

STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

26th Legislative Day

March 12, 1999

Speaker Turner, A.: "The hour of 10:00 having arrived, House will be in order. We will be led in prayer today by Representative Coy Pugh who is the pastor of West Inglewood United Methodist Church in Chicago. Guests in the gallery may wish to rise for the invocation."

Pugh: "Let us pray. In Thee oh Lord do we put our trust. Let us never be put to confusion. Deliver us in Thy righteousness. We pray that You will hear our prayers and draw us near to You. Sometimes we pray with ease and some of us pray with frequency because we pray... we pray with ease and we pray with frequency because we don't expect a response. God help us in our unbelief. Help us to see that patience is not cowardice. Stamp out the incredible energy and subsequent injury that comes with our impatience. Instill in us the patience of a farmer waiting for early or late rains, waiting for that inevitable harvest. Let truth be triumphant in our world, justice be paramount in our lives and allow mercy and righteousness to overcome our inner hostility. Teach us to work for peace. To struggle for justice, labor for love. We pray for the family of David Lamont. We pray for the family of Walter Payton. We pray for the family of Jim Ryan. Lord help us as we pray. Amen."

Speaker Turner, A.: "We will be led in the pledge today by Representative Osmond."

Osmond - 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 Turner, A.: "Roll Call for Attendance. Clerk, take the record. The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker. Representative Tom Ryder is excused

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today."

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

Poe: "All other Republicans being present."

Speaker Turner, A.: "Okay. Representative Currie for excused absences on the Democratic side."

Currie: "Thank you, Speaker. Please let the record show that Representative Ronen is excused today."

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

Stephens: "Thank you, Mr. Speaker. I'm actually rising on behalf of Representative Black. As you know, he, occasionally, is stricken with stage fright, a little bit shy. He wants to know the... when we bring a minister here there's a slight remuneration (sic-remuneration) to cover the cost of travel. And we wonder if Representative Black were to give the prayer, would that be to his financial benefit? And if so, I think he wants to apply."

Speaker Turner, A.: "The prayer is to everybody's financial benefit, Representative."

Stephens: "Well, may we then at some future date, in the not too distant future, bow our heads with Representative Black at our head?"

Speaker Turner, A.: "We are an equal opportunity employer here with prayer, Representative. He certainly has..."

Stephens: "It would be a joyous day."

Speaker Turner, A.: "... the opportunity. We will take that into consideration. The Gentleman from Sangamon, Representative Poe."

Poe: "Yeah, Mr. Speaker. Excuse me, but Representative Winters is also excused today."

Speaker Turner, A.: "Representative Winters. The Clerk will so note. A hundred and fifteen Members present, three absent."

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We will proceed with business. On the Order of Third Readings, we have House Bill 4. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 4, a Bill for an Act concerning tobacco. Third Reading of this House Bill."

Speaker Turner, A.: "On the Order of Third Readings... Hold that Bill on Third. For Members edification, we are reading Third Reading Bills that are on Consent Calendar. We're now putting them in the record. So we will take the vote at the end, but we're gonna read all of those Bills into the record at this point. On the Order of Third Reading, we have House Bill 22. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 22, a Bill for an Act amending the Criminal Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold it. House Bill 62. On Third Reading. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 62, a Bill for an Act in relation to sex offenders. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. (sic - House Bill 124. Read the Bill, Mr. Clerk.)"

Clerk Rossi: "(sic - House Bill 124, a Bill for an Act to amend the School Code. Third Reading of this House Bill.)"

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 153. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 153, a Bill for an Act concerning cemeteries. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 238. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 238, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 249. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 249, a Bill for an Act amending the

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Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 376. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 376, a Bill for an Act in relation to anhydrous ammonia. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. (sic - House Bill 377. Read the Bill, Mr. Clerk.)"

Clerk Rossi: "(sic - House Bill 377, a Bill for an Act regarding representation of a child. Third Reading of this House Bill.)"

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 477. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 477, a Bill for an Act amending the Revised Uniform Limited Partnership Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 478. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 478, a Bill for an Act amending the Revised Uniform Limited Partnership Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 521. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 521, a Bill for an Act concerning property valuation. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 524. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 524, a Bill for an Act amending the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 574. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 574, a Bill for an Act amending the

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Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 613. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 613, a Bill for an Act amending the Public Utilities Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 727. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 727, a Bill for an Act amending the County Jail Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. (sic - House Bill 795. Read the Bill, Mr. Clerk.)"

Clerk Rossi: "(sic - House Bill 795, a Bill for an Act amending the School Code. Third Reading of this House Bill.)"

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 812. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 812, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 813. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 813, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 832. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 832, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 839. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 839, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 841. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 841, a Bill for an Act amending the Park District Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 852. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 852, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 855. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 855, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 873. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 873, a Bill for an Act amending the Illinois Controlled Substances Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 912. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 912, a Bill for an Act amending the Voluntary Payroll Deductions Act of 1983. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 914. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 914, a Bill for an Act in relation to compulsive gambling. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 934. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 934, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 940. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 940, a Bill for an Act amending the

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Election Code. Third Reading of this House Bill."

Speaker Turner, A.: "Read the Bill. Hold the Bill. House Bill 1097. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1097, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1098. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1098, a Bill for an Act amending the Sexually Violent Persons Commitment Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1099. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1099, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1102. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1102, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 1110. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1110, a Bill for an Act concerning cigarettes. Third Reading of this House Bill."

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 1146. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1146, a Bill for an Act concerning the Illinois Community College Board. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1147. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1147, a Bill for an Act concerning respiratory care practitioners. Third Reading of this House Bill."

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Speaker Turner, A.: "Hold the Bill. House Bill 1151. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1151, a Bill for an Act amending the Park District Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1164. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1164, a Bill for an Act in relation to probation officers. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1177. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1177, a Bill for an Act amending the Consumer Fraud and Deceptive Business Practices Act. Third Reading of the House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1195. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1195, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. (sic - House Bill 1197. Read the Bill, Mr. Clerk.)"

Clerk Rossi: "(sic - House Bill 1197, a Bill for an Act amending the Juvenile Court Act of 1987. Third Reading of this House Bill.)"

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 1198. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1198, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. (sic-House Bill 1201. Read the Bill, Mr. Clerk.)"

Clerk Rossi: ("House Bill 1201, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill.")

Speaker Turner, A.: (sic-"Hold the Bill.) House Bill 1252. Read the Bill, Mr. Clerk."



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Clerk Rossi: "House Bill 1252, a Bill for an Act amending the Service Contract Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1274. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1274, a Bill for an Act amending the Illinois Educational Facilities Authority Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1278. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1278, a Bill for an Act in relation to cannabis and controlled substances. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1291. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1291, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1306. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1306, a Bill for an Act concerning the Department of Human Services. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1307. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1307, a Bill for an Act concerning the Department of Human Services. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1308. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1308, a Bill for an Act amending the Illinois Act on Aging. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1310. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1310, a Bill for an Act amending the Civil Administrative Code of Illinois. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1317. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1317, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1321. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1321, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1324. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1324, a Bill for an Act amending the Illinois Income Tax Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1353. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1353, a Bill for an Act amending the Public Community College Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1355. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1355, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1366. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1366, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1392. Read the

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Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1392, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1402. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1402, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1403. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1403, a Bill for an Act amending the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 1405. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1405, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1407. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1407, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1416. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1416, a Bill for an Act amending the Illinois Savings and Loan Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1417. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1417, a Bill for an Act concerning school community policing partnerships. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1432. Read the

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Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1432, a Bill for an Act concerning arrest reports. Third Reading of this House Bill."

Speaker Turner, A.: "House Bill... Hold the Bill. House Bill 1435. Read, Mr. Clerk."

Clerk Rossi: "House Bill 1435, a Bill for an Act regarding child support. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1469. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1469, a Bill for an Act amending the State Employees Group Insurance Act of 1971. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1501. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1501, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1502. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1502, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1511. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1511, a Bill for an Act amending the Code of Criminal Procedure. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1514. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1514, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill, Mr. Clerk. House Bill 1541. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1541, a Bill for an Act amending the

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Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1565. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1565, a Bill for an Act amending the Alcoholism and Other Drug Abuse and Dependency Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1617. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1617, a Bill for an Act amending the Nursing Home Care Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1645. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1645, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1657. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1657, a Bill for an Act amending the Higher Education Student Assistance Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1673. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1673, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. Houn Bills... House Bill 1678. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1678, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1693. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1693, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

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Speaker Turner, A.: "Hold the Bill. House Bill 1694. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1694, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1722. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1722, a Bill for an Act amending the Higher Education Student Assistance Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1759. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1759, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1769. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1769, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1773. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1773, a Bill for an Act to amend the Good Samaritan Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1786. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1786, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill, Mr... House Bill 1806. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1806, a Bill for an Act amending the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1816. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 1816, a Bill for an Act amending the Illinois School Student Records Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1817. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1817, a Bill for an Act amending the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1824. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1824, a Bill for an Act amending the Illinois Farm Development Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1839. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1839, a Bill for an Act amending the Child Care Act of 1969. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1858. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1858, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1860. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1860, a Bill for an Act amending the Illini... Illinois Certified Shorthand Reporters Act of 1984. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. Mr. Clerk, hold just a minute. The Lady from Sangamon, Representative Klingler, for what reason do you rise?"

Klingler: "Thank you, Mr. Speaker. Representative Poe and I would like to welcome the third grade class from Dubois

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Elementary School that are in the balcony."

Speaker Turner, A.: "We want to welcome the third grade class from Dubois Elementary. Welcome to Springfield. Mr. Clerk, Third Reading, we have House Bill 1871. Read the Bill. I'm sorry, (sic-House Bill) 1868. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1868, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1871. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1871, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1931. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1931, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1942. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1942, a Bill for an Act to amend the Abused and Neglected Long Term Care Facility Residents Reporting Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1960. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1960, a Bill for an Act to amend the Downstate Forest Preserve District Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1978. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1978, a Bill for an Act regarding property. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 1991. Read the Bill, Mr. Clerk."



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Clerk Bolin: "House Bill 1991, a Bill for an Act to amend the Illinois Enterprise Zone Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2005. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2005, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2013. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2013, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2026. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2026, a Bill for an Act to amend the Emergency Medical Services Systems Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2041. Read the Bill, Mr. Clerk. (sic-House Bill 2037) 2037. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2037, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2041. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2041, a Bill for an Act to amend the Illinois Wage Payment and Collection Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2042. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2042, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of this House Bill."

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Speaker Turner, A.: "Hold the Bill. House Bill 2091. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2091, a Bill for an Act concerning higher education. Third Reading of this House Bill."

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 2103. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2103, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2109. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2109, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Turner, A.: "(sic-Hold the Bill.) House Bill 2169. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2169, a Bill for an Act in relation to penal ordinances. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2177. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2177, a Bill for an Act to amend the Higher Education Cooperation Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2196. Hold the Bi... Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2196, a Bill for an Act to amend the Alcoholism and Other Drug Abuse and Dependency Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2219. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2219, a Bill for an Act to create the offense of aggravated domestic battery. Third Reading of

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this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2257. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2257, a Bill for an Act to amend the Juvenile Court Act of 1987. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2264. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2264, a Bill for an Act to amend the Private Sewage Disposal Licensing Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2287. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2287, a Bill for an Act to amend the Public Building Commission Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2293. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2293, a Bill for an Act to amend the Criminal Code of 1961. (sic - Third Reading of this House Bill.)"

Speaker Turner, A.: "Hold the Bill. House Bill 2306. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2306, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2310. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2310, a Bill for an Act to amend the Code of Criminal Procedure of 1961. Third Reading of this House Bill."

Speaker Turner, J.: "Hold the Bill. House Bill 2323. Read the Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 2323, a Bill for an Act to amend the Counties Code. Third Reading of this House Bill."

Speaker Turner, J.: "Hold the Bill. House Bill 2330. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2330, a Bill for an Act to amend the Counties Code. Third Reading of this House Bill."

Speaker Turner, J.: "Hold the Bill. House Bill 2343. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2343, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of this House Bill."

Speaker Turner, J.: "Hold the Bill. House Bill 2344. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2344, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Turner, J.: "Hold the Bill. House Bill 2346. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2346, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, J.: "Hold the Bill, Mr. Clerk. House Bill 2349. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2349, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Re... Hold the Bill. House Bill 2352. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2352, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2502. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2502, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

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Speaker Turner, A.: "Hold the Bill. House Bill 2589. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2589, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. 26... (sic - House Bill 2629.) 2629. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2629, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2630. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2630, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. (sic - House Bill 2636. Read the Bill, Mr. Clerk.)"

Clerk Bolin: "(sic - House Bill 2636, a Bill for an Act to amend the Public Water Supply Operations Act. Third Reading of this House Bill.)"

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 2641. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2641, a Bill for an Act in relation to radiation safety. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2642. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2642, a Bill for an Act to amend the Illinois Nuclear Safety Preparedness Act. Third Reading of this House Bill."

Speaker Turner, A.: "(sic - Hold the Bill.) 2741... (sic - House Bill 2711) 2711. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2711, a Bill for an Act in relation to sex offenses and sex offenders. Third Reading of this

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House Bill."

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 2726.  
Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2726, a Bill for an Act to amend the  
Adoption Act. Third Reading of this House Bill."

Speaker Turner, A.: "(sic - Hold the Bill.) House Bill 2727.  
Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2727, a Bill for an Act to amend the  
Adoption Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2730. Read the  
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2730, a Bill for an Act to amend the  
Board of Higher Education Act. Third Reading of this House  
Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2732. Read the  
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2732, a Bill for an Act to amend the  
Senior Citizens and Disabled Persons Property Tax and  
Pharmaceutical Assistance Act. Third Reading of this House  
Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2741. Read the  
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2741, a Bill for an Act to amend the  
Illinois Municipal Code. Third Reading of this House  
Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2753. Read the  
Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2753, a Bill for an Act to amend the  
Illinois Public Aid Code. Third Reading of this House  
Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2767. Read the  
Bill, Mr. Clerk."

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Clerk Bolin: "House Bill 2767, a Bill for an Act to amend the Radiation Protection Act of 1990. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2774. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2774, a Bill for an Act concerning coverage for health benefits. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2775. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2775, a Bill for an Act in relation to the transfer of real property. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2784. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2784, a Bill for an Act to amend the Grain Code. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2791. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2791, a Bill for an Act to amend the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. (sic-House Bill 2786.) 2786. Read the Bill, Mr. Clerk. House Bill 2826. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2826, a Bill for an Act in relation to livestock. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2842. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2842, a Bill for an Act regarding hepatitis C screening and awareness. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2843. Read the

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Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2843, a Bill for an Act to amend the Clerks of Courts Act. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2844. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2844, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. House Bill 2855. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2855, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Turner, A.: "Hold the Bill. Can I have the Members' attention? We're getting ready to vote on the Third Reading Agreed Bill List. The first... It's Agreed Bill List #1, the yellow copy that we all saw yesterday. I just finished reading those numbers into the record. We're all going to vote on this sheet and then it will be minus two Bills; House Bill 1147 and House Bill 1175. Those two Bills were taken off the Agreed List at the request of the Sponsor. So we will vote on these Bills. If in fact you voted 'no' or you marked 'no' on the sheet, that will so duly be recorded, but the vote we take now will be on this Agreed List, it will be 'yes'. And if you voted 'no' on the sheet, your 'no' vote will be so recorded. Are we prepared to vote? Mr. Clerk, read... the roll call is now open. All those who wish to vote 'yes' should vote...to vote 'aye'; all those opposed vote 'no' on the Agreed Bill List #1. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On the Order of Third Reading, page 62, we have House Bill 2101,



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Representative Harris. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2101, a Bill for an Act amending the Illinois Housing Development Act. Third Reading of this House Bill."

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

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2101 amends the Housing Development Act by addin' a new Section. Under House Bill 2101, the Housing Department Authority may encourage communities to use and develop a percentage of their housing stock for lower and more... moderate income housing in an attempt to stabilize inner suburban communities and make grants or loans to further this goal. As of today, I have no opposition to this Bill."

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

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

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

Black: "Representative, we've got a slight definitional problem with your Bill and it's... and it's very... you know, it's very short and to the point, but what we don't understand or what some of us don't understand... Excuse me. 'In an attempt...' On your Bill page 11, 'In an attempt...' I'm sorry, page 1 line 11, 'An attempt to stabilize inner suburban communities' and we don't know how to define 'stabilize'."

Harris: "How to define 'stabilize'?"

Black: "Yeah. It... it's so vague. What... what goals are... are..."

Harris: "Uh..."

Black: "... would be acceptable."

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Harris: "Hold on a second. Representative Black, we want to try to equalize the areas that surround our communities."

Black: "Well then... then we could get into a definitional problem..."

Harris: "Put..."

Black: "... with equalize, but I think I know what you're after."

Harris: "To put... to put more home... homeowners..."

Black: "All right. Now, would... would... would your Bill..."

Harris: "... in less rental properties."

Black: "Is your Bill aimed at taking existing abandoned homes and rehabbing them?"

Harris: "That too, but here's the thing. Say, for instance in your district, this might not even... say here, 'may' and does not mandate. It does not mandate. In your area, you might not even need that."

Black: "Oh, unfortunately, I... my... I've got a very high percentage of housing stock that's either already abandoned or in serious state of deterioration, so I think I know what you're trying to do."

Harris: "Yes."

Black: "So it... it's... then your Bill doesn't limit? We can go in and rehabilitate..."

Harris: "Sure."

Black: "... abandoned houses and it doesn't give them any... this would not give any community extraordinary power to..."

Harris: "No."

Black: "... condemn?"

Harris: "No. No."

Black: "What... and it's also silent on tax delinquent property. It doesn't..."

Harris: "That's correct. And you notice there's no fiscal effect on the Housing..."

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Black: "Okay."

Harris: "... Authority at all."

Black: "Did the Illinois Housing Development Authority testify pro or con on the Bill, while you had it in committee?"

Harris: "No, they did not."

Black: "Okay. I... I assume they're aware of the Bill."

Harris: "Yes."

Black: "All right. So, in effect, the Bill does not mandate..."

Harris: "No, it does not."

Black: "... anything."

Harris: "It does not."

Black: "It simply says 'may encourage'. It does not require the Housing Development Authority, then, to enter into loan or financing agreements with any community?"

Harris: "No, it... it... it states just that, Representative, that it... that they 'may'... it 'may encourage' them to do so."

Black: "Okay."

Harris: "Not that it would."

Black: "And is there anything in the Act, as I say it's only on one page, so, I would assume it's not your intent to set aside any specific percentage of assets dollars, if you will, to go to this program?"

Harris: "No."

Black: "It's just enabling legislation of a permissive nature."

Harris: "That's correct."

Black: "I'm trying to see if the fiscal note... yeah... the fiscal note was filed."

Harris: "No... no direct fiscal effect to the Authority."

Black: "Okay, I see. I didn't see the little 'x' there. My eyes are... Okay, no... no fiscal impact."

Harris: "And there's no state mandate, either."

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Black: "All right. And so all of the notes have been filed and seem to be in order. Is that..."

Harris: "That's correct."

Black: "... your understanding? Okay."

Harris: "Thank you."

Black: "All right. All right. Thank... thank you very much, Representative. I appreciate your willingness to answer the questions. Thank you, Mr. Speaker."

Harris: "Thank you."

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

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

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

Harris: "Yes, I will. Where is she?"

Mulligan: "In a comment in our staff analysis, there's a phrase that says... let me find it now. 'Through the mortgage credit certificate, home rule communities cede bonding authority to the authority. Which then administers this low and moderate income first-time home buyer tax credit program for that community.' What kind of bonding authority are they ceding to the mortgage certificate... credit certificated program?"

Harris: "Representative, with all due respect, I can't hear the question. Mr. Speaker, would you have a little quiet in here, please? I can't hear the..."

Speaker Turner, A.: "Proceed."

Mulligan: "There is a comment in our staff analysis that says, 'Through the mortgage credit certificate program, home rule communities cede bonding authority to the authority which then administers this low income and moderate income first-time home buyer tax credit program for that community.' My question is, what kind of bonding authority

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is the home rule community ceding to the mortgage credit certificate authority?"

Harris: "Just a moment. Representative, this doesn't specify how they're going to go about getting that."

Mulligan: "Is it a nonreferendum..."

Harris: "No, it's... no, it's not. It's... it's... it's..."

Mulligan: "... bonding authority or I mean, it's just bonds for... I'm... I'm just curious because that..."

Harris: "It only... it only..."

Mulligan: "... statement is rather vague."

Harris: "... gives... it only gives the Housing Authority their discretion on how whether or not to offer that to low and to moderate and low income families."

Mulligan: "Then, who would be responsible for the bonds? Would it be the local community?"

Harris: "Yes, they would be. The Housing Authority will do... will... will be in charge of that."

Mulligan: "This sounds like a good idea, but I'm a... I'm a little concerned. That's why I'm asking the question because I don't know how they would decide how much bonding authority or what the home... if the home rule community is actually gonna be responsible for this?"

Harris: "Hold on for a second."

Mulligan: "And it's no interest loans?"

Harris: "It's... it is low interest loan."

Mulligan: "All right. So who pays the interest on the bonds?"

Harris: "The... homeowner."

Mulligan: "I'm sorry. The home rule community would?"

Harris: "No. Hold on... hold on a second, Representative. It's... it's low interest, not no interest. It's low interest that mean if it's low, the people that's are buying... purchasing the property would pay. And... and

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all the... they would be offered an incentive."

Mulligan: "All right, but how would a home rule community come about deciding how much bonding authority they're gonna cede to the mortgage credit certificate program?"

Harris: "Thi... this doesn't speak to that, Representative."

Mulligan: "Thank you."

Harris: "You're welcome."

Speaker Turner, A.: "Seeing no further questions, Representative Harris to close."

Harris: "Thank you, Mr. Speaker. I would encourage an 'aye' vote. Thank you very much for your patience."

Speaker Turner, A.: "The question is, 'Shall House Bill 2101 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk should take the record. On this question, there are 74 voting 'aye', 36 voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Third Reading, we have House Bill 1761, on page 60. Representative Biggins. (sic-House Bill 1761.) 1761. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1761..."

Speaker Turner, A.: "Out of the record. On page 60, we have House Bill 1764, Representative Hultgren. Read the Bill, Mr. Clerk. Out of the record, Mr. Clerk. On the Order of Third Reading, page 49, we have House Bill 21. Representative Moffitt. Read the Bill, Mr. Clerk. Out of the record. On the Order of Third Reading we have House Bill 12... page 56, we have House Bill 1207. Representative Sharp. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1207, a Bill for an Act amending the School Code. Third Reading of this House Bill."

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

Sharp: "Thank you, Mr. Speaker. House Bill 1207 creates a Task Force for the purpose of establishing standards for paraprofessionals employment and training. And as you know, paraprofessionals are also called teachers aides, teacher helpers, and so on. In most professions, a clear set of standards exists outlining the knowledge and skills that someone going into that field needs to know. In addition, there usually is an exam that people must pass in order to gain a certificate or license. The Task Force created by Bill, House Bill 1207 will consider standards for entering the profession, guidelines for training and experience, requirements for career advancement, structures for outlining appropriate roles and responsibility and a mechanism to enhance job mobility with and between school and districts. The Task Force consists of the following: 2 Members of the state (sic-Senate) appointed by the President of the Senate; 2 Members of the House, appointed by the Speaker of the House; 1 teacher, who is an IFT member and 1 teacher who is an IEA member, appointed by the State Superintendent of Education; 8 paraprofessionals, appointed by the state superintendent and chosen from a list of nominees provided by the IFT-IEA and proportioned to the membership of each organization; One member appointed by the Illinois Association of School Boards; one member appointed by the Illinois Parent Teacher Association; one member appointed by Illinois Association of School Administrators; One member from the State Teachers' Certificate Board appointed by the State Superintendent; One member representing the higher education community appointed by State Superintendent; One member representing the Illinois Speech-Language-Hearing

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Associated (sic - Association) appointed by the State Superintendent; One member representing the State Board of Education's Staff Development Division appointed by the State Superintendent; One member representing the Statewide Council of Special Education Administrators, appointed by the State Superintendent; and last but not least, one member appointed by the government (sic - Governor) who shall chair (sic - serve) as a chairperson. The proponents are Illinois' Federation of Teachers, AFC...AFL-CIO, Laborers Union, State Council of Carpenters, IBEW, UMWA, and Chicago Teachers Union. There were no opponents and no positions. Any questions?"

Speaker Turner, A.: "The Gentleman from Cook, Representative Durkin. For what reason do you rise?"

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

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

Durkin: "Representative, what is a paraprofessional?"

Sharp: "A paraprofessional... In my area, paraprofessionals are ladies or most of them are women, and they go into the teacher and they help out the teachers in classrooms."

Durkin: "So, they're like volunteers. Correct?"

Sharp: "No, they're paid."

Durkin: "They're paid. Okay. I'm kind of curious. You've got a number of people who are appointed. Approximately how many people are you appointing to this Task Force?"

Sharp: "Twenty-three."

Durkin: "Well, it seems to me that we've been creating a lot of Task Forces over the past three weeks, and by the time this Task Force is created, I think your one year reporting requirement may be terminated by the time the committee is formed."

Sharp: "I don't think so. I think it's very important that we



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look at the people that are in the classroom with our children and that...make sure that they are... have the proper equipment or what they need to help the teachers aide out and to do these responsibilities. In some classrooms, you may have a teacher who is absent. And these women or men, whoever is chosen, will be teaching your children and actually leading them and guiding them in the classroom. And there should be some kind of standard put up so that we know that they are equipped to do the job properly."

Durkin: "Well, why do we got to do this? Why can't we leave this to the local school board who's elected to oversee and make decisions for the schools?"

Sharp: "Because I think it's time that we step forward and do something that's going to help our children statewide and that we make some decisions to ensure our children's benefit."

Durkin: "Well, has anybody, have you talked to anybody in the associations that oversees the school boards to see whether or not they have any objection to this legislation?"

Sharp: "They have no objections at all."

Durkin: "Have you talked to them, though?"

Sharp: "Yes, I have."

Durkin: "Is there going to be some type of compensation which will be given to these individuals?"

Sharp: "No. This is all... Well... Just their travel expenses... The members of the Task Force are not compensated, but the State Board will supply a support staff."

Durkin: "All right. Representative, is... assuming that a..."

Sharp: "...and reimbursement for normal travel expenses."

Durkin: "So assuming we want... You're attempting at some point to have these people licensed. Correct? You want these

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people, these paraprofessionals to be licensed in some sense, don't you?"

Sharp: "No, that... no that is not the case. We're putting together a Task Force to determine what needs to be done, or what... what... what... This is just a Task Force."

Durkin: "Well, I'm reading that your Bill, and it says it requires the Task Force to study and make recommendations on the licensure of paraprofessionals. So, I'll repeat the question again. Is it the goal of this Task Force to ultimately have some type of licensing attached to paraprofessionals?"

Sharp: "The Task Force, at one time, may do this and they may not. We're just addressing the issues from schools that need our help."

Durkin: "All right. Well, I'll ask the question again. Maybe I'm reading the Bill wrong but does it state... Maybe I'm reading this wrong, but correct me if I am wrong. It says 'requires the Task Force to study and make recommendations on the licensure of professionals (sic-paraprofessionals)'. So it is the goal of this to make that determination. Correct?"

Sharp: "No. It's a recommendation. They may say no and they may say yes. It's a Task Force. Do you understand what a Task Force is?"

Durkin: "Well, I don't know. I... All right, explain to me the difference between a Task Force and a Blue Ribbon Committee then. All right, next question. I mean, there is some concern and it has been raised at one point, that some people believe that this may be an attempt to ultimately try to unionize paraprofessionals. Is that going to be something which was thought about, which was considered when this legislation was drafted?"

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Sharp: "I really do not think so. No."

Durkin: "All right. Well, I have no further questions."

Sharp: "Thank you."

Speaker Turner, A.: "Representative Durkin. You know she's no longer a freshman. Representative, the Lady from Lake, Representative Garrett, for what reason do you rise?"

Garrett: "Thank you, Mr. Speaker. I would like the General Assembly to recognize the GFWC, Illinois Federation of Women's Clubs, who are in the gallery right now and I would like to give them a warm welcome and thank them for coming to Springfield to visit us."

Speaker Turner, A.: "Welcome to Springfield. The Gentleman from DuPage, Representative Biggins. For what reason do you rise?"

Biggins: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

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

Biggins: "When did you say the report would be handed back to the... Is it the General Assembly will get the report or the Governor will get it? When will the report be submitted?"

Sharp: "In one year. It will be given back to the Governor... after one year... after... One year after the effective date of this Act, the Task Force will file the recommendations to the Governor. Upon filing this report, the Task Force will be dissolved."

Biggins: "Thank you."

Speaker Turner, A.: "The Lady from Grundy, Representative O'Brien. For what reason do you rise?"

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

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

O'Brien: "Representative, I just have a quick question. This

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is... your measure isn't intended to limit the authority of a school board in their hiring, is it?"

Sharp: "Not at all."

O'Brien: "Thank you. To the Bill. I rise in very strong support of this Bill. This can be seen as a tool to help school districts and to help school boards when they make those hiring decisions about people that come in contact every single day of the week with our children and are part of their learning process. I think this is very important that we study, how are we hiring; what standards are we using to hire these individuals in our school system. And so with that, I would urge an 'aye' vote."

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

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

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

Mulligan: "Representative, the paraprofessionals that you're talking about right now, what kind of education would they have?"

Sharp: "That would be up to the Task Force."

Mulligan: "And if there were at some such requirements, if they were licensed would they have to have certain...a certain degree of education or pass a test? And what would the fee be for the license? All of this is going to be from the Task Force."

Sharp: "Yes, it is."

Mulligan: "Is this going to obliterate volunteers from schools?"

Sharp: "Yes. What... did you say?"

Mulligan: "Obliterate volunteers from the schools."

Sharp: "No, no. These professional people right now are being paid. They're not volunteers. The ones we're talking about are paid."

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Mulligan: "Are they considered teacher's aides?"

Sharp: "Teacher's aides and some teacher's...and teacher's aides are...some teachers...teacher's aides in my district, they are called teacher's aide and they are paid."

Mulligan: "And are they currently unionized?"

Sharp: "No, they're not."

Mulligan: "Would licensure then be a step to unionizing paraprofessionals in the school thus increasing the cost of education?"

Sharp: "No."

Mulligan: "How do you know that? And what is the genesis of this Bill?"

Sharp: "It's not the plan to unionize anyone. The plan is plainly to put us together a Task Force so that we can look at the individuals that are now in the classroom with the teachers doing some of the responsibilities of the teachers, being...letting them...letting us know that and making sure that we know that they're qualified to conduct as they have been doing with our children."

Mulligan: "Would this Task Force have any binding authority?"

Sharp: "I didn't hear you."

Mulligan: "Would the Task Force have any binding authority that we have to follow their recommendations?"

Sharp: "No, they're just making recommendations."

Mulligan: "Seems to me that some of this should be left to local school boards rather than on a statewide basis to decide if we're going to create a whole new class of licensure. We see many things coming through that...our Committee of REG. and REG. and I think that it's really hard because everybody... their license is going to cost them more money. And I do think it would be a first step towards unionizing. I must say that that's what I believe, so I

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don't know whether I'm going to support your Bill. I voted to get it out of committee but I am not sure that I want to support it on the House Floor. Thank you."

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

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

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

Wirsing: "I just have one question. This legislation would formulate a Task Force. My question is why...why are we amending the School Code to create a one year Task Force when we normally do that through the Resolution process? I'm wondering why you're wanting to amend the existing Code to create a one year Task Force."

Sharp: "We have created Task Forces before. Just recently we created a Task Force for the health life safety. So this is not anything new, through the School Code."

Wirsing: "I still don't understand why we have to go this route. Why not simply have done a Resolution, which is done all the time, even a Joint Resolution, to create the Task Force that only has a survival rate of one year. I'm still puzzled by this. I guess because it's been done before is not, does not answer the question for me. I don't know if you can expand on that or not."

Sharp: "The only thing that I can expand on is that I think that this Task Force is something that's been needed for a very long time and it should have been looked at years ago because these people are con...are with our children on a day-to-day basis. And we have so much things happening in our school, different things. Our children need to be educated in a certain way. They need to be addressed in a certain way. And we need the caliber of people and a certain type of a person to be able to be nurturing and

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loving to our children. And this is just a Task Force that's going to put together some rules and regulations or consider some things that may help to enhance our children's livelihood."

Wirsing: "Well, thank you. To the Bill, Mr. Speaker. I don't know why, somehow I have a problem with this Bill. I guess perhaps one of the reasons is the fact that this proposal coming to us from my experience in my years serving on a school board. I don't know if it's because maybe it's taking away something, some authority from the school board, directing a school board in some way, shape or form. Perhaps that's my concern for this piece of legislation. Thank you."

Speaker Turner, A.: "The Gentleman from Cook, Representative Delgado. For what reason do you rise?"

Delgado: "Thank you, Mr. Speaker. I rise in support of House Bill 1207 and want to remind my colleagues on both sides of the aisle that as dynamics change in the State of Illinois we have to accept although our schools are on the right path, the correct path towards the next millennium, we still have schools that are in crisis. They're in crisis with overcrowding. We have teachers who are doing the best they can under the conditions that exist with antiquated buildings and with large, large class sizes, being able to assure that they have someone inside that classroom who can assist them with our children, someone who is properly trained and has the same interests and the same thinking as their teachers to be able to bring the necessary advancements to our students in a more expedited manner under these conditions. Until we can have a perfect school system and make sure we have adequate buildings and make sure that we have adequate curriculum, we need to be able

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to provide all the tools we can for our future. We cannot compromise the best interests of the children and burn out qualified and highly talented teachers because we're concerned about creating another Task Force. Anything that moves forward the agenda of the learning of our children and assists and maintain our best teachers in the system we all need to say 'aye'. So please remember our schools in the State of Illinois are being celebrated nationwide. But it's very clear that we still have a long way to go and I would hope that you would all remember that we're all trying to fight for the same common goal and that's the best interests of our children. Thank you, Mr. Speaker."

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

Davis, M.: "Thank you, Mr. Speaker. And you know we talked about this Bill in committee. And we talked about the fact that we always say our children are our greatest resource and that we have great concern about our children. But when it is time to do some very small thing to ensure the safety, to ensure the academic progress of our children, then we start looking for excuses why...about why we don't need this or anything. Now, what we learned in committee from testimony was that many schools are hiring people to do many different jobs and these jobs vary perhaps from school to school and title to title. Now, as a parent, I have a right to know what a bus attendant does. Does a bus attendant sit in the classroom and take care of children until a substitute arises? That should never happen. What does a teacher assistant do? In one locale a teacher assistant may stay in the classroom and assist the teacher, but in another locale this may be the person who deals with truancy. It is imperative that the State of Illinois



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define the role of people who are nonprofessionals, who are dealing with our children on a daily basis. Now, there is no compensation for the Task Force, so we don't have to say we're spending money. They are absolutely not compensated for this work. Another critical issue here is we are placing some very needed workers in our schools. TANF workers are being placed into schools to work. TANF workers, some of them have never worked before. In my opinion we need to know where these people who are not professionals are working and what is the definition of their job? Now, I could walk over to any of you in this room and ask you, what does a teacher assistant do? I can ask you, what does a worker in a Parent Too Soon do? A Parent Too Soon worker, what does she or he do? Parents are our first teachers. What does that person do? Parents are our first teachers, our programs in these schools. What does that worker do? Well, this Task Force will look at what they're doing and then define in a very good scope what each of these nonprofessional people do. I believe the State of Illinois, and especially our children, will be very well served if we define what nonprofessionals do in a school. It is a noncompensated Task Force and this Bill must be passed today. Thank you."

Speaker Turner, A.: "The Gentleman from Kane, Representative Hoeft. For what reason do you rise?"

Hoeft: "Thank you, Mr. Chairman (sic - Speaker). Will the Sponsor yield?"

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

Hoeft: "I have a number of substantial questions in terms of the composition of the council or the board or the Task Force, whatever we would like to call it. There is nothing in this that indicates any geographical distribution, is

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there?"

Sharp: "No."

Hoeft: "I think that's a huge, huge error because this state is such a diverse state. The paraprofessional needs of a rural school district is so different then that of the City of Chicago. I have tallied up - the State Superintendent will appoint, I believe, 15 of these members. Is that not right? Roughly? Okay I'll tell you, it's correct. Okay. You don't have to add. Fifteen of these members are appointed by the State Superintendent. I think it behooves us, fairly strongly, to place a statement in this Bill that said that the State Superintendent, who appoints the majority of these, will take into consideration geographic distribution of the members from the state. So, Chicago is represented. Suburbia is represented and the rural areas of the state are represented. Would you consider adding that to this Bill?"

Sharp: "If we pass this over to the Senate, we can look at adding this on the Bill."

Hoeft: "Okay. I'm looking at the Members. Why would you choose a speech and language pathologist?"

Sharp: "I didn't hear you. I'm sorry."

Hoeft: "Why did you include certain groups and not others? Why did you include a speech and language pathologist? Now, a speech and language pathologist, by nature, deals with kids one on one. They have absolutely nothing to do, I believe, with paraprofessionals."

Sharp: "They have systems that work with these children."

Hoeft: "Speech and language pathologists?"

Sharp: "They have assistants that work with the speech pathologist. And they requested to be on the board, on the Task Force."

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Hoeft: "I have not heard of assistants for speech and language pathologists, but it intrigues me. The State Superintendent is to appoint a member of the higher ed community. I think that that should be the Higher Ed Board Authority. You know we have a higher ed board in this state. They ought to have the rights to do it, not the elementary and secondary education. And, I really, question why the Regional Office of Education, which is the one that does the monitoring for paraprofessionals, the one that is elected from the people, why aren't... why do you not have a regional superintendent as an appointee? These are the elected individuals from the citizens of the state. You'd have the state citizens involved."

Sharp: "Every district does not have one."

Hoeft: "Yes, every district does."

Sharp: "No, they don't."

Hoeft: "Cook County has a regional superintendent. His name is Lloyd Lehman."

Sharp: "Chicago does not."

Hoeft: "And Chicago is in Cook County. So Lloyd Lehman is elected. He just is not allowed to function within the City of Chicago. But Lloyd Lehman is one. My point is, that these are individuals who do represent the geographical spread of the state. I would strongly urge that you consider when we get to the Senate on this and I am fairly confident this is going to go through, that you look at geographic distribution as a thought and also adding regional superintendents, also as a thought."

Sharp: "Well, I'm sure that the State Superintendent will look at those individuals and will probably pick them in part of this Task Force."

Hoeft: "What about the regional..."

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Sharp: "But I will leave it up to him."

Hoelt: "What about the regional superintendents in terms of added membership?"

Sharp: "We're leaving it up to the State Superintendent."

Hoelt: "I'm sorry he can't do that because you specifically have said you've excluded that as a group. I would ask you... to urge you to look at an Amendment that would ask for distribution statewide to represent all of the students and place into it also a regional superintendent who also is elected by the people and will be a member, therefore, who listens to the individual people. The only other elected individuals you have here are school board members. And I think you're leaving out the parents of the State of Illinois because of that. So please, I would ask you to think about... Hello. You don't have to respond I'm not asking a question."

Sharp: "I'm sorry. Go ahead."

Hoelt: "You do not. You know, I would ask you to look at adding an Amendment when this gets to the Senate, indicating distribution and also the Regional Office of Education as a participating member."

Sharp: "Okay, thank you very much."

Hoelt: "Thank you."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. The Lady is well-intentioned and the subject matter may well be of some importance to the future of education. But Ladies and Gentlemen of the House, if you've looked at the School Code lately that thing is about four inches thick and this Bill would then go into the School Code and last one year. Now it'll stay

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in the School Code for the next hundred years, but it's only effective for one year. All people on this side of the aisle and I think even a few over there have said this should not be a Bill. This should be a Resolution spelling out what the Lady wants the state board to do and telling them to do it. And then when the report is made everything goes away, except for the report. We don't need to put this in the statute books and the School Code. That's why the statute books have doubled since I've been here. By the time I leave it'll be triple. Don't clutter the statute books and the School Code with legislation that lasts one year. If the Lady would take it out of the record, and I doubt that she will, she could have a Resolution drafted and we could move on it this afternoon. The only reason I stand in opposition is it doesn't take legislation to do this. Do you think you'd support me if I came here and asked you to support a House Bill to congratulate my basketball team in my district? Of course, you wouldn't do that. We don't put these kinds of things in legislation. That's why we have a Resolution process. The idea maybe worthy, but flaws have already been pointed out. I beseech you on behalf of the publishing companies, on behalf of the people who have to carry these statute books, on behalf of the people who have to try and figure out what the School Code says. Vote 'no' or 'present'; have her bring it back as a Resolution and it'll fly out of here unanimously. Don't start legislating what isn't necessarily legislatively. We don't have to do this. Let's do it as a Resolution, the way we have always done it. Vote 'no' or 'present' and let's get on with the work of the House."

Sharp: "Thank you, Representative Black. And I am so thankful

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for computers and one day we'll be able to put all this on a little disk and we won't have to carry around all those heavy books."

Black: "I did not ask her a question. Why are you responding so loud? This is an outrage to the floor of the House. Now get control of the House. Tell the Freshmen how they are suppose to conduct themselves..."

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

Sharp: "I would ask for you favorable vote. Thank you."

Speaker Turner, A.: "The question is, 'Shall House Bill 1207 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk should take the record. On this question, there is 76 voting 'aye', 35 voting 'no', 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Speaker Madigan in the Chair."

Speaker Madigan: "Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Now, I'm so upset that we've passed such momentous legislation I ask for a immediate Republican Caucus in Room 114."

Speaker Madigan: "Mr. Black, 118. Or did you want 1..."

Black: "That'll do."

Speaker Madigan: "Okay, 118. Now, the Republicans are going to caucus. It'll be a very short caucus and I would encourage the Democrats to stay right on the floor because we're gonna right back to Bills. So please stay right on the floor. The Republicans will go to an immediate caucus in Room 118 and I'm told they'll be back in a matter of about 20 minutes. So the House shall stand at ease."

Speaker Turner, A.: "Members should be in their seats and the House will come to order. On page 59 of the Calendar,

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Third Readings, we have House Bill 1516. Representative Curry. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1516, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Lady from Macon, Representative Curry."

Curry: "Thank you, Mr. Speaker. House Bill 1516 is a Bill that requires 5% of money appropriated for the Professional Development Bro... Block Grant to be used toward grants to districts which explore innovative programs for educating children with disabilities in the regular education setting. This was an initiative that was brought to me by some constituents in my district that have children with disabilities. And a year ago the General Assembly lumped all the Professional Development Block Grants together. They're just trying to make sure that children with disabilities and teachers are able to receive the kind of training that they need to teach these children."

Speaker Turner, A.: "Are there any questions? Seeing none, the question is... The Gentleman from Vermilion, Representative Black. Welcome back."

Black: "Yes, thank you. It's good to be back, Mr. Speaker. I trust we haven't... the adjournment date hasn't been moved, but I know you'll take that under... under advisement."

Speaker Turner, A.: "There has been some consideration..."

Black: "Yes."

Speaker Turner, A.: "... but at this point, we're still in the running."

Black: "That's what I was afraid of. Well... will the... will the Lady from Macon yield?"

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

Black: "Yes. Thank you. Representative, does this establish a task force to meet for one year?"

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Curry: "No."

Black: "Oh, that was another Bill. I'm sorry. Is the State Board of Education okay with this proposal to transfer?"

Curry: "Yes, they are."

Black: "The Associations of Special Education. Have you heard from any of them?"

Curry: "Yes. They're in support of it, as well."

Black: "Small rural schools in your district okay with it?"

Curry: "Yes."

Black: "It's good enough for your schools; it's good enough for mine. Thank you."

Curry: "Thank you."

Speaker Turner, A.: "Seeing no further questions, the Lady from Macon to close."

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

Speaker Turner, A.: "The question is, 'Shall House Bill 1516 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. And this Bill having received a Constitutional Majority is hereby declared passed. With regards to the Agreed List #1, the Clerk has certified that all Bills and House Resolution 51 and House Joint Resolution 4 have received a sufficient number of votes and therefore, the Bills contain on Agreed List #1 have received the required Constitutional Majority and are hereby declared passed and the Resolutions adopted. On the Order of Third Reading, page 59, we have House Bill 1746. Representative Novak. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1746, a Bill for an Act to amend the State Finance Act. Third Reading of this House Bill."



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Speaker Turner, A.: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill extends the life of the Conservation 2000 program that was started in 1994, I believe. It was a six year program. It's scheduled to expire at the end of the year 2000. I believe, Representative Tom Ryder was the chief Sponsor of the original Bill. It is a... an outgrowth of a number of constituency groups along with the Department of Conse... now, the Department of Natural Resources and it provides a funding... funding for various local partnerships that have been established around the state that are made up of agricultural, conservation and recreational interests. It's a very, very popular program. It has helped restore parts of our river in Kankakee. There are about 25 or 30 of these local partnerships throughout the state. I'm sure many of you know some of these individuals that make up these conservation partnerships. This program simply would be extended ten years. We think it's a ve... one of the most significant programs that has been put forward in the... in the previous administration and we want to carry it into the 21st century. Be more than happy to entertain any questions."

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

Black: "Hello. Yes, thank you very much. Would the Gentleman from Kankakee yield?"

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

Black: "Representative, I'm just curious about a couple things. Why wouldn't this have to go through an appropriations process rather than a regular House Bill?"

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Novak: "Well, Representative Black, I think we have to extend the substantive aspect of this law."

Black: "All right."

Novak: "This is the substantive part of the law."

Black: "Okay."

Novak: "... the approp... This has nothing to do with appropriations."

Black: "Okay. So you're... you're not making this a continuing appropriation?"

Novak: "No. No."

Black: "You're just exte... extending the life of the program, subject, I assume, to appropriations."

Novak: "Annual appropriations."

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

Novak: "You're welcome."

Speaker Turner, A.: "The Gentleman from Kankakee, Representative Novak to close."

Novak: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. This is a good 'green' vote. All of the environmental groups and agricultural groups, soil and the water conservation districts, millions of dollars have been provided directly to local conservation groups to help water sheds and rivers and stream bank stabilizations and protecting habitats. So let's see if we can keep this program going on into the 21st century and make Illinois a leader in conservation resource management. I ask you for your support."

Speaker Turner, A.: "The question is, 'Shall House Bill 1746 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there

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are 115 voting 'aye', 0 'noes', 0 'presents'. This Bill having received the Constitutional Majority is hereby declared passed. On page 64, we have House Bill 2644. Representative Mulligan. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2644, a Bill for an Act concerning the regulation of professions. Third Reading of this House Bill."

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

Mulligan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2644 is a Bill... a departmental Bill from the Department of Profes... Professional Regulations cleaning up 18 professional Acts regulated by the department. All of these provisions were recommended by the Professional Regulatory Boards or department staff. These are all agreed to provi... provi... provisions with no known opposition. The Bill contains the following provisions: It amends five Acts to remove the language requiring annual reports to be published for internal use by the department. These reports are duplicate... dup... duplicative of monthly reports that are already utilized. Amends the Cosmetology Act to make clear the intent regarding fines and disciplines as they regard to licenses who fail to complete continuing education. It amends the Dental Practice Act to remove language from the Act pertaining to waiver of required continuing education requirements. Will permit the department to administer the waiver pro... provisions by administrative rules. It amends ten Acts to remove the fee structures from the statutes and allow the department to administer the fees by administrative rule. It amends the Home Medical Equipment Provider Act to clarify the intent of this new licensure

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Act as to the implementation time frame as it relates to existing practices and inspection. Gives the department six months from the adoption of the... of the final administrative rules to issuen... issue license applications. All this a lang... language is agreed to and I ask for your support of the passage of this Bill."

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

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

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

Scott: "Representative Mulligan, the basic premise of this is to clean up, I realize, several different Acts and put provisions so that they make sense in concert with each other, but there are some fee provisions that are in the... in the Act and some are moving to rule. Are there any fee increases that are contemplated with this or are you moving some things for that are now set by statute to rule?"

Mulligan: "Actually, we're moving things that are now set by statute to rule with the agreement of the individual groups that are governed by it."

Scott: "Are... Are any fees potentially going to increase as a result of this?"

Mulligan: "Not to my knowledge."

Scott: "Okay. In the Pharmacy Practice Act, there is a... there's a requirement that the person to be in compliance be a legal alien or a citizen. That's being eliminated under this. Do ya... do you know where that particular provision came from?"

Mulligan: "I'm not sure, to be honest with you. I know... all I know is that they wanted them to provide evidence that they were..."

Scott: "Okay."

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Mulligan: "... so maybe it's from the pharmacists themselves."

Scott: "I just wondered if it was the Illegal Alien Pharmacists Association or something that was... that was..."

Mulligan: "I don't think so."

Scott: "...support of that provision. There's some reporting that's eliminated under this. I believe, in your... in your presentation you described that is... is duplicative. Is that the basic intent for... for removing some of the reporting?"

Mulligan: "That... that's my understanding."

Scott: "Okay. We don't... I mean, we're not lessening any of the reporting that's done. It's just... we're just not asking them to turn in the same reports to two different agencies. Is that right?"

Mulligan: "No. It's two different re... was once two different reports within the agency. Now, they're gonna go..."

Scott: "Two different reports within the same agency?"

Mulligan: "... to one. Now, they'll be going to one."

Scott: "Okay. And one more time on the... on the fees would there may be a little bit of a concern. Are any of the fees... there's nothing to prevent when we go, you know, it goes by rule, there's nothing to prevent any of the fees from going up. We have a little more control when it's statutory. Is there some assurance that we're not gonna see some increases in fees?"

Mulligan: "None of the fees, from what the department tells me with the more informed... none of the fees are inclined to be increased and two are to be decreased."

Scott: "Great. Thanks a lot for your answers. Appreciate it."

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

Mulligan: "I would just ask for a favorable vote on this Bill."

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Speaker Turner, A.: "The question is, 'Shall House Bill 2644 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there 100 voting 'aye', 14 voting 'no' and 0 'presents'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 54 we have House Bill 814, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 814, a Bill for an Act amending the Illinois Insurance Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This legislation would allow for co... licensed professional counselors to be covered. We passed, under insurance policies, we passed this legislation out of the House overwhelmingly last year and came out of committee uno... with seeking only 1 'no' vote. Be happy to answer any questions."

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

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

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

Parke: "Yes. Was there any opposition filed... slips filed on this Bill?"

Mautino: "Yes. Yes, Representative Parke. The opponents were..."

Parke: "Do you remember who they were?"

Mautino: "... the Illinois Manufacturers Association, the Illinois Psychiatric Society, Employment Law Council and

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Municipal League. The proppo..."

Parke: "And the reason..."

Mautino: "Oh, sorry, go ahead."

Parke: "And what was the reason that they stated that they were opposed to this Bill?"

Mautino: "That they had stated that they believed it was an expansion of... of the benefits or could possibly increase the cost for policies for small business."

Parke: "Do you..."

Mautino: "Which I would... Go right ahead."

Parke: "Do you think that...that there's a possibility of that or do you think this Bill, in the long run, won't cost Illinois small businesses."

Mautino: "Actually, I'm glad you asked me that. This does not extend or mandate any additional coverages for items which are not currently covered inside of the policies themselves. This says that if you are in need of...of either psychological or stress relief of this type of help, you would be able to go to a licensed professional counselor just as you could a clinical social worker. Now, these groups would go in, help with stress management, but only to the extent which is covered under policies. So this gives you the option very similar to what we've done with the licensed social workers. And thank you for bringing that up."

Parke: "Thank you. I have no further questions. Thank you."

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

Durkin: "Will the Sponsor yield?"

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

Durkin: "Representative Mautino, how do we... define mental, emotional and nervous disorders under this Bill?"

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Mautino: "Let me... let me grab the Bill itself and I'll get that definition for ya."

Durkin: "Thank you."

Mautino: "Okay. In the... in this section under House Bill 814, we do not change any definitions at all of... inside the Act, itself, of mental or emotional. This only adds the 'who can' traits or who can be eligible for coverage to that."

Durkin: "Is there any reference in this Bill which would give, probably, a more expansive definition of what these types of disorders would be covered?"

Mautino: "No, there is not."

Durkin: "No. That... I mean... I'm gonna support the Bill, but I just think perhaps we get this out. I know that there is some Bills coming up which are insurance...insurance mandates which one of them in mental health types of coverage which goes of a laundry list..."

Mautino: "Yes... this..."

Durkin: "... of types of disorders which would be covered under this type of legislation."

Mautino: "Okay. Yes. This legislation specifically goes into the... what's existing in the statute now we allow for someone to go to a licensed social worker. And, actually, both of these groups, the counselors or the licensed social workers, would, if there was medical or drug therapy necessary, would refer. They do not want to practice medicine. This just allows another access which, actually, saves money to the consumers and in the policies, themselves. It's a less costly option."

Durkin: "I just want to make sure we're not giving any type of prescriptive right or whatever to these types of individuals, are we?"



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Mautino: "No and that would not be my intention nor would it be the intention of the licensed professional counselors. They, basically, do... Everything which is currently authorized under their license we would not change. They can do their stress therapy, but if they are gonna use or if the patient is in need of any prescription or drug therapy, then they refer directly to the psychiatrists who have that authority and should have that authority."

Durkin: "Well, thank you very much, Representative. I'm gonna support your legislation."

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

Lang: "Thank you, Mr. Speaker."

Mautino: "It's not my first Bill."

Lang: "I rise in support of this good legislation. Some years ago, I was the chief Sponsor of a Bill that allowed social workers to make direct claims to insurance companies for repayment. These folks do very similar kind of work and they deserve the protection that this Bill provides and so, I'm happy to support Representative Mautino in this."

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

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

Mautino: "Absolutely."

Black: "Representative, on... on page 2 of the Bill, actually, on both pages of the Bill, 1 and 2, the... the language references a 'licensed clinical professional counselor.' Is... is there somewhere in statute a precise definition of what that might be?"

Mautino: "If you'll hold on for one second."

Black: "All right."

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Mautino: "The staff is gonna get the exact Section where that's referenced. Also, Representative Black, I'd like to put into the record that the licensed clinical professional counselors have completed master's degrees or Ph.D. in counseling or psychology, have completed two years of clinical experience under approved supervisor after the master's degree and have passed the National Clinical Mental Health Counselor examination or the Certified Rehabilitation Counselor exam to attain their state license. So they are currently under state licensure and I should have the Section for you in a moment. Do you have any other questions..."

Black: "All right."

Mautino: "... while they're doing that?"

Black: "Well, that... that's what I want to follow up on. This... this is identical to a Bill we had last year, House Bill 161."

Mautino: "Exactly."

Black: "And there... and there were a number of 'no' votes and the Bill was never called in the Senate. And I'm just wondering... I'm just wondering if, for example, is there a central, you know, such as a...a licensing or accrediting agency. My... my fear is that this might open up a... A marriage counselor who may or may not really meet the standards of a clinical professional counselor, could then be accessing insurance policies to treat mental or severe emotional distress. And my fear is that that person really would not be qualified to do so."

Mautino: "Well, actually, it is... that would be up to the company, itself, and only to the limits of that policy, who is gonna be in or out."

Black: "Would it... would it be conceivable, under this

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legislation, that a... that a school counselor might... might do this part-time, you know, after school or on weekends?"

Mautino: "No. That's... that's certainly not the intention."

Black: "Well, you said a Ph.D. in counseling and I...I know there are... while, not probably great in number, I think, there are probably some people who would have a master's degree in counseling who would then go on for a Ph.D. in counseling or educational psychology. And, again, I just question whether that person really has the professional experience to be treating someone with a severe mental or emotional disorder."

Mautino: "As I said, that was not the... my intent. Going back to your question on the school counselor and the... we would only be covering up to the extent of the policy, itself. What we are doing is allowing for another choice option in there just as we've done with the... with the social workers on that same level and with the licensed professional counselors who have been recognized by insurance and managed care companies. So it does not expand that policy, but it's... it would give persons in need of mental health care a choice for themselves or members of their family. They can seek a provider who's competent, affordable, accessible and it also... it saves money to the... to the company, itself, because they're not going with the more...a more costly option when simple therapy or counseling may be necessary."

Black: "Okay. Thank you very much, Representative. Mr. Speaker, to the Bill, if I might. I think the Gentleman certainly has an idea that's worthy of consideration. However, my concern is that licensed clinical or licensed professional counselor may open up the treatment possibilities to people

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who may really not have the background required to treat someone with a severe emotional or mental disorder or in... emotional or mental distress. It's interesting to note that this Bill would not apply to an HMO, any plan that is regulated by the State Employees' Group Insurance Act, the Small Employer Group Insurance Law, CHIPS, the Comprehensive Health Insurance Plan, which is the insurer of last resort in the State of Illinois nor would it apply to self-insured plans. So with all of these exceptions built into the law and... and some reasonable question as to what is a licensed clinical professional counselor, I'm not sure that the Bill is yet in a form that would encourage an 'aye' vote. I... I, again, I don't have any problem with what the Sponsor is attempting to do here. I do have some concerns, definitional concerns, and I certainly have some concerns that most of the insurance companies that would do business in Illinois or plans, not companies, excuse me, are exempt from the Bill. So something just doesn't appear to be right here..."

Mautino: "Okay."

Black: "... and it's for that reason, that I would urge my colleagues on this side of the aisle to vote 'no' or 'present'."

Speaker Turner, A.: "Representative Mautino."

Mautino: "To clarify a previous statement as to where they are affected within the statute itself, it's 225 IL CS at 107/10 and so, it is defined and there's a very extensive Section on the definition that should clear up that Section. To an earlier statement that it is not covered under the CHIP program. I'm a member of that CHIP board and CHIP is only authorized for what the board itself has been requested through specific statute in coverage. Be

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happy to answer any further questions. I appreciate the indulgence of the previous speaker. We did get him his Section which should... which clearly defines the status of licensed professional counselor."

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

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

Mautino: "Sure. Go ahead."

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

Mautino: "Sure."

Mulligan: "Representative Mautino, how much education does a licensed clinical professional counselor have?"

Mautino: "A master's degree or a Ph.D. So extensive..."

Mulligan: "How do they..."

Mautino: "Plus they must have completed additional clinical experience under an approved supervisor within that program, minimum."

Mulligan: "How would they compare to a licensed clinical psychologist?"

Mautino: "While they're looking at the... staff is looking for the specific Section and statute on the psychologist, what I would like to say also in this is, we are not trying to replace or add additional services. We are just, at this point, offering choice and those in need of the... the services of a counselor or a social worker would still be in that realm of... of mental health. Should more extensive work be found in all cases in the State of Illinois, whether it is covered by insurance or not, these groups refer to the psychologists and to the psychiatrists."

Mulligan: "Well, a licensed clinical psychologist has a Ph.D. and their one year post doctoral experience plus passing..."

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Mautino: "I'm now at that Section of the statute reading along with you."

Mulligan: "... plus the pass... plus they must pass the licensing exam. So what does a licensed... what would a licensed clinical professional counselor be?"

Mautino: "As I said, they have the master's degree or Ph. degree level plus the clinical experience."

Mulligan: "And what would their degree be in?"

Mautino: "In the field of counseling, rehabilitative counseling, psychology or similar degree program approved by the Department of Professional Regulations. And has completed the equivalent of two years full-time satisfactory supervised employment or a doctoral program in the field of counseling. So these are extremely well-qualified people to be given the option for those within the plan."

Mulligan: "What do most insurance plans cover, now, just licensed clinical psychologists?"

Mautino: "Which in itself was a battle to...again my father was one of the...for the Licensed Professional Social Workers, was the Sponsor of the Bill which expanded that coverage into the plan. So... psychiatrists... chy... psychologists, licensed professional social worker, and our hope would be to add the licensed clinical counselor, as well."

Mulligan: "I'm just trying to decide because the other groups..."

Mautino: "And they, also, must pass the exam by the DPR to even come into this program."

Mulligan: "All right. But I'm just... I was just trying to see where they differed from the first groups that you mentioned."

Mautino: "They... they are treating the same patients. They're treating the same patients. If you... if you were in need

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of counseling or in need of assistance..."

Mulligan: "I know that I am."

Mautino: "... for maybe stress related at work and I'm not speaking to you specifically, Representative."

Mulligan: "No, no. After being here, I might agree with you."

Mautino: "Well, in that case, wouldn't you like the option to, if you were in need of a psychiatrist, go to a psychiatrist, a clinical social worker for the problems which may not require drug therapy or the extensive medical knowledge involved in the drug therapy session or counseling. And it would be your determining... your determination, as a consumer, as it always is, but you would also let your policy, if it covers anything in mental health, cover this and allow you to choose between the four."

Mulligan: "Does it allow you to choose or does your... would your policy be able to direct you to take the lower..."

Mautino: "It allows you to choose."

Mulligan: "... end of the spectrum?"

Mautino: "That's the idea. It just adds it to the list of people that can be covered."

Mulligan: "Who are opponents to this Bill?"

Mautino: "And the language, itself, if you'll look on... in line 26... line 25, rather, under Section 2, 'or conditions', starting from the middle of the sentence. 'Or conditions, shall be free to select the physician licensed to practice medicine and all of its branches, licensed clinical psychologist, licensed clinical professional counselor.' So we add this to a list for which the consumers and the... those in need of health care are free to select. Kind of an interesting concept."

Mulligan: "Could you tell me who opposes this Bill?"

Mautino: "Those who currently are getting paid from the insurance

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companies out of the policies; the psychiatrists, the  
chy... psychologists and some of the groups who would  
determ... would determine this mandate."

Mulligan: "Thank you."

Speaker Turner, A.: "The Gentleman from Bureau, Representative  
Mautino... I'm sorry. The Gentleman from Kankakee,  
Representative Novak."

Novak: "Yes. I... Frank, I just had one question."

Mautino: "Huh... what?"

Novak: "I just had one question. Any..."

Mautino: "No. Oh, go ahead."

Novak: "Well, I want you to answer it for me."

Mautino: "Sure."

Novak: "What is the curriculum that is required for a person to  
be an individual counselor? I... I would assume all these  
people are college educated, right?"

Mautino: "A master's degree, minimum or be..."

Novak: "In what?"

Mautino: "... in Ph.D."

Novak: "In what?"

Mautino: "I will read it again. 'Master's degree program in the  
field of counseling, rehabilitation counseling, psychology  
or similar degree approved by the department and/or be in  
the... have had their master's and be in a doctoral program  
in the field of counseling, rehabilitative counseling,  
psychology or similar program.' Approved by the  
department."

Novak: "Oh. Well, okay."

Mautino: "Licensed and tested."

Novak: "I mean, if I we're going to the U of I and getting a  
master's in psyc... clinical psychology, I would want... I  
would think I would want to be licensed as a clinical



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psychologist rather than be licensed as a professional counselor."

Mautino: "That would be... that would be your choice."

Novak: "Okay. Thanks."

Speaker Turner, A.: "The Gentleman from Bureau to close."

Mautino: "Thank you, Ladies and Gentlemen. I appreciate your consideration of this legislation and your 'aye' vote. It will offer the freedom to choose, those who are already covered under a... an existing policy. It will not expand the limits and I think this is a choice that should be offered for all the people in the State of Illinois."

Speaker Turner, A.: "The question is, 'Shall House Bill 814 pass?' All those in favor vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 80 voting 'yes', 35 voting 'no', 0 'presents'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order... The Gentleman from Madison, Representative Hoffman, for what reason do you rise?"

Hoffman: "Yes, Mr. Speaker. We would move to waive the posting requirements for the Transportation Committee and the Tra... Transportation Appropriation Committee for a meeting that's going to be held tomorrow morning in Marion, Illinois at the John A. Loden College at 9:00 and inadvertently, because Session was scheduled and there was a tentative date, it was not posted. I don't think the other side has any objection. It's to have a hearing on the transportation needs of the state. I would ask that it be waived."

Speaker Turner, A.: "Gentle... The Gentleman asks leave for a

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waive of the posting requirements. Leave is granted. On page 52, on the Order of Third Reading, we have House Bill 417, Speaker Madigan. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 417, a Bill for an Act concerning state budget stabilization. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, House Bill 417 is concerned with a Rainy Day Fund for the State of Illinois. It would provide for the creation of a Rainy Day Budget Stabilization and Children First Act. Purpose of the legislation is to provide that the state will have in place a mechanism to deal with short-term borrowing, short-term need for cash flow in terms of situations where an appropriation has been voted, if there's not enough money in the treasury to pay the bills that are coming in from providers and others. I would like to defer to Representative Schoenberg, who will have further comments and then he can handle the questions because he's far more able than I. Right, Charles?"

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

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to thank the Speaker and thank Comptroller Hynes for coming forward with this proposal. As you may recall under the Comptroller's predecessor, Comptroller Didrickson, we were able to form a bipartisan consensus that moved a Rainy Day Fund Bill out of the House. I was honored at the time to be asked to be chief Sponsor of that bipartisan initiative and unfortunately, that matter stalled in the Senate. I think the Comptroller's made a very compelling case to instill further confidence in fi... Illinois' financial situation from Wall Street. And this is especially important at a

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time when we are looking at the most ambitious bonding program of the decade, currently before us, in the Governor's initial budget proposal. If anything, that bonding program and the subsequent news that we've heard of the creation of the Infrastructure Task Force, have underscored why we need to do this today. In addition, as the Comptrol... as Comptroller Hynes has pointed out, if you refer to a statement that was provi... provided by Moody's Investors Service in September of 1998 and I'll be entering this statement from Moody's into the record. It cites that the history of how providers were being paid late as a result... previously, as a result of insufficient fund balances and points out that additional actions can and should be taken to improve the fiscal strength of the state and enact a Rainy Day Fund. Every time the bond markets have pointed to the state's bond rating, they've highlighted the fact that Illinois is but one of five states in the country which does not have a Rainy Day Fund. Now, there are those who've argued that we should be pointing money toward surpluses... toward tax cuts instead. This Rainy Day Fund is the best insurance we have against future tax increases because creation of a Rainy Day Fund will ensure that the state will have resources available to cover our most important priorities when the economy inevitably slows. At that poi... at this point, I urge you all to join with me and support this measure and I'm happy to answer any questions."

Speaker Turner, A.: "The Gentleman from Vermilion, Representative Black. For what reason do you rise?"

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

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

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Black: "Representative, since you're one of the few people left in the chamber who wrote the current Illinois Constitution, I would ask that we look at a potential constitutional conflict in the Bill."

Schoenberg: "First of all, Mr. Black, I know that this process has aged me..."

Black: "Oh, I thought... I thought Speaker Madigan was presenting the Bill. And I knew... I knew that he was here to rewrite the 1970 Constitution to correct the one he wrote in 1817 or whenever that was. I can't remember."

Schoenberg: "He... he deferred the... he deferred the questions to me in his opening comments."

Black: "Oh, I see. Well, I didn't hear that. All right. Well, Representative, it appears that the way this Bill is written and let me just say first and foremost on the record, I'm not opposed to this concept at all. But it appears the way the Bill is written, we are giving the elected Comptroller the ability to move dollars from one fund to the Rainy Day Fund. And I think there is a body of case law that rather clearly states that cannot be done. Only the General Assembly can do that. Have you looked at this case or these cases? I can tell you what they are. Westside Organization Health Services Corporation v. Thompson was a 1979 case. County of Cook v. Ogilvie in 1972 in which the Supreme Court clearly states, can the Governor in this case be authorized to do what the General Assembly itself can only do by an Act duly passed and approved, i.e., divert funds appropriated for one particular purpose thereby reducing one appropriation while increasing the other through an... a transfer of funding. So, I mean has this... has the constitutional issue been addressed when you wrote this Bill?"

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Schoenberg: "Mr. Black, some of these issues... same issues emerged during the committee hearing. And in response, what I wish to say to you is that this breaks no new ground in terms of the office of the... the prerogatives of the Office of the Comptroller. It simply provides the same powers as the Comptroller already has in executing short-term borrowing and other fund transfers."

Black: "Representative, I think it does break some new ground. If you would look into the... I'm sorry, right now I cannot give you a page number, but the Bill clearly says that the General Assembly is removed from the process. In other words, we cannot suspend a payment into the stabilization fund. We cannot resume payments to the fund. We're not even allowed to be part of the process, 'we' being the General Assembly, that would allow for funds to be transferred from the Stabilization Fund into General Revenue Funds. I... don't you have some concerns that that clearly violates the Constitution as to who can appropriate money? Who is able to do that?"

Schoenberg: "Pardon me, Mr. Black. In response, I just wish to say that this is identical to the dynamics we currently have in place for short-term borrowing and I would, respectfully, disagree with you that we are seeking any expansion of powers whether it's in the Comptroller's Office or in any of the other executive offices."

Black: "Representative, if you'd ask the legal advisor because we don't have a clear answer on this. This is a fund-to-fund transfer. We're not going out into the marketplace and getting money. We're transferring tax money from one fund to another fund. And I think that is a... that is very, very close to existing case law in the Supreme Court that says only the General Assembly can make a fund-to-fund

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transfer via the appropriation process. All right. And I realize, Representative, we... we're not gonna solve potential constitutional problems in this debate, I understand that. But, and..."

Schoenberg: "Well, Mr..."

Black: "... I don't know whether you addressed it in your legislative intent... intent that you spoke to earlier."

Schoenberg: "Mr. Black, as you know, I have consistently sought to insure and protect the General Assembly's prerogative to sign off on the expenditure of funds and other financing mechanisms, as well, as we've discussed with financing vehicles outside of general obligation bonds."

Black: "Okay."

Schoenberg: "And it's certainly my expressed intent that we are not creating any new... creating any new powers or prerogatives..."

Black: "How can I..."

Schoenberg: "... for any executive office."

Black: "I appreciate and respect that. I think people of goodwill will, obviously, disagree on this issue... on that issue and, obviously, the Supreme Court will be the final determiner on it. But, let me ask you another question. Is there anywhere in the language that could clarify an issue that has come up. Who would make the determination. Who would decide on any given day that there was insufficient dollars in the General Revenue Fund to meet the state's obligations and would, therefore, transfer dollars from the Stabilization Fund to General Revenue? Is it strictly the prerogative of the Comptroller?"

Schoenberg: "No, Sir. The Governor would... under this Bill, and I'm hopeful it will become law, since Governor Ryan in his State of the State Budget Address expressed a strong desire

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for it to do so. The Governor's Office would initiate this mechanism and would be joined by the Comptroller and the Treasurer."

Black: "And the General Assembly would have no voice in the matter... not even ... not even to the point of setting the trigger amount?"

Schoenberg: "Passage of this legislation, Sir, would establish that triggering mechanism."

Black: "Where would the trigger mecha... where is the trigger mechanism in this Bill? I... I... I... If it's in here, I can't find it."

Schoenberg: "The point at which the... Sir, it's 15, subsection (b) of the Bill."

Black: "Can you give... can you give me a page?"

Schoenberg: "The cite I just gave you, Sir, was... triggers the receipts into the fund. That's the first half of the..."

Black: "Okay."

Schoenberg: "... equation."

Black: "I... I... I... Perhaps, I didn't make myself clear. I'm talking about a trigger to utilize the fund."

Schoenberg: "That's a determination, as needed, by the... by the executive branch."

Black: "Under the Balance of Powers Act, I mean... you know, I defer to your judgement, but doesn't there seem to be a... obviously, an inherent weakness in this because the Body that is suppose to appropriate the money is left out of that equation."

Schoenberg: "In... In... In response to an early... that was, as you know the version which I was the chief Sponsor of last year was different than this version. And that was a question that came to mind before I... as I examined this version. However, I... my understanding and I think it's

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accurate, is that these are the same dynamics as short-term borrowing."

Black: "All right. I think, again, I think people of goodwill will disagree on that and I'm sure it will be brought up further in debate. Representative, I... I appreciate your indulgence in answering the questions and I commend you on the work that you've done. I'm not sure we're quite there, yet, but you have done a great deal of work on it and I... I appreciate your willingness to answer the questions."

Schoenberg: "Thank you."

Speaker Turner, A.: "The Gentleman from Cook, Representative Durkin. For what reason do you rise?"

Durkin: "Thank you, Mr. Speaker. A point of personal privilege."

Speaker Turner, A.: "State your privilege."

Durkin: "Ladies and Gentlemen of the House, I would like to direct our attention to the gallery. I have from my hometown of Westchester, Illinois, the eighth grade class of Divine Infant (Jesus) Grammar School. The same grammar school that was kind enough to give me a diploma. I... want to welcome them to Springfield. And say, 'Have a great day.' Thank you."

Speaker Turner, A.: "Welcome to Springfield."

Speaker Turner, A.: "The Gentleman from Cook, Representative Parke. For what reason do you rise?"

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

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

Parke: "Thank you. Representative, let me understand, now. Did you say that this is a Rainy Day Fund? Or is this two funds?"

Schoenberg: "This is a Rainy Day Fund and the answer is both, Sir. It's a Rainy Day Fund. It sets aside money for budget stabilization and it also creates... a... it also



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creates... a Children First Reserve Fund."

Parke: "And then so it's just lik..."

Schoenberg: "But conceptually what it does and if... conceptually and effectively what it does is, set aside dollars during this relatively strong economic period so that we can meet our fundamental responsibilities when the state is not enjoying the same kind of robust economy that we currently see."

Parke: "You know, maybe I'm dense but I thought that's what we appropriate, as Members of the General Assembly, to do that. I mean, doesn't your Bill really take away legislative authority and the appropriation process of the legislative branch of government?"

Schoenberg: "Mr. Parke, if anything, what this Bill...it doesn't take... If anything, this strengthens the resolve of the legislative prerogative, because it means that we'll actually have the money to do what we promised to do. And as I indicated in my earlier remarks, the best insurance against any tax increase is the passage of this Bill, the passage of a Rainy Day Fund. Because, as you recall, when former Governor Edgar first assumed office, which was coincidentally my first year here, we inherited an accumulated debt which exceeded 1.2 billion dollars, the result of Medicaid spending that we could not keep pace with. What this... what a Rainy Day Fund does is enable us to have money to avoid tax increases because tax increases are historically more of an inevitability when the economy slows and we don't have the money to meet our basic needs. So, this is an insurance poli... you should see this as an insurance policy against tax increases."

Parke: "I'm going to tell you something. That is illogical. That argument just doesn't hold water. If the Legislature

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feels that we don't have the money to pay for a program that we've legislated, then it's our responsibility to do two things: either cut the program or raise taxes. And you having a Rainy Day Fund does not supersede that. What you do, do though, is you take away the legislative authority to make a decision on how to spend money that is raised by taxes from the legi... from the taxpayers of this state. Now..."

Schoenberg: "Mr. Parke, with all due respect, I don't believe that the majority of people in Illinois view this as an either or. The majority of people in Illinois, where best they can, try to set money aside in their own household budgets, so that when they need to have something in reserve, they do have something in reserve. Mr. Parke, believe me the last thing..."

Parke: "Well, Representative, I will tell you right now. I will tell you right now that this is a different thing. It isn't what individual taxpayers trying to save money for the future. This is money that we have taken from the taxpayers and now we have too much money. We ought to give it back to the taxpayer. Don't play... don't have that... lower that and don't make fun of that and don't make light of that. This is taxpayer money. If we have a surplus, we ought to return it back to the taxpayer, from when... who we raised it. And I will tell you, the majority of the taxpayers in this state would say that I can spend my money much better than government can spend their money and not to have it sit in some fund in state government. And that's a ridiculous argument to say that you're going to equate the state government to an individual trying to save money."

Schoenberg: "Mr. Parke..."

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

Speaker Turner, A.: "To the Bill."

Parke: "This Bill sus... says that, 'on agreement of the Governor, the Comptroller, and the Treasurer' and it's silent if we merge the Comptroller and Treasurer's position. That if the two of them decide that...that this fund was not going to be suspended because we had a downturn in the economy, we did not have the money and they had the formula structured if the Governor and the Comptroller and the Treasurer decided that they would not recognize the General Assembly's request to suspend payments, they could still require money to go in these funds, first, before anything else except for pensions, to be taken care of. This is bad public policy. If we have a surplus, we ought to return it to the taxpayers. If we have... If we have needs in this state, we ought to have guts enough to stand up and say, 'We're going to raise your taxes to pay for the costs of state government.' If you do that, then you're honest with the taxpayers of this state. To put some money aside for a rainy day sounds good, but in practicality, this is not a good idea. And I will oppose it."

Speaker Turner, A.: "The Gentleman from DuPage, Representative Tom Johnson."

Johnson, Tom: "To the Bill. Many of us, I think about 47 of us, will remember when we came into this House of Representative six years ago. Six years ago the state budget, the total state budget was about \$26,000,000,000. When we came into this statehouse, that large freshmen class, we were having a very difficult time sustaining a \$26,000,000,000 budget. When we came in we were operating at that time, under a temporary increase in the state

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income tax. Temporary, I might add, to get us over the hump. We, subsequently, made that temporary income tax permanent. That temporary income tax went from 2.75 to 3%. In six short years that I have been here and that my colleagues that came in with one of the largest freshmen classes ever, we have now seen that budget go from \$26,000,000,000 to \$40,000,000,000, in six years. We have also seen the economy of the nation and of this state operate in such a fashion that we have one of the best machines that the world has ever seen producing revenues both for government, state and local, federal, everybody else, at a clip that we haven't seen in years. With that, of course, we as usual have not exercised restraint in this chamber or anywhere else. We have continued to add and add and add to now, we are going to try to sustain going into the years, in the future, a budget base of \$40,000,000,000, if we spend everything we say we want to spend this year. We are now talking about using some of this money, which is not our money I might add, but our taxpayers' money, to put away in quote 'a Rainy Day Fund'. Let's put it into storage so that we can use it when we need it. I submit to you, as Members of this House, that you know, when I came in we were in tough times and we had a temporary tax increase. We are now in good times. What do we want to do? We don't even want to give a temporary tax decrease to our citizens who have provided us with all this money. I believe that we've lost our moorings. We have lost our perspective on what we are sent here to do. In every single year, we have had a Rainy Day Fund and it's in our budget. Our budget, every year, we do not appropriate a hundred percent of the revenues that we anticipate. Every year we have held back about anywhere from 300 to the last

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year up to a billion dollars of not appropriated funds of revenues. We have done that. We don't need to continue to collect revenues, put it away, so that our State Treasurer or Comptroller can invest it on behalf of the people of Illinois. There is a better Rainy Day Fund, I submit, and that Rainy Day Fund is a temporary tax decrease. Let's leave it with our citizens for the next two years. Let's make that temporary. We've got that surplus in terms of our balances. Let's leave the dollars there on a temporary basis and if, in fact, we find where we are in such dire straits two years from now, we won't renew that tax increase. It's as simple as that. But it causes us to use some restraint in where we're taking this base budget. You know, over the years, over 20 or 30 years now, even in the worst of our economic times, revenues to the State of Illinois have never remained flat and never have we taken in less than the year before. Even in our most severe recession, the State of Illinois coffers have taken in more than the year before. What are we afraid of? Why don't we learn to exercise some restraint in terms of what we want to spend and why in the world would we take money from our taxpayers to put aside in some sort of savings account, when we can leave it with them with a little bit of restraint and also make that temporary. And let our citizens know that, look it, you're the ones producing this revenue, it's not us. It stays with you. If, in fact, we need it, we'll come back to you and say we need it. Let's make that case and then we'll take what we need to sustain it. But if we continue to tax and spend at the rates we are, the cost of government is only going to accelerate at paces unheard of. Because as we take more and more out of the pockets of our people, we put a greater

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burden on them which then creates needs for even more programs to take care of the people we have placed that burden on. It's time to leave these dollars in the best of Rainy Day Funds and that's with the taxpayers of the State of Illinois. I urge a 'no' vote on this Bill."

Speaker Turner, A.: "The Gentleman from DuPage, Representative Biggins. For what reason do you rise?"

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

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

Biggins: "Yeah, Representative, I'm kind of surprised you're introducing a Bill that takes spending authorities away from the Legislature and gives it to Constitutional Officers. Could you explain why you're doing that?"

Schoenberg: "As I said, Sir, in response to an earlier question. I'll repeat it again. The dynamics which work for the execution of this Rainy Day Fund and Childrens First Fund are the same as what we have currently in place for short-term borrowing. Now I have to say, as well, that I find the arguments from the preceding two gentlemen a bit curious because the Comptroller has two choices right now. One, either to delay the bills, delay or not pay bills that are owed to businesses and it hurts small businesses. In particular, program recipients, which in essence allows the state to borrow interest-free from providers of state services; or we can seek short-term powering... borrowing and seek a higher interest rate. You know, on the first scenario, my first term here one of the most offensive things that I've ever seen in the eight plus years that I've been here is when we didn't have money to pay providers. We let independent pharmacies borrow money with interest from the state so that they could keep their doors open until the state paid them the money that they were

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arrears... that they were in arrears, which was sometimes as much for 120 days."

Biggins: "Point of order, Mr. Speaker. Point of order. Mr. Speaker. Mr. Speaker. May I have..."

Speaker Turner, A.: "Yes."

Biggins: "The point of order. Is the Sponsor closing? 'Cause he's going into a big speech here, and I didn't get a chance to finish my questioning."

Speaker Turner, A.: "Representative, I do want you to know that we are turning on the timer and I will grant you another two minutes to..."

Biggins: "Thank you very much."

Speaker Turner, A.: "... to your time. But, we do have the timer on now, Members. I want to alert you that."

Biggins: "Well, on behalf of all my colleagues, thank you very much, Mr. Speaker. Well, now, Representative isn't this an antischool funding proposal? Because I foresee happening in the future - obviously, it's going to be in the future if I'm foreseeing it, but that there would be monies that instead of going to the school fund, would be an option of the Governor... future Governor, I'm sure, to say, 'Well, we'll take that money out of the Rainy Day Fund.' And then it can go to the Rainy Day Fund and that same Governor, not the current one, could say, 'Well, I'm gonna vote against that use of the Rainy Day Fund.' So, isn't this a diversion of state education dollars into a fund that may or may not go for the... quote 'the children'?"

Schoenberg: "Mr. Biggins, that's not the case. As a matter of fact, the education community has formally endorsed this because they want to ensure that we have the money to meet the state's top priority, which is funding education first."

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Biggins: "I believe Representative Black asked the question about when does the trigger in the Bill... when is a money... when does a dollar go to the Rainy Day Fund as opposed to being in the bank just there like a normal surplus dollar would be?"

Schoenberg: "Mr. Biggins, the trigger mechanism occurs when it reaches 4%. Then it thus beco... it, subsequently, becomes divided between the Rainy Day and the Childrens Reserve Fund."

Biggins: "And is that 4% of the pre... current year or previous year's state budget GRF? Is that what that 4% refers to?"

Schoenberg: "Four percent of general funds."

Biggins: "Okay. To the Bill, Mr. Speaker. And I...I want to explain why I'm gonna vote 'no' on this Bill. About 25 years ago, I needed to borrow a hundred dollars. Went to my next door neighbor, I borrowed a hundred dollars. A few weeks later he said to me, 'Can I have my hundred dollars back?' So, I gave him \$50 back. So, he says, 'Where's my other \$50?' I said, 'Well, I'm saving it for a 'rainy day fund'. You don't need it. I do and I can spend it better than you.' So, I learned from that, that that was the wrong position for me to take at that time. I don't think it's right to hold somebody else's money and spend it, 'cause we don't trust the way they will spend it. So, I'm gonna vote 'no' on the Rainy Day Fund Bill."

Speaker Turner, A.: "The Gentleman from Macoupin, Representative Hannig. For what reason do you rise?"

Hannig: "Thank you, Mr. Speaker. I rise in support of this proposal. Let me just say to those who feel that, perhaps, somehow we've given up the appropriation process by passing this Bill. If you look on the board at some of the Sponsors up there, I see Representative Ryder, who is the



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spokesman on the Republican side for the budget; Representative Mulligan who's a spokesman for the Human Services Appropriation Committee; as well as Representative Schoenberg, on our side of the aisle, who's the Chairman of the committee, General Services. So it seems to me that, on the contrary, the people who are most involved with the appropriation process, including myself, support this proposal. Let me also say that, you know, I was here when the economy was bad, when Governor Edgar came into office, when we owed a billion dollars to pharmacists and nursing homes and hospitals and doctors around the state, when we couldn't pay our bills on time, when we had people calling us asking us, 'When will the state send me that check for the services that I provided 90 days or 120 days ago?' We had no Rainy Day Fund then and I sure wish that we did. And it seems to me that the simple proposal that we have before us today will allow us to do what we in our own life an... wha... do every day and that's set aside a few dollars in a savings account to make sure that it's there, so that if something should go wrong, we can dip into it and make sure that we can pay our bills and stay solvent. And that's really what this Bill boils down to. Let's set aside a few dollars today and tomorrow, when times are good and the economy's rolling along and there's a lot of sunshine in our economy, for some time when we have a little rain fall on us and we have to dip into our accounts to pay our bills. To me, that seems so much better than trying to find ways to use smoke and mirrors, to try to borrow short-term, to try to find all these other fixes fo... including raising taxes to solve the problem. Let's put a few pennies aside today in comparison to our overall budget, so that in times of need they'll be there. We can

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pay our bills. We can continue to operate. That's what this boils down to. I'd urge a 'yes' vote."

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

For what... what... what purpose do you rise?"

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

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

Mulligan: "Representative Schoenberg, I entered this Body at the same time of one of the previous speakers. Six years ago, it's my seventh year, in that year the budget was not what he said it was. If I'm not mistaken, I thought the budget was approximately \$31,000,000,000. Do you know that or can your staff tell you? The 1993 budget or going in and at least, I know, working on the fiscal year '94 budget was, at least, 31 to \$33,000,000,000."

Schoenberg: "I don't have the exact figure, but I believe you're in..."

Mulligan: "As opposed to 26,000,000,000, I'm pretty certain of that."

Schoenberg: "I'll take your word for it, as I take your word for virtually everything else."

Mulligan: "Oh, yeah, I'm sure. Representative Schoenberg, can you tell me, approximately, what the state has to pay per day for bills?"

Schoenberg: "Representative, I believe that estimate is probably in the 75 to 90,000,000 a day range."

Mulligan: "So, a reserve of a hundred million is not very much, is it?"

Schoenberg: "Reserve... I think you're making, precisely, my point. There's been a lot of chest beating about the amount that we're looking to set aside. What we're looking to do is very, very modest."

Mulligan: "If we were to give money back to the taxpayers and

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then we went into a recession, it would take a long time to then raise the taxes and get that money back in the account, wouldn't it? The state General Revenue Fund."

Schoenberg: "I'll tell you... you're... you're absolutely correct. And the Governor's own transition report, has really underscored and the reason why I believe the Governor has embraced this idea prior... as opposed to his predecessor, is because he sees how this is going to be especially important when it comes to executing what could be the largest Capital Bond Program of the decade."

Mulligan: "To the Bill. Ladies and Gentlemen, I was a co... I was the Chief Sponsor of Treasurer Topinka's Bill. Since there was conflicting Bills in the House, she chose not to have that Bill called in order for us to have a Bill come out of here that would establish a Rainy Day Fund which also supports Governor Ryan's position. I was a Cosponsor last year of Loleta Didrickson's Bill. I support the concept of having a reserve fund because as long as I've served in this Body, I've been in Human Services Appropriations, whether as a Member of that committee, as a Chairman or as a spokesman. Over the last six years the Federal Government has been balancing the budget, their budget, on the backs of the states. And the entitlement programs that we fund now, in future years will more and more come from state revenue rather than federal revenue. The fact that our state has so little set aside to ensure these entitlement programs, if something were to happen, where there be a downturn in the economy, is very important to me as someone that works with those appropriations on an ongoing basis. Di... discussions you have heard today are basic conflict of ideology or thought, and in some instances I agree with my colleagues, we don't want to take

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more money out of the taxpayers' pocket. But the turnaround, when we go into a recession, with the amount of money that the state owes every day, is not quick enough for us to give money back and then take the money back in the form of taxes. All it does is make us incur debts where we pay interest or we have to figure out how to cover those debts or cut services immediately. I think it's smart for us to have some kind of a reserve fund. I will say, honestly, that I was more in support of Treasurer Topinka's Bill. I liked the way that was set up. I certainly think we need to do something and think about it because the turnaround time in collecting taxes or general revenue is not great enough to allow us to accomplish to just cover a few days of bills in the State of Illinois. I think this is a good concept. I think it... we look towards how we're ensuring programs and what we're spending. I don't know too many Members in here that don't always want what they need for their constituents. They want it to be ready. They want it to be available when people call. And I think by establishing this fund, what we are doing, are ensuring that we are going to meet our future obligations. We're going to be able to bear the brunt that the Federal Government is putting on the State Government. And for a fact, it is supporting Governor Ryan and his message to us and how he wanted to establish a responsible way of supporting the state with the funds the taxpayers give us. I urge an 'aye' vote on this Bill. I think it's very important that we show people that we do have that responsibility to back up the programs that we put into place and try to fund."

Speaker Turner, A.: "The Gentleman from Coles, Representative Righter. For what reason do you rise?"

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Righter: "Will the Sponsor yield?"

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

Righter: "Representative Schoenberg, I appreciate the fact that you are carrying the ball on this legislation. Am I on? Answering a lot of questions on this legislation. As you know, I sponsored a Bill that was also a Rainy Day Fund that did not make it out of your committee. I support the concept. I'm a Cosponsor of the Bill. I have a few questions about the... the operation of the Bill. There's been some talk concerning the movement of money from the Childrens First Fund and the Budget Stabilization Fund into the General Revenue Fund. And I want to make sure I'm clear first. This Bill, first, would set up two new funds in the State Treasury, would it not?"

Schoenberg: "Yes, Sir."

Righter: "Okay. And those funds would be distinct funds just like we have the Common School Fund and the General Revenue Fund and the Road Fund, is that right?"

Schoenberg: "Yes, Sir."

Righter: "And the authority to pull money out of these funds, then, would be vested solely in the Governor's Office, the Treasurer's Office and the Comptroller's Office?"

Schoenberg: "Yes."

Righter: "Now, I know..."

Schoenberg: "Sorry, Mr. Biggins asked me to keep it short."

Righter: "You have referred several times in your comments to the Short-Term Borrowing Act. And for me, I suppose, and I'd like you to address this with me, whether or not the best analogy we can use for how this Bill would operate, would be whether the Governor or the Comptroller or the Treasurer would have the statutory or constitutional authority to move money from the Road Fund to the General Fund or from

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the General Fund to the Common School Fund. Do they... do they have the authority to do that constitutionally?"

Schoenberg: "No. However, the Short-Term Borrowing Act, currently which I have alluded to several times in response to questions, currently authorizes the Governor, the Comptroller and the Treasurer to borrow funds for the same purpose the Rainy Day Fund will be used."

Righter: "Does... does the Short-Term Borrowing Act authorize any Constitutional Officer to move money from one existing state fund to another existing state fund within the State Treasury?"

Schoenberg: "No."

Righter: "Okay. So, would you agree that that is a better analogy, moving money from existing state fund to another existing state fund, for what we're trying to do in this Bill?"

Schoenberg: "The intended purpose is the same. And because we wanted to be careful with the constitutional issues the dynamics are, I... I... I believe, identical to that which we use for the Short-Term Borrowing Act which is already the law."

Righter: "What is your opinion of the proposition that the Legislature should have the authority to move money out of these Rainy Day Funds to the General Revenue Fund?"

Schoenberg: "Would you repeat the question, please?"

Righter: "What is your opinion of the idea that the Legislature, under this Bill, should have the authority to move the money out of these Rainy Day Funds into the General Revenue Fund?"

Schoenberg: "I believe the Legislature should do the courageous thing and establish the Rainy Day Fund and ensure that the money actually gets into that Rainy Day Fund because as

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we've seen in a number of other states, they haven't met that responsibility even after they've initiated a Rainy Day Fund. When a certain threshold is reached, then this Bill provides a similar... a similar exercise of powers as the Short-Term Borrowing Act."

Righter: "Okay. Well, we're all about courage here, Representative Schoenberg. But the question is, your opinion of whether or not the Legislature should have the authority to move this money from these funds to another fund just like they do in every other arena of State Government."

Schoenberg: "Mr. Righter, nothing prevents the General Assembly from appropriating more money into the fund. What we do is establish a firm financial beachhead, so that we are better... so that we're better equipped to deal with... with... with economic times which are not as good."

Righter: "I'm not arguing that point, Representative. And I stated in my opening comments, I support this, I'm a Cosponsor and I'll vote for it. I'm asking about the mechanics of removing the money from these savings accounts to the General Fund. Is it better to have the Legislature do that, in your opinion, or have one constitutional officer have the authority to hold that entire process up, which is what this Bill would do?"

Schoenberg: "Mr. Righter, we have statutory transfers all the time. For example, we transfer the lottery proceeds to the education fund. So, we're not breaking new ground here."

Righter: "Ca... can you give me an example..."

Speaker Turner, A.: "Your time is up, Representative. We'll give you another minute."

Righter: "Can you give me an example, in state government now, where we have statutory fund-to-fund transfers at the sole

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and entire discretion of a constitutional officer? Is there any other example you can give me?"

Schoenberg: "No."

Righter: "So, we are breaking new ground here, aren't we?"

Schoenberg: "Mr. Righter, as I said before, what we're doing is very...is identical to what we do with the Short-Term Borrowing Act. When there's not enough money for a... to cover the short-term borrowing, the... the Governor's office initiates with the Comptroller and the Treasurer, the procedures to make sure that the money's there to cover the obligations."

Righter: "Well, I think you've already agreed with me, Representative, that this is not like the Short-Term Borrowing Act, in that we're doing a fund-to-fund transfer here rather than going from the market into a fund. Now, I want to move on since my time is short. Are you concerned about the public policy or political wisdom of vesting the entire authority of moving money out of these savings accounts into the General Fund in one constitutional officer? Because it only takes one officer to hold this entire transfer up. Does that concern you all that one person's gonna be able to hold that entire process up?"

Schoenberg: "I'm confident that the three constitutional officers, who are involved, will work cooperatively to address the common need if the situation so arises."

Righter: "Okay. Thank you, Representative. I appreciate your time."

Speaker Turner, A.: "Speaker Madigan to close."

Madigan: "Mr. Speaker, we've had a very good and full debate. I would request an 'aye' vote."

Speaker Turner, A.: "The question is, 'Shall House Bill 417 pass?' All those in favor should vote 'aye'. All those



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opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk should take the record. On this question there are 101 'yes', 14 'no', 0 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Third Reading, page 54, we have House Bill 787. Representative O'Connor. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 787, a Bill for an Act amending the Criminal Code of 1961. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Cook, Representative O'Connor."

O'Connor: "Thank you, Mr. Speaker, Members of the House. House Bill 787 would amend the Illinois Criminal Code of 1961 by making the dissemination of gang related material over the Internet illegal. Would make it a Class 4 felony. Gang related activity is currently now... is currently defined in the Illinois Streetgang Terrorism Omnibus Prevention Act right now and the Act also exempts news gathering organizations and police and law enforcement organizations. The basic intent is to protect children who inadvertently come across gang related information which is put on the Internet for solicitation purposes and it basically is consistent with existing law outside the area of the Internet. And I'm happy to answer any questions."

Speaker Turner, A.: "Seeing none, the question is, 'Shall House Bill 787 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0 'presents'. This Bill having received the Constitutional

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Majority is hereby declared passed. On page 53, on the Order of... I should say... Third Reading, we have House Bill 710. Representative Lang. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 710, a Bill for an Act relating to education funding. Third Reading of this House Bill."

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

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 710 is the Fund Education First Act. For those that have been here for awhile, you've seen this before. The Constitution of our state requires that we fund education at least 50%. At least that's the way most of us read it. For some time, I have been trying to pass a Bill requiring that we get to that 50% level by adding 50% of all new state revenue each year until we get to that point. During his campaign for Governor, Governor Ryan endorsed this idea. Didn't necessarily endorse the idea of legislation, but he indicated that we ought to take at least 51% of all new state funding and give it to the school children of Illinois. That's what this Bill does. It says let's give this 51% of all new state revenue to education until we get to the 50% level across the board. Let's take care of the school children of Illinois. Let's protect against future Governors that don't want to give 50%. Let's not just leave it to the budget process. Let's make sure that if education is our most important priority, as Legislators, that we make sure that children come first and that their education is taken care of. I would urge your support."

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

Cross: "Well, if it's okay, I'd like to ask a couple questions."

Speaker Turner, A.: "It's okay."

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Cross: "Thank you, Mr. Speaker. Representative Lang, I didn't know it... or I didn't hear a single thing you said, so if I ask a question that you've already addressed, I apologize. Will... Lou, this has nothing to do with the...the Governor's discussion. They are... as part of his platform with using 51% of all new revenue... all new revenue to be used toward education. Does it?"

Lang: "It has everything to do with the Governor's proposal. However, when I asked the Governor if he wished to join me in supporting this legislation, he indicated he did not think we should do this by legislation. He believes, as some do, that we should leave this to the appropriations process. My view is, Representative, that if children are our number one priority in our state, if education is the number one priority relative to children, that we ought to make sure that the statutes of the State of Illinois require that we get to the 50% funding level by ensuring that we take 51% of all new state funding each year and give it to the children of Illinois."

Cross: "What happens if we have a Rainy Day Fund? Are we required to dip into the Rainy Day Fund in the event we don't have much growth that particular year? Is there anything in this legislation that directs us to utilize that Rainy Day Fund?"

Lang: "No, not at all. This would simply require that at a minimum we take 51% of all new state revenue and give it to education."

Cross: "Would new state revenue include federal money that comes in?"

Lang: "No."

Cross: "Do you have a definition of the... in the Bill of 'new revenue'?"

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Lang: "The Bill refers to 'new general funds' available from spending from estimated growth. Does not deal with federal funds."

Cross: "It... but, it... that's not indicated in the Bill, is it? Is that... that's just your inter... your belief on it, Lou? I don't..."

Lang: "The Bill says 'general funds', Representative. That would... that would not include..."

Cross: "That does not include federal money."

Lang: "... federal funds."

Cross: "All right. In the event we have a recession and our surplus goes down or our... the amount of General Revenue Fund drops or we receive less money on a given year, are we, under your Bill, under any obligation to cut the education budget?"

Lang: "No. This talks about what we do with additional growth in state General Revenue Funds and it would say that we must give at least 51% of all revenue growth in the GRF to schools. If our numbers drop, this does not require us to do anything."

Cross: "And I suspect most everybody on this side, I don't want to speak for em, will support this. I plan on voting for it. But what if, Lou, in any given year and let's say we have sufficient... we have significant growth, but we have a crisis with roads or we have a crisis with prisons or we have a crisis with DCFS and there's an order entered by a federal judge to, you know, build three more prisons or build eight new... four new super highways or do this for DCFS with kids. What does that do to us, budget-wise, when we're mandated either by a court system or the Federal Government all of a sudden?"

Lang: "It's a legitimate question and it's a question that some

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have posed to me. My only answer is this. That as important as everything else is that we deal with, whether it be mental health, which is an area I'm involved in, whether it be corrections, whether it be fixing the roads of Illinois, whatever the major issues are we deal with, Tom, once we say and all of us have in our reelection, that the most important thing we have to deal with is education, then we have to make education our number one priority in terms of budgeting. So that's the goal here. We may have other problems that come up, but we need to establish that the children come first."

Cross: "I... And I don't think anyone disagrees with that, Lou. What... have you, you know has anyone run a number or an... some anticipated numbers to let us know when we get to 50%? Or I guess my question is, under this formula, under your Bill, is it realistic to believe we will ever... can we ever get to that point with this legislation of... of... of funding educ... you know, providing 50% of money toward local education? Can we ever get there under this scenario?"

Lang: "This may not be enough all by itself to get there, but it's a step toward that goal. What we need to do as the General Assembly is take stock of ourselves in terms of our budget process and decide, once and for all, that the education of children comes first. Budget that first. This is only a step in that direction."

Cross: "All right. I have no other questions. Thank you, Mr. Speaker."

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

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

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

Parke: "Representative, do you know how much we must allocate for the underfunded state pensions systems that we agreed four years ago to repay over 50 years? Do you know what that's up to now?"

Lang: "Representative, I don't have that number in front of me. It is a lot of money. This... thi..."

Parke: "Yeah, I... I think it's more than a hundred million this next fiscal year. And I... To the Bill. Ladies and Gentlemen of the House, this sounds like a great idea. It's gonna look good on your campaign brochures and the words that say that children come first, who can deny it. But the fact of the matter is, there are lots of other needs in this state other than the children. I've been in this Legislature going on 15 years. Almost every year we give more money to public education and I say that's a good idea. But there is mental health, there are seniors, there are many other people that have needs in this state. Mr. Speaker, could I have some quiet, please? Thank you. I appreciate it. I know that a lot of my colleagues are gonna vote for this, but I'm just gonna tell you a scenario that's gonna play out here. As we start committing more and more money to pay first without being appropriated cause we're not gonna appropriate this money, you are giving up your authority as a Legislature, as elected officials. There'll be a cu... there'll be a time when you don't even need to be here because we will have acquiesced our responsibility as a legislative branch and the distribution of state tax dollars to be mandated by state law where we don't need to do it anymore because whatever money comes in will be allocated under formula and we won't have a say. The only option will be to raise taxes. I

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guarantee you if this Bill was ever implemented, you will be voting on tax increases at a much sooner rate because the other services needed in this state will require new tax revenues that can only come from a tax increase cause we have allocated the other financial resources of this state to be used in these kinds of programs. The intent is marvelous. The reality is dangerous. We ought not to do this. I hope that the Senate does not call this Bill because it's difficult for Members to vote against it. And if it gets on the Governor's desk, I hope he has courage enough to veto it. This is not a good idea. This takes away our authority as a legislative branch to appropriate. Let us stand and be counted when it's time to appropriate money every given year. This is bad public policy. This is setting a dangerous precedent and I would ask you to vote 'present' on this Bill."

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

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to support this piece of legislation. You know, it's... it's just so ironic to me that our colleagues... we get up and we question the cost of a piece of legislation such as this and... and of course, I think one of my colleagues mentioned how much it would cost dealing with pensions of this Bill. But you know the re... the real reality is that each and every Legislator here have campaigned on education making education a priority first in our... in our communities, making education a priority in our state. And it's just so ironic to me when we were passing and Bills such as super max prisons... building super max prisons with... with millions of dollars floating, \$630,000,000 in bonds and... and millions of

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dollars to extend more prison beds, millions of dollars to... to... for the upkeep of the prison. When those Bills was coming through with the appropriation dollars, yes, yes, yes was being pressed on those Bills. Now, we have some legislation that begins to address the education problem to fund education first with new revenue dollars. This only solves part of the problem. This does not truly fix the problem. I am still looking and I'm sure many of my colleagues are. I am still looking to, actually, fix the problem with funding education at the right level with a state income increase which will... that cost will be spread across the board. Everyone will have to pay that cost because everyone says they believe that education is first. This Bill only begins to address. We also passed some legislation in this House while some legislation was shoved down our throat dealing with the 'granny tax' to fund education. The cigarette tax to fund education. Riverboat gaming revenues to fund education. Lottery dollars to fund education. And yes we punch 'yes', 'yes' and green lights on those pieces of legislation. Now we're... here we have an opportunity to begin to try to address the real problem and fund education with real clean dollars. Hard earned state... state workers' dollars. State indiv... every individual that pays state income taxes in this state. Clean, good money, we can fund education with that. We have the opportunity to do that. And... and... and we stand, and reluctant to do so, but yet, as the Representatives say, all of us, we campaign for this issue and we put this on our campaign issue. Ladies and Gentlemen of the House, please, let's be real. One of the main reasons that I am here, in this Legislature, is to deal with this issue of fair and equitable funding of



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education... of public education in this state for all of our public education schools. We need to really address the problem. This Bill needs to fly out of this House and it needs to go into the Senate and get a fair hearing and be heard on and to be voted on. Not to be held in some committee. Not to be held in Rules. So, Representative, I commend you for bringing this again and we should keep bringing it until we resolve the problem and stop putting Band-Aids on the problem. Thank you, Mr. Speaker."

Speaker Turner, A.: "The Gentleman from Cook... I mean, the Gentleman from Vermilion, Representative Black."

Black: "Yes. Thank you, Mr. Speaker. Have I moved?"

Speaker Turner, A.: "Representative, there's always a spot for you in Cook County."

Black: "Thank you. I'll take you up on that at the appropriate time. Will the Sponsor yield?"

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

Black: "Lou. Representative Lang, excuse me."

Lang: "You can call me Lou."

Black: "Well, I've called you that and other things, but be that as it may, what and forgive me, I was off the floor for awhile. I want to make certain that you're confident that your Bill... because other than a catchy title and you know, I've stood with you on education matters and I will do so again. But catchy titles don't mean much to me after being here for awhile. I want some reasonable assurance from you that in, as the budget fluctuates, my fear is that 51% of new money, et cetera, et cetera, et cetera, might actually come up with less money."

Lang: "Well, certainly, that's not the intention of the Bill. It says 51% of all new money at a minimum. We can do more..."

Black: "Okay. All right."

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Lang: "... but we can't do less on the new money. We could also cut state agency budgets and provide more money from cuts. All we're talking about in this piece of legislation, Representative, is what to do with new money and how to use new state revenues to build the base, so that every year our base is higher and every year it builds."

Black: "And you have removed from that percentage figure those dollars mandated to pension funds?"

Lang: "Yes, I have because, I think, if you count those funds, you're cheating the children. We u... by counting those funds, you're... you're taking dollars that are not going to educational operations and whe... when our constituents think. You know, there have been press releases that go out of here talking about how the Governor is now giving 53% of all new state revenue to education in his budget when, in fact, if you talk about operations only, it's about 42 or 43%. I think, we need to state clearly what our priorities are for the education of our children."

Black: "One last question. Ha... have you talked with anybody in the Senate regarding Senate sponsorship and whether or not we can be somewhat optimistic of a hearing and Senate action?"

Lang: "I have not yet, but I'm hoping for a resounding 'yes' vote on this from the House. And looking for bipartisan support in the Senate, so that we can, at least, move this in there for a debate."

Black: "All right. Thank you very much for your indulgence, Representative. Thank you, Mr. Speaker."

Speaker Turner, A.: "The Gentlemen from Cook, Representative Lang to close."

Lang: "Thank you, Mr. Speaker. It's received a good debate. One Gentleman on the other side of the aisle referred to this

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as a dangerous precedent. It can never be dangerous to take care of the education of the children of the State of Illinois. I would ask for your 'aye' votes."

Speaker Turner, A.: "The question is, 'Shall House Bill 710 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 96 voting 'aye', 18 voting 'no', 0 'presents'. This Bill having received the Constitutional Majority is hereby declared passed. On page 59, House Bill 1707, Representative Fritchey. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1707, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman wishes to move the Bill back to Second. Page 51, House Bill 223, Representative Dart. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 223, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Turner, A.: "Gentleman requests that that Bill be moved back to Second. On page 51, House Bill 224. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 224, a Bill for an Act in relation to firearms. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman requests that that Bill be moved back to Second. On page... on page 51, we have House Bill 225. What's the status of that Bill, Mr. Clerk?"

Clerk Bolin: "House Bill 225 is on the Order of House Bills - Third Reading."

Speaker Turner, A.: "Move the Bill back to Second at the request of the Sponsor. On the Order of Third Readings, page 56, we have House Bill 1137, Representative Boland. Read the

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Bill... Just a minute. The Lady from Lake, Representative Gash, for what reason do you rise?"

Gash: "Hi. My button isn't working here and I would like to request an electrician. I would also like to say that on House Bill 710, of which I am... on which I am a Cosponsor, I would have liked to vote 'yes'."

Speaker Turner, A.: "The record will so reflect and the electrician is on his way. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1137, a Bill for an Act to amend the Election Code. Third Reading of this House Bill."

Speaker Turner, A.: "The Gentleman from Rock Island, Representative Boland."

Boland: "Thank you, Mr. Speaker. I bring you House Bill 1137. It amends the Election Code to decrease the number of signatures that are necessary on petitions to place local and statewide advisory questions of public policy on the ballot. It passed out of committee 11 to 0. And, basically, what it tries to do is to correct, sort of, a incongruity that we have in our election law, in that, to place a State Constitutional Amendment on the ballot you only need 8% of the last gubernatorial vote versus if you want to just place a... a advisory referendum on, you have to get 10% of the registered voters. And as we know, those lists are sometimes inflated, as well, do to the restrictions on the removal by the 'motor voter' Bill. Be glad to answer any questions."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall House Bill 1137 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 115 voting 'aye', 0 'noes', 0

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'presents'. This Bill having received the Constitutional Majority is hereby declared passed. On page 62, we have House Bill 2217, Representative Klingler. Read the Bill, Mr. Clerk. The Gentleman from Vermilion, Representative Black, for what reason do you rise?"

Black: "Yes, Mr. Speaker. I have an inquiry of the Chair. As you know, both sides of the aisle at the Bill box, we have a device where we can listen to Senate debate and follow Bills. Would you have the electrician come by? I don't hear anything from the Senate. I... I think my... I think my speaker's wire's broken or something."

Speaker Turner, A.: "I think Representative Parke has solved that issue."

Black: "Well, we... we had it plugged in, but the Senate is very quiet. They are 'in', aren't they?"

Speaker Turner, A.: "We'll send the electrician over right away."

Black: "Okay. Can somebody tell me, is the Senate 'in'? I'm sure they are."

Speaker Turner, A.: "The electrician will be at your desk in a minute."

Black: "Okay. Well, I'd appreciate it. 'Cause somebody said the Senate might have gone home and I... I'd be shocked if that were the case."

Speaker Turner, A.: "Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2217, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of this House Bill."

Klingler: "Thank you ve... very much, Mr. Speaker. House Bill 2217 is an initiative of... of a group called Women Employed and this Bill would allow families who are income eligible for state subsidized child care programs and who are not receiving TANF, to receive child care assistance

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while participating in the same range of work and training activities as are available to TANF recipients. Prior to July 1997, these families could receive a child care subsidy while attending education and training programs. This Bill, which I've Cosponsored with Representative Carol Ronen, Wirsing, Boland and Howard, is a very important part of the whole welfare to work initiative because what it provides is a sliding scale for... a subsidy for those who are leaving welfare, leaving TANF and beginning work at a low... relatively low rate... wage that they can continue receiving a subsidy. But it also continues this subsidy when they are in educational programs such as... that would help them attain a better job. It's shown that a high school diploma can boost a working mother's hourly pay by a dollar sixty-one cents; a two year college degree from community college by 28%; and four years of college, wage increases by over \$12,000. I believe, that this would benefit low income parents with child care while they attend education and training programs and I urge your support."

Speaker Turner, A.: "Seeing no questions, the question is, 'Shall House Bill 2217 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 voting 'aye', 0 'noes', 0 'presents'. And this Bill having received the Constitutional Majority is hereby declared passed. For the record, Representative Curry wanted to be recorded as 'yes' on that Bill, the last Bill, and the record will so reflect. On the Order of Third Readings, page 62, we... page 59, we have House Bill 1536, Representative Scully.

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Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 1536, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

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

Scully: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I present to you House Bill 1536 which is an Amendment to the School Code to require the State Board of Education to establish and administer a vocational education program to revitalize so many of the vocational educational programs that got moth-balled during the financial crisis of earlier this decade. In my own district I have Bloom Township High School, which used to have one of the be... best vocational education programs in the state. The equipment for this program, the huge capital investment made by the school district and by the State of Illinois, that huge capital investment is, basically, sitting in a warehouse, right now. This huge capital investment does not have the operating revenue to run the vocational education programs. This is bad fiscal management. Good fiscal management would be able to give... would be to give these schools an additional incentive. To bring these programs out of moth balls for those students who are... who don't desire to go to college or don't have the skill set to go on to college who, instead, will go directly into the work force. We have to give these children the tools they need to go into that work force. That's what vocational education programs are about. In my own district, just earlier today, I was working... talking with one of the school board members about a cooperative program working with the private sector; specifically working with Ford Motor Company, which

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has a huge stamping plant right in my district, putting together a partnership of the State of Illinois, the local school board and the private sector to bring these vocational education programs out of moth balls. I ask for your favorable consideration."

Speaker Turner, A.: "The question is, 'Shall House Bill 1536 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 voting 'aye', 0 'noes', 0 'presents'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Third Reading, page 62, we have House Bill 2104, Representative Erwin. Read the Bill, Mr. Clerk."

Clerk Bolin: "House Bill 2104, a Bill for an Act to amend the Property Tax Code. Third Reading of this House Bill."

Erwin: "Thank you, Speaker. As amended, this Bill does not amend the Property Tax Code, but in fact, amends the Property Act. I, in an error in my drafting an assessment for noncondominium town houses, became a property tax assessment. We know that is a very different animal. So what this does, in fact, deal with is a noncondominium town house assessment and all the Bill does is ask that those assessments be consistent with the square footage of the town house with the equalized assessed valuation of the town houses as determined by the assessor and any other special assessments for insurance premiums. This comes from a noncondominium town house association in my district that has had some difficulties over the years. We cannot, legislatively, change, obviously, the declarations or the rules of condominiums or town houses, but this simply



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states out some parameters that I would guess 99.99% of the noncondominium town houses already do. And I would ask for your support."

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

Mautino: "Oh, thank you, Mr. Speaker. I do rise in support of the Lady's Bill that came out of Revenue Committee, unanimously, 'cause it wasn't suppose to be there in the first place. But it's still good. Mr. Speaker, if you could just send the electrician up here. The... one of my voting buttons here seems to have a short in it."

Speaker Turner, A.: "The Gentleman from DuPage, Representative Tom Johnson, for what reason do you rise? No. I'm sorry. Represen... The Gentleman from Champaign, Representative Tim Johnson, for what reason do you rise? The Gentleman... Representative Johnson."

Johnson, Tim: "I yield my time to Representative Durkin."

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

Durkin: "Thank you very much, Mr. Speaker. I yield my time to Representative Brady."

Speaker Turner, A.: "The Gentleman from McLean. For what reason do you rise? Mr. Brady?"

Brady: "Will the Sponsor yield?"

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

Brady: "Representative, I have no idea what that was all about. But it couldn't have been good."

Erwin: "Representative, I..."

Brady: "I do... I do have a question for you."

Erwin: "Okay."

Brady: "I... I think I understand what you're wanting to do here. You're... you're wanting to regulate the way in which

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common element assessments will be governed under condominium declarations regardless of actual use of those common elements or size of the common elements or how they're shared. For instance, if I happen to own a 1,000 square foot condominium and you happen to own a 3,000 square foot condominium, but we both have two parking spots. You want... and that's the only common element that needs to be taken care of... You want your two parking spots to cost more for you to maintain than mine cost for me to maintain. Is that... is that correct?"

Erwin: "You are... you are exactly right, Representative Brady. The only difference is that I'm not talking about condominiums. I'm talking about noncondominium town house associations, but your principle's exactly right. We... I have a situation where there's a town house association where, you know, 4,000 square feet town houses have a maintenance assessment identical to one that is much, much, much smaller and, in fact, because the declaration requires a two thirds vote, obviously, to change the declaration, the developer, you know, constructed it so that you would never get the two thirds. All this really is setting out some parameters. My guess is that the Senate will take a look at it. The Chicago Bar Association supports it with the understanding that as their members of the property committee take a look at it they might have some suggestions. In addition, the Township Officials Association supported it."

Brady: "Representative, as your legislation is worded, is it 'prospective' as well as 'respective' or it doesn't... does it change any existing agreements?"

Erwin: "It... it could not do that. Right. It... it would not, it would not. No. Because we cannot go back and change

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today a declaration that was agreed to... a contract, but it would, I believe, establish the parameters that assessments that are way out of whack would no... would be outside of some guidelines."

Brady: "Okay. Never mind. Thank you."

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

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

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

Biggins: "Would you... Representative, refresh my memory on this Bill. Di... Does this deal with common areas of town homes?"

Erwin: "Yes, it does. That..."

Biggins: "And does it..."

Erwin: "Right."

Biggins: "Does it relate to the assessments on the common area?"

Erwin: "Yes."

Biggins: "On the improvements to the common area?"

Erwin: "It isn't just an improvement or a special assessment. It's, basically, the maintenance assessment that both condominiums or town house associations have for the maintenance of common elements. It's a little bit different in a town house association and in this case, we're talking about noncondominium town house associations. But things like common roofs or lawn, driveways, gates, shrubbery, so on, the issue is that square footage is not the determining factor in... in nor is EAV. The assessments were established so that they're the same for everyone, although clearly the EAV, the special assessment for insurance, as well as the square footage, for some of them are way, way high and others are way low and yet, the maintenance assessment for everyone is the same. So I'm

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trying to find them some relief without screwing up the Condominium Property Act or anything else."

Biggins: "Well, that's what I'm wondering now. Who's in support of this Bill? What groups?"

Erwin: "Well, both the Chicago Bar Association and the Township Officials Association testified in support and I've been looking for opponents to try and possibly improve it, but no one... no opposition has surfaced yet."

Biggins: "Well, I can't help you there, either. Thank you."

Speaker Turner, A.: "The Lady from Cook to close. Representative Erwin."

Erwin: "Thank you. I would... I would suspect that this Bill will be further improved on, if that's possible, in the Senate and I would appreciate your support."

Speaker Turner, A.: "The question is, 'Shall House Bill 2104 pass?' All those in favor should vote 'aye'; all those opposed vote 'no'. The voting is now open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 113 voting 'yes', 2 voting 'no' and 0 'presents'. This Bill having received the Constitutional Majority is hereby declared passed. The Lady from St. Clair, Representative Younge, for what reason do you rise?"

Younge: "Thank you, Mr. Speaker. Will the record show that I would have voted 'yes' on (sic-House Bill) 1536. My light is broken. Would you send the electrician, too?"

Speaker Turner, A.: "Representative, the electrician's a busy man, today. We're going to send him over there and the record will so reflect. The Gentleman from Kankakee, Representative Novak, for what reason do you rise?"

Novak: "For the same reason as the previous speaker, Mr. Speaker. I have an electrical problem with my switch, as well."

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Speaker Turner, A.: "Do you think there mean... something..."

Novak: "Seems to... are there any Republicans that have had any problems with their electrical switches. Seems to be just on the Democratic side."

Speaker Turner, A.: "No. There's been quite a few. Maybe something's going on. Maybe we're overworking the board, here. That's something to consider. The Gentleman from Champaign, Representative Johnson (Tim), for what reason do you rise?"

Johnson, Tim: "I just wanted to let you know that my switch is working fine and I intended to vote all the ways that I voted, today. Thank you."

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

Jones, J.: "Well, Mr. Speaker, I think since so many people are having trouble with their switches, that maybe we ought to just adjourn and go home, then."

Speaker Turner, A.: "Actually, Representative, I've... I've just noticed there's five electricians walked in the back door. I think we may have this problem solved. On page 11 we have House Bill 557. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 557, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On page 7 we have House Bill 371. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 371, a Bill for an Act amending the Property Tax Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. On page 6 we have House Bill

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274. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 274, a Bill for an Act amending the Metropolitan Water Reclamation District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. The Gentleman from Cook, Representative Lyons, for what reason do you rise?"

Lyons, J.: "Mr. Speaker, I rise for a point of a special message for all Members of the House. Before my microphone doesn't work, it seems to be an epidemic, over here, I just want to let all my fellow Members know it is my intent, if all goes well next Tuesday, I will again be bringing corned beef sandwiches down for the entire House of Representatives from Harrington's. Just don't want my microphone to go out. Want to get that message out. Thank you."

Speaker Turner, A.: "Thank you, Representative. It will be duly noted. On... House Bill 819. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 819, a Bill for an Act to amend the Water Recla... the Metropolitan Water Reclamation District Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 1438. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1438, a Bill for an Act amending the Illinois Public Aid Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 1723. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1723, a Bill for an Act amending the Illinois Public Labor Relations Act. Second Reading of this House Bill. Amendment #1 was adopted in committee."

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No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. House Bill 192. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 192, a Bill for an Act in relation to persons wrongfully imprisoned. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 2110. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2110, a Bill for an Act amending the Election Code. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 2130. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2130, a Bill for an Act amending the Fire Protection District Act. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Hartke, has been approved for consideration."

Speaker Turner, A.: "Take it out of the record, Mr. Clerk. House Bill 818. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 818, a Bill for an Act concerning waiver of rights for donors. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. House Bill 1743. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1743, a Bill for an Act amending the Property Tax Code. Second Reading of this House Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Take the Bill out of the record, Mr. Speaker...Mr. Clerk. House Bill #3. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3..."

Speaker Turner, A.: "Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 3, a Bill for an Act in relation to conditions of employment. Second Reading of this House Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Currie, has been approved for consideration."

Speaker Turner, A.: "Do you have the... Out of the record, Mr. Speaker...Mr. Clerk. Committee announcements, Mr. Clerk."

Clerk Rossi: "The House Rules Committee will meet at 3:00 p.m. in the Speaker's Conference Room. The Rules Committee will meet at 3:00 p.m. in the Speaker's Conference Room."

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

Black: "Yes, Mr. Speaker, thank you. Point of personal privilege. The electrician has fixed my earphone capability. I'm now monitoring the air traffic controller at Springfield International and the Speaker's plane is warming up. They're waiting for the Speaker. I, for one... I know the Speaker does not like to be late. I, for one, would suggest we adjourn, so that the Speaker could get to the airport. Yes, now. Would... would that be in order, Mr. Speaker? The pilot is... the pilot's a little upset he..."

Turner, A.: "I'm sure."

Black: "... he... he's been... he's been ra... he's been idling for about five minutes. They're scheduled to leave at 3:00



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and it's the last window of departure. Springfield International on a Friday afternoon is a rather busy airport and it's... you miss that 3:00 window... I don't know when now... he might not get out."

Speaker Turner, A.: "If the... if the pilot is upset, he should be upset with the... your side of the aisle. I think that the caucus that we had earlier has what... has prolonged this departure from town, so we should let the pilot know who the real culprit is, today. But we will take that under advisement. I think the weather looks pretty good. He should be... be able to get out soon."

Black: "Touche, Mr. Speaker, touche. Thank you."

Speaker Turner, A.: "We have House Bill 603. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 603, a Bill for an Act concerning carbon monoxide detectors. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 722. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 722, a Bill for an Act amending the Code of Criminal Procedure of 1963. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. House Bill 1954. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1954, a Bill for an Act amending the Minimum Wage Law. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 1120. Read the

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Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1120, a Bill for an Act amending the Illinois Income Tax Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Representative Schoenberg, the Gentleman from Cook, you have an Amendment that's in Rules right now. Would you want to leave this Bill on Second until that Amendment is discussed?"

Schoenberg: "Yes. Could you do so. That Amendment is a technical one in nature."

Speaker Turner, A.: "Out of the record, Mr. Clerk. The Bill will remain on Second. House Bill 1959. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1959, a Bill for an Act regarding certain contracts for... for the delivery of human services. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 12.. 1208. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1208, a Bill for an Act amending the Illinois Education Labor Relations Act. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. Page 47. House Bill 2686. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2686, a Bill for an Act relating to school construction projects. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 2680. Read the Bill, Mr. Clerk."

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Clerk Rossi: "House Bill 2680, a Bill for an Act concerning the Southwestern Illinois Teacher's Academy for Math, Science, and Technology. Second Reading of this House Bill. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Turner, A.: "Third Reading. House Bill 2315. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 2315, a Bill for an Act concerning employment. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. House Bill 1680. Read the Bill, Mr. Clerk."

Clerk Rossi: "House Bill 1680, a Bill for an Act in relation to voter registration. Second Reading of this House Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner, A.: "Third Reading. If the Members will be patient, I'm talking to that pilot that's at the Springfield International Airport. Just hold on. Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 117, offered by Representative Bill Mitchell; House Resolution 119, offered by Representative Schmitz; House Resolution 120, offered by Representative Schmitz; House Resolution 121, offered by Representative Bellock; House Resolution 122, offered by Representative Julie Curry; House Resolution 126, offered by Representative Bill Mitchell; House Resolution 127, offered by Representative McAuliffe; and House Resolution 134, offered by Representative Lou Jones."

Speaker Turner, A.: "You've heard the Agreed Resolutions."

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Representative Black moves for the adoption of Agreed Resolutions. All those in favor should say 'aye'; all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and Agreed Resolutions are adopted. Mr. Clerk. Can we adopt the Adjournment Resolution, Mr. Clerk?"

Clerk Rossi: "Senate Joint Resolution #23, offered by Representative Currie. Be it resolved by the Senate of the 91st General Assembly, State of Illinois, the House of Representatives concurring herein that when the House... when the Senate adjourns on Thursday, March 11th, 1999, it stands adjourned until Tuesday, March 16th, 1999 at 12:00 noon. And when the House of Representatives adjourns on Friday, March 12th, 1999, it stands adjourned until Tuesday, March 16th, 1999 at 1:00 p.m."

Speaker Turner, A.: "You've heard the Resolution. All those in favor of adopting the Adjournment Resolution say 'aye'; all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it, and the Adjournment Resolution is adopted. Mr. Clerk, for committee announcements."

Clerk Rossi: "Attention, Members. The Rules Committee will meet at 3:20 in the Speaker's Conference Room. The Rules Committee will meet at 3:20 in the Speaker's Conference Room."

Speaker Turner, A.: "Representative Murphy moves that the House stands adjourned 'til Tuesday, March 16th, 1999 at 1:00 p.m. allowing Perfunctory time for the Clerk. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it and the House stands adjourned."

Clerk Rossi: "The House Perfunctory Session will come to order. Committee Reports. Representative Morrow, Chairperson from

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the Committee on Appropriations-Public Safety, to which the following measures were referred, action taken on March 12, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 1477, House Bill 1532, House Bill 1952, House Bill 2406, House Bill 2407, House Bill 2423, House Bill 2511, House Bill 2512, House Bill 2525, House Bill 2529, House Bill 2535, House Bill 2538, House Bill 2541, House Bill 2575; 'do pass as amended Short Debate' House Bill 927, House Bill 2401, House Bill 2402, House Bill 2415, House Bill 2418, and House Bill 2413. Representative Schoenberg, Chairperson from the Committee on Appropriations-General Service and Government Oversight, to which the following measures were referred, action taken on March 11, 1999, reported the same back with the following recommendations: 'do pass Short Debate' House Bill 2507, House Bill 2514, House Bill 2527, House Bill 2532, House Bill 2534; 'do pass Standard Debate' House Bill 2506; 'do pass, as amended, Short Debate' House Bill 2457, House Bill 2460, House Bill 2467, House Bill 2478, House Bill 2489, House Bill 2533; 'do pass, as amended, Standard Debate' House Bill 2482. House Bills - Second Reading that will be held on the Order of House Bills - Second Reading. House Bill #2, a Bill for an Act to grant family and temporary medical leave under certain circumstances. Second Reading of this House Bill. House Bill 139, a Bill for an Act to amend the Medical Examination of Employees Act. Second Reading of this House Bill. House Bill 210, a Bill for an Act concerning structural work. Second Reading of this House Bill. House Bill 233, a Bill for an Act concerning the regulation of electricians. Second Reading of this House Bill. House Bill 312, a Bill for an Act amending the Children and

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Family Services Act. Second Reading of this House Bill. House Bill 383, a Bill for an Act in relation to labor. Second Reading of this House Bill. House Bill 515, a Bill for an Act amending the Illinois Roofing Industry Licensing Act. Second Reading of this House Bill. House Bill 543, a Bill for an Act relating to the partial tuition waivers for children of retired employees of public universities. Second Reading of this House Bill. House Bill 592, a Bill for an Act amending the Illinois Educational Labor Relations Act. Second Reading of this House Bill. House Bill 626, a Bill for an Act concerning delivery of health care services. Second Reading of this House Bill. House Bill 654, a Bill for an Act amending the Unified Code of Corrections. Second Reading of this House Bill. House Bill 734, a Bill for an Act in relation to gang control. Second Reading of this House Bill. House Bill 979, a Bill for an Act in relation to worker safety. Second Reading of this House Bill. House Bill 1176, a Bill for an Act amending the Illinois Educational Labor Relations Act. Second Reading of this House Bill. House Bill 1325, a Bill for an Act in relation to mental health facility reporting. Second Reading of this House Bill. House Bill 1372, a Bill for an Act in relation to public works projects. Second Reading of this House Bill. House Bill 1375, a Bill for an Act in relation to prevailing rates of wages. Second Reading of this House Bill. House Bill 1379, a Bill for an Act amending the Public Community College Act. Second Reading of this House Bill. House Bill 1587, a Bill for an Act amending the Workers' Compensation Act. Second Reading of this House Bill. House Bill 1590, a Bill for an Act amending the Illinois Public Labor Relations Act. Second Reading of this House Bill. House Bill 1626, a Bill for an

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Act amending the Minimum Wage Law. Second Reading of this House Bill. House Bill 1705, a Bill for an Act concerning forced labor. Second Reading of this House Bill. House Bill 1734, a Bill for an Act amending the Employment of Strikebreakers Act. Second Reading of this House Bill. House Bill 1735, a Bill for an Act in relation to day labor services. Second Reading of this House Bill. House Bill 1797, a Bill for an Act amending the Disabled Persons Rehabilitation Act. Second Reading of this House Bill. House Bill 1818, a Bill for an Act amending the Prevailing Wage Act. Second Reading of this House Bill. House Bill 1974, a Bill for an Act in relation to wages. Second Reading of this House Bill. House Bill 1975, a Bill for an Act amending the Illinois Insurance Code. Second Reading of this House Bill. House Bill 1977, a Bill for an Act amending the Unemployment Insurance Act. Second Reading of this House Bill. House Bill 2012, a Bill for an Act amending the Illinois Public Labor Relations Act. Second Reading of this House Bill. House Bill 2253, a Bill for an Act amending the Illinois Procurement Code. Second Reading of this House Bill. House Bill 2255, a Bill for an Act amending the Prevailing Wage Act. Second Reading of this House Bill. House Bill 2266, a Bill for an Act to create the Equal Pay Act of 1999. Second Reading of this House Bill. Committee Reports. Representative Currie, Chairperson from the Committee on Rules, to which the following measures were referred, action taken on March 12, 1999, reported the same back with the following recommendations: 'to the floor for consideration' Amendments 1 & 2 to House Bill 3; Amendment #1 to House Bill 39; Amendment #1 to House Bill 130; Amendment #1 to House Bill 227; Amendment #1 to House Bill 458; Amendment #1 to House Bill 497;

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Amendment #1 to House Bill 504; Amendment #1 to House Bill 555; Amendment #1 to House Bill 590... Amendment #3 to House Bill 596; Amendment #1 to House Bill 710; Amendment #3 to House Bill 928; Amendment #6 to House Bill 999; Amendment #1 to House Bill 1365; Amendment #1 to House Bill 1536; Amendment #1 to House Bill 2130; and Amendment #1 to House Bill 2266. There being no further business the House Perfunctory Session stands adjourned."