon judgment entered on or after October 1, 1990, against one of the tenants except if the property was transferred into tenancy by the entirety with the actual intent to hinder, delay or defraud creditors. It also is amended... a part of this Amendment is... contains language of House Bill 192, which passed out of this Body by a vote of 115, to 0, and would appreciate your support in amending the Bill."

Speaker Brunsvold: "Are there any questions on the Amendment? Seeing none, the question is, 'Shall Amendment... Floor Amendment #1 be adopted?' All in favor say 'aye'; opposed say 'nay'. The 'ayes' have it and Floor Amendment #1 is adopted. Further Amendments?"

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Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 476. Mr. Parke. Senate Bill 476. Mr. Parke. Out of the record. Senate Bill 497. Mr. Fritchey. (Senate Bill) 497, Mr. Fritchey. Mr. Saviano as Cosponsor."

Saviano: "Thank you, Mr. Speaker. I believe Mr. Fritchey has filed a Motion to recommit that to Rules."

Speaker Brunsvold: "Okay. Thank you, Mr. Saviano. Mr. Parke, 476, Senate Bill. Would you like that Bill moved? Mr. Parke."

Parke: "I have a question. You said there was a Floor Amendment? I thought the Amendment was withdrawn."

Speaker Brunsvold: "I didn't say there was a Floor Amendment, Mr. Parke. I just asked if you would like the Bill moved? Mr. Clerk, is there a Floor Amendment for this, for Senate Bill 476?"

Clerk Bolin: "Floor Amendment #1, has been referred to committee."

Parke: "I believe that she was not going to call that."

Speaker Brunsvold: "Mr. Parke, there have been some late Note requests. We'll have to hold the Bill on second."

Parke: "Say that again, I didn't under..."

Speaker Brunsvold: "There have been some late... some late Note requests. Just recently some Notes have been filed against the Bill."

Parke: "Thank you."

Speaker Brunsvold: "Thank you, Mr. Parke. Senate Bill 509. Mr. Holbrook. Out of the record. Senate Bill 517. Mr. Mautino. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 517, a Bill for an Act in relation to finances. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions

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filed."

Speaker Brunsvold: "Third Reading. Senate Bill 529. Mr. Wirsing. Out of the record. Senate Bill 536. Mr. Lyons. Out of the record. Senate Bill 545. Mr. Mautino. (Senate Bill) 545. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 545, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Second Reading of this Senate Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Mautino, has been approved for consideration."

Speaker Brunsvold: "Third Reading. Excuse me, excuse me. Floor Amendment #1, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #1 came through committee unanimously and I was asked to put this on by the Senate Sponsor to send the Bill back over to her. Adds two members to a commission. I know of no opposition. Appreciate an 'aye' vote."

Speaker Brunsvold: "Questions on the Amendment? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted?' All in favor say 'aye', opposed say 'nay'. The 'ayes' have it and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 549. Mr. Leitch. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 549, a Bill for an Act concerning occupation and use taxes. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 593. Mr. Biggins. (Senate Bill) 593. Representative Erwin, do you wish 593 called?"

Erwin: "Thank you. I believe that Representative Biggins is

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still in budget negotiations and I know we wanted this Bill moved to third."

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

Clerk Bolin: "Senate Bill 593, a Bill for an Act to amend the State Comptroller Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. What's the status, Mr. Clerk, of Senate Bill 437?"

Clerk Bolin: "Senate Bill 437 is on the Order of Senate Bills - Third Reading."

Speaker Brunsvold: "Please place that Bill on Second Reading. Senate Bill 603, Mr. Saviano. Out of the record. Senate Bill 605, Mr. Churchill. Out of the record. Senate Bill 610, Mr. Boland. Out of the record. Senate Bill 659, Mr. Brady. Mr. Brady. Out of the record. Senate Bill 689, Mr. Black. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 689, a Bill for an Act to amend the Hazardous Materials Emergency Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Black, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Vermilion, Mr. Black, on Floor Amendment #2."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment to an Illinois Emergency Management Association Bill was introduced at the request of the Illinois Department of Transportation. They think they need this language to eliminate any possible confusion on placarding, as it relates to transportation because that is treated differently. I'd be glad to answer any questions you have."

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Speaker Brunsvold: "Any questions on the Amendment? Seeing none, the Gentleman has moved for the adoption. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it, and the Amendment's been adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 713, Mr. McGuire. Please read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 713, a Bill for an Act in relation to fire department promotions. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 720, Representative Cowlshaw. Excuse me. Mr. McGuire, for what reason do you rise?"

McGuire: "Mr. Speaker, on 713, I did not want to move it to third. We have to withdraw the Amendment that we have and we have filed a new Amendment in the last 10 minutes, so I'd like to leave the Bill on second, Sir."

Speaker Brunsvold: "Mr. Clerk, place 713 back on the board."

McGuire: "Thank you."

Speaker Brunsvold: "And place that Bill on Second Reading.(sic-Senate Bill) 720, Representative Cowlshaw. Out of the record. Senate Bill 777, Mr. Ryder. Out of the record. Senate Bill 778, Mr. Hassert. Out of the record. Senate Bill 780, Mr. Winters. Mr. Winters. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 780, a Bill for an Act concerning the placement of children. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Mr. Winters, there has been an Amendment filed in Rules, if you wish to hold this Bill on Second."

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Mr. Clerk, hold this Bill on second Reading. Senate Bill 789, Mr. Dart, Mr. Dart, 789. You have an Amendment in Rules, Mr. Dart. You want to hold that Bill on Second? Out of the record. Senate Bill 791, Mr. Winters. Out of the record. Senate Bill 794, Mr. Saviano. Read the Bill."

Clerk Bolin: "Senate Bill 794, a Bill for an Act to amend the Interest Act. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 797, Mr. Churchill. Out of the record. Senate Bill 806, Mr. Santiago. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 806, a Bill for an Act to amend certain Acts in relation to support. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 851, Mr. Lopez. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 851, a Bill for an Act concerning mental health. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 856, Representative Andrea Moore. Out of the record. Senate Bill 859, Mr. Saviano. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 859, a Bill for an Act to amend the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 455. Read the

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Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 455, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Excuse me, Mr. Clerk. What's the status of 455?"

Clerk Bolin: "Senate Bill 455 was moved to the Order of Third Reading."

Speaker Brunsvold: "Is there an Amendment? Has an Amendment been filed on that Bill, Mr. Clerk?"

Clerk Bolin: "Amendment #1 was adopted in committee. No Floor Amendments have been filed."

Speaker Brunsvold: "Senate Bill 861, Mr. Churchill. Out of the record. Senate Bill 862, Mr. Parke. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 862, a Bill for an Act to amend the Illinois Highway Code. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 1016, Mr. Daniels. Excuse me, Mr. Clerk. Mr. Black, for what reason do you rise?"

Black: "Just an inquiry of the Chair, Mr. Speaker."

Speaker Brunsvold: "State your inquiry."

Black: "Yes, the last Bill, Senate Bill 862, had a Floor Amendment filed to it and it was moved to Third, and I don't know whether..."

Speaker Brunsvold: "Let me check with the Clerk, Mr. Black."

Black: "Thank you."

Speaker Brunsvold: "Mr. Clerk, Mr. Black's inquiry regarding the last Bill."

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Clerk Bolin: "For Senate Bill 862, Floor Amendment #1 was referred to the Rules Committee."

Speaker Brunsvold: "Mr. Parke, for what reason do you rise?"

Parke: "I would like this Amendment placed on the Bill, so would you move it back to Second Reading then?"

Speaker Brunsvold: "Okay, Mr. Clerk, put that Bill back on the board and place that Bill on Second Reading. Now we're back to Senate Bill 1016, Mr. Daniels. Out of the record. Senate Bill 1031, Mr. John Turner. Representative Turner. Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1031, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 1099, Representative Lindner. Representative Lindner, 1099 (sic-Senate Bill). Read the Bill, Mr. Clerk."

Clerk Bolin: "Senate Bill 1099, a Bill for an Act concerning juveniles. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Representative Lindner."

Lindner: "Yes, Mr. Speaker, there is an Amendment that has been filed."

Speaker Brunsvold: "It's in committee. We'll hold the Bill on Second. Is that your wish?"

Lindner: "No, I'd like to move it to Third with the... I'd like to have the Amendment heard."

Speaker Brunsvold: "Could you repeat that please?"

Lindner: "I would like to have the Amendment heard."

Speaker Brunsvold: "It's not been approved yet, Representative."

Lindner: "Oh, thank you. Then I guess I'll have to have it..."

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stay on second."

Speaker Brunsvold: "Leave this Bill on Second Reading, Mr. Clerk.
Senate Bill 1073. Mr. Clerk, read the Bill."

Clerk Bolin: "Senate Bill 1073, a Bill for an Act to amend the
Illinois Occupational Therapy Act. Second Reading of this
Senate Bill. Amendment #1 was adopted in committee. No
Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, announcements."

Clerk Bolin: "Attention Members, the Rules Committee will meet at
6:00 in the Speaker's Conference Room. The Rules Committee
will meet at 6:00 in the Speaker's Conference Room."

Speaker Brunsvold: "Senate Bill 71, Mr. Granberg. Call the
Bill... Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 71, a Bill for an Act to amend the
Wildlife Code. Second Reading of this Senate Bill.
Amendment #1 was adopted in committee. No Motions have
been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, we... there has
been an Amendment filed. Please remove that... or move
that Bill back to second and hold it on second. Senate
Bill 340. Representative Lopez on 340. Out of the record.
Senate Bill 435, Mr. Saviano. Read the Bill, Mr. Clerk.
Mr. Saviano, is there an Amendment been filed for this
Bill? Mr. Saviano."

Saviano: "Thank you, Mr. Speaker. Yes, there's a technical
Amendment which was filed waiting for Rules to kick it
out."

Speaker Brunsvold: "Thank you."

Saviano: "Thank you."

Speaker Brunsvold: "Senate Bill 460, Mr. Steve Davis.
(sic-Senate Bill) 460, Mr. Steve Davis. Out of the record.
Senate Bill 528, Representative Lyons. 528 (sic-Senate

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Bill), Mr. Lyons. Mr. Lyons, would you like Senate Bill 528 moved? Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 528, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 550, Mr. Schoenberg. Senate Bill 550, Mr. Schoenberg. Senate Bill 763, Mr. Lopez. (Sic-Senate Bill) 763. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 763, a Bill for an Act amending the Higher Education Student Assistance Act. Second Reading of this Senate Bill. Amendments 1, 2, and 3 were adopted to the Bill. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 764, Mr. Lopez. Read the Bill."

Clerk Rossi: "Senate Bill 764, a Bill for an Act amending the Actions to Enforce Payment Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 1039, Mr. Granberg. Out of the record. Senate Bill 723, Mr. Scott. Read the Bill."

Clerk Rossi: "Senate Bill 723, a Bill for an Act in relation to tourism promotion. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 543, Mr. Clerk. Mr. Acevedo, (sic-Senate Bill) 543. Out of the record. Mr. Clerk, Introduction of Resolutions."

Clerk Bolin: "House Resolution #155, offered by Representative

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Currie."

Speaker Brunsvold: "Further Introductions, Mr. Clerk."

Clerk Bolin: "House Resolution #152, offered by Representative Black. House Resolution #153, offered by Representative Cowlshaw. And House Resolution #154, offered by Representative Schakowsky."

Speaker Brunsvold: "Mr. Clerk, announcements. Rules meeting."

Clerk Rossi: "The Rules Committee is meeting immediately in the Speaker's Conference Room. Rules Committee immediately, Speaker's Conference Room."

Speaker Brunsvold: "Senate Bill 773. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 773, a Bill for an Act amending the Civil Administrative Code of Illinois. Second Reading of this Senate Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments."

Speaker Brunsvold: "Third Reading. Senate Bill 406, Mr. Churchill. Read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 406, a Bill for an Act amending the Check Number Act. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Brunsvold: "Third Reading. Senate Bill 690. Please read the Bill, Mr. Clerk."

Clerk Rossi: "Senate Bill 690, a Bill for an Act concerning certain financial institutions. Third Reading of this Senate Bill."

Speaker Brunsvold: "The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 690 would amend the Illinois Banking Act and it will do essentially two major things. One, it would prohibit the acquisition of a bank if the acquirer

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would, after completing the acquisition, control 30% or more of the deposits in Illinois. Secondly, it would prohibit the acquisition by an out-of-state bank, of an Illinois bank charter which is less than five years old. The Bill has no opposition that I know of. That's what the Bill does. I'd be happy to respond to questions and would appreciate your support."

Speaker Brunsvold: "And on that issue, is there any discussion? Seeing none, the question is, 'Shall Senate Bill 690 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 113 voting 'yes', 0 voting 'no', 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Clerk, Committee Reports."

Clerk Rossi: "Representative Currie, Chairman from the Committee on Rules to which the following Amendments were referred, action taken on May 12, 1997, reported the same back with the following recommendations: 'be adopted' House Resolution 155; Floor Amendment 1 to House Resolution 75; Floor Amendment 1 to Senate Bill 73; Floor Amendment 3 to Senate Bill 237; Floor Amendment 1 to Senate Bill 250; Floor Amendment 1 to Senate Bill 671; Floor Amendment 3 to Senate Bill 852; And Floor Amendment 1 to Senate Bill 862."

Speaker Brunsvold: "Mr. Clerk, Calendar announcement."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker Brunsvold: "Supplemental Calendar #1 appears House Resolution 155, Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I move

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adoption of House Resolution 155. It extends the reporting date for the special investigative committee on Justice Heiple to this coming Friday, from today. The committee would appreciate the extra time. I know of no opposition and be happy to answer your questions and would welcome your support."

Speaker Brunsvold: "Any discussion on the Resolution? The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. I wanted to make sure that all of our Members recognized that this was a bipartisan Resolution and I join Representative Currie in requesting some additional time for this committee to operate, and I'd appreciate your support. The question was, how long it would be until Friday, Friday?"

Speaker Brunsvold: "Any further discussion? The Lady has asked for the adoption of House Resolution 155. And on that question, all in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it and the Resolution has been adopted. The Chair is prepared to adjourn. The Members should be aware that we're going to come in at 9:00 in the morning and there's plans for caucuses on both sides of the aisle very early in the morning so I would... the Chair would ask that everyone gets here early. We'll probably go to caucus very shortly after we go in Session tomorrow morning at 9:00 a.m. With that, the Chair recognizes Mr. Black for a Motion."

Black: "I move to adjourn."

Speaker Brunsvold: "Allowing perfunctory time for the Chair, Mr. Black has moved that the House stand adjourned until May 13, tomorrow, at the hour of 9:00 a.m. All in favor say 'aye'; all opposed say 'nay'. The 'ayes' have it and the House does stand adjourned."

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Clerk Rossi: "There being no further business, the House
Perfunctory Session will stand adjourned."