

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

30th Legislative Day

March 19, 1999

Speaker Madigan: "The House shall come to order. The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Representative Coy Pugh, the Pastor of the West Inglewood United Methodist Church in Chicago. The guests in the gallery may wish to rise, may wish to rise to join with us in the invocation."

Pastor Pugh: "Let us pray. In thee, O'Lord, do we put our trust. Let us never be put to confusion. Have mercy on us and hear our prayer. Hear us when we call, O'God, of our righteousness, You have enlarged our hearts when our hearts was in distress. Have mercy on us and hear our prayer. Our voice shalt thou hear in the morning. In the morning we will pray unto You and we will look up. Forgive us and have mercy for we have sinned, that You might be justified when you judge us. Behold we were born in sin and shaped in iniquity. Forgive us of all of our conscious and unconscious sins. We pray for those in Leadership and those who have succumb to disease. We pray for the families who has lost loved ones due to tragedy, due to violence, due to decisions beyond their control. Sometimes Your existence is doubted. The lack of wholeness in the world, in ourselves, the racial memory, troubles man's sleep and grieves his waking hours making him dream of health in the midst of sickness. It is then that we are willing to acknowledge the hope that comes from the faith in a power bigger than our exaggerated egos. It is then that we submit to the will that is not our own. Help us as we turn to the inner environment. Ignite with articulate urgency a world order that has no time or place, but power absolute. Releasing us from the binding structure of our present circumstances, allowing us not only to dream, but build whole new worlds absent of sickness, absent of

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cancers, absent of disease and violence. A world in which the destiny of man is a good and healthy destiny. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance by Representative Black."

Black, 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 Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that our best information tells us that all House Democrats are here today."

Speaker Madigan: "Mr. Poe. Poe."

Poe: "Yes, Mr. Speaker, let the record show that all Republicans are present today."

Speaker Madigan: "Mr. Clerk, take the record. There being 118 Members responding to the Attendance Roll Call, there is a quorum present. Mr. Clerk."

Clerk Rossi: "Committee Reports. Representative Connie Howard, Chairperson from the Committee on Computer Technology, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2616. Representative Larry Woolard, Chairperson from the Committee on Elementary and Secondary Education, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment 1 to House Bill 1878."

Speaker Madigan: "Agreed Resolutions."

Clerk Rossi: "Agreed Resolutions. House Resolution 135 offered

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by Representative Winkel; House Resolution 136 offered by Representative Hannig; House Resolution 137 offered by Representative Capparelli; House Resolution 138 offered by Representative Capparelli; House Resolution 142 offered by Representative Stephens; House Resolution 143 offered by Representative Monique Davis; House Resolution 144 offered by Representative Flowers; and House Resolution 146 offered by Representative Younge."

Speaker Madigan: "The Clerk has read the Agreed Resolutions. Representative Currie moves for the adoption of the Agreed Resolutions. Those in favor say 'aye'; those opposed saying 'no'. The 'ayes' have it, the Motion is adopted and the Agreed Resolutions are adopted. Mr. Clerk, for Committee Reports."

Clerk Rossi: "Representative Stroger, Chairperson from the Committee on Labor and Commerce, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted Floor Amendment #1 to House Bill 1974, Floor Amendment #1 to House Bill 2012 and Floor Amendment #2 to 2012. Representative Smith, Chairperson from the Committee on Agriculture and Conservation, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2243. Representative Carol Ronen, Chairperson from the Committee on Children and Youth, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'recommend be adopted' Floor Amendment #2 to House Bill 1089. Representative Mike Bolin, Chairperson from the Committee on Elections and Campaign Reform, to which the following

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measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 992. Representative Lauren Beth Gash, Chairperson from the Committee on Judiciary Criminal Law, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1223, Floor Amendment #1 to House Bill 1175 and Floor Amendment #2 to House Bill 2708. Representative Hartke, Chairperson from the Committee on Local Government, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2359, Floor Amendment #1 to House Bill 1712 and Floor Amendment #2 to House Bill 390. Representative Tom Holbrook, Chairperson from the Committee on Tourism, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 2147 and Floor Amendment #1 to House Bill 2148. Representative Sara Feigenholtz, Chairperson from the Committee on Human Services, to which the following measures were referred, action taken on March 19, 1999, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 1280, Floor Amendment #1 to House Bill 1846, Floor Amendment #2 to House Bill 2021, Floor Amendment #2 to House Bill 2198, Floor Amendment #1 to House Bill 2676, and Floor Amendment 1 and 2 to House Bill 2574."

Speaker Madigan: "House Bill 619. Mr. Clerk, what is the status of that Bill?"

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Clerk Rossi: "House Bill 619, a Bill for an Act amending the Pawn Broker Regulation Act. Third Reading of this House Bill."

Speaker Madigan: "Mr. Capparelli."

Capparelli: "Mr. Speaker, this amends the Pawn Broker Regulation Act. It provides that a person need only one card for identification when pawning an item as long as it has a photograph and it's a government entity. The Bill passed out 17-0, no one came in and... opposing this Bill. And I would ask for a favorable roll call."

Speaker Madigan: "The Gentleman has moved for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. This is a Third Reading Roll Call. Would everyone record themselves, now? Those three people who have not voted, would they please vote? Record Mr. Reitz as 'yes'. Are there any switches which are not working? Mr. Clerk, take the record. On this question, there are 118 'ayes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. The next item will be the Agreed Bill list. Mr. Clerk. Ladies and Gentlemen, please, if we could stop the conversations for a time, please. We're on the matter of the Agreed Bill List #2. We're going to open the roll call, everyone votes. And then for those of you who have indicated a preference different than 'yes' on your yellow form that will be recorded. So, right now, the Clerk will open the roll call. Mr. Clerk, and everybody shall vote 'yes'. Again, everyone should record themselves 'yes' on this roll call, which relates to Agreed Bill List. And then the Clerk's office, working with your yellow form, will make the proper

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adjustments. There's one person not voting. Thank you. Mr. Clerk, take the record. On this question, there are 118 people voting 'yes', 0 voting 'no'. The next Bill, Mr. Biggins. Is Mr. Biggins in the chamber? Mr. Biggins, there's House Bill 2648. Mr. Clerk, what is the status of this Bill?"

Clerk Rossi: "House Bill 2648, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Madigan: "Mr... Mr. Biggins. Turn on Mr. Biggins."

Biggins: "Mr. Speaker, yeah, I'd like the clarification of how many Amendments are on this Bill, please?"

Speaker Madigan: "Mr. Clerk, how many Amendments have been adopted to this Bill?"

Clerk Rossi: "Floor Amendment#1 has been adopted to the Bill. Floor Amendment #2 is appending in the Rules Committee."

Speaker Madigan: "Mr. Biggins, shall we... did you wish to put this Bill on Second Reading?"

Biggins: "Yes, Sir. I would appreciate that."

Speaker Madigan: "Mr. Clerk, put this Bill on the Order of Second Reading. And Mr. Clerk, concerning that Floor Amendment, has it been approved for consideration by the Rules Committee?"

Clerk Rossi: "The Floor Amendment has not been approved by the Rules Committee."

Speaker Madigan: "So, we will convene a meeting of the Rules Committee shortly and get that approved Mr. Biggins, and then we will return to you. Thank you. Mr. Cross, Mr. Tom Cross, did you wish to call House Bill 1408?"

Cross: "No, if I could hold that for... thank you, Mr. Speaker."

Speaker Madigan: "Mr. Tim Johnson, do you want to call your Bill? There's a House Bill 2744 by Mr. Tim Johnson. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 2744, a Bill for an Act amending the Property Tax Code. Third Reading of this House Bill."

Speaker Madigan: "Mr. Tim Johnson."

Johnson, Tim: "Thank you, Mr. Speaker, Members of the House. This Bill passed unanimously out of committee. It simply corrects what was an oversight in our Tax Cap Law and provides now that... would provide after the passage of this Bill, that property from the old Chanute Air Force Base that... or new sales are to be treated the same as new construction for purposes of tax caps. There's no implication anywhere, I believe other than Rantoul, everybody as far as I know is in agreement with it. It came out of committee unanimously and I'd ask for it's adoption."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall the Chair recognize... the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? There are four people not voting. Have all voted who wish? There is one person not voting. Have all voted who wish? The Clerk shall take the record. On this question, there are 96 'ayes' and 22 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative O'Brien. Is Representative O'Brien in the chamber? Did you wish to call your House Bill 2255? Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2255, a Bill for an Act amending the Prevailing Wage Act. Third Reading of this House Bill."

O'Brien: "Thank you, Mr. Speaker. House Bill 2255 would extend the provisions of the Prevailing Wage Act to TIF districts

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and to enterprise zones. As you know, the Prevailing Wage Act requires the payment of prevailing wage to workers in projects that are state projects or funded in whole or in part with state tax dollars, with local tax dollars, as well. And because TIFs and enterprise zones really are the use of tax dollars to provide for this kind of development, we believe that the Prevailing Wage Act should be extended to those two programs as well. Be happy to answer any questions."

Speaker Madigan: "The Lady moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 79 'ayes', 39 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1408, Mr. Cross. 1408. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1408, a Bill for an Act amending the Vehicle Code. Third Reading of this House Bill."

Cross: "Thank you, Mr. Speaker. This Bill actually came about at the request or suggestion from my local Congressman. There are situations as many of you know it's out, it's illegal to have tinted windows on our vehicles in certain situations and on certain parts of the car. The concern becomes what happens when cars are sold to individuals with the window tinting on it and this requires that auto dealers advise buyers that... of the law regarding the tinting. I've been working with the automobile dealers on it and they have no opposition at this point. There are some ways we may try to clean it up over in the Senate, but

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at this point we'd like to move it out. I think it's in a pretty good format, now, but we will clean it up if we need to over in the Senate. I'd appreciate an 'aye' vote."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 116 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1705, Mr. Boland. Mr. Clerk, read the Bill. Boland. Mr. Boland."

Clerk Rossi: "House Bill 1705, a Bill for an Act concerning forced labor. Third Reading of this House Bill."

Boland: "Thank you, Mr. Speaker. I didn't know the mike was on yet. House Bill 1705 creates the State Prohibition Of Good From Forced Labor Act. Provides that each contract entered into by any state agency for the procurement of equipment, material, or supplies, shall specify that no foreign made goods furnished to the state under the contract will be made by forced convict or indentured labor. Contractors who furnish goods to the state made by forced labor, in violation of this Act, would be subject to sanctions which might include voiding the contract, monetary penalties and a prohibition against bidding on future state contracts for a certain period. This Bill... we passed this out of the House in the last General Assembly 110-4 and it was not released from the Senate Rules Committee, and so, we're back trying to do it again."

Speaker Madigan: "Mr. Black."

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

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yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, it's an interesting... it's an interesting Bill. Does the Bill define forced labor?"

Boland: "I believe it does. I have the analysis here, I don't have the exact language. Wait a second here now."

Black: "It appears that it is defined under federal law, the Federal Tariff Act of 1930."

Boland: "It... basically, refers to people that were... the Bill is aimed at goods that are produced by political and religious prisoners in places like China. And therefore, they're basically slave labor and get shipped over here and then they can compete against Illinois and American businesses and Illinois labor and American labor. And my feeling is that, you know, this is unfair competition. I might add that the... the person that contracts with the state would have to have already known that this came from that type of labor. We... we took out the... the one phrase that had should have known, because many of us go to the store and we don't know what we're, you know, when we buy things where it's made and so forth. But, this is if they knowingly went there for the sake of undermining other competitors."

Black: "All right. I... Representative, one of the things that intrigues me about this is it specifically restricts any procurement from convict labor and yet Illinois generated \$42,000,000 last year from our corrections industries, where the inmates make furniture, recycled tires, do some work on agricultural products. Are we... are we going down the road to saying that we're going to outlaw corrections industries in Illinois?"

Boland: "No, this is in no way, you know, affects that. It's

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aimed only at foreign convict labor and particularly, as I said, aimed at... at those countries that use political and religious prisoners to make goods."

Black: "Alright. Well, it just seems that, excuse me, just seems that we might be holding a country, for example, Canada, Mexico, to a higher standard than we are willing to hold the State of Illinois to. Buy... if we're saying that any product made in a correctional facility in Canada, for example, we will not buy. And yet, we will buy material manufactured by inmates in an Illinois correctional system."

Boland: "Well, there's a big difference between our prison made industries and foreign made prison industries. And there should actually be that difference and some differentiation there, I think."

Black: "Well, I don't know if an inmate would agree that. I mean, if you're an inmate in Illinois or an inmate in Alberta, I suppose you probably wouldn't have good things to say about either system. Just curious, would... and this is... some of this what you're getting at has been in the news in the last year or two. Would this mean that a store who buys Air Jordan shoes and later finds that it's made under less than ideal conditions, i. e. sweat shop, child labor, I know forced labor could be extrapolated to that, but, would this put that retailer in some danger of violating the law?"

Boland: "No. One, that's a different case and perhaps some day we ought to come back and visit that issue..."

Black: "Okay."

Boland: "...but this deals with people who actually have known ahead of time, and went out and purposely to undercut, say their competition here in Illinois for prison uniforms or

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something."

Black: "Let me ask you... this... then this Bill only applies to State of Illinois purchasing, not to a retailer?"

Boland: "Right, has no, nothing to do with a..."

Black: "Okay."

Boland: "...private business."

Black: "All right. So, if a retail store buys sneakers and later discovers that they're not made under very good conditions, the retailer is not at risk under your law?"

Boland: "Right, no effect, no effect."

Black: "Okay. Alright. Alright, I, thank you very much."

Boland: "Thank you."

Speaker Madigan: "Is there any further discussion? No further discussion, Mr. Boland to close."

Boland: "I would just like an 'aye' vote. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 111 people voting 'yes', 7 people voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2210, Representative Coulson. 2210. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2210, a Bill for an Act concerning differential rates for a credited licensed child care centers in homes. Third Reading of this House Bill."

Coulson: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 2210 creates the Promoting Child Quality Child Care Act. It provides that accredited child care providers under contract with the Department of Human Services shall

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be paid a subsidy rate 10% higher than the maximum rate if they're accredited. And I would appreciate your support."

Speaker Madigan: "The Lady moves for the passage of the Bill. Is there any discussion? There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? There is one person not voting. Have all voted who wish? The Clerk shall take the record. On this question, there are 117 people voting 'yes', 0 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 924, Mr. Jerry Mitchell. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 924, a Bill for an Act relating to certification of school personnel. Third Reading of this House Bill."

Mitchell, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 924 creates a new Teacher Certification Board under the control... under independent control. This... this major has passed the House on two separate occasions. Once unanimously, and once with 116 votes. We want to keep this alive and send it over to the Senate. I'd be happy to answer any questions."

Speaker Madigan: "Mr. Mitchell moves for the passage of the Bill. Is there any discussion? Mr. Black."

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

Speaker Madigan: "Sponsor yields."

Black: "Representative, how do you envision this working? You're... you're are you telling me that the teacher certification process will be handled by teachers currently working in the profession?"

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Mitchell, J.: "The new board will be appointed by the Governor and it will work independently of the State Board. This is a concept that's been done in several states now and it seems to be working extremely well. If you followed the certification process in the State of Illinois, the problems that we have had have been well documented, Bill. We have not been able to get questions answered by superintendents. We have not been able to get certification issues resolved in a timely manner and this dates back for the last 20 years. This board will be made up of some college professors, some working teachers, some superintendents and some independent people. The... the whole key here is that we will not no longer have a board that actually serves as a rubber stamp to the State Board of Education. Right now, we almost have a two-tiered process, you have the Teachers Certification Board directly under the State Board of Education. So, any decisions that they make are either undone or approved by the State Board. So, basically, their function is... is almost non-existent."

Black: "What... the make up of the board... who would... is the make up of the board skewed toward any one group would have a majority vote on the board?"

Mitchell, J.: "The make up of the board is as follows: 3 administrators... 3 administrative or faculty members of public or private college universities, 1 regional superintendent of schools, 3 public school administrators, at least one from Chicago, 12 public school teachers, at least four from Chicago, 2 parents of students attending public schools, 2 members of the business community. So, there is a preponderance of teachers on this board. Just as there are on the Medical Board with... with doctors and

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on the Bar is predominately lawyers."

Black: "All right. Is the School Management Alliance, did they testify on the Bill, when you had this..."

Mitchell, J.: "No, they did not testify in committee. I've had several conversations with them, they... at the last word when I discussed it with them, they were neutral on this issue."

Black: "All right. Thank you. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. It's an interesting concept and I'm not sure I'm in diametric opposition to it... but, you could carry... you could carry this concept to some very interesting scenarios. Let's say that we were going to license farmers and the only people who would be on the board would be farmers. And one could make the argument, 'Well it, it takes a farmer to know who should be a farmer.' But, I'm not sure that that's what you really want to do. Given all of the environmental and other restrictions facing the agriculture industry today, you might want a more balanced board. And one could argue, 'Well it would take a teacher to certify a teacher.' And I think with all of the problems we've had on accountability today and some of the difficulties that, right or wrong, that people lay at the feet of our public schools, I'm not sure that John Q. Public would want a teaching Standards Board or Certification Board, if you will, skewed toward being controlled by those who are currently teaching. It's an interesting concept. I think it needs perhaps a little bit more work if we're headed toward the accountability that we say we are, and if we borrow somewhat from the Chicago model that has been, I think somewhat successful. I... I intend to vote 'no' on the Bill."

Speaker Madigan: "All right. Mr. Mitchell has spoke in support

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of this Bill. Mr. Jerry Mitchell and Mr. Black has risen in response, and Mr. Skinner, for what purpose do you seek recognition?"

Skinner: "Well, Mr. Speaker, it's obvious that this Body is controlled by the teachers' unions, and so I guess the description on our analysis is correct. It says it creates a new Teacher Certification Board under the control of the teachers' unions. The State Board and the IMA are opposed. Well, if we go down the logic trail that this proposal suggests, the only people that should be allowed to determine whether State Legislators return are State Legislators. What a concept, a self perpetuating oligarchy. Now, the only people that wouldn't come back would be Bill Black and myself. I intend to vote 'no' on this because I believe that no profession is capable of regulating itself. We're not about to allow the Bar Association to license lawyers. We're not all... we're not about to let the judicial system perpetuate itself. We're not all... about to allow doctors to decide who shall be licensed in their profession. This flies in the face of virtually every atrocity that's occurred in every profession. And that atrocity stems from the premise that those who are in the profession are capable of regulating the profession. It makes no sense not to allow voters to determine who sits in this General Assembly. Likewise, it makes no sense not to allow some broader interest than merely the teachers determine who shall teach our children."

Speaker Madigan: "We have now had two people standing in response and we have two people seeking recognition. We have Mr. Hoeft and Mr. Winters. Okay, the Chair recognizes Mr. Hoeft as a proponent to the Bill."

Hoeft: "Thank you, Mr. Speaker. There are a lot of

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responsibilities of this new State Standards Board that is beyond just simply looking at the... the indiscretions or problems dealing with individual members who hold certificates. This is the group that is going to advising changes, would be looking over the whole certification system of the state. Let me take you back to the state agency and the problems that they've had with certifications over the last five years. Five years ago, in this state, there were 5,000 teaching certificates that were over one year late in being sent out by the State Board. There were 5,000 teachers whose futures were waiting because the State Board could not get out their certification. The Standards Board was controlled by the State Board, the Certification Department was controlled by the State Board and no one could get that thing done. I went to the State Superintendent, as Regional Superintendent President, beforehand, and I said, 'Our problem with the certification is harming education.' And he said, 'We... I can't do anything because it's the bureaucracy that controls it.' This is a statement which says we ought to break away from the State Board, the responsibility of the standards the board that is going to overlook certification so we have an accountability here. You had 5,000 people waiting for their certificates and the bureaucracy would not move. This is a group of individuals who will be looking after their profession and they will be looking after what the State Board is doing with human lives. This is a very good Bill. I strongly urge anyone who cares about good standards in terms of teaching, to allow the independent board to do this, rather than a bureaucracy that is proven time and time again that it isn't unable to handle the responsibilities we have

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given to it. I would ask you to vote 'yes', please."

Speaker Madigan: "All right. The last speaker will be Mr. Winters. Mr. Winters."

Winters: "Thank you, Mr. Speaker. I do have several concerns about this Bill. I applaud the effort to try to get the teacher certification standards away from the State Board of Education. I think that they've been an abysmal failure in their administration of this program, but I am concerned by several of the provisions of this Bill. First, if the Sponsor would answer a question?"

Speaker Madigan: "Sponsor yields."

Winters: "Professional development seems to be the only criteria under the recertification of teachers, it looks like you're taking out the continuing education... or not requirements, but the possibility to use it continuing education. Could you tell us why that decision is being made?"

Mitchell, J.: "Well, Representative, this... this Bill has absolutely nothing to do with the rules of the road. That will be determined in another Bill at another time and certainly it takes nothing out, even no matter what your analysis says. If you look at the Bill, the Bill only deals with the construction of the board and the powers that they're given. The powers that they will be given will be determined by negotiations that are on going at this point with both associations, with the State School Superintendent and with the Alliance. Those rules of the road will come at a later time and this Board will have to act within those parameters. Certainly, teacher recertification will be based on several factors. Masters degree classes, possibly programs, additional workshops, readings, many, many of the different things that teachers can do to improve themselves as teachers. But... but,

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those things have not been fully determined at this point."

Winters: "In the Bill, does it include the provision that the continuing certification, I don't know the terminology, but what was set up just two years ago as a five year certificate will now be a seven year certificate?"

Mitchell, J.: "It does change that and that's already agreed between the State Board and the teachers' unions."

Winters: "Okay, but not necessarily by the legislature? They worked out a deal, we haven't signed off on it yet?"

Mitchell, J.: "That's correct, that's correct."

Winters: "I am... I am concerned... Representative Black mentioned the fact that the majority of the board will be nominated under a very easy process by the teachers' unions. And yet, an independent teacher who wants to serve on this board as a leveling factor, possibly presenting a different point of view, has a much more stringent nomination process. Needing 250 signatures simply to be nominated. I would like to see this changed over on the Senate to at least include the... the evening, leveling the playing field, so that independent teachers might have the same opportunity to serve on this. I think also we should reduce the number of professional teachers to one less than the majority instead of requiring that a majority be appointed, be professional teachers. They can have a major impact, obviously, they are the group that is most concerned and most affected by this... this professional board. But, I think to allow them to have a majority of the board, just as my local superintendents are telling me that the local certification boards again have a majority of teachers rather than administrators or parents or common taxpayers. I think we're sending the wrong message by requiring a majority to be from one interest group. As...

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as a previous speaker alluded to this, this is somewhat like farmers appointing the hen... appointing the foxes to guard the hen house. And I would... I would urge major revisions in this in the Senate, and until that point I will have to cast a 'no'. Thank you."

Speaker Madigan: "Mr. Jerry Mitchell to close."

Mitchell, J.: "Thank you, Mr. Speaker. I take offense at that last statement. When you're talking about professionals with at least four and usually six years of college, to call them foxes and guarding a hen house is absolutely ridiculous. These people are, have taken the brunt of all of the accountability. They're the ones on the firing line. If you think for a minute that teachers are going to make it easy to be certified, if you think they're going to guard teachers that should not be in the profession you're absolutely mistaken. Who do you think has taken the brunt of all of our demands for accountability? It's the teachers themselves. Who determines with the lawyers when their, their license is possibly in jeopardy? It's the Bar. Now, if that's not made up of lawyers, I don't know what is. These people have worked hard to earn their degrees and you sit here and demean them with, I'm not sure they should be on it. A hundred and eighteen votes last Session on this Bill. What's changed it? We didn't change it. Think about it. Who has the most to lose if we don't improve education? It's those people that work every single day in the trenches, those people that really put their heart and soul into their profession. And now they want a chance to help determine their own fate. And by golly they should get it because the State Board certainly hasn't done the job. You talk to any of your superintendents, I guarantee you that you will see a group

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that is totally frustrated with the whole area of certification and even getting a certificate in a reasonable amount of time. It's time for a change, other states have done this and done it very, very successfully. And the make up of the board has been the same. So, think hard before you vote 'no' on a concept that could move Illinois into the next century with a much better way of certifying our teaching staff. The rules of the road will be determined by a group, not dominated by the teachers, so they will have their rules set for them. And they will have to operate within that parameter. I urge an 'aye' vote and let's get on with the business of the House. Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? There are two people not voting. Have all voted who wish? The Clerk shall take the record. On this question, there are 99 'ayes', 19 'noes'. This Bill, having received a Constitutional Majority, is... For what purpose does... Representative Lang, are you seeking recognition relative to the... Representative Curry, are you seeking recognition relative to the Roll Call? All right. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Mr. Bill Mitchell for the purpose of an announcement."

Mitchell, B.: "Thank you, Mr. Speaker. I rise for a point of personal privilege."

Speaker Madigan: "State your point."

Mitchell, B.: "I would like to welcome the Decatur Christian Schools. They're from my home town of Decatur, Illinois. They won the state Christian School Championship and they

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have won it three years in a row. And I believe they have only had four years. So, I'd like it if they would stand. And they're in the Speaker's Gallery. Give them all a big hand. You're doing a great job. Thank you. Welcome to Springfield."

Speaker Madigan: "Representative Julie Curry."

Curry: "Thank you, Mr. Speaker. The Decatur Christian School is also a part of my legislative district. And I'd also like to take the opportunity to recognize Marcus Young because he was named the most valuable player of that tournament. Congratulations, Marcus."

Speaker Madigan: "Mr. Lang."

Lang: "Thank you, Mr. Speaker. I announced yesterday that the Mental Health Committee would meet Monday morning at 10 AM, but I neglected to make a Motion to waive the posting notices. An Agreed Motion with Representative Bellock, the Minority Spokesperson, I would move that we waive the posting notice."

Speaker Madigan: "The Gentleman has requested unanimous consent to waive the posting requirements. Is there leave? Leave is granted. The posting requirements are waived. Mr. Hartke, in the Chair."

Speaker Hartke: "On page 51 of the Calendar, appears House Bill 2031. Representative Madigan. This is on Short Debate. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2031, a Bill for an Act amending the Vehicle Code. Third Reading of this House Bill."

Speaker Hartke: "Excuse me, this is on full debate. Representative Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House. This Bill is concerned with testing of diesel emissions by heavy duty trucks and buses in two sections of the State of

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Illinois. The areas affected would be the northeastern part of the State of Illinois, the following counties: Cook, DuPage, Lake, Will, Kane... counties are Cook, DuPage, Lake, Kane, McHenry, Will. In the area around East St. Louis: Madison, St. Clair and Monroe. Plus, there are two townships in Grundy County: Aux Sable and Goose Lake, and one township in Kendall county, the township of Oswego. The program has two component parts. Number one, for heavy duty trucks and buses that are registered within what... within which is called a non-attainment area, those vehicles will be tested on a mandatory basis once a year. The method of testing is that when the trucks are taken into the IDOT Licensed Safety Testing Garages, when they're taken in for their safety test, on one of those occasions they'll be tested for diesel emissions. In addition, there will be a spot testing done by the State Police where any vehicle travelling in the non-attainment area can be pulled over by the State Police who will carry portable testing devices and the test can be administered at that time. The penalties are for nonmoving violations. That's important to understand. We're not attempting to impose moving violation penalties here, just nonmoving violations. And for the first offense it would be \$400, for the second offense it would be \$400, and for the third offense, in one year, it would be a nonmoving violation for \$1000. That would be the essence of the program, Mr. Speaker, and I am available for questions."

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

Black: "Thank you very much, Mr. Speaker. First of all, I am joined by a sufficient number of Members on my side of the aisle under the applicable rule to remove the Bill from

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Short Debate."

Speaker Hartke: "Representative Black, we announced it's going to be on full debate."

Black: "Oh, I'm sorry. I didn't hear that. I thought the Clerk said it was on Short Debate."

Speaker Hartke: "He did, but I corrected that."

Black: "All right, thank you. Will the Sponsor yield?"

Madigan: "Sponsor yields."

Speaker Hartke: "He indicates he will."

Black: "Representative, I'm trying to find a definition of an 8,000 pound vehicle. It appears to me that that could be, what we call in my area of the world, a 'Dooley', a pick-up truck that is, that could carry two and a half tons. Would that... would that fit that definition?"

Madigan: "Mr. Black."

Black: "Yes."

Madigan: "I believe that the best answer I can give to your question is to state that this Bill applies to diesel powered vehicles of the second division that are registered for a gross weight, fully loaded, of over 8,000 pounds. Second division vehicles are those that are one, designed for carrying more than ten persons, two, designed or used for living quarters, and three, designed for pulling or carrying freight, cargo or implements of husbandry. And there's a note that the first division vehicles are those that are designed for the carrying of not more than ten persons."

Black: "I appreciate that Representative, and so, if I have a van owned by a unit of government that carries more than ten people, then it would be under this Bill. As long as it was diesel, correct?"

Madigan: "Well, and I think it would have to be a gross weight,

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fully loaded, of over 8,000 pounds."

Black: "Okay. Are there any exemptions for state, municipal or charitable owned organizations or is everyone covered?"

Madigan: "If the vehicle is over 8,000..."

Black: "Okay. All right."

Madigan: "... pounds, they're going to be tested."

Black: "Okay. Now, something I want to make sure that I understand. My district is an attainment area, so we don't test our cars and... this Bill would not then allow the State Police to, while travelling through my district, stop a truck or a large commercial van and do that test in a county that is not listed in your Bill. Could they do spot checks outside the non-attainment areas?"

Madigan: "The answer is, no."

Black: "Okay. But if... if an agricultural producer in my district wanted to haul or was hauling grain to a facility in Cook County, just simply going up for the day unloading the grain and coming back, then that vehicle, while in the non-attainment area, could be subjected to a spot check, correct?"

Madigan: "Mr. Black, again reading from the statute, 'farm tractors, machinery and implements, wagons, wagon trailers or the like, farm vehicles used primarily in agricultural pursuits are exempt.' I'm reading from the statute."

Black: "Okay, but, and I'm not sure, maybe one of my agricultural friends can clarify that because of many of our grain trucks haul 80,000 pounds. And I don't know whether it's based on the license plate category that would classify it as an agricultural use or not. I'm sure that will come up later. I appreciate your response. If... if my vehicle is found to be out of compliance, do I get X number of days to replace the engine or whatever I have to do to get in

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compliance?"

Madigan: "Thirty days."

Black: "Thirty days, okay. Yeah, there's one question and I've been through the file and I don't... I cannot... I don't know the answer, perhaps you do. You've been working on this issue for some time and in the Chicago area I can understand that this would be a serious problem. I was under the impression that trucks were covered, some time ago, but evidently they either were never inspected or the law lacked teeth or somebody just decided they wouldn't inspect them. Just for my edification, what... what happened? Was the original law not drafted properly or was it just decided it was too much trouble to enforce or... I don't know what went wrong?"

Madigan: "Mr. Black, I've responded to that question by saying that, yes, in 1992, standards were adopted that would have required this type of testing, but something fell through the cracks. And my suspicion is that the Trucker's Association pushed it right through those cracks. That's my suspicion."

Black: "Must have been some rather wide cracks."

Madigan: "Yeah."

Black: "Yes."

Madigan: "Right."

Black: "Well, thank you very much, Representative. I appreciate your indulgence in answering the questions. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Winnebago, Representative Winters."

Winters: "All right, I'm sorry. No."

Speaker Hartke: "He declines. The Chair recognizes the Gentleman from Cook, Representative Durkin."

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Durkin: "Thank you very much. Will the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Durkin: "Mr. Speaker, in committee there were a number of questions raised specifically on whether or not the citation will follow the driver or will it follow the truck itself. What is the... I'm not sure if that was addressed I mean, for the purposes of at least on the floor for intent, do you know? What is the answer to that question?"

Madigan: "The answer is that the citations are issued against the driver or the operator of the vehicle for this reason. We want to monitor compliance and we want to be able to use the record keeping services of the State Police. And their whole apparatus is set up to... to have these things follow the driver and not the vehicle."

Durkin: "Okay. And from what I read, a third violation would be a Class C misdemeanor?"

Madigan: "No. It's a... it's a nonmoving violation. One thousand dollar fine. Three times in a year. Three times in one year, nonmoving, \$1,000."

Durkin: "Okay. There... would there be any type of suspension to a driver's license, perhaps? There's no suspension sanction is there?"

Madigan: "No, because it's a nonmoving violation."

Durkin: "I see, great. Okay. The one situation I might be, I'm not sure whether or not this has been brought up, is that some moving companies may rent out, like U-HAUL or someone, they will lease out trucks on a regular basis to different drivers and you have a truck which may be just spewing out just emissions which are beyond the standards. Would there be any type of enforcement action against that actual trucking company to clean up that problem?"

Madigan: "The answer is 'no'."

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Durkin: "Okay. Alright. Well, thank you very much, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Jefferson, Representative Jones."

Jones, John: "Thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Hartke: "He indicates he will."

Jones, John: "Speaker Madigan, on page 5 of your Bill, I believe along about line 27, it says, 'The emissions inspection shall be conducted by the Department of State Police or their authorized agents at weigh stations.' What authorized agents are we talking about? Cause it's my understanding this was only going to be the State Police doing this."

Madigan: "You're correct. It would be the State Police and people authorized by the State Police. So, our... our expectation is, that the State Police at the weigh stations might have a non-sworn employee working with them at the weigh stations who would be authorized to administer this test."

Jones, John: "So, it could be a deputy sheriff or someone like that that they so choose to authorize him to do it?"

Madigan: "Again, you know, we're relying upon the State Police. And we're giving them this responsibility, and our use of this language is designed to give them some flexibility in terms of who they might use and who they might authorize, but we're putting ourselves in their hands."

Jones, John: "Another question I have is, this says, 'Registered vehicles that's registered in the State of Illinois.' Such as, I believe UPS may have as many as 4 to 6,000 vehicles registered in the State of Illinois. If you're registered in the State of Illinois, you have to do this testing, but if it's a trucking company not registered in the State of

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Illinois, they would not have to do it?"

Madigan: "Mr. Jones, I believe you're referring to what's called... is it the IRP registration method?"

Jones, John: "Yes."

Madigan: "And of course, that's a system that provides for these companies that operate all across the United States and they've chosen to register in the State of Illinois. And so, we've provided, but for that type of registration they are subject to the mandatory testing if their address of registration is in one of the non-attainment areas. But, we have provided further that if the truck never comes in the State of Illinois, then it won't be tested. At the rate we're acknowledging that some of their trucks may never come in the State of Illinois."

Jones, John: "Thank you. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Jones, John: "You know, I think everybody in this General Assembly really better take a very close and serious look at this Bill. Because, quite frankly, we're talking about many, many jobs and the economy in the State of Illinois is doing excellent right now. And most of these drivers, regardless of where they are that drive these trucks, live throughout this state. And, quite frankly, when you pass such a Bill as this, their jobs may be in jeopardy, because some of these companies are going to choose not to do business in the State of Illinois. And many of those drivers do work in this state. I think you better take a very, very serious look at this. I think each and every Member here, there's 118 of us and probably almost every one of us has a trucking company located in our district, if you're not, you're an exception. So, I think you better take a very, very close look at this Bill and I recommend a

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'no' vote."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from DuPage, Representative Persico."

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

Speaker Hartke: "He indicates he will."

Persico: "Mr. Speaker, I know that this Bill has come before the committee twice and one of the things that you did change was changing it from a nonmoving violation, I mean, from a moving violation to a nonmoving violation and the fine is \$400 for the first two offenses and then a thousand dollars for the third offense, correct?"

Madigan: "In one year."

Persico: "In one year?"

Madigan: "Three offenses, one year, a thousand dollars, correct."

Persico: "And then they start fresh again the following year then?"

Madigan: "I'm sorry I mistaken..."

Persico: "They can start fresh again the following year? They can get \$400, \$400 and a thousand dollars for the..."

Madigan: "I'm advised that the year actually rolls. It's probably like what happens in a moving violation. So, you know, if you're driving a car with two moving violations and you get a third, you're caught. And you gotta wait until you've run a year to get yourself down to two again. Same method."

Persico: "Okay. And the fine is paid by the driver?"

Madigan: "Yes."

Persico: "And even though that driver may not be the one that maintains the truck, is there... how would they... I mean, would they have to go back to their employer and say hopefully, 'Will you pay this fine?' Is that how it will work?"

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Madigan: "Yeah, you're correct in what you're stating. And I would explain that we maintain that language in the Bill because after consultation with the State Police, we were advised that their whole record keeping system at the State Police relates to the driver and not the vehicle. And if we were to effectively monitor whether they have one, two, three violations, the system proposed in this Bill would have to relate to the driver. If we were to be efficient in terms of monitoring this."

Persico: "Okay. And one final question, I know that some Members of the General Assembly have a question on dealing with interstate commerce. Does this affect interstate commerce? I mean, is this legal for us to do this?"

Madigan: "The answer is no, because the spot testing will be applied uniformly to everybody. There's no discrimination in the spot testing, therefore, it's not a invalid interference with interstate commerce."

Persico: "Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Madis... Representative... Madison, Representative Stephens."

Stephens: "Easy for you to say. Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Hartke: "He indicates he will."

Stephens: "Just briefly. Mr. Speaker, the current process of emissions testing, it is my understanding that it is indeed, intended to be an emissions test. Is that the understanding that you have? With what's currently going on in the non-attainment areas?"

Madigan: "Does your question relate to automobile testing or...?"

Stephens: "Actually, yes. What the... the current process of automobile testing? The emissions test."

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Madigan: "...My understanding is that they test the fumes coming out of the tail pipe of the car."

Stephens: "And that was my understanding. However, what I'm hearing in the, in southwestern Illinois, as we've expanded the area of where the emissions tests are required. I'm having constituents coming into my office and say that they are rejected on sight for some variation, maybe a catalytic converter that is not in order or maybe has been removed. I don't know if there's any basis by which a visual inspection alone is reason to reject someone from the emissions testing process. Are you aware of any basis for that?"

Madigan: "No, I'm not. And this is the first I've heard that there's a sight rejection. I've never heard of that."

Stephens: "When we sort through that and find out that if, indeed, there is no basis for rejection on a visual inspection and that is the case. If we start to hear the same horror stories of the inspections that expansion that you're talking about, you don't intend for these to just be visual inspections. These would actually be emissions tests. Is that correct?"

Madigan: "That's what I would expect."

Stephens: "Thank you for the clarification."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Jo Daviess, Representative Lawfer."

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

Speaker Hartke: "He indicates he will."

Lawfer: "Representative, this has been changed a couple of times since it was heard in committee. Is there an estimate on, if this Bill passes, on the amount of emissions that would be, not enter into the air?"

Madigan: "Mr. Lawfer, I don't have a numerical answer for you. I

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just don't have that. I would say, though, that based upon the experience with the testing of automobiles that certainly there will be an improvement in the quality of the air within these non-attainment areas."

Lawfer: "Well, that..."

Madigan: "There is conclusive evidence that tells us that as a result of the testing of automobiles that we have improved the quality of air in the non-attainment areas. And my expectation is the same thing would happen here."

Lawfer: "Do we have any estimate of what the cost of this would be to implement this program?"

Madigan: "The only fiscal note that's been filed has been filed by the Illinois Department of Transportation which tells us that they estimate that it would cost about \$1.8 million to monitor the garages where the mandatory testing would be done. And I would like to add that there will be charges, there will be fees for this to be done and those fees will go into a newly created fund that will be used to pay for the cost of this program."

Lawfer: "Mr. Chairman (sic-Speaker), to the Bill. I, of course, live in an area that is not included as a non-attainment area. However, I have a lot of vehicles that come from my area into the non-attainment area. And I think a lot of those trucking firms have improved their engines, they're newer engines, but on the other hand, and we have, I think, improved the emissions in those areas because of that. And I think that will continue whether this Bill passes or not and I think we're all in favor of clean air. Thank you."

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

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

Speaker Hartke: "He indicates he will."

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Parke: "Speaker, Mr. Speaker, I mentioned to you in committee that I had a concern about pulling state troopers off the highway and having them administer these testing programs on spot checks and that it might deplete state troopers from doing traffic control or safety control. Have you... haven't given any thought into whether or not there might be an opportunity to hire more state troopers to protect the citizens of the state with your legislation?"

Madigan: "I'd like to give a two part answer. Number one, we're proposing that the testing done by the State Police be part of what their normal duties would be. So, we're providing that the testing could be done at the weigh stations where State Police personnel would be conducting weight tests and at the same time they could do an emissions test. So, in that instance, you know, they were simply weighing trucks and at the same time that they weighed a truck, they would do the emissions test. Next, we contemplate that is as a State Trooper is on patrol they would do a visual sighting of one of these trucks belching blu... black smoke into the air and because of that they would pull the truck to the side of the road and conduct this emissions test. So, my view is, that this could be done in the ordinary course of their duties. However, as I indicated in the committee, I would be prepared to support the hiring of more State Police."

Parke: "Thank you, Mr. Speaker. That's exactly my point. To do those things and also, when they're doing the weight testing they also will be required by your Bill to do a safety test. Or will that safety test be done at those facilities of which I got a list at?"

Madigan: "The safety tests are done at licensed garages all across the state."

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Parke: "Thank you. And I appreciate your staff getting that report to me. Thank you. Well, I think we do need more state troopers and I certainly would hope and encourage the State Police, if they're listening, that if they see that there are... there's a increased work load to the troopers, rather than them working more hours and putting them more at risk, to look at justifying the hiring of more state troopers, so, I certainly support your Bill, but I have that concern. Second of all, I asked for, in committee, a report on the attain... on the non-attainment area to find out how much out of compliance we are with the federal guidelines on pollution. And I would like to know if you would consider a report to the General Assembly in two or three or four years from now to see what effect this is having on the environment of the State of Illinois. I mean, I would not think that it would not have a positive effect, but who knows, it may not. And we're requiring the trucking business industry to expend money that isn't achieving what your goal is. And so, somehow or other, maybe a sunset or a report to the Body would be appropriate to show whether or not we are achieving your goals with your legislation. And I would just throw that out for an idea."

Madigan: "Mr. Parke, let me propose that I write to the appropriate agencies today or tomorrow requesting that type of report in the event this becomes a law."

Parke: "Well, I'm going to support your Bill because I... I commend you for this. I think this is long overdue and I think we'll see the results, but I want to measure 'em. And I think the Body should be able to measure your success with this legislation, if it... if it does become law. Thank you."

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Speaker Hartke: "Speaker Madigan, to close."

Madigan: "Mr. Speaker, I want to thank all of those who participated in this debate. I think this is a good sound measure. It simply provides that heavy duty trucks and buses burning diesel fuel will be subject to emissions testing just as the automobiles in these areas are subjected to testing today. The end of the story will be that the air that we all breathe and that our children breathe will be much cleaner. I would request an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 2031 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 2031, there are 78 Members voting 'yes', 34 Members voting 'no', and 6 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Representative Cross, for what reason do you seek recognition?"

Cross: "Thank you, Mr.... thank you, Mr. Speaker. Just a moment to introduce a former... our former State Senator from the Kendall County area and Aurora area, Bob Mitchler, who's here with us today. Bob was in the Senate for 16 years, and is a good friend."

Speaker Hartke: "Welcome. Welcome to the House chambers, Senator. On page 43 of the Calendar, appears House Bill 405. Representative Kosel. This is on Standard Debate. Out of the record. On page 41 of the Calendar, appears House Bill 41. Representative Durkin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 41, a Bill for an Act to amend the Code

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of Criminal Procedure of 1963. Third Reading of this House Bill."

Speaker Hartke: "Representative Durkin."

Durkin: "Thank you very much, Mr. Speaker. This is a Bill... is a... Amendment to the Code of Criminal Procedure which will... basically what we're doing is that we are trying to mimic the federal rules of evidence dealing with hearsay statements on deceased individuals. Basically, this will permit hearsay statements of deceased persons to be admitted to evidence if the statements are not covered by other hearsay exceptions but have equivalent circum... circumstantial guarantees of trustworthiness and certain other conditions are met. I'm willing to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 41 pass?' All those in favor will signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 41, there are 118 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 49 of the Calendar, appears House Bill 1818. Representative Mautino. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1818, a Bill for an Act to amend the Prevailing Wage Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Mautino. This is on Standard Debate."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1818, as amended, is identical to last year's House Bill 724, which passed with bipartisan

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sponsorship and support. This would extend prevailing wage to utility projects in the State of Illinois. This... this Bill has been around for... for some time, and I would appreciate an 'aye' vote on. Be happy to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Logan, Representative Turner."

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

Speaker Hartke: "The Gentleman will yield."

Turner, J.: "What's the prevailing wage right now, Representative?"

Mautino: "The way that the Act is structured right now is, that it would require prevailing wage on construction projects to pay at least equal to the locally prevailing union wage rate for that type of work. And so, it depends on which type of work it is, but it would be the local union prevailing wage. And that's how it's structured within this legislation."

Turner, J.: "Does that vary then across that state?"

Mautino: "I apologize my computer shut down."

Turner, J.: "I'm sorry, I didn't hear the end of that."

Mautino: "I... if you just give me a minute, my computer shut down on me. I got it back up here, but go ahead."

Turner, J.: "All right. And does that vary across the state?"

Mautino: "Yes, it does. And incidentally, over it's, you know, by state law and it's set within... also in addition to that, just for the information of the Body, over most... most of the public utilities are already in compliance with this."

Turner, J.: "You say public utilities are already complying with the Prevailing Wage Law? Frank, is that what you said?"

Mautino: "I said, right now, the way, the way this stands most of

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the companies out there are currently at or above the prevailing wage. Most of the investor owned public utilities currently do this. Which is true."

Turner, J.: "All right, so... so is there any opposition then if they're already in compliance with it... to this Bill?"

Mautino: "Yes, there was opposition from the... from some of the utilities companies and the IMA, various other groups who put in slips in committee itself."

Turner, J.: "I... I guess I have to wonder why they would be in opposition if they're already complying with prevailing wage?"

Mautino: "And actually that's a good question. This is not going to change the way most utilities have been doing business. What we want to make sure is ensure that in tap and line main feeder projects, line locaters, that we're ensuring the quality of work on both the maintenance and the construction side. And especially for those who are at the end of the line, this becomes more important given the fact that we're in a deregulated environment."

Turner, J.: "Well, so you're saying if the prevailing wage is applied then to the utilities, if they're already paying it, this is going to improve the quality of work? Is... that's the purpose of the Bill, then?"

Mautino: "It will, if for those who are, who are not currently doing so, they will come into compliance with the Bill. And it's also to help ensure the quality of the work itself so that the citizens of Illinois would have reliable utility services. And that all classes of public utility customers would receive the quality construction and maintenance on these very important delivery systems."

Turner, J.: "Representative, I'm not sure I follow that. How does passing this Bill improve the quality of the

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work? That.. could you... maybe there's a logical jump that I'm missing here, but what is the logic behind that? How does passing this improve the quality of work from the utility companies?"

Mautino: "In doing so, we're going to ensure that... that those... that the lines, the maintenance and those systems that are out there are... the goal of it is to try and ensure that we do provide and continue to provide that quality of... of service for all the customers throughout this... this environment."

Turner, J.: "Well, have you had customers calling you or constituents calling you and suggesting that they would receive better quality if we pass a prevailing wage that applies to utilities? I mean is that what they're requesting?"

Mautino: "Actually... actually, when this Bill actually came out, the request came from some folks up actually towards another Representative's area and my area. And we wanted to ensure that there was quality in state trained people who were performing these jobs and in many cases that is not so. And the public safety benefits also have proven itself through out the other industries in this as well."

Turner, J.: "You're saying then that the... if we apply the Prevailing Wage Act to the public utilities that will enhance public safety? That's the reason for the Bill then?"

Mautino: "Seems like to me, we're trying to ensure that quality trained maintain these very important systems for all the people in the State of Illinois. And that's the whole purpose of Prevailing Wage Law."

Turner, J.: "Thank you for answering my questions, Representative. I respectfully have to inform you that I'm

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not sure that the Bill is going to accomplish all the things that you've said... said here on the floor and I urge a 'no' vote."

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

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, why do we... are... you're telling us the reason for prevailing wage is to help provide training on the work site? And it is only currently for state contracts. Is that correct? Government, is it applied to all governments?"

Mautino: "That is, I don't believe that's what I said. In this, the prevailing wage is enforceable under... under any state projects, government projects. That is correct."

Parke: "So, it's state contracts?"

Mautino: "That is correct."

Parke: "Okay. And the reason for prevailing wage is..."

Mautino: "But, it's not for training on job sites. I... I don't know where, maybe because of the volume in the chamber you had misheard that."

Parke: "All right."

Mautino: "No, the reason is to... to help ensure and maintain quality jobs and make sure we do have trained people on those sites. Good solid people to help maintain public safety on these."

Parke: "Didn't we have an agreement with labor that prevailing wage would only apply there? And now they want to... to put this in place for public utilities? Now, we're going to take it one step further?"

Mautino: "Okay, I... as to prior agreements that I don't know about, Representative Parke, and I'm sure that you've been

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involved with this many years, so, I... I understand that."

Parke: "Well, I don't know if there's a..."

Mautino: "My reasoning for bringing this forward... actually, when I brought it forward and we had this discussion on House Bill 724 last year, was that we have a highly regulated industry, which is essential to everyone in this room and in the State of Illinois. And when we're doing the main, the tap in line and the feeder projects we want to make sure that the guy at the end of the line is getting the good high quality service that also comes with the guarantees that we set the prevailing wage statutes in place for."

Parke: "Let me ask you a question. If a... do we... when we do a project for public..."

Mautino: "Excuse, Sir?"

Parke: "Yes."

Mautino: "Staff informs me that this has been in the past, and we may be crossing wires on this, but has informed me there's never been a an official agreement, an Agreed Bill process for prevailing wages. That's your understanding?"

Parke: "That's is correct, there is not."

Mautino: "I know you're supposed to ask the questions, but I thought I might have misspoken..."

Parke: "Caleb is right."

Mautino: "...and wanted to clear the record."

Parke: "Yes, that is correct. But, let me ask you a question. If you work on a project for a utility now, doesn't collective bargaining play a role in how those men and women who are going to work on that project are going to be treated? Isn't it treated under, I mean, almost always isn't there a collective bargaining agreement there?"

Mautino: "And that's, you know actually, for 90% that are out

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there, you are exactly right and that is collective bargaining and that is the prevailing wage. The local union wage rate. So that happens in many cases. What we're looking at is, in the cases where, for example, line locators or someone in who is brought in short term, out of state, possibly not of the quality or not necessarily the quality, but maybe not as qualified as some good solid local union people who have been doing this, have the experience."

Parke: "Well, what happens if of those 90% that have collectively bargained and they have a lower wage, but have better benefits in other areas. Is this going to supersede those contracts?"

Mautino: "They would have to be paid the prevailing wage. So, I don't think there would be any... if they're collectively bargaining they would be structuring the prevailing wage in that area."

Parke: "Well, but the..."

Mautino: "And so, I mean, that... that would be the agreement."

Parke: "Yeah, but currently I'm saying... let's say we... we have a three year collective bargaining agreement and we pass this law, becomes this, will this supersede that three year agreement that says that the salary is less than the prevailing wage that is current in the state? Well, I don't..."

Mautino: "On, on that, I would apologize, I don't have that answer for you."

Parke: "Well, I'm not sure either, but let me..."

Mautino: "I don't believe it would, but..."

Parke: "...ask you another question."

Mautino: "...I'd... I'd hate to be mistaken."

Parke: "Let me ask you another question. There are changes in

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the definition of who's covered under this, who... it says, 'Changes laborers, workers and mechanics to construction employer crafts or trade persons.' Is this also expansive to who else would be covered under prevailing wage?"

Mautino: "I'll get to you in one sec ... let me pull the Bill up on the computer itself, let me get to the language. What line are you at? Where ... okay Terry, if you would for me, where are you at on the Bill itself?"

Parke: "Say that again."

Mautino: "Where are you at on the line of the Bill itself and I'll... I'll go through why it was structured as is?"

Parke: "It's on Amendment... on Amendment #1 to House Bill 1818. Line 10 on the Amendment, it says on page 3, line 9, 'By changing laborers, workers and mechanics to construction employer crafts or trade persons.' Are we expanding who's going to be covered under prevailing wage? Is this also expansive?"

Mautino: "Okay. That was the Floor Amendments from last year, which were put in by Members, as a matter of fact, that is Representative Giglio's Amendment."

Parke: "Was it a..."

Mautino: "Would, would it be okay if I referred to Representative Giglio to answer that question directly?"

Parke: "Is it on... is it on the Bill now?"

Mautino: "Yes, it is. What we did is, in committee we put the Amendment on to make it identical to 724 from last year."

Parke: "Well, okay. Yeah, he can answer it, I think the Body needs to know. Are we expanding the... who's covered under prevailing wage? Which then and when you ask it Representative..."

Mautino: "Yes."

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Parke: "...when you answer it..."

Mautino: "Yes, we're expanding that to public utilities. Currently, they are not covered under public..."

Parke: "No, no, no. Are we expanding who would be covered under prevailing wage if we pass this and becomes law? Will it not only expand it to the utilities, but will it also expand who would be covered under prevailing wage for the current contracts of government?"

Mautino: "No, no. There's is no expansion under the other current contracts."

Parke: "Then what is, why was that Amendment put on then? What is, what does that do?"

Mautino: "If you take a look on line 33, 'notwithstanding any other provision of this Act', and here's the applicable Section, 'whenever a public utility company contracts with an outside contractor.' So, they are the only ones covered specifically in these, where we have added in the Section of... of line locaters, mechanics, labor."

Parke: "So, this is, it applies specifically..."

Mautino: "So, the answer to your question would be no."

Parke: "...to that type of industry? That applies specifically to that type of industry?"

Mautino: "On, yes, specifically to that type of industry and only as it states in line 33, 'whenever a public utility company contracts with an outside contractor.' They would be the only ones drawn in."

Parke: "Thank you. Thank you, Representative. To the Bill. Ladies and Gentlemen of the House, prevailing wage is, is always, well not always, but applies to government bodies. Now, what we want to do is that we want to expand that to the utility industry and then ultimately I am sure the goal will be to expand this to private industry. In essence,

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the Sponsor says that this will allow unions to thereby train their employees better so that safety and knowledge will be enhanced. And, and that's certainly a good idea for anybody, but I've been to trade schools, I see that they do that already. I think this is intrusive into the private sector, even though, it's a... it's a semiprivate sector. This is not necessary. Americhip, Central Illinois Light and Company, Commonwealth Edison, Illinois Energy Association, Illinois Power, Nicor, North Shore Gas, People Gas, are all opposed to this because the bottom line, Ladies and Gentlemen, if we expand prevailing wage, which is significantly higher than they can hire people currently, that additional cost will have to be passed on to the consumer. I mean, utilities only provide power or water to the ultimate user which is your voter, your taxpayer. This is not necessary, this is an intrusion that ought not to be allowed. I would ask the Body to vote 'no'."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Cook, Representative Giglio. He declines. Representative Mautino, to close."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I simply ask you for an 'aye' vote on House Bill 1818. Thank you."

Speaker Hartke: "The question is, 'Shall House Bill 1818 pass?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? One person is not recording themselves. Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 55 Members voting 'yes', 58 Members voting 'no', and 5 Members voting 'present'."

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Mr. Mautino."

Mautino: "Post..."

Speaker Hartke: "What is your pleasure?"

Mautino: "Postponed Consideration."

Speaker Hartke: "The Bill will be placed on Postponed Consideration. On page 50 on the Calendar, appears House Bill 1905. Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1905, a Bill for an Act concerning cultural organizations. Third Reading of this House Bill."

Speaker Hartke: "This Bill is on Short Debate. Mr. Biggins."

Biggins: "Thank you, Mr. Speaker. This Bill is a Bill suggested by the Illinois Arts Council, creating a sales tax exemption for not-for-profit cultural organizations. I'll be glad to answer any questions any of the Members may have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall House Bill 1905 pass?' All those in favor will signify by voting 'aye'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1905, there are 118 Members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. What is the status Mr. Clerk, of House Bill 1974?"

Clerk Bolin: "House Bill 1974, the Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Harris, has been approved for consideration."

Speaker Hartke: "Representative Harris, would you like to present your Amendment? Out of the record. Mr. Clerk, what is the

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status of House Bill 2012?"

Clerk Bolin: "House Bill 2012, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Steve Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis. Out of the record. Mr. Clerk, what is the status of House Bill 1175?"

Clerk Bolin: "House Bill 1175, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Fowler, has been approved for consideration."

Speaker Hartke: "Representative Fowler. Mr. Clerk... Mr. Fowler."

Fowler: "Thank you, Mr. Speaker. What we have here is a... it's a... we're in the process of preparing a technical Amendment that will be adopted on the House Floor later on this Bill."

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

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

Speaker Hartke: "He indicates he will."

Black: "Representative, what... this appears to be a little more than a technical Amendment. Are you... did you add the language about any male committed to an adult facility in super maximum or disciplinary segregation would be permitted a contact visit? I mean that... that's a little more than a technical Amendment. Was it correcting something in the underlying Bill?"

Fowler: "Yes, Representative Black, that is the entire Amendment there, but we are working on the Amendment on that to eliminate the word male from that copy that you have there. And that will be the technical Amendment presented for the

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Floor's consideration on that. We are striking the word 'male'."

Black: "All right. Have you asked your... Are you and your staff comfortable with the fact that you may be in a constitutional area here where you're putting a prohibition on a male committed person and not on all committed persons? You know, there's equality under that law and I would... I would think you may have a constitutional problem with this."

Fowler: "Yes, Representative Black, we are aware of that and that's why we are striking the word 'male' from that."

Black: "Alright. So, you, I'm sorry, Representative, what language are you striking?"

Fowler: "The word 'male'. Then it will apply uniformly to... to..."

Black: "Okay, I see it, all right. And this is what you had agreed to do in committee, that... that's correct?"

Fowler: "Yes, Sir."

Black: "Okay. Thank you very much. I... I was a little unclear and I appreciate the... your indulgence. Thank you. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Amendment #1 to House Bill 1175?' All those in favor signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Hold that Bill on Second. On page 2 of the Calendar, appears House Bill 2. Representative Sharp. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2, the Bill has been read a second time

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previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. On page 41 of the Calendar, appears House Bill 3. Representative Jones. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3, a Bill for an Act in relation to conditions of employment. Third Reading of this House Bill."

Speaker Hartke: "This Bill's on Standard Debate. Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 3 creates a Flex Time Rights Act. It provides that an employer of 25 or more persons must grant leave up to a total of 24 hours during any calendar year to employees who meet the specified eligibility criteria. It also provides that an employer may require that not more than two... not less than two or no more than four day... four hours of this leave can be taken by any employee on any one day. It also provides that no leave may be taken unless the employee has exhausted all accrued vacation leave, personal leave, and compensatory leave. I... there was some criminal aspects to this Bill and Representative Curry, Amendment #1 took out the criminal penalties. And it also said... she had a Amendment #2 which says that you have to have at least two hours, no less than two hours. And I'll ask... I'll entertain any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "She indicates she will."

Parke: "Representative, why, why do we need to do this? What, what wrong are you trying to correct with this?"

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Jones, L.: "Representative, some employers... some employers do grant this time anyhow, but there are some employers that do not grant the... this short leave time, the medical and the other leave that has passed that's already law, those are for long time... long term hours, and these are basically short term hours."

Parke: "Well, don't they have... don't they have personal days? Do... do..."

Jones, L.: "Not, not all employers have personal days and this, this legislation says, 'this only happens after you have exhausted the personal leave, the personal time, the vacation or compensatory time.'"

Parke: "Are they... are they going to get paid for this?"

Jones, L.: "This is no pay for this, but if the employer and the employee want to, they can make up the time at the actual rate, not overtime hours, but that's between them. They don't have to make it up, it's nonpaid leave."

Parke: "All right. Let me ask you this, in committee we asked you questions like, what if somebody wanted to take one hour off of this 24 hours you try and give them, additional flex time off, could they take one hour, one day, and take..."

Jones, L.: "No, no, they couldn't Representative. When I explained the Bill I said that you... you have to take at least two hours."

Parke: "So, it's two hours? So, 12 times during a year a person can just take a two hour leave. Do they have to put the reason in writing?"

Jones, L.: "No, they don't."

Parke: "So, they just go to the employer and say, 'I'm going to have to do something with my family so, I'm going to take a two hours off.'"

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Jones, L.: "They have to give a seven day notice."

Parke: "Yes, but they can do that, right? They can just say, 'I've got something I need to do with my family, I'm going to take two hours off.'"

Jones, L.: "Yes, they can."

Parke: "Okay. Do other states do this?"

Jones, L.: "I don't, I don't know Representative. I know other states do have leave for medical reasons and for school reasons. And I, I could not answer that. But, this makes it much easier for the type of leave that... in the increments of short term hours."

Parke: "Okay. Thank you, Representative. Let... to the Bill. Ladies and Gentlemen of the House..."

Speaker Hartke: "To the Bill."

Parke: "...and Mr. Speaker, I would require a Roll Call and verify the Roll Call once the vote is taken."

Speaker Hartke: "Your request is granted."

Parke: "Thank you. Ladies and Gentlemen of the House, I understand the intent, but you know we have all kinds of fail safes in place, collective bargaining, we have the ability of... of people to have personal time, we have people that can have medical leave off, and now we're going to give people the right, after seven days notice to just simply go into their employer and say, 'I'm taking two hours off.' They don't have to say why, they just say, 'I'm taking two hours off.' They could say, 'I'm taking three hours off.' Without any regard to what that will do to the workplace. I just think that this is... it makes it so much more difficult for a business man or woman to run their business when they have a group of people taking off periodically whenever they feel like it. This is something I think ought to be negotiated on a one to one with the

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employee and the employer to work this out in good faith. I understand in the real world you're going to find some companies that aren't going to do this, but I think this is something that ought to be still left in the, in the responsibility of the employer and employee. So, I would ask that we do not support this legislation. It is, again, a Bill that will make us competitively disadvantaged around... with the surrounding states around us because as the Sponsor indicates she nor do I know if any other states have this. I know it's great to be a trendsetter, but I just think this is bad public policy and I... I think most of you would agree."

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

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

Speaker Hartke: "She indicates she will."

Durkin: "Representative, will... will this Bill preempt a collective bargaining agreement? Where's she at? Where's she at? Where's she at?"

Jones, L.: "Representative, the Bill is silent on the question and I don't know the answer to that."

Durkin: "I think that's... I think that's... a lot of us are wondering about that as well. And I, perhaps maybe for that reason alone, maybe you'd be kind enough to take the Bill out of the record, maybe discuss it with Members of your caucus and perhaps amend this Bill to... to address perhaps that specific concern. Cause I think what you're dealing is, you may be getting into... you're telling people who have employees, employers like let's say in a large grocery store chain, who have hundreds and hundred of employees who are... work under collective bargaining agreement. And I think that this Bill is going to directly

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affect them and I, I think for the... it would be fair to know whether or not this is going to preempt what is already existing within their union agreement."

Jones, L.: "Representative, I was just informed that it takes precedence over collective bargaining."

Durkin: "All right. Representative, I just... not trying to be difficult, but I just need to know where in the Bill is states that or what... what is drawing you to that conclusion?"

Jones, L.: "Representative, I didn't hear you."

Durkin: "I'm just trying to figure out where... I've looked through the Bill and I don't recall seeing it within this Bill that this does preempt a collective bargaining agreement. If it doesn't, what authority exists out there right now which allows us to preempt existing collective bargaining agreements between employers and employees?"

Jones, L.: "Representative, this is a statute and the collective bargaining is a private agreement."

Durkin: "My only... my only question is that I think that sometimes a collective bargaining agreement is a contract in its purest sense, and I believe under the contract laws that these... that the state or the federal government is prohibited from interfering with an existing contract and I think what we're doing is that we're telling... what we're doing is, that we're doing something completely contrary, which our constitution has clearly said over the years that we, the state is not to interrupt existing contracts. So, I think... I don't... I think your, your legislation is silent as to when this would go into effect. I think if you were trying to do that perhaps maybe it is something which could be used at the end of whatever type of agreement between the employee and employer."

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Jones, L.: "Representative, I don't think you have to worry about that."

Durkin: "Well, to the Bill. I have the great respect for the Sponsor of this Bill. However, I do have serious concerns and I think all of us should have very concerns about the ability of... of the Legislature, the House and the Senate, of going in and preempting an existing contract, which is clearly something which our... our founders of the constitution and the drafters told us, you know, hundreds of years ago, that it is not the state's right to interfere with an existing contract. And I think what we're doing in this situation is doing that. So, unfortunately, I don't know if... I believe I will not be supporting this Bill and I would recommend a 'no' or 'present' vote."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Jones, to close."

Jones, L.: "Thank you, Mr. Speaker. Again, I would like to say, this does not... this does not cost the employer anything. The employee can, upon agreement with the employee (sic-employer), make up the time at a later date. And I have, I think I've answered all the questions and now I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 3 pass?' There has been a request for a Roll Call vote and a verification. So, vote your own switches. All those in favor of this Bill vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 3, there are 63 Members voting 'yes', 50 Members voting 'no', and 5 Members voting 'present'. And Mr. Parke, seeks verif... Mr. Clerk, read the affirmative."

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Clerk Rossi: "Poll of those voting in the affirmative: Representatives Acevedo, Boland, Bost, Bradley, Brosnahan, Brunsvold, Bugielski, Burke, Capparelli, Crotty, Barbara Currie, Julie Curry, Dart, Monique Davis, Steve Davis, Delgado, Erwin, Feigenholtz, Flowers, Fowler, Fritchey, Gash, Giglio, Giles, Granberg, Hamos, Hannig, Harris, Hartke, Hoffman, Holbrook, Howard, Lou Jones, Shirley Jones, Kenner, Lang, Lopez, Joe Lyons, Mautino, McCarthy, McGuire, McKeon, Bill Mitchell, Morrow, Harold Murphy, Novak, O'Brien, O'Connor, Pugh, Reitz, Ronen, Schoenberg, Scott, Scully, Sharp, Silva, Slone, Smith, Stroger, Art Turner, Woolard, Younge, and Mr. Speaker."

Speaker Hartke: "Questions of the affirmative, Representative Parke?"

Parke: "Yes, Representative Bugielski, please."

Speaker Hartke: "Representative Bugielski. Representative Giles asks leave. Representative Bugielski, are you in the chamber? Remove Representative Bugielski."

Parke: "Representative Capparelli."

Speaker Hartke: "Representative Capparelli. Representative McCarthy asks leave to be verified."

Parke: "That's fine."

Speaker Hartke: "Representative Capparelli. Is the Gentleman in the chamber? Remove Representative Capparelli from the Affirmative Roll."

Parke: "Steve Davis, Representative Steve Davis?"

Speaker Hartke: "Representative Steve Davis. In the rear of the chamber."

Parke: "Thank you. Representative Connie Howards, Howard."

Speaker Hartke: "Representative Connie Howard is here in the front of the chamber."

Parke: "Hi, Connie. Representative Hamos."

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Speaker Hartke: "Representative Hamos is in the center aisle."

Parke: "Hi, Representative. Representative Lou Jones."

Speaker Hartke: "Representative Lou Jones is Sponsor of the Bill and is right there beside of Mr. Murphy."

Parke: "Representative Art Turner."

Speaker Hartke: "Representative Art Turner is here in the front talking to Representative Sharp."

Parke: "Hi, Art. I'll let Connie do that, Art, but not you. Representative Fritchey."

Speaker Hartke: "Representative Fritchey is sitting in his chair."

Parke: "Sorry, I missed you. Representative, did I ask for Representative... Representative Bost?"

Speaker Hartke: "Could you repeat that?"

Parke: "Representative Bost."

Speaker Hartke: "Representative Mike Bost. Representative Bost in the chamber? How is Representative Bost recorded?"

Clerk Rossi: "Representative Bost is voting in the affirmative."

Speaker Hartke: "Remove Representative Bost."

Parke: "Representative Novak."

Speaker Hartke: "Representative Novak is in the rear of the chamber."

Parke: "Thank you. Representative O'Brien."

Speaker Hartke: "Representative O'Brien is at her desk."

Parke: "Thank you. Representative O'Connor."

Speaker Hartke: "Excuse me, what was that name?"

Parke: "Representative O'Connor? Is there... is there a problem with that?"

Speaker Hartke: "Representative O'Connor. Is Representative O'Connor in the chamber? For what reason do you rise.... Representative Giglio ask leave to be verified. Leave. Representative O'Connor. Representative Scott asks leave."

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Parke: "I... what about the O'Connor person who's not here?"

Speaker Hartke: "I'm still working on it. Representative O'Connor. Representative Bugielski has returned to the chamber. Representative O'Connor, how is he voting?"

Clerk Rossi: "Representative O'Connor is voting in the affirmative."

Speaker Hartke: "Remove Representative O'Connor."

Parke: "Representative Bill Mitchell."

Speaker Hartke: "Representative Mitchell. Representative Mitchell. Representative Holbrook, you seek leave? Representative Holbrook. Representative Mitchell."

Parke: "Mr. Speaker, you've asked four times, he's not here."

Speaker Hartke: "Representative Mike Smith has asked leave. Grant him leave?"

Parke: "I'm not going anybody anymore leave. No more leave. Representative O'Connor is not in the chamber, would you please remove him? I don't want to take your job, but you're not doing your job."

Speaker Hartke: "Representative O'Connor."

Parke: "Mitchell, I'm sorry, Mitchell."

Speaker Hartke: "Oh, excuse me."

Parke: "Mitchell."

Speaker Hartke: "How is Representative Mitchell... for what reason do you rise, Mr. Lang?"

Lang: "I'd like to know if I have leave to be verified?"

Parke: "No."

Lang: "Oh, okay."

Speaker Hartke: "Representative Mitchell."

Parke: "Mr. Speaker, please. You're supposed to be the Speaker, let's do your job fairly."

Speaker Hartke: "Representative Davis, for what reason do you seek recognition?"

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Parke: "You are... this is not, this is not fair, you're absolutely stalling. Do your job, Sir and let's knock that individual off the Roll Call."

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

Parke: "This is not fair, Sir, you know it. Gentlemen, Ladies, this is an abuse of the power of the Chair, this is unfair."

Speaker Hartke: "Representative Mitchell. How is Mr. Mitchell voting?"

Clerk Rossi: "Representative Bill Mitchell is voting in the affirmative."

Speaker Hartke: "Remove Mr. Mitchell."

Parke: "No more questions."

Speaker Hartke: "On House Bill 3, there are 59 Members voting 'yes', 50 Members voting 'no' and 5... yes? Has Representative Capparelli returned to the chamber? He has not. The Lady receives... requests Postponed Consideration. Take the Bill out of the record. Mr. Clerk, what is the status of House Bill 1974?"

Clerk Rossi: "House Bill 1974 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Harris, has been approved for consideration."

Speaker Hartke: "Representative Harris. Amendment #1."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1974 seeks to guarantee that businesses contracting with the state must pay a live in wage to the employees engaged in the performance of a contract."

Speaker Hartke: "Is there any discussion? Representative Parke."

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

Speaker Hartke: "He indicates he will."

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Parke: "Representative, wasn't this the legislation that we did in committee this morning?"

Harris: "Yes, yes."

Parke: "Let me review for the Body some of the questions on this. Is any other state doing this?"

Harris: "Not to my knowledge."

Parke: "So, no other state is doing this as far as you know?"

Harris: "But, the... the City of Chicago and the County of Cook, they are doing it."

Parke: "No, the City of Chicago is not a state. I asked, 'Is there any other states?'"

Harris: "Representative, I did answer that question I said, 'No other state.' And then I added, but the City of Chicago and the County of Cook is doing this."

Parke: "Okay. Let me ask you a question. If this happens, if we were to pass this, how does the affect the collective bargaining?"

Harris: "Well, in that regards, both parties would be able to sit down, as you know in, just a minute... it would take precedence over collective bargaining."

Parke: "So, therefore, if somebody is collectively bargained on a salary that they're going to pay, that collective bargaining contract is null and void under this?"

Harris: "Only with respect to the wage level."

Parke: "So, now what we're saying is that if we pass this legislation we're going to take away one party's right to collectively bargain in this initiative? Isn't that right?"

Harris: "Not at all, Representative."

Parke: "Well, of course it is, because they collected... a business has collectively bargained for this. We have said, 'We support the collective bargaining initiative.'"

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The legislature, I believe in 1983, passed collective bargaining. Now, we're going to supersede that by coming down to Springfield and saying, 'We want to not allow business to have one side of the collective bargaining cause we're going to, in our infinite wisdom, is going to supersede it.' Is that what this Bill does?"

Harris: "Representative, we will have a third party, which is the State of Illinois."

Parke: "That doesn't make sense to me, but okay. Let me ask you one other question. Can you explain the punitive damage for violation of this?"

Harris: "No, Mr. Speaker... excuse me, Mr. Speaker, may I take it out of the record?"

Speaker Hartke: "Take this Bill out of the record."

Harris: "Thank you."

Speaker Hartke: "Mr. Clerk, what is the status of House Bill 1712?"

Clerk Rossi: "House Bill 1712 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. This Bill relates to the use of tax credits for low cost housing, and extends the opportunity to county boards to allocate their tax credits for low cost housing. It's similar to a Bill we passed unanimously last year, which extended the same privilege to nonhome rule units. And I would ask for its approval."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall Amendment #1 to House Bill 1712 be adopted?' All

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those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #1 to House Bill 1712 is adopted. Further Amendments?"

Clerk Rossi: "No Further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 2616?"

Clerk Rossi: "House Bill 2616 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Move that Bill back to Second for the purposes of an Amendment. Mr. Clerk, read that Bill."

Clerk Rossi: "Floor Amendment #1, offered by Representative Moffitt, has been approved for consideration."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker. Floor Amendment #1 becomes the Bill. This is language that was presented by Attorney General Jim Ryan's office. It's an updated version. I had a Bill last year to regulate junk e-mail. This language now the industry is on board, the association representing all the providers and it's one that the industry can live with and will bring some regulation to junk e-mail that is clogging up the system. So, would like the adoption of the Amendment."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I'd just like to echo my support for Floor Amendment #1. As we know, unsolicited e-mail is becoming a growing problem in our Internet based communications, and this is a responsible way to provide us with a spam free diet."

Speaker Hartke: "Representative Moffitt asks for the adoption of... of Amendment #1 to House Bill 2616. All those in

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favor will signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it, and Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, what is the status of House Bill 2708?"

Clerk Bolin: "House Bill 2708 is on the Order of House Bills' Third Reading."

Speaker Hartke: "Move that back to Second for the purposes of an Amendment. Mr. Clerk, read the Bill."

Clerk Bolin: "House 2708, the Bill's been read a second time previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Dart, has been approved for consideration."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #2 is a Bill to clean up the Bill as it was amended. It clarifies the distance away from day care centers that individuals and sex offenders have to be and it also clarified some language that the Department of Children and Family Services wanted. And also a provision dealing with parole reporting. And I appreciate a favorable adoption."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Amendment #2 to House Bill 2708?' All those in favor of the Amendment signify by saying 'aye'; those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #2 to House Bill 2708 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 44 of the Calendar,

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appears House Bill 597. Representative Hamos. Mr. Clerk,
read the Bill."

Clerk Bolin: "House Bill 597, a Bill for an Act concerning
insurance coverage for contraceptive services. Third
Reading of this House Bill."

Speaker Hartke: "This is on Short Debate. Representative Hamos."

Hamos: "Mr. Speaker and Ladies and Gentlemen, we had a discussion
about this Bill yesterday. I took it out of the record and
I'm returning it today. There were a number of questions
raised and I think we've had a chance to work through those
questions. This is the Bill that requires that if an
insurance company offers prescription drugs as... as part
of it's plan, it will also offer contraceptive...
contraceptives. The question that was raised that several
Members asked me to clarify for purposes of legislative
intent, relates to the Health Care Right Of Conscience Act.
And I would like to report that a new law was passed last
year that is really exactly on point here. So, the Health
Care Right Of Conscious Act now provides that health care
providers, as well as health care payers, which means an
HMO, insurance company, management service organization.
So, health care providers or health care payers may decide
to exercise the right of conscience for purposes of not
offering contraceptives. And I would like to state clearly
that HB597 is not intended, in any way, to supersede the
provisions of the Health Care Right Of Conscience Act. And
with that, I ask for your favorable support."

Speaker Hartke: "Is there any discussion? The Chair recognizes
the Gentleman Cook, Representative Durkin."

Durkin: "Thank you, Mr. Speaker. To the Bill. I do
appreciate..."

Speaker Hartke: "To the Bill."

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Durkin: "...what Representative Hamos just relayed to us. Her question was raised on the floor and I do appreciate her professionalism of removing the Bill from the record and making the record perfectly straight that this Bill does not preempt what we passed approximately two years under the Right Of Conscience Act. So, with that assurance and also I believe that all of us, this is a good Bill and I would join this Representative in supporting this legislation."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Logan, Representative Turner. Representative Turner."

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

Hamos: "Yes."

Speaker Hartke: "Yes, she will."

Hamos: "Yes."

Turner, J.: "Representative, what does your Bill require insurance companies to do?"

Hamos: "The Bill states that in an individual or group policy of accident and health insurance..."

Turner, J.: "Mr. Speaker, I can't hear."

Hamos: "The Bill states that in an individual or group policy of accident and health insurance, if outpatient services and outpatient prescription drugs or devices are provided, then that policy should also include outpatient contraceptive services and outpatient contraceptive drugs or devices."

Turner, J.: "All right. What's the genesis of the Bill? Was a constituent contacting you or how did the idea rise to present this?"

Hamos: "This Bill is broadly supported by a number of health related organizations and womens' organizations. There is

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a general feeling that family planning services, access to family planning services and access to contraceptives to prevent unintended pregnancies is a cost effective, useful approach to healthy families. And that's all this Bill is trying to do."

Turner, J.: "Does this Bill only affect insurance companies that already cover prescribed drugs?"

Hamos: "Yes, it does."

Turner, J.: "Have you talked to the insurance companies? I think the fear would be maybe they would drop that type of coverage. Have you asked them about what their position might be should this Bill pass?"

Hamos: "Well, Representative Turner, they came to, they came to..."

Turner, J.: "Okay, I'm sorry, I can't hear you again."

Hamos: "They came to the committee and offered their perspective, and of course, insurance companies don't like anything that feels like a mandate. But, I think in informal conversations with some of the company representatives there is a general understanding that this is a very much of... very much of a cost effective approach. I mean it only really adds a dollar, \$1.33 per month, and whereas a healthy birth is \$5,000, and a birth that involves premature babies can be up anywhere up to \$61,000. So, they understand the economics here and again, in informal conversations there is a general understanding that having this kind of cost effective approach is not so terrible."

Turner, J.: "I guess I have a concern. If a insurance company covering prescribed drugs, because of this Bill, drops that type of coverage. How about elderly people then, who are now being covered, but if we pass this, won't be covered? Have you considered that?"

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Hamos: "I know there... none of the insurance companies have indicated to me that this kind of provision would in fact make them drop the prescription drug coverage."

Turner, J.: "All right. I wasn't in committee, that was not one of the concerns raised by the opponents from the insurance industry?"

Hamos: "It was not stated in those terms, no."

Turner, J.: "What was their position, then?"

Hamos: "They don't like a mandate."

Turner, J.: "That was all they said? They just testified and said they didn't like mandates? They didn't raise the question that I'm raising about insurance companies possibly dropping that type of coverage? Because I think that's a real big concern that we all should have, particularly for our elderly."

Hamos: "Yeah, Representative Turner, I... I don't really remember. So, I don't want to misrepresent their position, but really I think that their position was this is still another mandate, that kind of an approach."

Turner, J.: "Okay, Representative, I appreciate your responses and if you don't remember I appreciate you being very fair about it, stating as much. I... I think that the concern I raise is a legitimate one and I think that if we're going to continue to protect our elderly... if there is a risk that they're going to lose their coverage because we're passing this Bill, then it seems to me that the best vote on this would be a 'no' vote. Thank you."

Speaker Hartke: "This Bill is on Short Debate. There are still four people seeking recognition. Representative Klingler, do you stand opposition to this Bill?"

Klingler: "I stand in support. I stand in support."

Speaker Hartke: "Stands in support. Representative Mulligan, do

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you stand in opposition to this Bill?"

Mulligan: "Support."

Speaker Hartke: "Representative Coulson, do you stand in support or opposition to this Bill? Representative Black, for what reason do you seek recognition?"

Black: "I... I stand in confusion, Mr. Speaker. Actually, I need to ask the Sponsor a question if I could?"

Speaker Hartke: "Proceed."

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

Hamos: "Yes."

Speaker Hartke: "She indicates she will."

Black: "I... I echo what Representative Durkin said about Representative Hamos' willingness to take this Bill out of the record and we had a number of meetings yesterday and I think everything has been resolved, but I do need to clear up a point of confusion. On... on our staff analysis and I think what caused the confusion yesterday, it says there is no exemption for a religious organization in your Bill. And that's correct in your Bill, but it's my understanding if I can remember, I've had an exciting evening so I may not remember everything that I did yesterday afternoon, it's clear that your Bill is referenced by an earlier Bill that makes it very clear, in fact, law, current law. Your Bill is referenced by a current law that says clearly there would be the religious exemption should this Bill pass?"

Hamos: "That is correct."

Black: "And there is also a right of conscience exemption that is taken care of by a law that we passed previously?"

Hamos: "That is correct."

Black: "All right. So, given those two points of clarification, I have no further questions. I, Mr. Speaker, I hesitate to

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take the Bill off Short Debate since the only people getting up were in favor of the Bill so, I won't do that. But, I, I do again want to echo what Representative Durkin said. There was some obvious confusion about the Bill yesterday. We appreciate the Representative's willingness to take it out of the record, and staff on both sides of the aisle, for meeting with people for a rather lengthy period of time to clarify it. Now that's it clarified, I intend to vote 'aye'."

Speaker Hartke: "Representative Klingler, do you persist in your request? Representative Klingler."

Klingler: "Thank... thank you, Mr. Speaker. I think that this Bill is a very important area of common ground that we should all be able to work together on for the issue of preventing unwanted pregnancies. Almost 60% of pregnancies in this country are unintended. And we have the unusual situation in Illinois of Medicaid covering contraceptives drugs, yet only about half of the insurance companies covering them. I had the unusually, usual opportunity a number of months ago to be at a World Affairs Center and sit next to Susan Eisenhower, who's the granddaughter of former President, Dwight Eisenhower. And she was talking about her, she called him her grandfather and the importance that he put on population planning and population control. This was an area that I was not aware that he had such an interest in, and apparently at one point he was the Honorary National Chairman of the Planned Parenthood Association. And I received a copy of a letter from the Eisenhower Library that he wrote to a man who had won the Margaret Sanger Award, and Margaret Sanger is the one who worked in... on promoting the birth control pill. And at the very end of this letter, I'd just like to read

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one sentence, 'We know that this challenge.. the challenge of the world population crisis explosion can be met with every hope of success if it is faced now and if Planned Parenthood and governments here and abroad have the resources of birth control information, intelligent service and intensive research to devote to the job. Sincerely, Dwight David Eisenhower.' I think birth control is something that should be available and it's something that we should, again, have common ground to work on. Thank you."

Speaker Hartke: "Representative Hamos, to close."

Hamos: "Well, I certainly couldn't say it more eloquently than President Eisenhower, so I respectfully request your 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 597 pass?' All those in favor signify by voting 'yes'; those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 597, there were 87 Members voting 'yes', 29 Members voting 'no' and 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On page 45 of the Calendar, appears House Bill 865. Representative Myers... Meyer. Mr. Clerk, read... out of the record. On page 53 of the Calendar, appears House Bill 2675. Representative Kosel. Out of the record. House Bill 1145, Representative Parke. 1145. 1154. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1154, a Bill for an Act to amend the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Eleven... House Bill 1154

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deletes the extent... exclusions to the list of allowable direct costs of transportation. Transporting pupils for regular, vocational and specific education or pupil transportation concerning Illinois municipal retirement payments, social security payments, unemployment insurance payments and workers' comp insurance payments. The reason is that school districts that operate on, operate their own fleets of buses are not reimbursed from the state for those benefit costs that the drivers maintain that... drivers and maintenance workers. However, the school district that contracts with independent carriers are reimbursed for the entire transportation costs and including those benefits. This legislation will put districts that operate their own fleets on an even playing field with those that contract with independent carriers. And so, in essence, what we don't want to do is penalize those school districts that own their own fleets. I would stand ready to answer any questions. I think this is good and fair and equitable legislation. The only person to speak against this was the Department of Education. I have talked to them and though they verbally said that they now did not have a problem with it because they had another Bill that they were going to try and get out of committee which never got out of committee. So, therefore, they told me that they don't think they have any problems with this Bill now, either. So, I'll rise to answer any questions someone might have."

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

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

Speaker Hartke: "He indicates he will."

Black: "Yes, where is he? Where is he sitting? Oh, right here, okay."

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Parke: "We did this once before, Bill."

Black: "Yes, I remember that. Terry, the question I had marked on my file, about two or three years ago there was a court case over in Adams County as I recall, I think it was Quincy, that ruled school bus drivers could no longer draw unemployment during the Christmas holiday and the spring break, periods of time when school was out to exceed a week. And I'm, I don't remember all of the details of that court decision. I can't remember whether it was, I think it only affected those drivers who were under a contract to a school, not actually employees of the school. Does this address that concern at all?"

Parke: "No, it doesn't, but it was drawn up by some of the business managers and superintendents in some of the districts in my area. And I am sure that they worked with people that might very well know about this."

Black: "Yeah, maybe you and I can talk later because I don't think we've ever corrected... had legislation to correct that court case because in a contractual case some drivers do work during that holiday, like Christmas break because they do charter work. But, those drivers who weren't called in to work were no longer eligible for unemployment because of this court decision. And I think the court referenced that we would have to change the law, and I just thought maybe this did that. But, you say...."

Parke: "No..."

Black: "...it doesn't affect that?"

Parke: "Not at all."

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

Speaker Hartke: "Further discussion? Representative Parke to close."

Parke: "Thank you. I think this brings fairness and equity to

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all the bus systems of the state that transport our children and I would ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 1154 pass?'

All those in favor signify by voting 'yes'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?

Mr. Clerk, take the record. On House Bill 1154, there are 111 Members voting 'yes', 0 voting 'no', and 6 Members voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 46 of the Calendar, appears House Bill 979. Representative Dart. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 979, a Bill for an Act in relation to worker safety. Third Reading of this House Bill."

Speaker Hartke: "Mr. Dart."

Dart: "Thank you, Mr. Speaker, Members of the House. House Bill 979 is a Bill which is attempting to deal with a problem that is approaching epidemic levels, and it is something that I think is responsible in trying to go right after the problem. What it is, is this would require the Department of Public Health to set blood born pathogen standard governing occupational exposure to public employees or infectious materials. And provide that these, that the standards must include a requirement of a needleless system to be implemented in facilities, public facilities, where there's public employees. And the Department of Public Health is then required, as well, to put together a list of possible needleless systems that are available. When, when I talk about this being a problem is of epidemic proportion, let me read you some of the statistics here. Each year there are one million needle sticks. Health workers are infected at least 50,000 to 60,000 contracted

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have serious infectious disease from needle sticks in the last decade, AIDS cases one health care worker a week on average. Medical workers are four times more likely to die from a job related injury than a police officer. These numbers are outrageous, and we have a system right now that is available, it's been used in other states, as well, which could prevent this. There's absolutely no reason on the face of the earth why it is that workers in the health care environment should be subjected to this type of danger day in, day out. There's people that are concerned about some of the... the costs involved with this. Studies have shown that after a... a year after the implementation of this system savings are made. Savings are made because of the lack of requirements of trying to treat the people who have been stuck, the lack of lawsuits, the whole nine yards. This is a measure that's got a lot of support from a lot of people including I've been talking with the Medical Society, this is something they're also in favor with as well. It is something as I say, for a minimal cost will save peoples lives, will save people money, all of the above. It... it defys common sense and reason why this is not something we'd want to do, I... I dare say that our health care workers deserve nothing less than this. It's something we should do, this is very reasonable, and I appreciate your support, and I'd answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Lady from Cook, Representative Coulson."

Coulson: "Thank you, Mr. Speaker. I want to thank the Sponsor for working with us to make sure that there were some exemptions in the Bill and we appreciate that. I'd like to just encourage people to vote for this Bill because as a health care worker, who does not deal with needles at all,

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I've had to be in a situation where needles were improperly disposed of and I've had friends who have actually had a needle prick and had to live through 6 to 9 months of being concerned that they might have hepatitis or other more serious diseases. I'd really like to encourage people to support protecting our health care workers. Thank you."

Speaker Hartke: "Further discussion? Remind you, this is on Short Debate. Representative Turner."

Turner, J.: "Mr. Speaker, will the Gentleman yield?"

Speaker Hartke: "He indicates he will."

Turner, J.: "Representative, do you know why the Hospital Association is opposed to this Bill?"

Dart: "I'm not a 100% sure because they did not testify in committee nor have they talked to me since I've introduced this Bill at all. So, I'm... I'm unclear, but I... I can honestly tell you that I would imagine that they're fearful of some cost involved with it, which sort of frightens me because on average, per hospital, this is going to cost approximately about \$75,000. And the savings that they will get within a year of using this because I can't emphasize enough to you the number of lawsuits that come about as a result of some of this stuff. And numerous other problems that are caused by it. There's going to be tremendous savings involved. So, I'm assuming it's the money side of it, but I, I just don't know."

Turner, J.: "All right. My analysis also says that Pharmaceutical Research and Manufacturers Association are against it. Again, do you not know why or are we just speculating it's their..."

Dart: "No, no because I have numerous pharmaceutical companies that are strongly supportive of this and they've sent letters of support as well. There may have been some

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problems initially, I put an Amendment on yesterday which exempted out certain types of devices that I think some pharmaceutical companies were fearful of that the Bill as it originally was written was going to exclude certain medication and pharmaceutical instruments from being used. And I put an exemption in there yesterday that should have satisfied all of them. As I've said, I've got numerous pharmaceutical companies that are all in support of this because of the benefits involved with it, frankly."

Turner, J.: "All right. With regard to that Amendment, it appears that perhaps the pharmaceutical manufacturers removed their opposition, but the Hospital Association did not. Is that your understanding as well?"

Dart: "That, that's very possible. As I said, I have not talked to them."

Turner, J.: "You spoke about the possible fiscal impact, is there a fiscal note on this or do you know the fiscal impact?"

Dart: "I'm unaware of either of them."

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

Speaker Hartke: "This is on Short Debate. Representative Coulson. Not Coulson, Representative Kosel."

Kosel: "Thank you, Mr. Speaker, Ladies and Gentlemen. I was one of the people that had some concerns and I appreciate the Sponsor addressing some of those concerns. Some of them were that there are prefilled syringes out there that don't function and some of the other type of carpiuls that are used in various medical procedures. I do believe that the Amendment addresses those and the concerns that I brought forth have been addressed and I now stand in support of the Bill where I did not before."

Speaker Hartke: "Representative Osmond."

Osmond: "To the Bill."

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Speaker Hartke: "To the Bill."

Osmond: "I've been a paramedic out in the field, I use needles all the time in rolling trucks and I think this is a safety issue. I spoke with Victory Hospital, which is the resource center for Northern Lake County, they're in agreement with the Bill and I support it. Thank you."

Speaker Hartke: "Representative Skinner."

Skinner: "I wonder if the Sponsor would yield to a couple questions?"

Speaker Hartke: "Yes, he will."

Skinner: "Are these needles going to be required in clinics and doctors offices as well or only in hospitals?"

Dart: "All, in all places where there's public employees employed."

Skinner: "Public employees?"

Dart: "Yes."

Skinner: "How does that affect Victory Hospital?"

Dart: "Some... some of the different facilities it will not impact right now, but they... some of them are covered by OSHA right now. So, they will be covered under some of those procedures."

Skinner: "So, we're only talking Cook County Hospital, here, in Cook County, for example?"

Dart: "No, we're talking some of the other public facilities throughout the state as well. We're attempting, to be honest with you, my goal would be to make sure it impacts everybody. My hope is that if we get this moving along right now that we would have the ability to then go after all the privates as well to ensure that's done as well."

Skinner: "Well, this Bill has a very limited impact then?"

Dart: "Right now it does, yeah. We wanted to try to get the first step forward and then try to get it on a statewide

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basis for everybody as well. But, OSHA does cover the rest of the facilities right now. Which does... and OSHA does have standards already for blood born pathogens."

Skinner: "Thank you."

Speaker Hartke: "Representative Dart to close."

Dart: "Mr. Speaker, I... I would just ask the Body to give me some support on this Bill. It's been a bipartisan effort. I've gotten a lot of assistance from Members of the other side of the aisle in making this a much better Bill than what it originally was. It's the first step forward to making a... a strong statement that our health care workers in a very, very dangerous environment are very important to us. And as I said, the amount of money that will be saved in the long run here will be tremendous and not just in lives, but also in dollars for hospitals. So, I'd appreciate a favorable vote."

Speaker Hartke: "The question is, 'Shall House Bill 979 pass?' All those in favor of the Bill vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 979, there are 117 Members voting 'yes', 0 voting 'no', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Clerk, what is the status of House Bill 2492?"

Clerk Rossi: "House Bill 2492 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Place that Bill on the Order of Second Reading at the request of the Sponsor for a possible Amendment. What is the status of House Bill 2676?"

Clerk Rossi: "House Bill 2676 has been read a second time previously. No Committee Amendments. Floor Amendment #1,

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offered by Representative Leitch, has been approved for consideration."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you very much, Mr. Speaker. Amendment #1 permits a three year pilot program for the serious and persistently mentally ill and the alcohol and drug addicted people in my community to explore ways to make it, make the protocols the most effective they can be. There was no opposition in committee and I'd ask for your support."

Speaker Hartke: "Is there any discussion? The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2676?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #... Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. On page 41 of the Calendar... excuse me. Mr. Clerk, what is the status of House Bill 63?"

Clerk Rossi: "House Bill 63 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Place that Bill on the Order of Second Reading for the purposes of an Amendment. Mr. Clerk, what is the status of House Bill 452?"

Clerk Rossi: "House Bill 452 is on the Order of House Bills - Third Reading."

Speaker Hartke: "Place that Bill on the Order of Second Reading for the purposes of an Amendment at the request of the Sponsor. On page 41 of the Calendar, appears House Bill 161. Representative Lang. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 161, a Bill for an Act concerning utilization review and health care services. Third Reading

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of this House Bill."

Speaker Hartke: "This Bill is on Short Debate. Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill has the Amendment on it that was agreed to by Mr. Brady and Mr. Mautino and I. This is a, one step in a process to deal with some of the problems of HMOs. I know there are more comprehensive Bills around here, Bills that I've signed off on myself, such as the Bill of Representative Flowers. This has a couple of pieces in it. One piece deals with emergency room care, the other piece deals with finally getting a handle on utilization review folks in the State of Illinois. People who determine which claims to pay and which claims not to pay, to determine what is covered and what is not covered. This would put some standards in that process. This is a good proposal, we should send it to the Senate in a bipartisan way. I would ask your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Parke."

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

Speaker Hartke: "He indicates he will."

Parke: "Representative, you've indicated that there's some kind of an agreement on this Bill now that it's amended. Is that, that your understanding? That some people have said now it's a good Bill."

Lang: "That is correct. It's rare that Representative Lang gets a Bill out of the Insurance Committee with the approval of both Mr. Mautino and Mr. Brady. So, you can imagine that a lot of people are on board. The language here is language that I know that the Medical Society has signed off on. I believe many of the insurance providers have signed off on

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and I think we should move it forward."

Parke: 'Just a question. Do you know specifically who is in opposition to this now?'

Lang: "I haven't heard of any opponents to this, the Amendment that we added yesterday or the day before. To my knowledge there are none, but I wouldn't state that categorically, it's just that no one has called me."

Parke: "Thank you."

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

Brady: "Thank you, Mr. Speaker. Again, I just want to compliment the Sponsor and all those who worked on this. I ask for your favorable consideration."

Speaker Hartke: "Representative Mautino."

Mautino: "I'd just like to rise in support of this Amendment, and as the Sponsor said, this is language which had been worked out in the Senate and agreed by most of the parties out there. Our hope is to send it on over and to establish... set criteria in UR, and I just appreciate an 'aye' vote."

Speaker Hartke: "Mr. Lang to close."

Lang: "I ask for your support."

Speaker Hartke: "The question is, 'Shall House Bill 161 pass?' All those in favor will signify by voting 'yes'; those opposed by voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 115 Members voting 'yes', 0 voting 'no', 0 voting 'present'; and this Bill having received the Constitutional Majority, is hereby declared passed. For what reason does the Gentleman from Jefferson, Mr. John O Jones, seek recognition? He declines. With regards to the Agreed Bill List #2, the Clerk has certified that all Bills and House

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Joint Resolution 8 have received a sufficient number of votes, and thereby, the Bills contained on the Agreed List #2 have received the required Constitutional Majority, and are hereby declared passed, and the Joint Resolution adopted. Representative Durkin, for what reason do you seek recognition?"

Durkin: "Thank you, Mr. Speaker. On the previous Bill, House Bill 161, I had a temporary malfunction in my light switch, and I wish to just be recorded as a 'yes' vote."

Speaker Hartke: "The Journal will reflect your wishes. On page 52 of the Calendar, appears House Bill 2163. Representative Erwin. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 2163, a Bill for an Act concerning international tourism. Third Reading of this House Bill."

Speaker Hartke: "The Bill's on Short Debate. Representative Erwin."

Erwin: "Thank you, Speaker. On... God Bless you, Representative Schoenberg. This Bill seeks to fill a void in the state's tourism program, although we are fortunate to have one of the outstanding state tourism programs, I think, in the United States. In our new Tourism Committee, Chaired by Representative Holbrook, we have learned that one of the weaknesses, if you will, is in the area of International Tourism. What House Bill 2163 will do is, attempt to reallocate the excess dollars that are raised from the hotel Chicago only hotel tax going toward the Illinois Sports Authority, which as some will remember, funds White Sox Park. Currently, there is over \$20 million of money that was not needed to retire the debt that's been raised off of the Chicago hotel tax. And in fact, last year alone, the Sports Authority certified in excess of \$6.1 million. So, what the Bill seeks to do is, take some of

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those dollars which are rightfully raised off of Chicago hotels, and allow them to be used for statewide tourism programs to attract international travelers."

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

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I rise in strong support of the Bill. I appreciate the Representative's willingness to amend the Bill to include all of Illinois in this program. I sometimes think we often don't look in our own backyard. The great fascination that people in European countries and all over the world have with Abraham Lincoln, certainly means that many of them will travel to Illinois and then downstate to Springfield and other places where Abraham Lincoln worked, and held trial and held court, et cetera. So, I think this is a good program. It doesn't take any funding away from anybody else. It encourages the program to move forward and once we get them to our Gateway City of Chicago, obviously, an important destination, to encourage them to visit our sites throughout Illinois. And I think it can do nothing but benefit all of us throughout the state, and I urge an 'aye' vote."

Speaker Hartke: "This is on Short Debate. Representative Skinner."

Skinner: "Yes, the Representative's presentation of this is not totally illogical, but there seems to be a potential other use for the money. Why don't we just stop the subsidy to White Sox Park? Why don't we give the money back to the taxpayers?"

Erwin: "Representative Skinner, I think that there are many, probably in the hotel industry that would agree with that position. That's not likely to happen anymore than it's

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likely to happen that we'll row back the special taxes that are currently funding McCormick Place and Navy Pier, which are also in the same sort of hotel area of Chicago. I'm not a bond council or know a lot about public finance, but I'm told that the likelihood of that is not good. Although I do agree with you, in that, that it is not likely, I think the best hope is to at least make sure that these taxes are being used for a related purpose, and since our own Department of Tourism indicates that there is really a need in international tourism. We've heard from people from Springfield and around the state on this, the thought was that we could at least have the dollars go in that direction. That would be a good... would be a big help."

Skinner: "Well, it certainly wouldn't surprise me the folks in Springfield would accept a subsidy from Chicago."

Speaker Hartke: "Representative Jones."

Jones, John: "Thank you, Mr. Speaker and Members of the General Assembly. You know, this is a new committee that we've formed this year in tourism, and one of the biggest industries we have in the State of Illinois right now, and I think the Representative should be commended on the Bill she's drafted here. I think it's gonna benefit the whole State of Illinois in the long run, and I would just strongly urge an 'aye' vote on it."

Speaker Hartke: "The question is, 'Shall House Bill 2163 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Hoffman, 'aye'. Mr. Clerk, take the record. On this Bill there are 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'; and this Bill having received the Constitutional Majority, is hereby declared passed. On

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page 50 of the Calendar, appears House Bill 1863.

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

Clerk Rossi: "House Bill 1863, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of this House Bill."

Speaker Hartke: "This is on Standard Debate. Representative Reitz."

Reitz: "Thank you, Mr. Speaker. House Bill 1863 will help rectify a situation we have at Chester Mental Health Center, as far as transporting patients in the facility when they have a problem. It will allow the use of handcuffs on patients in the facility to take them back to their unit, so that they can be restrained there if necessary."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker, Members of the House. I rise in support of House Bill 1863. There's some cases... no one what's to be cruel to our inmates, but... and... and as some laws have been implemented, I think we incorrectly took some control away from our guards. Situations that occur when someone gets violent in the cafeterias. When situations occur when transporting. Without restraints, it makes it very unsafe for our guards and this is just a safety Bill. It's a good Bill and I ask for your support."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Logan, Representative Turner. The Sponsor will yield."

Turner, J.: "How did you know I was going to ask that? He guessed. We'll just attribute it to prescient, all right? Representative, I know there was some concerns raised in this committee... in the committee when the Bill was

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originally brought to the committee's attention concerning use of handcuffs. I think you amended the Bill to address some of the concerns, did you not, on putting some restrictions on when the handcuffs can be used and some guidance?"

Reitz: "Yes, we did. We..."

Turner, J.: "And what are those just for the record?"

Reitz: "They will use the handcuffs... It allows for... it authorizes temporary use of handcuffs on the individual recipient when necessary in the course of movement to and from the facility, and we also added that a record shall be kept of every incident in which handcuffs are used so that we'll be able to..."

Turner, J.: "All right... And with regard to the use of the term 'necessary' or the two words 'when necessary', that means used for the protection of the inmate himself or herself or for the protection of those responsible for the custody of that person."

Reitz: "That's exactly right, for the safety of the recipients and the staff."

Turner, J.: "Does this apply to only one facility in the State of Illinois?"

Reitz: "That's correct. We have one, Chester Mental Health, it's a maximum security mental health facility."

Turner, J.: "And has no applicability therefore to any other of the prison facilities throughout the state?"

Reitz: "That's correct."

Turner, J.: "Representative, thank you for your responses."

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

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

Speaker Hartke: "He indicates he will."

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Fritchey: "Representative, just one quick question. Looking at the analysis, are there individuals at Chester that have not been convicted of a crime? I'm look... and specifically, I'm looking here that it says there's individuals there that have been acquitted by reason of insanity, individuals have been charged or found unfit put in with other male persons with mental illness or in need of mental treatment. So, just curious if there are individuals with no criminal accusations that are being subject to possibly being handcuffed?"

Reitz: "It's possible that there may be people, if determined by the department that they have a mental illness or developmental... mental illness that would tend for them to be dangerous or violent tendencies."

Fritchey: "And I don't know and I don't think I have an issue with the Bill, but do you have any idea how somebody could wind up at Chester that is not a criminal or an accused criminal?"

Reitz: "In some form or fashion, Representative, everyone in there would have been convicted of a crime at one time, and then some of them could have been moved simply because they got off for insanity or things of that nature."

Fritchey: "Alri... Again, all I have to go by here..."

Reitz: "Right."

Fritchey: "...I'm not familiar with the facility, all I have to go by is the analysis. My concern, and it's not obviously your intention that we are subjecting people with mental illnesses who have no criminal reason for being in a facility, to... restraint by handcuffs."

Reitz: "The only... the only time this restraint is, is that it's a temporary nature and it's... specifically we have... we have problems whenever they have someone who has a problem,

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gets mad, for whatever reason in the cafeteria, there's three or four staff that are there watching all of them, and they have to constrain that person, take them back to their unit so that they can bring someone in to talk to them or whatever is necessary, but the problem we have is in the transport from the cafeteria back to their unit. Typically five, six, seven minutes is all it is, but it will allow the use of handcuffs, will allow them to take that person and have one staff person take them back instead of three or four, and while they're transporting them, they're... they're, you know... we have staff getting hurt."

Fritchey: "Did anybody slip this Bill as an opponent?"

Reitz: "No."

Fritchey: "Thank you very much."

Speaker Hartke: "Representative Reitz to close."

Reitz: "Thank you. I appreciate it. I appreciate the assistance of the committee in getting this Bill and help the... do what we need to help the people at Chester Mental Health. I appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall House Bill 1863 pass?' All those in favor of the Bill will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1863, there are 117 Members voting 'yes', 0 voting 'no', 0 voting 'present'; and this Bill having received the Constitutional Majority, is hereby declared passed. On page 45 of the Calendar, appears House Bill 870. Representative Scott. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 870, a Bill for an Act to amend the Counties... to amend the Counties Code. Third Reading of

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this House Bill."

Speaker Hartke: "Representative Scott."

Scott: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 870 would simply increase to \$15,000, the amount of partial reimbursement we give to a state's attorney for their work in state mental facilities, mental institutions, mental health facilities, from \$6000, and it only increases it in those counties that are between 70,000 and a million. And I'd ask for your favorable support."

Speaker Hartke: "Is there any discussion? The Chair recognizes the Gentleman from Kendall, Mr. Cross."

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

Scott: "Sure."

Cross: "Representative, how many counties does this affect?"

Scott: "I've got... I've got a list here, Tom. I'm not... I can't state a 100% accuracy that this is correct, but I think it affects six. And it only affects six if the Elgin facility is counted as being in Kane and not in Cook."

Cross: "How many assistants are we talking about?"

Scott: "Just one for each of those counties. And the rationale behind this, Tom, is that the state's attorneys do our work in terms of commitment hearings, they do the state's work, and in a community like Winnebago County, for example, I talked to our state's attorney there, this is his initiative that he's asking us to push. And what they do is, they have to devote an assistant state's attorney, a minimum of two days a week of court time in to help do these commitment procedures."

Cross: "We're not tying the hands of the local state's attorneys in any way are we?"

Scott: "No, not at all. In fact, they want this and this provides them with some additional dollars."

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Cross: "Let me just ask you a couple more questions. So, these assistants would handle only mental health cases?"

Scott: "No, what it is, is we give... there's a... in the State's Attorneys Act, there's a series of things for which we give as a state, partial reimbursement. For example, we give money to assistant state... an assistant state's attorney in counties where there are universities. We do it in counties where there are mental health facilities and some other state facilities."

Cross: "Thank you, Representative. Looks like a good Bill. Bye."

Scott: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes the Gentleman from Jackson, Representative Bost."

Bost: "Will the Sponsor yield?"

Scott: "Sure."

Speaker Hartke: "He indicates he will."

Bost: "I understand what you're trying to do, but is there a reason why we're setting the county size like that, because I know Union County is in my district and they have these problems. They have to deal with a lot of... the state's attorney there has to deal with a lot of the problems that exist when you have a facility of any type and that doesn't matter whether it's a mental health facility, also corrections."

Scott: "Right. You've got Choate in Union County, right?"

Bost: "That's correct."

Scott: "The Choate facility? What I would... what I would suggest, would be... would be this, if we can move this over across the way, I'm perfectly amenable to try to look at it for all the different population levels, so, if the Senate wants to do that and bring it back, we'd be glad to

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do it. In fact, if your Senator wants to pick it up and amend it to do that, I'd be happy to do that."

Bost: "Okay, we may work with you to do that. Thank you very much."

Scott: "Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, Representative Scott to close."

Scott: "Thank you. I just ask for a favorable vote."

Speaker Hartke: "The question is, 'Shall House Bill 870 pass?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 870 there are 90 Members voting 'yes', 26 Members voting 'no', and 2 Members voting 'present'; and this Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2147, Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2147, the Bill's been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Speaker. Amendment #1 to House Bill 2147 sets up a coordinating committee to promote tourism within the state. To my knowledge there's no opposition, and this has been worked out within committee on a bipartisan basis. It'll include the Director of DCCA, the Lieutenant Governor, people from both chambers and several other areas, IDOT and education. They would all come together to help promote tourism in our state. I'd move for its adoption."

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Speaker Hartke: "Questions on the Amendment? Representative Skinner.

Skinner: "Will these commission members be taking trips overseas under Representative Erwin's recently passed Bill?"

Holbrook: "That's not in here at all. They will meet quarterly, and I would imagine they would meet right here in the Capitol, I would assume."

Skinner: "I'm sorry, I couldn't hear whether you said yes or no?"

Holbrook: "That's not the intent of this. My... I would imagine that they're going to be meeting at least quarterly and I would imagine it would be here in either Springfield or Chicago where most of them are at. I don't know why..."

Skinner: "But they wouldn't have to go... they wouldn't have to go to Germany to see the impact of the t.v. ads we're gonna sponsor with Representative Erwin's Bill?"

Holbrook: "No, they wouldn't have to go over there for that."

Skinner: "Maybe they could see them by satellite."

Holbrook: "No."

Speaker Hartke: "Representative Holbrook to close."

Holbrook: "Good Bill. I move for the Amendment's adoption."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 2147?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. House Bill 2148. Representative Holbrook. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 2148, the Bill has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Holbrook, has been approved for consideration."

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Speaker Hartke: "Representative Holbrook."

Holbrook: "Thank you, Mr. Speaker. Amendment #1 sets up a promotions and development project program for tourism. It's something they've been looking to do for a while and our tourism committee has gotten together on this and on a bipartisan basis, set up a program that we think will enhance tourism here in the State of Illinois, and I'd move for its adoption."

Speaker Hartke: "The question is... is there any discussion? The Gentleman asks for the adoption of Floor Amendment #1 to House Bill 2148. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. On page 47 of the Calendar, appears House Bill 1352. Representative Moffitt. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 1352, a Bill for an Act in relation to bond. Third Reading of this House Bill."

Speaker Hartke: "Representative Moffitt."

Moffitt: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1352 is an initiative of the Illinois Sheriff's Association. Current statute says that after being elected sheriff that the sheriff has to obtain their bond within 20 days. If they're already holding office that's not a problem. In the case of a new sheriff, usually between the election and when they take office, is about 30 days. And so the... during that time, the difference, they really don't have authority to be obligating the county or to be paying for bills. So by extending this to 30 days, it allows the newly elected

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sheriff to be taking office at the time that they have to have the bond. It's cleanup language for their association. Be happy to entertain any questions."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall House Bill 1352 pass?' All those in favor will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On House Bill 1352 there are 118 Members voting 'yes', 0 voting 'no', and 0 voting 'present'; and this Bill having received the Constitutional Majority, is hereby declared passed. Leader Brunsvold in the Chair."

Speaker Brunsvold: "Mr. Clerk, what's the status of House Bill 706?"

Clerk Bolin: "House Bill 706, the Bill has been read a second time previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2667."

Clerk Bolin: "House Bill 2667, the Bill's been read a second time previously. No Committee Amendments; no Floor Amendments; no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 901."

Clerk Bolin: "House Bill 901, the Bill's been read a second time previously. No Committee Amendments; no Floor Amendments, no Motions filed."

Speaker Brunsvold: "Third Reading. House Bill 2333."

Clerk Bolin: "House Bill 2333, the Bill's been read a second time previously. Amendment #1 was adopted in committee. No Floor Amendments; no Motions filed."

Speaker Brunsvold: "Third Reading. Mr. Clerk, what's the status of House Bill 2605?"

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Clerk Bolin: "House Bill 2605 in on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. Mr. Clerk, House Bill 1539."

Clerk Bolin: "House Bill 1539 in on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. House Bill 1899."

Clerk Bolin: "House Bill 1899 is on the Order of House Bills - Third Reading."

Speaker Brunsvold: "Place that Bill on Second Reading. On page 44 of the Calendar, appears House Bill 631. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 631, a Bill for an Act regarding adoption. Third Reading of this House Bill."

Speaker Brunsvold: "The Lady from Cook, Representative Feigenholtz. Feigenholtz, excuse me, Representative."

Feigenholtz: "Feigenholtz."

Speaker Brunsvold: "Got it."

Feigenholtz: "Thank you. Thank you, Mr. Speaker. House Bill 631 amends the Illinois Adoption Registry. The spirit and intent of this Bill is to expand registry participation by allowing mutually consenting adults to voluntarily exchange updated medical information in addition to their wishes regarding contact. To this end, we have introduced a mechanism which allows all eligible registrants to voluntarily exchange information regarding genetically inherited diseases while still allowing those parties to maintain their anonymity, if so desired. The Bill waives the current \$40 registration fee for any applicant who voluntarily completes the heredity diseases section as a registration incentive. Indiana has passed a similar law

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three years ago and both quadrupled its registrations and achieved the highest match rate of any state registry in the country. I would be glad to answer any questions."

Speaker Brunsvold: "The Lady has asked for the passage of House Bill 631. And on that question, is there any discussion? The Lady from Kane, Representative Lindner."

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

Speaker Brunsvold: "Sponsor yields."

Lindner: "Representative, I think the Body received a letter from another State Representative with a number of items concerning your Bill and I'm wondering if you could clear these up. First of all, that there is a lot of controversy about providing the original birth certificate to the adopted person if a match is made within the registry."

Feigenholtz: "In the... In Indiana, Representative Lindner, when I talk about how the registrations have quadrupled... first let me talk about the State of Illinois. Currently, in the State of Illinois, if there are two parties who have mutually consented to exchange of information in the registry as it is today, there is still... it still does not allow for a birth certificate to be released. So it's very onerous. These two mutual consenting adults have to go to the court and ask... and petition the court, hire an attorney to get the original birth certificate. When Indiana changed their law to allow the original birth certificate, once the parties had agreed mutually, it quadrupled their registrants. And that is really what the incentive is. For people who have already united, such as myself and my birth mother, instead of us having to go to the court; if we have both matched at the registry, we... I personally believe, and Indiana believed that if you have two mutually consenting adults that they should be able to

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obtain their original birth certificate."

Lindner: "Well, now Representative, thank you, but what about the fact that either after a termination of parental rights or after somebody consents, you know to give up their parental rights, the fact that they don't anymore have access to any of their documents and that those documents are not theirs, but they are the court documents so that they don't have the authority to release them. Is that correct?"

Feigenholtz: "Representative, there is nothing in this piece of legislation... keep in mind that this is a mutual voluntary consent registry. If somebody does not come forward to put information into the registry, it's not there. There is no file open at the registry. So, if somebody is coming to the registry, the intent is that they want somebody to pick this up, to also affirmatively come forward. There's nothing that triggers documents flying anywhere."

Lindner: "And thank you."

Feigenholtz: "Did I answer your question? And another thing is, is that this is a Bill about adults who are over the age of 18, just like what we have in current statute today. This Bill expands what we have in the current registry to include medical information and genetically transmitted diseases. Right now, there is no mechanism in the State of Illinois where a birth parent can come forward anonymously and leave medical information. There is no mechanism in the State of Illinois to do this right now without leaving their name and without spending a whole lot of money, so this offers that kind of flexibility. There is nothing in this legislation that addresses the restoration of parental rights to a birth parent. This is not about the restoration of parental rights. This is a Bill about adults who need access to genetic and health information."

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Lindner: "And also, there's a question that if only one parent is matched and there is a birth certificate request, that there will be a name deletion..."

Feigenholtz: "That is correct..."

Lindner: "...on the birth certificate and what authority do we have to do that or why would that be done?"

Feigenholtz: "Well, actually, one of the main concerns of the Department of Public Health and other parties who are concerned about birth parent confidentiality, is third party disclosure. So, what we've done in this piece of legislation and I'll use myself as an example, is if I come to the registry and I have... and there's a match, so my birth mother and I have matched. And my birth father is named on my birth certificate, but I do not have an authorization from him. If I still desire to get my birth certificate with my birth mother's consent, the only way I can get it is if my birth father's name is whited out. Do you understand?"

Lindner: "Yes."

Feigenholtz: "I mean it's common sense."

Lindner: "And that would only be on your copy, obviously..."

Feigenholtz: "I'm sorry..."

Lindner: "That would only be on your copy. Obviously they would keep the original record."

Feigenholtz: "Correct. Absolutely. On the copy that the Department of Public Health is giving to me."

Lindner: "Now, also, there was a Supreme Court ruling or a Federal Supreme Court ruling, I guess, that talked about, well I'm not sure what it talked about, but there's an allegation that your... the statute that you are proposing... the Bill that you are proposing violates something that was already decided by the Supreme Court."

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Feigenholtz: "Well, I'm glad that you asked that question, Representative Lindner, because I think that unfortunately, the letter that was circulated really has caused a tremendous amount of confusion. The... the two cases that are cited in this letter were the Tennessee and Oregon lawsuits. Both of them were lawsuits that involved unrestricted access. What happened in the State of Tennessee is... there was an Open Records Bill that passed in the State of Tennessee. And it was really kind of a birth parent registry, where birth parents would have to come forward and file a disclosure veto. So, the lawsuit which was Doe v. Sundquist, Doe being the alleged birth mother who wanted birth mother confidentiality, Sundquist was the Governor of the State of Tennessee, and it was... the lawsuit was to close records. Because the Tennessee statute tried to open them and that is... it was open records was supported by the Appellate Sixth District Court and was denied tertiary by the Supreme Court. But when the plaintiff sued the state, the Tennessee State Supreme Court ruled that the law violated the Tennessee Constitution. The bottom line is, is that for every effort there has been made in this country to open sealed records, it has... there have been... there's been litigation and court rulings and it's flip-flopped and they have failed. Unrestricted access is something... is a very contentious issue. This is not a piece of legislation. House Bill 631 does not address the issue of unrestricted access. It is merely a Bill that promotes what is already in current practice in the State of Illinois and supports the expansion of that for medical information. But it is a mutual voluntary consent registry."

Lindner: "Thank you. And will this cost the state a lot of

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money? Because are we going to have to have some new repository for all these records?"

Feigenholtz: "No. Actually keep in mind that when this Bill was amended to Amendment #2, that all this really does is... this does not establish a file at the Department of Public Health until one party comes forward. So, there... so the co... first of all, the Illinois Adoption Registry has never been funded, ever. So, I've talked to the Department of Public Health and one of the things that they've told me is that for the first three years, that it'd be approximately \$375,000 and then it would drop down to \$125,000 after that."

Lindner: "And, Representative, does your Bill create duplication? Are there already two other programs in the state that are handling this information, the Confidential Intermediary and the TIES program?"

Feigenholtz: "The Confidential Intermediary Program is different from the adoption registry. It is... it trigger... it is a... it is a process under which somebody petitions the court for a confidential intermediary to go through the process of contacting a person. This is a registry Bill. This Bill is voluntary. Nobody makes any phone calls. People have to affirmatively come forward and leave something for somebody. And that... nobody, there's a possibility that no one will ever really come looking for the information. But the fact of the matter is, is that people should be able to leave it there. It's... this is not a Bill about reunions as much as it is a Bill about medical information."

Lindner: "Okay, thank you for answering my questions, Representative. To the Bill. I would stand in support of this Bill. I think that the Representative has answered

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all the questions that were in the letter that have circulated. Certainly medical information is extremely important to people and can help save lives. And I think when consenting adults do want to contact each other for other information, they should be allowed to do so. Thank you."

Speaker Brunsvold: "This Bill's on Short Debate. Mr. Hartke requests that it be put on Standard Debate, and is so placed. The Gentleman from Effingham, Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Will the Sponsor yield for some questions?"

Speaker Brunsvold: "Sponsor yields."

Hartke: "First, I want the Body to know that Sara and I have had lots of conversations about this piece of legislation. It's very important to both of us. We both have a very personal interest in the adoption records and in adoption in general. I have two children that are adopted and Sara is adopted. So, we have a personal insight on what's going on here. And we have a disagreement. We have an honest disagreement. I appreciate what Sara's trying to do and I hope she appreciates what I'm trying to do. Years ago when we adopted our children, we had a commitment made to us and that was very important and I don't want to violate that. Sara's going to open up some records for some people who are definitely in need of medical information. And I'm a little bit concerned about that, that may be opened up too much. And if she would bear with us, I'd like to ask her some questions. Sara and I have gone... we talk about the medical records. You want to have this depository of records for adoptees to go to, to see if they may have some genetic or inherited problems in their health that possibly that may be avoided if this were listed in the registry.

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Is that correct?"

Feigenholtz: "That's correct."

Hartke: "And only those individuals who are adoptees, who are adults, can go to the registry and ask that they search to see if there is a request or their information there. Correct?"

Feigenholtz: "The only other party that can come to the registry, Representative Hartke, are the adoptive parents of their minor children, birth parents and adoptees. Three parties."

Hartke: "Adoptive parents..."

Feigenholtz: "Of minor children."

Hartke: "Of minor children."

Feigenholtz: "That means if I'm 15 years old and I was adopted, my birth... my adoptive mother can go to the registry on my behalf. That is in current statute right now. So, that continues only it is now expanded to include medical information."

Hartke: "What would be in that registry now? If you're going to expand that to medical information."

Feigenholtz: "Right now in the registry, at the registry, if I would have to (a) affirmatively come forward and fill out an app..."

Hartke: "You. Explain, you."

Feigenholtz: "Me as an adult adopted person."

Hartke: "Okay."

Feigenholtz: "Would have to affirmatively come forward and fill out an application after I paid a \$40 fee."

Hartke: "Okay."

Feigenholtz: "And my... and my documents, right now, would sit in a file and nothing would happen..."

Hartke: "Where's this file located?"

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Feigenholtz: "It's at the Department of Public Health."

Hartke: "Department of Public Health in Chicago or in Springfield?"

Feigenholtz: "I believe it's down here on Jefferson Street at Vital Records. I'm not a 100% sure of that though, but it's here in Springfield."

Hartke: "Okay and you pay that \$40 fee to put that in a file?"

Feigenholtz: "Right."

Hartke: "Who has access to those files?"

Feigenholtz: "The Department of Public Health."

Hartke: "Only the Department of Public Health?"

Feigenholtz: "Right. The only other party... they are the only ones who have access..."

Hartke: "Okay, so, now, those are confidential files? Secured files now."

Feigenholtz: "Yes. Yes."

Hartke: "And you want now, to allow individuals to place medical records, such as birth parents, into this file. Correct?"

Feigenholtz: "I want them to come forward to the registry, if they choose..."

Hartke: "If they choose."

Feigenholtz: "...voluntarily..."

Hartke: "...voluntarily to put their personal medical history or records in that file at the Department of Public Health in a confidential file?"

Feigenholtz: "Correct."

Hartke: "How do we safeguard that confidentiality?"

Feigenholtz: "The same way we're doing it now. There is a Class C misdemeanor in the statute and will continue to be in this statute for violation or breach of confidentiality."

Hartke: "Okay, now. A birth mother can go in and place that information in hopes that her child, now 21 years old, may

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want to know about her genetic makeup and other medical information, correct?"

Feigenholtz: "Correct."

Hartke: "That birth... that child... that surrendered child..."

Feigenholtz: "Adult child."

Hartke: "...filling out the right forms can go and ask for this medical information. Is there any guarantee it has to be accurate?"

Feigenholtz: "There's a disclaimer in the legislation, Representative Hartke, and I... you know, I was talking to you about this yesterday."

Hartke: "Yes."

Feigenholtz: "I'm not sure exactly where you're going at with it. I don't think that my birth mother would voluntarily come forward to put erroneous medical information in a file."

Hartke: "Oh, I'm not implying that she would. But it's more than that, isn't it, Sara?"

Feigenholtz: "I don't understand what you're..."

Hartke: "Who else can place medical information in that record?"

Feigenholtz: "The only parties that can place medical information in that record are birth parents, adoptees and adoptive parents of children, of minors. When my birth mother dies, let me finish, when my birth mother dies, my half siblings can come to the registry and deposit medical information for my family, only, only, if they come with my birth mother's death certificate. So, we have set the burden very, very high. If my birth mother is dying and on her death bed, she says to my half sibling, 'get this information to your half sister...'"

Hartke: "And if she doesn't?"

Feigenholtz: "I'm sorry?"

Hartke: "And if she doesn't request that, who would know? Go

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ahead, excuse me. I didn't want to ruin your train of thought."

Feigenholtz: "You mean, if my half sister does this on her own volition, I would imagine that it's probably pretty important information. You mean, if my birth mother didn't sign a request before her death?"

Hartke: "No. I'm not requesting that, I'd say, but you indicated that if she did, or, you know, implying that maybe that was necessary and I don't think it is under your Act."

Feigenholtz: "You don't think that it's necessary that..."

Hartke: "I don't think it's necessary for the birth mother to request that this be put in the registry of a sibling or husband."

Feigenholtz: "Thank you."

Hartke: "Okay. Continue."

Feigenholtz: "I forgot the question."

Speaker Brunsvold: "Restate the question, Mr. Hartke."

Hartke: "Okay. Let's talk about the birth certificate just a little bit. You indicated that when you got this birth certificate from... this is a different, separate part of it though right? It's a different, separate part of your Bill? Because the birth certificate really is not located at the Department of Public Health today, is it?"

Feigenholtz: "Yeah, it is. In the Department of Public Health, from what I've been told, the original birth certificate is a document that is at the bottom and the amended birth certificate is stapled over it. Those are the two documents in a file right now at the Department of Public Health."

Hartke: "Okay. And right now, under current law, you have no right to that birth certificate, correct?"

Feigenholtz: "That's correct."

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Hartke: "And if your birth father's name is on that and he hasn't signed a... a release, there's no way that you can get that birth certificate today or anytime, correct?"

Feigenholtz: "Without... right, that's correct. No way."

Hartke: "Okay. Now. If your... if your birth mother says it's okay and you've requested it, then you can get that birth certificate even though your birth father had not signed off because this thing requires that it be whited out and then recopied.

Feigenholtz: "Right. The copy that I get is whited out so that we can protect him from third party disclosure."

Hartke: "Okay. And that's an important part of this Bill. I have no objection to that part of this Bill."

Feigenholtz: "Actually that... I'm not sure that that's really the important part of the Bill, Chuck. I think the important part of the Bill is the spirit and the intent of it, which is what I was talking about at first. Which is... because we, in Illinois, have retroactively sealed adoption records for 99 years and have really done a terrible job of figuring out what it is people in the immediate triangle of adoption, the adoptive parent, the birth parent and the adoptee really want because things are so fragmented. I think it's important for us to create a central repository and I think it's a... it's a concept whose time has really come and gone, because there are so many other ways now for people to conduct searches. What happens is when you restrict something is you create a market. Very often a black market. Because people have to go... at this point the only way for my birth mother to get me medical information about my genetic history is through the black market. So, by creating this registry and creating incentives in this registry, it is my hope to bring people

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out of the black market and into a safe legal way of searching. The access to the original birth certificate creates an incentive for this. In the State of... in the State of Indiana, when they employed this exact same legislation, the registry... keep in mind that Illinois only has, in 13 years, 1,097 applicants to its registry and 37 matches. When an adoptee is looking to sign up, or a birth parent to sign up in a registry, they are not looking at the registries that have a paltry 1,097 people in it. They're looking for those big fat, high numbers where there's 10, 12,000 people and perhaps then there's an opportunity to find something. In the State of Illinois, because there had been so many reunions, one of the things that..."

Hartke: "Good or bad?"

Feigenholtz: "The beauty of getting the birth certificate is people have already been reunited who want their birth certificate. If we're offering that to them in this Bill with a match, we're bringing people to the registry to register so that they can get it. And once we do that, we make the numbers on the registry big and more people come. It's... it's... if you build it, it will come... come concept. And waiving the \$40 fee is huge. Because you were asking me about this yesterday. There are 10,000 Illinois adoptees registered with the International Soundex Registry, because it's free. Compare that to the 1,097 registrants in Illinois. And then look at... look at Indiana. Indiana, in three years has quadrupled it's registrations and trip... and it has the highest match rate in the country."

Hartke: "Representative Feigenholtz, there's a couple of things I don't buy. And we talked about this yesterday. I don't

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think in today's society, \$40 is going to keep any adoptee... any adoptee or anyone if they have a burning desire to find out the information about their birth certificate or to register. I'm willing to bet you a dollar to a doughnut here in this House that there are about 116 Members that didn't know the registry existed. And for you to tell me that \$40 is going to open this all up because now you're going to provide a match with... with people so that they can get their birth certificate, I think you're blowing smoke. This is absolutely ludicrous. I know what you're trying to do, and I appreciate that. And I want to find some way, as well, to protect the confidentiality, the security, of a trust that was made when kids were adopted years ago, mine included. When that is not violated and so forth, then I can agree with your Bill. I'm going to vote 'present' now. I am still not happy. And I don't want to belabor this thing. It's Friday afternoon, most people are excited, probably not paying attention, but I want to continue to work with you to make this thing right. Because there are three sides to that triad. You know that and I know that."

Feigenholtz: "I know that."

Hartke: "And I think you've experienced one, with your birth mother and you..."

Feigenholtz: "...and my adoptive mother too..."

Hartke: "...and I'm on the other side of that and I've experienced it as well. And not every reunion that we see on T.V. with Oprah Winfrey, is a happy one."

Feigenholtz: "That's correct, it is not."

Hartke: "And you can't forget something you don't know. Think what I said there. Not everyone is happy and not everybody wants to know."

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Feigenholtz: "And that's correct and that's why this is a good idea, Chuck. Because this is a voluntary, mutual consent registry. Only people who want to come will come."

Hartke: "To the Bill."

Speaker Brunsvold: "Proceed."

Hartke: "Ladies and Gentlemen, I hope you've listened to Sara and I talk. We're friends and we're going to remain friends. But we have a very personal difference on this Bill. I want it right and I think she wants it right, but we do have a difference yet. I'm going to vote 'present'."

Speaker Brunsvold: "Further discussion? The Gentleman from Vermilion, Mr. Black. Excuse me, Mr. Black. Mr. Clerk, announcements."

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

Speaker Brunsvold: "Okay. Mr. Black."

Black: "Yes. Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. I won't ask any questions of the Sponsor. I think Representative Hartke has done that very well. I hope many of you listened to it. I rise with Representative Hartke and I have a very personal involvement with this Bill, as does Chuck. And I know Representative Feigenholtz means well, but we're on perhaps different sides of the same street. Thirty years ago, my wife and I made a decision to adopt a child, probably the best thing we ever did in our lives. I've looked on in recent years, as people have shown up on people's front doors, said 'Hi, I'm your mother.' or 'Hi, I'm your father.' Or, as you've seen in the newspaper, the courts intervene and take your adopted child back with somebody that the child never knew. Unless you've been

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through this, you don't know what Chuck and I deal with on this Bill, and I know what Sara's been through from the other side of it. But if you want to put a chill on adoption in the State of Illinois, pass this Bill. To some of you, adoption is just a bumper sticker that you put on your car, so that you can show your feelings for pro-life or pro-choice. Some of us have gone through it. In my case, it was the best thing I ever did. But with recent court developments, recent things that you've seen in the news, young people today live in constant fear that someone will show up on their door, say 'I'm here to reclaim my daughter.' That's my daughter. I went through the process. I raised her. She's now a beautiful young woman, recently made me a grandfather. So, what this Bill does, when all is said and done, you're going to take the authority from a court and God knows they've made their share of mistakes, on whether or not to grant access to records, you're going to shift it to the Department of Public Health. Then you're going to interfere in an attorney/client privilege. And you're going to tell the attorney that your attorney/client privilege may not... may not hold in this case. And you will turn those files over to someone. My daughter has known from the time she was old enough to understand what a special child she was. She's never asked for the records. We've told her, repeatedly, if she wants them, she can have them. For those of us who have gone through the process, don't put us in a position where we've lived in fear for the last ten years. The confidentiality can be breached and somebody can show up and say, 'Thank you, you've done a great job, but that's my daughter, and I'm now going to be a part of your life.' And it works the other way on occasion too. Sometimes the

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adoptive child shows up on the door step of the birth mother or the birth father and they didn't want that either. I don't know what the answer is. And I don't know what Sara will or will not be able to work out on this case. But I've looked at this very carefully, as someone who has lived it. In all due respect to Sara, I don't think this is the way to go. And I simply ask you to vote 'no'."

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

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

Speaker Brunsvold: "Sponsor yields."

Scully: "Representative, how would you intend to notify the public of the availability of this information?"

Feigenholtz: "Representative Scully, I'm glad you asked that question. One of the things that the registry has failed to do in the last 13 years is... it has absolutely failed to advertise. So, one of the things that we are working with right now is talking to the Secretary of State's office to include it in some of their mailings, and working with the Department of Public Health on further getting the message out that the registry exists."

Scully: "Representative, on page 3, line 19 through 33 of your Bill, I think it says something different. I think it requires the department shall conduct a public information campaign through public service announcements..."

Feigenholtz: "Right."

Scully: "...and other forms of media. And for a minimum of four years, through notices on driver's license renewal applications, to inform adoptees of surrendered parents of these rights. Do you think that's good public policy?"

Feigenholtz: "Representative Scully, I believe that the Secretary

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of State's office will very often mail out information about other state programs. I spoke to one of the Secretary of State's deputies about how this is done and apparently they... every month will do three or four different inserts in their mailings. Do I think it's good public policy as far as what, Sir?"

Scully: "Do you think it's good public policy... public policy to notify the public that this information is available and that these information systems exist?"

Feigenholtz: "I think it's important for the registry to be advertised so that people know that there's a safe and legal way to go about doing this."

Scully: "To the Bill."

Speaker Brunsvold: "Proceed."

Scully: "I respectfully disagree with the Representative that it is good public policy. I think it's very bad public policy. I think the proper public policy of the State of Illinois should be to respect the finality of adoption. To respect the finality that 30 years ago, your earlier speaker was in a court, where the court said, 'This is your daughter, and go raise her.' There's been a lot of talk about the birth certificates. An adopted child has a birth certificate. And it has her mother and father listed on it. I think it's bad public policy to be aggressively advertising to be mandating that the department conduct a public information campaign through public service announcements. I think we have to respect the finality of the family unit. And I ask that you vote 'no' on this Bill."

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

Erwin: "Thank you, Speaker and fellow colleagues. I rise in strong support of House Bill 631. A few years ago,

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Representative Don Moffitt and myself, and as a matter of fact, Representative Sara Feigenholtz, sponsored a Bill, which I know at the time, Representative Moffitt and many of us believed was landmark legislation leading the country in genetic testing protection. It was a Bill, that at the time, we felt very strongly in this chamber as we looked at this issue that genetic information, we are told, will be the civil rights issue of the next millennium. And indeed, as our... many of our colleagues struggle with cancer and many other diseases, our citizenry struggles with trying to learn how they can pass on to their children a safer, healthier life. We know that your family medical history in the genetic predispositions for diseases and illnesses are a very, very critical thing. I ask any of you to think about a visit to a physician, almost any doctor. What is the very first thing you're asked? The family history in terms of your medical history. I don't care whether it's a podiatrist, a chiropractor, a cardiologist, an oncologist, the first question is going to be 'Fill out your family history'. Ladies and Gentlemen, this Bill does not attempt to interfere with the lives and the happy lives, thank you for those as Sara's adoptive mother did, brings children into their homes, loving homes, and raises them. We are so fortunate to have men and women in our state and country that will do this. This Bill does not infringe upon that. But what it does do is say, that people have a right to know the medical information that may help save their lives. This is a reasonable proposal without interfering in family units, to have a way to distribute that important information. If you don't want to do it, you do not have to. But, Ladies and Gentlemen, I will tell you that you all have constituents today, who are in a quandary because

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they have a child with a life threatening disease and might need a bone marrow transplant, a kidney transplant, or some other life saving procedure and if only their biological mother or siblings knew, they might help. They might help save that life. This Bill is not an attempt to interfere in the adoptive families who have so lovingly brought children into their homes. Nor is it an attempt to interfere with biological mothers who have made a conscious decision to allow their children, and I would say, in a loving way, have their children be raised by a family that can offer them a better life. We are fortunate that biological mothers make those decisions. I agree with that. But today as we approach a new century, the family history and genetic information is so critical. If we can see through and past the emotions of this, to a way to bring this information together, I think that this Bill is not going to do the things that many of you think it is going to. And I would urge you to vote for it. There are many people who, you know, as individuals don't have a choice as how they're brought into the world. I think at a minimum, minimum, we have a responsibility to make sure that people have a right to genetic and health information if their families want to give it and would be willing to enter into this adoption registry, so, I urge a very strong 'yes' vote."

Speaker Brunsvold: "The Lady from Cook, to close."

Feigenholtz: "Thank you, Ladies and Gentlemen of the House. We've heard some very, very emotional... emotional and very compelling and understandably compelling comments from some people who oppose this legislation today. But there's a few things that I would like to say. In 1956, when my adoptive mother delivered me, after taking care of my birth

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mother when she was pregnant with me, and after taking care of my birth mother after she gave birth to me, I don't think that it was ever the intention of God, or the Universe, to ever prohibit me from getting my medical history. The triangle of adoption is a very, very gentle thing. And I'm not really sure how all of this really happened. I don't know how birth parents and adoptive parents, and adoptees got ripped apart, because I really don't think that that's how it was meant to be. There have been situations in the State of Illinois in the last ten years that have really hurt adoption in the State of Illinois and I don't take anything away from them. But what we have to do is look at what this legislation does. It is a safe, practical way for people to come forth and maintain their anonymity. It is not invasive by any means and there are... what we're trying to do in this legislation is bring people in voluntarily. Bring people in safely so that they can get this genetic information. So that they don't do what some of the previous speakers have said, which is show up on someone's door step and say, 'I'm your mother.' I really... that really hurts. That demonizes adoptees. It demonizes birth parents and it demonizes adoptive parents. Is that what adoption is all about? It's not to me. My adoption was the most beautiful experience of my life. I am a very special person. I have another identity. And I also have genetics that I have to adhere to. I have the great fortune of having a birth mother, who can call me up and tell me, 'You're healthy. Your grandparents lived 'til 90.' I have a birth mother who can call me up and say, 'Go get your eyes checked. I just went to the eye doctor and my eyes are getting worse.' That woman is not my mother. I had one mother. One

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mother. Bill Black's daughter has one father. That is the father that raised her. The father that changed her diaper. The father that picked her up when she fell off her bicycle. Ladies and Gentlemen of the House, please vote 'yes' for this Bill. It makes a lot of sense. Thank you."

Speaker Brunsvold: "The question is 'Shall House Bill 631 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. And on that question, there are 93 voting 'yes', 16 voting 'no', 9 voting 'present'; and this Bill having received a Constitutional Majority is hereby declared passed. On page 26 of the Calendar Mr. Clerk, appears House Bill 1874. What's the status of that Bill? Representative Klingler, is that Amendment... do you want to proceed without the Amendment?"

Klingler: "No, I need to have a very simple Amendment on... and placed on the Bill."

Speaker Brunsvold: "Nope, it's not out of Rules yet, Representative. Take that Bill out of the record. House Bill 2574, on page 37 of the Calendar."

Clerk Rossi: "House Bill 2574 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Barbara Currie, has been approved for consideration."

Speaker Brunsvold: "Representative Currie on Amendment #1."

Currie: "Thank you, Speaker, Members of the House. This Amendment is intended to encourage physicians to provide appropriate pain relief to ill patients and to make the bureaucracy of the triplicate prescription form no longer an obstacle for making the best possible prescriptive uses."

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Illinois is one of only a couple of states that still require triplicate prescriptions. This Amendment would abolish the triplicates which still provide for filing of the information about what controlled substances are actually prescribed to the State Department of Human Services, and would continue to provide monitoring of the Controlled Substances Program. There is no opposition to this Amendment. The Medical Society and the state agencies that currently deal with this area, believe they would actually save money if we were to adopt this approach. I'd be happy to answer your questions, and would appreciate your support for the Amendment."

Speaker Brunsvold: "The Lady's asked for adoption. On that question, the Gentleman from Kendall, Mr. Cross."

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

Speaker Brunsvold: "Sponsor yields."

Cross: "Representative, and I confess I'm not familiar with the underlying Bill but what..."

Currie: "This becomes the Bill."

Cross: "Why... what's the rationale or even the need for this Bill?"

Currie: The rationale is that only about three states, maybe only two, still require triplicate prescription forms. People who deal with terminally ill patients suggest that the use of triplicates is an obstacle... is a deterrent to doctors when they are making decisions about what kind of pain medication or what other kind of prescriptions to offer their patients."

Cross: "And, it sounds like everybody's in agreement with this?"

Currie: "Indeed."

Cross: "Okay. Thank you."

Speaker Brunsvold: "Thank you. Further discussion? Seeing none,

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the question is, 'Shall Floor Amendment #1 to House Bill 2574 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment has been adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Barbara Currie."

Speaker Brunsvold: "Representative Currie, Floor Amendment #2."

Currie: "Thank you. This is a technical correction in Amendment #1 offered by the Department of Profession Regulation."

Speaker Brunsvold: "Is there any discussion? Seeing none, the question is, 'Shall Floor Amendment #2 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and Floor Amendment #2 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, what's the status of House Bill 1878?"

Clerk Rossi: "House Bill 1878 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Delgado, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Cook, Representative Delgado, on Floor Amendment #1."

Delgado: "Thank you, Mr. Chairman (sic-Speaker) and Members of the House on both sides. House Bill 1878, Floor Amendment #1, speaking to the Amendment, the Amendment becomes the Bill. It allows the school district... allows monies appropriated for the purpose of this Section, the State Board of Education shall provide after school program grants to qualify... after school program grants to qualifying school districts for the purpose of providing academic assistance at the end of the regular day of instruction or on nonschool days for students and their

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families at school sites in the qualifying school districts. A school district would qualify, it may apply for a grant under this Section, if the district contains one or more schools in which at least two-fifths of the students at the school fail to meet the state academic standards as determined under Section 2.2-3.64 of this Code."

Speaker Brunsvold: "The Gentleman has explained the Amendment. Is there any discussion? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted to House Bill 1878?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Delgado: "Thank you, Mr. Speaker."

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. Mr. Clerk, House Bill 1280."

Clerk Rossi: "House Bill 1280 has been read a second time previously. No Committee Amendments. Floor Amendment #1, offered by Representative Winkel, has been approved for consideration."

Speaker Brunsvold: "The Gentleman from Champaign, Representative Winkel, on Floor Amendment #1."

Winkel: "Thank you, Mr. Speaker. Amendment #1 to House Bill 1280, is a clarification of the language that was previously approved by the Human Services Committee. It's language that was done in collaboration between the Illinois Psychiatric Society and the Illinois State Medical Society to clarify the language, and I would ask for its adoption."

Speaker Brunsvold: "The Gentleman has offered Amendment #1 to House Bill 1280. Is there any discussion? Seeing none, the question is, 'Shall Floor Amendment #1 be adopted?' All in favor say 'aye'; opposed 'nay'. The 'ayes' have it

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and Floor Amendment #1 is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Brunsvold: "Third Reading. On page 49 of the Calendar, appears House Bill 1809. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1809, a Bill for an Act amending the Vehicle Code. Third Reading of this House Bill."

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

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1809 is an initiative of the Secretary of State's office. It just codifies something that is already being done within the Secretary of State's office. Right now, there is a reduced fee registration option available to anyone that uses their trucks on a limited basis and if the owner elects this option and the vehicle is used for more than the allotted miles, he has to pay a fee or a penalty. What this Bill does is, it says that if the owner does not pay that fee than a surety has to pay the fee. As I said, it's already being done. There was no opposition to the Bill in committee, and I'd appreciate an 'aye' vote."

Speaker Brunsvold: "The Gentleman has asked for passage. Is there any discussion? Seeing none, the question is, 'Shall House Bill 1809 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 118 Members voting 'yes', 0 voting 'no', 0 voting 'present'; and this Bill having received a Constitutional Majority, is hereby declared passed. On page 44 of the Calendar, appears House Bill 558. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 558, a Bill for an Act amending the

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School Code. Third Reading of this House Bill."

Speaker Brunsvold: "The Gentleman from Williamson, Representative Woolard."

Woolard: "This is an initiative of the State Board of Education. It's something... it's more technical and cleanup in nature than anything else. It's to ensure that the kids are addressed in a proper fashion rather than the money be the driving force. Would encourage your support for House Bill 558."

Speaker Brunsvold: "The Gentleman has asked for passage. Is there any discussion? Seeing none, the question is, 'Shall House Bill 558 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On that question, there are 116 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. On page 24, appears House Bill 1780. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 1780 has been read a second time previously. No Committee Amendments; no Floor Amendments; no Motions filed."

Speaker Brunsvold: "Third Reading. Page 45 of the Calendar, appears House Bill 909. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 909, a Bill for an Act to amend the Environmental Protection Act. Third Reading of this House Bill."

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

Giglio: "Thank you, Mr. Speaker, Members of the House. House Bill 909 is a response to the recycling legislation we passed out of here in the 90th General Assembly, and adds some penalties for legal dumping, and I would ask for your

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favorable support."

Speaker Brunsvold: "The Gentleman has asked for passage of House Bill 909. And on that question, is there any discussion? Seeing none, the question is, 'Shall House Bill 909 pass?' All in favor vote 'aye'; opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Has Mr. Lawfer recorded himself? Mr. Clerk, take the record. On that question, there are 118 voting 'yes', 0 voting 'no', 0 voting 'present'. This Bill having received a Constitutional Majority, is hereby declared passed. The Gentleman from McDonough, Mr. Myers, for what reason do you rise?"

Myers: "Thank you, Mr. Speaker. On House Bill 558, I inadvertently hit the wrong button and failed to press my 'yes' button, and would like the record to reflect that I would have voted 'yes' on that Bill."

Speaker Brunsvold: "It will so reflect. House Bill 1219, Mr. Clerk, on page 47 of the Calendar."

Clerk Rossi: "House Bill 1219, a Bill for an Act in relation to alcohol. Third Reading of this House Bill."

Speaker Brunsvold: "The Lady from Peoria, Representative Slone."

Slone: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that would... the purpose of the Bill is to assist in publicizing the dangers of fetal alcohol syndrome. The Bill is brought to me by the Director of the Peoria Area of Retarded Citizens, which is an agency in our area that treats and helps care for many of our retarded citizens in our community. And the concern is that the people who come and need care from Park and other such agencies, those who have fetal alcohol syndrome tend to have a wide variety of symptoms and a wide variety of secondary behavioral problems. These folks tend to be

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extremely costly to care for and it is their hope that as part of a general educational campaign to increase public awareness of this problem, that it would be most helpful if we had better signage in our bars and restaurants to help inform women of the dangers of fetal alcohol syndrome. So, what the Bill would do, is to have... to substitute the existing sign that is currently used with another sign that's a graphic sign that would be displayed in the ladies rest room of the bars and restaurants, so that it would not necessarily be something that would be posted where everyone would have to see it. And it... the sign would simply show... it shows a pregnant woman with the universal red circle and slash over her alcoholic beverage, and this would substitute for the existing sign. And the fines and so on, would remain the same and the enforcement would remain in the Department of Liquor Control. I would respectfully request your 'aye' votes, and I'd be happy to answer questions."

Speaker Brunsvold: "The Lady's asked for the passage, and on that question, is there any discussion? The Gentleman from Vermilion, Mr. Black."

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

Speaker Brunsvold: "Sponsor yields."

Black: "Representative, did you amend your Bill to take out the existing sign that's already required under law?"

Slone: "That's the intent of the Amendment, yes. Also, the Amendment takes the enforcement back to the Department of Liquor Control. At one point, it was with the Public Health Department."

Black: "All right, so, so the fact that we already have a fetal alcohol sign mandated by law, you've taken that out?"

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You've eliminated the existing law, right?"

Slone: "That's the idea. Yes, Sir."

Black: "Well, see, I'm confused when you say that's the idea. Either the Amendment states it or it doesn't?"

Slone: "My understanding is the Amendment states that."

Black: "Okay. Does your Bill still say that the fetal alcohol sign is already required... excuse me, that it has to be posted in the bathroom?"

Slone: "The original Bill said that, yes."

Black: "Oh, so you took the bathroom location out? So, now it just says you have to have a sign, right?"

Slone: "I don't believe so. If that's what the Amendment does, then it's not as it was intended to be."

Black: "Is there any... is there any mandate for signage in your Bill as amended?"

Slone: "The Amendment doesn't replace the Bill, Sir, so, I believe that the language requiring the bathroom signage is still there as a part of the original Bill."

Black: "I was going to say that the Amendment doesn't become the Bill, does it?"

Slone: "No, it does not."

Black: "Okay. So, the underlying Bill requires a fetal alcohol sign to be posted in a conspicuous location, correct?"

Slone: "The existing statute requires that sign. The original Bill requires the graphic sign in the ladies room."

Black: "So, we have two signs."

Slone: "No."

Black: "Where is the sign gonna be hung? In the bathroom or in the establishment?"

Slone: "Just a moment, Mr. Black, please."

Black: "I'm sorry, where?"

Slone: "Mr. Black, what the... the way the Amendment works is, it

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leaves the requirement for the government warning sign which is federally required in place for those holders of a retail license that only... that only offer alcohol for use off premises. It leaves the existing sign for those that don't serve alcohol on premises, like for package store. It leaves the existing law in place for the package stores. Or convenience stores. It changes the law only for places that serve alcohol on premises."

Black: "Well, staff tells me, and I don't understand this at all, it appears to me that you're duplicating signage. There's already a law that says you have to have a sign warning alcohol may be dangerous to your health or whatever it says. Then you are requiring in 1219, that every holder of a retail license which sells or offers alcoholic beverages, they shall, not may, shall post a sign in a conspicuous location. Correct?"

Slone: "Mr. Black, what you're reading from is existing language. What we've taken out of there..."

Black: "No, Representative, I'm reading... my staff prepares notes on your Amendment and that's what I'm reading. See, here's the Amendment and here's my staffer's notes on top of the Amendment."

Slone: "Okay. Mr. Black... Mr. Speaker, would it be possible to take the Bill out of the record for a..."

Black: "I think that..."

Slone: "...minute while we resolve this?"

Black: "I think that would be a wonderful idea. Thank you. Then we can meet and discuss it in the bathroom which is a conspicuous location."

Speaker Brunsvold: "Mr. Clerk, take that Bill out of the record."

Slone: "Thank you."

Speaker Brunsvold: "Mr. Clerk, what's the status of House Bill

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1782?"

Clerk Rossi: "House Bill 1782 has been read a second time previously. No Committee Amendments; no Floor Amendments; no Motions filed."

Speaker Brunsvold: "Third Reading. Representative Black, for what reason do you rise?"

Black: "Mr. Speaker, the hour grows late. I'm not sure we're very productive, I move to adjourn."

Speaker Brunsvold: "Representative Black has moved to adjourn. The House will adjourn and return on Monday the 22nd, at the hour of one p.m. Allowing perfunctory time for the Clerk, all in favor of the Adjournment Motion say 'aye'; opposed 'nay'. The 'ayes' have it and the House does stand adjourned until Monday the 22nd, at one p.m."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction and First Reading of Senate Bills. Senate Bill 17, offered by Representative Lindner, a Bill for an Act to amend the School Code. Senate Bill 19, offered by Representative Lang, a Bill for an Act regarding child support enforcement. Senate Bill 43, offered by Representative Parke, a Bill for an Act concerning cancer research. Senate Bill 44, offered by Representative Klingler, a Bill for an Act to amend the Public Aid Code. Senate Bill 51, offered by Representative Reitz, a Bill for an Act to amend the Property Tax Code. Senate Bill 82, offered by Representative Delgado, a Bill for an Act amending the Abused and Neglected Child Reporting Act. Senate Bill 94, offered by Representative Novak, a Bill for an Act amending the Harassing and Obscene Communications Act. Senate Bill 110... Senate Bill 110, offered by Representative Holbrook, a Bill for an Act to amend the Income Tax Act. Senate Bill 122, offered by Representative

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Winters, a Bill for an Act concerning professional land surveyors. Senate Bill 123, offered by Representative Winters, a Bill for an Act concerning the regulation of the practice of architecture. Senate Bill 126, offered by Representative Saviano, a Bill for an Act concerning structural engineers. Senate Bill 127, offered by Representative Saviano, a Bill for an Act concerning professional engineers. Senate Bill 128, offered by Representative Brunsvold, a Bill for an Act to amend the Income Tax Act. Senate Bill 178, offered by Representative Brosnahan, a Bill for an Act to amend the Jury Act. Senate Bill 214, offered by Representative Andrea Moore, a Bill for an Act to amend the Income Tax Act. Senate Bill 233, offered by Representative Mautino, a Bill for an Act to amend the Upper Illinois River Valley Development Authority Act. Senate Bill 242, offered by Representative McKeon, a Bill for an Act to amend the Condominium Property Act. Senate Bill 257, offered by Representative John Turner, a Bill for an Act to amend the Code of Civil Procedure. Senate Bill 283, offered by Representative Winters, a Bill for an Act to conform state statutes to existing state practice. Senate Bill 360, offered by Representative Novak, a Bill for an Act to amend the Illinois Department of Revenue Sunshine Act. Senate Bill 380, offered by Representative Scully, a Bill for an Act to amend the Property Tax Code. Senate Bill 387, offered by Representative Scully, a Bill for an Act to amend the Election Code. Senate Bill 400, offered by Representative Cross, a Bill for an Act to amend the Juvenile Court Act. Senate Bill 421, offered by Representative Schoenberg, a Bill for an Act to amend the Illinois Procurement Code. Senate Bill 451, offered by Representative Hamos, a Bill

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for an Act to amend the Property Tax Code. Senate Bill 656, offered by Representative Delgado, a Bill for an Act to amend the Liquor Control Act. Senate Bill 658, offered by Representative Parke, a Bill for an Act to create the Orthodontics and Prosthetics Practice Act. Senate Bill 667, offered by Representative Parke, a Bill for an Act to amend the Workers' Compensation Act. Senate Bill 685, offered by Representative Lang, a Bill for an Act regarding treatment of prostate cancer. Senate Bill 725, offered by Representative Fowler, a Bill for an Act concerning aquaculture. Senate Bill 730, offered by Representative Monique Davis, a Bill for an Act to amend the Juvenile Court Act. Senate Bill 731, offered by Representative Winkel, a Bill for an Act to amend the Criminal Code. Senate Bill 732, offered by Representative Franks, a Bill for an Act to amend the Criminal Code. Senate Bill 740, offered by Representative Wirsing, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill 741, offered by Representative Hartke, a Bill for an Act to amend the Vehicle Code. Senate Bill 745, offered by Representative Durkin, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Senate Bill 746, offered by Representative Durkin, a Bill for an Act to revise the law by combining multiple enactments and making technical corrections. Senate Bill 799, offered by Representative Andrea Moore, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill 815, offered by Representative Persico, a Bill for an Act to amend the Illinois Banking Act. Senate Bill 840, offered by Representative Jerry Mitchell, a Bill for an Act relating to school construction projects. Senate Bill 847... 850, offered by Representative Parke, a Bill for an

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

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Act to amend the Hospital Licensing Act. Senate Bill 877, offered by Representative Gash, a Bill for an Act to amend the Illinois Procurement Code. Senate Bill 892, offered by Representative Hamos, a Bill for an Act to amend the Property Tax Code. Senate Bill 893, offered by Representative Novak, a Bill for an Act to amend the Illinois Income Tax Act. Senate Bill 955... 995, offered by Representative Winkel, a Bill for an Act concerning regional superintendents of school. First Reading of these Senate Bills. Senate Bill 1015, offered by Representative Brunsvold, a Bill for an Act to amend the Secretary of State Act. First Reading of this Senate Bill. The House Perfunctory Session stands adjourned."